

**Subject** Environmental Permits

**Authors** Hassan

**Analyst** Janelle Taylor

**Date** May 12, 2020

## Summary

This bill would modify an existing law that requires the Pollution Control Agency (PCA), before issuing an air permit to a facility located within an area meeting certain conditions (a portion of south Minneapolis), to analyze and consider the cumulative level of past and current environmental pollution from all sources on the geographic area in which the permitted facility's emissions are likely to be deposited.

The bill would provide a new option for residents of the area to petition for a similar analysis in cases where an air permit for a project is not required. The petition would need to be signed by at least 200 residents. Upon receipt of the petition, the PCA would be required to provide a timeline for completing the analysis within 30 days. In completing the analysis, the commissioner would be required to take into account certain environmental justice principles and make other considerations. Allows the PCA to require permits/approvals issued by a political subdivision to contain provisions to prevent environmental impacts that violate those environmental justice principles. Also prohibits a political subdivision from issuing final approval for a project when a petition has been filed until the analysis is complete.

The bill also establishes a new provision that would require a permit from the PCA before demolishing a structure with more than an unspecified amount of square feet in the specified area and requires the PCA to complete a similar cumulative impact analysis before issuing the permit. Allows the PCA to require provisions to prevent environmental impacts as part of the permit.

The bill also modifies the definition of the specified area by referring to it as a "highly impacted area" and adding a description of the area applicable during the COVID-19 pandemic.