

SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION

S.F. No. 1166

(SENATE AUTHORS: TOMASSONI)

DATE  
02/18/2021

D-PG

OFFICIAL STATUS  
Introduction and first reading  
Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act  
1.2 relating to environment; modifying deadline to report on funding for section 404  
1.3 assumption; amending Laws 2019, First Special Session chapter 4, article 1, section  
1.4 2, subdivision 9.

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

1.6 Section 1. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9,  
1.7 is amended to read:

1.8 Subd. 9. **Environmental Quality Board** 1,774,000 1,274,000

1.9	Appropriations by Fund		
1.10		2020	2021
1.11	General	1,081,000	1,081,000
1.12	Environmental	393,000	193,000
1.13	Remediation	300,000	-0-

1.14 (a) \$200,000 the first year is from the  
1.15 environmental fund to begin to develop and  
1.16 assemble the material required under Code of  
1.17 Federal Regulations, title 40, section 233.10,  
1.18 to have the state of Minnesota assume the  
1.19 section 404 permitting program of the Federal  
1.20 Clean Water Act. The Board may execute  
1.21 contracts or interagency agreements to  
1.22 facilitate developing the required agreements  
1.23 and materials. By February 1, ~~2021~~ 2022, the

2.1 board must submit a report on the additional  
2.2 funding necessary to secure section 404  
2.3 assumption and the additional funding needed  
2.4 to fully implement the state-assumed program  
2.5 to the chairs and ranking minority members  
2.6 of the legislative committees and divisions  
2.7 with jurisdiction over the environment and  
2.8 natural resources. This is a onetime  
2.9 appropriation and is available until June 30,  
2.10 2022.

2.11 (b) \$300,000 the first year is from the  
2.12 remediation fund to conduct a study of the  
2.13 potential to deploy solar photovoltaic devices  
2.14 on closed landfill program sites. This is a  
2.15 onetime appropriation. By December 1, 2020,  
2.16 the board, in consultation with the Pollution  
2.17 Control Agency and the commissioners of  
2.18 administration, commerce, and management  
2.19 and budget, must provide to the chairs and  
2.20 ranking minority members of the legislative  
2.21 committees and divisions with jurisdiction  
2.22 over environment and natural resources policy  
2.23 and finance and energy policy and finance a  
2.24 report on the use of properties in the state's  
2.25 closed landfill program for solar energy  
2.26 production. The report must include:

2.27 (1) identification and assessment of properties  
2.28 in the closed landfill program with the highest  
2.29 potential for solar energy production;

2.30 (2) identification of potential barriers to solar  
2.31 energy production and potential ways to  
2.32 address those barriers; and

2.33 (3) policy recommendations that would  
2.34 facilitate solar energy production on closed  
2.35 landfill program sites in a manner that would

3.1 contribute to state and local government

3.2 sustainability goals.

3.3 **EFFECTIVE DATE.** This section is effective retroactively from January 31, 2021.