



## SUMMARY OF ENVIRONMENTAL LEGISLATION 2007 Session, Minnesota Legislature

Brian Pasko, Legislative Coordinator  
Sierra Club – North Star Chapter

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During the 2007 legislative session, the Sierra Club's North Star Chapter focused our efforts in five areas. First, we played a leadership role in the Clean Energy Minnesota Coalition, which worked to create new laws pertaining to renewable energy, global warming, energy conservation, and the development of advanced biofuels. Second, we joined with member organizations in the Transit Partners Coalition to address the need for increase funding for both metropolitan and rural transit and bus systems in Minnesota. Third, we worked to strengthen Minnesota's Wetlands Conservation Act. Fourth, we successfully secured funding through the Legislative-Citizen Commission on Minnesota Resources grant program for the next phase of Minnesota's County Biological Survey. Finally, we worked with key legislators and citizens to prepare legislation on sulfide mining, which will be discussed in a future legislative session.

### ***The Nation's Most Aggressive Renewable Energy Standard***

Early in the legislative session, the Minnesota Legislature passed what is widely believed to be the strongest renewable energy standard in the country. The legislation is the product of years of public pressure that was coordinated by the Sierra Club and our allies, which set the stage for an agreement reached between Minnesota's electric utilities and the Clean Energy Minnesota coalition during this legislative session. The new law requires Xcel Energy, the largest electricity producer in the state, to generate 30 percent of its energy from renewable resources by 2020, with at least 25 percent generated by wind energy. All other utilities will be required to generate at least 20 percent of their energy from renewable sources by 2025. The bill passed with overwhelming margins: 61-4 in the Senate and 123-10 in the House of Representatives, and was signed by the Governor.

### ***Global Warming Mitigation Act of 2007***

In the final days of the legislative session, the Minnesota Legislature passed a comprehensive omnibus energy policy bill that included the Global Warming Mitigation Act of 2007. This Act was the result of an intense lobbying effort that was coordinated by the Sierra Club and the implementation of a powerful public outreach plan that included a Global Warming Day of Action (an event organized by Sierra Club volunteers and staff that drew 5,000 to show their support on the Capitol Mall in St. Paul). The new law:

- provides that it is the goal of the state to reduce statewide greenhouse gas emissions across all sectors to a level at least 15 percent below 2005 levels by 2015, 30 percent below 2005 levels by 2025, and 80 percent below 2005 levels by 2050;
- requires an economy-wide climate change action plan to be submitted to the Legislature by February 1, 2008;

- requires the state to work with other states in the Midwest region to develop and implement a regional approach to reducing greenhouse gas emissions from activities in the region;
- requires the state to establish a “comprehensive and enforceable state law or rule pertaining to greenhouse gases that directly limits and substantially reduces, over time, statewide power sector carbon dioxide emissions” by August 1, 2009; and
- states that if the State does not enact a comprehensive greenhouse gas reduction law by August 1, 2009, then there is a moratorium on (a) the construction of new large energy facilities, (b) the importation of power from an out of state new large energy facility, and (c) the approval of a power purchase agreement that would increase carbon dioxide emissions unless the proposal to emit new emissions is offset by “permanent, quantifiable, verifiable, enforceable” offsets that “would not have otherwise occurred.”

The entire energy package, including the Global Warming Mitigation Act, was passed overwhelmingly by the legislature: 59-5 in the Senate and 125-9 in the House of Representatives, and was signed by the Governor.

### ***Energy Efficiency and Conservation Legislation***

Of equal importance were the energy efficiency and conservation provisions of the omnibus energy policy bill, which

- increases the amount of energy savings in our current conservation improvement program to 1.5% (this seems pretty small, but it is actually extremely aggressive and will result in a 25% decrease in Minnesota’s electric and natural gas use by 2025);
- directs the Public Utilities Commission to implement a “decoupling” pilot program for one gas and one electric utility that will eliminate the incentive for utilities to increase their profits by selling more gas or electricity;
- dedicates \$3 million to a fund for increased research to maximize the success ongoing energy efficiency programs; and
- implements a host of technical efficiency mechanisms that will contribute to the meeting of the 1.5% reduction goal.

### ***Promoting the Next Generation of Biofuels***

As part of the Clean Energy Minnesota Coalition, the Sierra Club worked with partner organizations to promote the development of an advanced cellulosic biofuels industry in Minnesota. Cellulosic biofuels are liquid fuels, such as ethanol, that can be derived from organic,

renewable resources – typically plants or vegetable oils. New technologies to transform plant fibers into liquid renewable fuels are rapidly becoming economically competitive, and Minnesota is well-positioned to benefit from that growing marketplace and to be a leader in the race to decrease global warming pollution. The Sierra Club and our legislative partners sought to secure funding in the 2007-2008 agriculture budget to provide incentive payments for both growing cellulosic biomass other than corn, and for turning that cellulosic biomass into liquid fuels. The State Senate widely embraced this proposal, but the House had other funding priorities and the Clean Energy Minnesota proposal was not included in the final legislation that passed. The Clean Energy Minnesota Coalition was, however, successful in securing other funding for additional research in biofuels production. Additionally, the coalition succeeded in passing policies that will establish a state-wide working lands bioenergy program, which sets the stage for the purchase of long-term easements for the growing of perennial crops for the purpose of using those crops for the development of cellulosic biofuels.

### ***Funding for Transportation Choices***

For years, the Sierra Club and members of the Transit Partners Coalition have worked to pass a regional sales tax that would expedite needed transit development in Minnesota. This session, we assisted in passing a bill that provided over \$200 million a year for the expansion of transit options in both the metropolitan area and rural Minnesota. The omnibus transportation finance bill that was agreed to by both the House and Senate, included both a 5 cent gas tax increase for road development as well as a full range of dedicated funding options for transit. The transit portion of the bill included (1) a ½ cent regional sales tax to be dedicated at least 50% and as much as 75% to transit, (2) a dedication of 40% of the motor vehicle sales tax to transit, and (3) a dedication of 50% of the motor vehicle sales tax on leased vehicles to transit. Unfortunately, the Governor vetoed the bill shortly after it passed the House and Senate with sizeable majorities: 47-17 in the Senate and 90-43 in the House of Representatives. Despite the hard work of advocates representing a broad range of issues and organizations, an attempt to override the Governor's veto by obtaining a 2/3 majority of the House and Senate failed during the last 20 minutes of the 2007 legislative session. The attempt in the House failed 83-50, 7 votes shy of the 90 votes needed to override the Governor's veto.

### ***Wetlands Conservation Act Reform***

As part of the environment, natural resources, and energy omnibus finance bill, the Sierra Club and our partners at the Minnesota Center for Environmental Advocacy worked to pass provisions that tighten exemptions in the current Wetlands Conservation Act and that require additional reporting of the use of those exemptions. As a result, 2007 is the first year in the 16 year history of the Wetland Conservation Act that Minnesota's wetlands laws have been made more protective.

### ***Mining without Harm***

During the 2007 Legislative session, the Sierra Club worked to set the stage for the adoption of new sulfide mining laws in future years. Sulfide mining is a harmful kind of mining that has never been commercially conducted in Minnesota, and involves extracting tiny concentrations of

metals (like copper, nickel, platinum, and palladium) that are embedded in sulfur-containing bedrock. When the sulfur in these rocks is exposed to air and moisture, a chemical and biological reaction generates sulfuric acid mine drainage that can leach into the surrounding environment. The Sierra Club has worked with legislators and allies to introduce legislation that would prohibit mining operations that have not been proven safe during actual operation and closure of a similar mine. Additionally, the legislation would prohibit mines that require perpetual wastewater treatment after the mine's closure as well as metallic sulfide mines in watersheds of special concern.