

**Senator Frentz from the Committee on Energy, Utilities, Environment, and Climate,
to which was referred**

S.F. No. 1393: A bill for an act relating to energy; providing for data center energy generation redundancy; amending Minnesota Statutes 2024, sections 116D.04, subdivision 4a; 216B.02, by adding a subdivision; 216B.243, subdivision 8; 216I.02, by adding a subdivision; 216I.07, subdivision 2; 216I.08, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete lines 12 to 21 and insert:

"(b) Upon adoption by the responsible governmental unit of the environmental document and plan for mitigation under an alternative urban areawide review process, and notwithstanding any additional environmental review that may otherwise be required for a phased action or connected action, or project component that was not evaluated in the alternative urban areawide review process, environmental review is complete and the prerequisites under subdivision 2b are satisfied with regards to the anticipated residential, commercial, warehousing, and light industrial development projects that are consistent with development assumptions within the established boundaries of the geographic area to which the alternative urban areawide review applies."

Page 2, after line 7, insert:

"Sec. 3. Minnesota Statutes 2024, section 216B.02, is amended by adding a subdivision to read:

Subd. 12. **Data center.** "Data center" means a free standing structure that primarily contains electronic equipment used to process, store, and transmit digital information."

Page 3, line 17, after "more" insert "that provides power to a data center and is eligible for permitting as a single stationary source under Minnesota Rules, part 7007.0200, 7007.0250, 7007.1100, or 7007.1110 through 7007.1141."

Page 4, line 18, delete "the day following" and insert "July 1, 2025,"

Page 4, line 19, delete "final enactment"

Page 4, delete section 6 and insert:

"Sec. 7. Minnesota Statutes 2024, section 216I.07, subdivision 3, is amended to read:

Subd. 3. **Environmental review.** (a) For the projects identified in subdivision 2 and following the procedures under this section, the applicant must prepare and submit an environmental assessment with the application. A draft of the environmental assessment

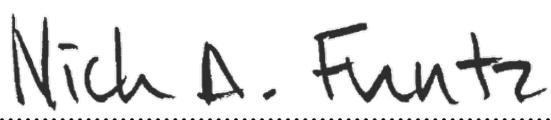
must also be provided to commission staff as part of the preapplication review under section 216I.05, subdivision 6. The environmental assessment must (1) contain information regarding the proposed project's human and environmental impacts, and (2) address mitigating measures for identified impacts. The environmental assessment for projects identified in subdivision 2, clause (2), must also include a discussion of reasonable alternatives to the proposed project considering (i) the appropriateness of the size and type of the proposed method of generation compared to those of reasonable alternatives; (ii) the cost to the proposer of energy to be supplied by the project compared to the cost of energy that would be supplied by reasonable alternatives; (iii) the effects of the proposed project upon the natural and socioeconomic environments compared to the effects of reasonable alternatives; and (iv) the expected reliability of the proposed facility compared to the expected reliability of reasonable alternatives. The environmental assessment is the only state environmental review document that must be prepared for the proposed project.

(b) If after the public meeting the commission identifies other sites or routes or potential impacts for review, the commission must prepare an addendum to the environmental assessment that evaluates (1) the human and environmental impacts of the alternative site or route, and (2) any additional mitigating measures related to the identified impacts consistent with the scoping decision made pursuant to section 216I.06, subdivision 10, clause (2). The public may provide comments on the environmental assessment and any addendum to the environmental assessment at the public hearing and comment period under subdivision 4. When making the commission's final decision, the commission must consider the environmental assessment, the environmental assessment addendum, if any, and the entirety of the record related to human and environmental impacts."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Environment, Climate, and Legacy. Amendments adopted. Report adopted.


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(Committee Chair)

March 26, 2025.....
(Date of Committee recommendation)