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State of Minnesota

## HOUSE OF REPRESENTATIVES NINETIETH SESSION H. F. No. 2262

03/08/2017

2017 Authored by Hornstein and Clark The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1	A bill for an act
1.2 1.3 1.4	relating to environment; requiring climate change considerations in environmental impact statements; amending Minnesota Statutes 2016, section 116D.04, subdivision 5a.
1.5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.6	Section 1. Minnesota Statutes 2016, section 116D.04, subdivision 5a, is amended to read:
1.7	Subd. 5a. Rules. (a) The board shall, by January 1, 1981, promulgate must adopt rules
1.8	in conformity with this chapter and the provisions of chapter 15, establishing:
1.9	(1) the governmental unit which shall be that is responsible for environmental review
1.10	of a proposed action;
1.11	(2) the form and content of environmental assessment worksheets;
1.12	(3) a scoping process in conformance with subdivision 2a, clause (e);
1.13	(4) a procedure for identifying during the scoping process the permits necessary for a
1.14	proposed action and a process for coordinating review of appropriate permits with the
1.15	preparation of the environmental impact statement;
1.16	(5) a standard format for environmental impact statements;
1.17	(6) standards for determining the alternatives to be discussed in an environmental impact
1.18	statement;
1.19	(7) alternative forms of environmental review which that are acceptable pursuant to
1.20	subdivision 4a;

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(8) a model ordinance which that may be adopted and implemented by local governmental 2.1 units in lieu of the environmental impact statement process required by this section, providing 2.2 for an alternative form of environmental review where an action does not require a state 2.3 agency permit and is consistent with an applicable comprehensive plan. The model ordinance 2.4 shall must provide for adequate consideration of appropriate alternatives, and shall must 2.5 ensure that decisions are made in accordance with the policies and purposes of Laws 1980, 2.6 chapter 447; 2.7 2.8 (9) procedures to reduce paperwork and delay through intergovernmental cooperation and the elimination of unnecessary duplication of environmental reviews; 2.9 2.10 (10) procedures for expediting the selection of consultants by the governmental unit responsible for the preparation of an environmental impact statement; and 2.11 2.12 (11) any additional rules which that are reasonably necessary to carry out the requirements of this section. 2.13 (b) At a minimum, rules adopted by the board under this subdivision must ensure that 2.14 an environmental impact statement: 2.15 (1) incorporates data from existing models of climate change that evaluate and project 2.16 future global-warming changes; 2.17 (2) specifies standards and protocol using climate science to assess the direct and indirect 2.18 environmental impacts of a proposed fossil-fuel infrastructure project; 2.19 (3) provides standards to evaluate and measure the life-cycle emissions of greenhouse 2.20 gases for a proposed fossil-fuel infrastructure project, including the emissions associated 2.21 with extraction, transportation, and end use of the fossil fuel, regardless of whether those 2.22 2.23 actions occur in the state; (4) evaluates alternatives to a proposed fossil-fuel infrastructure project; and 2.24 (5) reviews the economic value added by viability of a proposed fossil-fuel infrastructure 2.25 project to a community under a two degree C scenario analysis in relation to any adverse 2.26 environmental impacts. "Two degree C scenario analysis" means an economic analysis of 2.27 the proposed fossil-fuel infrastructure project that takes into account the impacts of demand 2.28 2.29 reduction that results from carbon restrictions and related rules or commitments adopted by governments, accompanied by continued cost reductions in clean energy technologies, 2.30 consistent with the two degree target adopted by the Paris Climate Agreement. 2.31

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