

Minnesota needs thorough – and predictable – environmental review system

By Bill Blazar

Clean air and water contribute significantly to Minnesotans' quality of life. That's why Minnesota businesses place a high priority on protecting our environment.

At the same time, we regularly hear concerns about the cost, time and uncertainty in the environmental review and permitting system before state agencies. Business owners and managers become frustrated when a process that takes months in other states and countries can extend for years in Minnesota. Seeking additional efficiencies and transparency in the process remains one of the Minnesota Chamber's top legislative initiatives.

We've made notable strides in the past four years working with Governor Dayton and the Legislature. For example:

- We shortened the environmental permitting timetable to better reflect the actual average time of processing. Permits not requiring a public comment period now have a goal to be completed within 90 days, and those requiring a public comment period within 150 days.
- We partnered with and assisted the regulatory agencies to make more of their permits readily available online through "e-permitting."
- We succeeded in shortening appeals of environmental review documents by eliminating a stop before the District Court. In other words, like permits, the appeals go directly to the Minnesota Court of Appeals.
- We were instrumental in the development of Business One Stop in the Department of Employment and Economic Development to help businesses navigate the process when projects require multiple permits from multiple agencies.

Businesses have benefited from these changes. Just as important, the local governments, especially cities, are also among the immediate beneficiaries of our efforts. The permits they need to upgrade their municipal wastewater treatment plants will now be processed with a goal of 150 days. Managing wastewater and storm water is important not only to a community's health, but it can be a key factor in attracting new businesses and residents.

Make no mistake, Minnesota's environmental review and permitting system should be second to none. At the same time, we seek a process that enables Minnesota to compete in the global economy. As Governor Dayton has said, our permitting needs to be completed "at the speed of commerce." Businesses of all sizes and types and local governments need a variety of permits from state agencies if they wish to start/locate and/or expand in Minnesota. The current process is cumbersome, costly and lacks certainty. That's why streamlining our systems has been a priority of the Minnesota Chamber for the last decade. As noted, we have made progress, but there's more work to do.

The 2015 session should bring our next step forward. Among our priorities is further streamlining the processing of Tier 1 permits – for example, permits for sewer extension, individual storm water and construction storm water, and general permits where one permit covers multiple facilities with similar operations. We support decreasing the timeline for these permits, which do not require public hearings now, from 90 days to 45 days. We also are working with local governments to require legislative

approval of state agency rules that have a substantial economic impact and require peer review of rules that have significant impact on businesses and local governments.

The challenges facing Minnesota companies are more than a frustration; they present a threat to the state's economic vitality. Companies routinely compare all costs and regulatory requirements against other states and nations when exploring additional investments. We must take steps to level the playing field if we are to facilitate a changing and growing economy.

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