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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4739

04/04/2022 Authored by Lee and Xiong, J., The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to environment; establishing community air monitoring system pilot grant
1.3 program; requiring reports; appropriating money.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. COMMUNITY AIR MONITORING SYSTEM PILOT GRANT
1.6 PROGRAM.

1.7 Subdivision 1. Definitions. (a) For purposes of this section, the terms in this subdivision
1.8 have the meanings given.

1.9 (b) "Agency" means the Minnesota Pollution Control Agency.

1.10 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

1.11 (d) "Community air monitoring system" means a system of devices monitoring ambient
1.12 air quality at many locations within a small geographic area that is subject to air pollution
1.13 from a variety of stationary and mobile sources in order to obtain frequent measurements
1.14 of pollution levels, to detect differences in exposure to pollution over distances no larger
1.15 than a city block, and to identify areas where pollution levels are inordinately elevated.

1.16 (e) "Environmental justice area" means one or more census tracts in Minnesota:

1.17 (1) in which, based on the most recent data published by the United States Census Bureau:

1.18 (i) 40 percent or more of the population is nonwhite;

1.19 (ii) 35 percent or more of the households have an income at or below 200 percent of the
1.20 federal poverty level; or

2.1 (iii) 40 percent or more of the population over the age of five has limited English
2.2 proficiency; or

2.3 (2) located within Indian Country, as defined in United State Code, title 18, section 1151.

2.4 (f) "Nonprofit organization" means an organization that is exempt from taxation under
2.5 section 501(c)(3) of the Internal Revenue Code.

2.6 Subd. 2. **Establishment of program.** A community air monitoring system pilot grant
2.7 program is established in the Pollution Control Agency to measure air pollution levels at
2.8 many locations within an environmental justice area in Minneapolis.

2.9 Subd. 3. **Eligible applicants.** Grants under this section may be awarded to applicants
2.10 consisting of a partnership between a nonprofit organization located in an environmental
2.11 justice area in which the community air monitoring system is to be deployed and an entity
2.12 that has experience deploying, operating, and interpreting data from air monitoring systems.

2.13 Subd. 4. **Eligible projects.** Grants may be awarded under this section to applicants
2.14 whose proposals:

2.15 (1) use a variety of air monitoring technologies approved for use by the commissioner,
2.16 including but not limited to stationary monitors, sensor-based handheld devices, and mobile
2.17 devices that can be attached to vehicles or drones to measure air pollution levels;

2.18 (2) obtain data at fixed locations and from handheld monitoring devices that are carried
2.19 by residents of the community on designated walking routes in the targeted community and
2.20 that can provide high-frequency measurements;

2.21 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
2.22 area; and

2.23 (4) provide monitoring data to the agency to help inform:

2.24 (i) agency decisions, including placement of the agency's stationary air monitors and
2.25 whether to require mitigation of emissions at facilities that are in or near the environmental
2.26 justice area and operating under air quality permits issued by the agency; and

2.27 (ii) decisions by other governmental bodies regarding transportation or land use planning.

2.28 Subd. 5. **Eligible expenditures.** Grants may be used only for the following activities:

2.29 (1) planning the configuration and deployment of the community air monitoring system;

2.30 (2) purchasing and installing air monitoring devices as part of the community air
2.31 monitoring system;

3.1 (3) training and paying persons who operate stationary, handheld, and mobile devices
3.2 to measure air pollution;

3.3 (4) developing data and mapping systems to analyze, organize, and present the air
3.4 monitoring data collected; and

3.5 (5) writing a final report on the project according to subdivision 9.

3.6 Subd. 6. **Air monitoring technologies; agency approval.** The commissioner must
3.7 approve air monitoring technologies proposed to be used in a project awarded a grant under
3.8 this section. Approved air monitoring technologies must meet a reasonable level of accuracy
3.9 and consistency.

3.10 Subd. 7. **Application and grant award process.** An eligible applicant must submit an
3.11 application to the commissioner on a form prescribed by the commissioner. The
3.12 commissioner must develop administrative procedures governing the application and grant
3.13 award process. The commissioner must act as fiscal agent for the grant program and is
3.14 responsible for receiving and reviewing grant applications and awarding grants under this
3.15 section.

3.16 Subd. 8. **Grant awards; priorities.** In awarding grants under this section, the
3.17 commissioner must give priority to proposed projects that:

3.18 (1) take place in areas with high rates of illness associated with exposure to air pollution,
3.19 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,
3.20 and cancer;

3.21 (2) promote public access to and transparency of air monitoring data developed through
3.22 the project; and

3.23 (3) conduct outreach activities to promote community awareness of and engagement
3.24 with the project.

3.25 Subd. 9. **Report to agency.** No later than 90 days after a project ends, the grantee must
3.26 submit a written report to the commissioner describing the project's findings and results
3.27 and any recommendations for agency actions, programs, or activities to reduce levels of air
3.28 pollution measured by the community air monitoring system. The grantee must also forward
3.29 to the commissioner all air monitoring data developed by the project.

3.30 Subd. 10. **Report to legislature.** No later than January 15, 2024, the commissioner must
3.31 submit a report to the chairs and ranking minority members of the legislative committees
3.32 with primary jurisdiction over environment policy and finance on the results of the grant
3.33 program, including:

4.1 (1) any changes in the agency's air monitoring network that will occur as a result of data
4.2 developed under the program;

4.3 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
4.4 that impact the environmental justice areas that received grants under the program; and

4.5 (3) any recommendations for legislation, including whether the program should be
4.6 extended or expanded.

4.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.8 Sec. 2. **APPROPRIATION.**

4.9 \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of
4.10 the Minnesota Pollution Control Agency to award grants under section 1 and to pay the
4.11 agency's reasonable costs to administer the pilot grant program. This is a onetime
4.12 appropriation. Any unexpended money remaining on December 31, 2023, cancels to the
4.13 general fund.

4.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.