

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Executive Order 11-04

Establishing Goals and Procedures to Ensure that Certain Environmental Permits are Issued More Efficiently

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, the State of Minnesota values its natural resources and environmental quality;
and

Whereas, our natural resources enhance our quality of life; and

Whereas, Minnesota Statutes, chapter 116D, authorizes the Minnesota Environmental Review program; and

Whereas, Minnesota Rules, chapter 4410, establishes the administrative procedure to complete environmental assessment worksheets and environmental impact statements;
and

Whereas, the State of Minnesota values its entrepreneurs, small businesses and industries, and

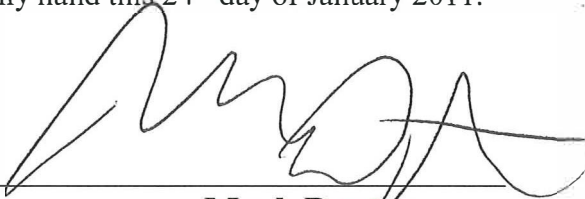
Whereas, our regulatory environment must ensure environmental protection and support economic development within the State;

Now, Therefore, I hereby direct the Commissioner of Natural Resources and the Commissioner of the Pollution Control Agency as follows:

1. The Commissioners shall accelerate and simplify environmental review and permitting by enabling environmental review and permit applications to be submitted electronically.
2. The Commissioners shall establish a goal for each of their agencies to decide, within 150 days after the agency determines that an environmental or natural resource permit application is complete, whether to issue the permit. The Commissioners shall, within six months after the effective date of this order, submit to the Governor a progress report on meeting the goal and any additional administrative recommendations to further reduce decision times.
3. The Commissioners shall establish a goal for each of their agencies to decide, within 30 days after an environmental impact statement is finally approved, whether to issue the permit. The Commissioners shall promptly report to the Governor any decisions that do not meet the goal.
4. The Commissioner of the Pollution Control Agency shall, within 60 days after the effective date of this order, evaluate and report to the Governor any recommendations the Commissioner deems appropriate to amend Minnesota Statutes, section 115.07, and applicable Minnesota Rules, to be more consistent with federal regulations that, under certain conditions, permit construction to commence before a water discharge permit is issued.
5. The Commissioner of the Pollution Control Agency shall include, in any statement of need and reasonableness for rules to adopt air quality or hazardous waste or water quality standards, an analysis of proposed standards that are more stringent than similar federal standards including justification for why the standards are needed to protect public health and the environment, and a comparison to similar standards in border states and states within Environmental Protection Agency region 5

Under Minnesota Statutes, section 4.035, subdivision 2, this Executive Order is effective 15 days after publication in the State Register and filing with the Secretary of State.

In Testimony Whereof, I have set my hand this 24th day of January 2011.

A handwritten signature in black ink, appearing to read "Mark Dayton", written over a horizontal line.

Mark Dayton
Governor

Filed According to Law:

A handwritten signature in blue ink, appearing to read "Mark Ritchie", written over a horizontal line.

Mark Ritchie
Secretary of State

