



S.F. No. 570 – Pollution Control Agency and Natural Resources Permitting Reform (As Amended by the A-1 Amendment)

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Section 1 [Reporting of Extensions of Wetlands-Related Determinations Required]

current law requires state and local agencies to approve or deny certain wetlands-related permitting decisions within 60 days. This section would require copies of such extensions to be sent to the Board of Water and Soil Resources (BWSR) so that it can file the report required by Section 10.

Section 2 [PCA Permitting Efficiency Modifications] current law requires the Pollution Control Agency (PCA) to file an annual permitting efficiency report and Section 2 would modify the requirements for these reports as follows:

- The report's coverage would be limited to the more complicated Tier 2 permits and would require additional information about Tier 2 permit completion rates, including an estimate of the staff resources that would have been necessary to complete all Tier 2 permits within the statutory goal of 150 days.
- The report would have to be sent to the chairs of the legislative environment committees and to the Governor

This section also requires the PCA to give permit applicants five business days to remedy all identified deficiencies in applications before determining whether the application is complete or incomplete.

Section 3 [Issuance of Separate Construction and Operation Permits for Air Permittees]

Authorizes the PCA to issue separate construction and operation permits to certain air permittees, allowing construction to begin before the issuance of the associated operating permits. Section 8 would enact a conforming technical change made necessary by this section.

Section 4 [Modifications to PCA Expedited Permitting] repeals statutory language granting the PCA discretion to decline to allow expedited permitting. Authorizes an expedited

permitting agreement to provide for the agency to retain any fees that are unearned due to a faster-than-expected completion of the permitting process and statutorily appropriates that money to the agency for use in administering its permitting work.

Section 5 [EAW Petitioners Must Live Near Proposed Facility] requires all 100 signatories to a petition for a discretionary Environmental Assessment Worksheet (EAW) to reside within the county where the proposed action will be undertaken or in an adjoining county. Current law allows them to reside anywhere in the state.

Section 6 [Timing of Local Government Feedlot Permit Review] authorizes a local unit of government to begin review of a permit application for a feedlot that is subject to environmental review before environmental review is complete, even though final approval and construction cannot begin until environmental review is complete.

Section 7 [Elimination of Requirement for Certain Scoping EAWs] An environmental assessment worksheet (EAW) is usually a document that is created in order to determine whether a more extensive environmental impact statement (EIS) needs to be produced. However, current law requires the creation of a scoping environmental assessment worksheet even where an EIS is mandatory. This section would direct the Environmental Quality Board (EQB) to repeal the requirement to produce a scoping EAW where state law requires the mandatory creation of an EIS. This section also requires scoping to be completed within 280 days of the commencement of the scoping process.

Section 8 [Conforming Change] a conforming change to seek federal approval for the changes enacted in Section 3, where needed.

Section 9 [Intent] states that the legislature intends that the legislature adopt permitting processes that allow growth of the state's economy in a manner that adequately protects the state's environment and natural resources.

Section 10 [Report on Use of Authority to Extend Timeline for Certain Agency Actions] requires BWSR to report to the appropriate legislative committees by October 1, 2027, on the number of notices it receives during a two year period under the change made to statute in Section 1.

Section 11 [Appropriation] Appropriates \$325,000 in fiscal year 2026 and \$325,000 in fiscal year 2027 from the general fund to the commissioner of employment and economic development for the Minnesota Business First Stop Program.



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