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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2614

03/03/2014

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

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A bill for an act

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relating to environment; requiring development of an environmental justice

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policy by the Pollution Control Agency; proposing coding for new law in

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Minnesota Statutes, chapter 116B.

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

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Section 1. **SHORT TITLE.**

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This act shall be called the "Environmental Justice Act."

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Sec. 2. **[116B.14] DEFINITIONS.**

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For purposes of sections 116B.14 and 116B.15, the following terms have the

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meanings given:

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(1) "agency" means the Pollution Control Agency;

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(2) "commissioner" means the commissioner of the Pollution Control Agency; and

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(3) "environmental justice" means the fair treatment and meaningful involvement

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of people of all races, cultures, and income levels in the development, adoption,

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implementation, and enforcement of environmental laws and policies.

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Sec. 3. **[116B.15] ESTABLISHMENT AND IMPLEMENTATION OF**

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ENVIRONMENTAL JUSTICE POLICY.

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Subdivision 1. **Environmental justice; policy development.** (a) The state

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is committed to ensuring that state agencies afford fair treatment and meaningful

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involvement in environmental decision making to communities regardless of race, color,

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ethnicity, religion, income, or education level of those communities.

(b) By July 1, 2015, the agency shall adopt and begin to implement an environmental justice policy that seeks fair treatment and meaningful involvement of all people, regardless of race, color, ethnicity, religion, income, or education level.

(c) The policy shall, at a minimum:

(1) identify procedures and steps the agency will take in permitting, environmental review, rulemaking, compliance and enforcement, prevention, education and assistance, environmental monitoring and analysis, watershed management, contaminated site cleanup, and other activities to integrate environmental justice concerns into the agency's decision making, including:

(i) identifying and removing barriers to the meaningful involvement of all citizens in communities with potential environmental justice concerns;

(ii) incorporating demographic data and information regarding cumulative environmental impacts in a specific geographic area; and

(iii) minimizing the future exposure to environmental and human health hazards of communities whose cumulative exposure to such hazards in the past raises environmental justice concerns;

(2) address the need to provide translators when necessary to facilitate meaningful access and communication between the community and the agency;

(3) develop procedures and tools, including but not limited to guidance, checklists, best practices, and sample language, to better understand and address disproportionate exposure to environmental and human health hazards and integrate the procedures and tools into the agency's activities;

(4) include plans to coordinate the agency's environmental justice efforts with those of other state agencies and the federal Environmental Protection Agency;

(5) consider how to develop measures to evaluate the effectiveness of the agency's environmental justice policy; and

(6) identify any additional resources or law changes needed to implement the policy.

Subd. 2. Stakeholder process. (a) The commissioner shall hold quarterly meetings with interested parties to receive input and assistance in developing the environmental justice policy required under this section.

(b) Upon completion of the environmental justice policy, the commissioner shall hold quarterly meetings with interested parties regarding the policy's implementation and its impact on agency actions.

Sec. 4. EFFECTIVE DATE.

Sections 1 to 3 are effective the day following final enactment.