

CGA Presentation to PUC Leads to Permitting Reform Legislation

Kelley Welf, Communications Director • Jan. 29, 2024

For years, permitting reform has been a persistent conversation in Minnesota. The process that developers must use to get wind, solar, and transmission projects approved by the Public Utilities Commission (PUC) has been cumbersome, costly, and time-consuming. And, in business, time is money.

The permitting issue really came to a head when the 100% Clean Energy by 2040 bill was passed last February. Recognizing that permitting reform is vital to achieving the state's goals, **Minnesota Public Utilities Chair Katie Sieben** asked CGA Executive Director **Beth Sohlt** to give a presentation to the PUC to explain why permitting reform is needed and clarify what the Commission could do to help the state meet its carbon reduction standards. This presentation became the springboard for forming a Stakeholder Work Group whose purpose was to review the permitting process and bring forward ideas and suggestions that could be implemented by the Commission.

Former Commissioner Dan Lipschultz was appointed to facilitate the Work Group. The group was comprised of representatives from 32 organizations including state agencies, renewable energy developers, utilities, consumer and environmental NGOs, farmer organizations, local government associations, construction and labor trade organizations, legal representatives, and other subject matter experts.

"This was an extremely collaborative process and with the variety of the stakeholders participating, Minnesota citizens should know they were very well represented," said Beth Sohlt.

"Everyone agreed that the permitting process needed to be improved to help alleviate delays and confusion for both developers and stakeholders," said CGA Regional Policy Manager Madelyn Smerillo. "But, above all, everyone agreed that we had to keep the environmental review and public input parts of the process." Not everything was rosy, however. There was substantial opposition to eliminating or changing the existing prime farmland rule, which CGA was eager to address. Ultimately, after three meetings in the fall of 2023, the participants largely united around several recommendations, including three that CGA suggested. CGA is in ongoing conversations with stakeholders to obtain robust input into these recommendations.



Report Leads to Legislation

Since the Permitting Reform Stakeholder Report to the PUC was released on December 31, 2023, many changes discussed during the Work Group meetings made their way to the Capitol and will be included in the "2024 MN Energy Infrastructure Permitting Act." The following recommendations that CGA put forth are included in this bill.

- Changes to the permitting process to simplify and expedite the application completeness check-off. The proposed changes would save 30-60 days, which could equal an entire construction season.
- Move environmental review staff from the Department of Commerce to the Public Utilities Commission to streamline the process and align with other agencies. Changes here would save weeks of lag time in communications between agencies.
- Bring wind, solar and battery storage under the same permitting process to establish consistency.

"We are very pleased with the outcomes from the Work Group and are grateful to **Representative Long** who has agreed to carry this bill in the House. We are eager to encourage the full legislature to pass this bill because once in place, the legislation will result in a quicker, easier, more consistent, predictable and efficient permitting process. And that will help establish a stable business environment in Minnesota," said Smerillo.

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Madelyn Smerillo, CGA Regional Policy Manager

What's Next?

But that's not all. CGA is also looking at reforms to the Tall Tower permit process and the 3x5 wind access buffer this session.

CGA is driving the Midwest toward a clean energy future. Our involvement in forums like this Stakeholder Work Group is one way CGA makes progress on implementation of state policy.