



Environmental Review and Permitting

Update to 2011 Evaluation Report

Problems Identified

- **Flaws in Environmental Review Process.** Minnesota's process for environmental reviews does not allow public agencies to accomplish certain objectives. For example, it does not consistently reduce delay or uncertainty about a project's environmental impacts.
- **Lack of Expertise.** Expertise varied widely among the government units expected to manage environmental assessment worksheets (EAWs) and environmental impact statements (EISs). Lack of experience of certain local staff had a negative effect on EAWs.
- **Inadequate Data.** Neither the Pollution Control Agency (PCA) nor the Department of Natural Resources (DNR) had adequate data to fully measure timeliness of their environmental reviews or priority permits. Inadequate data prevented the agencies from identifying needed improvements.

Changes Implemented

- **Governor Issued Executive Order.** Governor Mark Dayton issued an executive order November 16, 2011, requiring the Environmental Quality Board (EQB) to evaluate how to improve the state's environmental reviews given recent legislative changes and recommendations in OLA's report. A staff team from PCA, DNR, and the Department of Transportation developed a work plan and expects to present recommendations to the EQB prior to mid-November 2012.
- **PCA Began New Tracking of Environmental Reviews and Permits.** PCA maintains a database allowing it to record the progress of agency staff and project proposers as they work on EAWs. It also plans to issue an annual report on EAWs' status, including timeliness information. PCA developed a database to monitor timeliness of its permits and is updating the database as legislative requirements change.
- **Legislature Required Additional Action.** The 2012 Legislature made additional changes to the environmental permit process. Plus, it directed state agencies to review environmental review requirements and offer pilot alternative environmental reviews.

Action Needed

- **Monitor Upcoming EQB Recommendations.** In late 2012, the EQB expects to issue recommendations to improve the environmental review process. The Legislature should review the recommendations and consider changes to improve environmental reviews.
- **Monitor State Agency Activities.** The Legislature should monitor PCA and DNR actions to ensure they are adequately measuring their timeliness and improving permitting and environmental review processes. Plus, it should track effects of its 2012 statutory changes.