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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3059

01/31/2020 Authored by Lee, Hornstein, Her, Tabke, Koegel and others
The bill was referred to the Transportation Finance and Policy Division

1.1 A bill for an act
1.2 relating to transportation; establishing public engagement requirements for certain
1.3 trunk highway construction projects; proposing coding for new law in Minnesota
1.4 Statutes, chapter 161.

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

1.6 Section 1. 161.1615 PUBLIC ENGAGEMENT.

1.7 Subdivision 1. Scope. This section applies to any trunk highway construction,
1.8 reconstruction, or maintenance project that:

1.9 (1) alters access, increases or reduces highway traffic capacity, or requires acquisition
1.10 of permanent rights-of-way;

1.11 (2) is a major highway project, as defined in section 174.56, subdivision 1;

1.12 (3) is subject to the requirements under section 160.165; or

1.13 (4) provides for a dynamic shoulder lane or high-occupancy vehicle lane under section
1.14 160.93.

1.15 Subd. 2. Public engagement required. (a) For a trunk highway project that is subject
1.16 to this section, the commissioner must perform the activities identified in paragraph (b)
1.17 prior to the earliest of:

1.18 (1) finalization of the initial scoping document or report for the project; or

1.19 (2) approval of the draft scoping decision document for the project, as provided in the
1.20 environmental review process under section 116D.04.

2.1 (b) Within the time frame specified in paragraph (a), the commissioner must (1) develop
2.2 a public engagement plan, (2) identify a public engagement coordinator, and (3) commence
2.3 public engagement activities.

2.4 Subd. 3. **Public engagement coordinator.** Duties of the public engagement coordinator
2.5 include acting as a liaison between project staff and stakeholders, and ensuring that public
2.6 engagement activities meet the requirements under this section.

2.7 Subd. 4. **Public engagement activities.** (a) At a minimum, public engagement activities
2.8 under this section must:

2.9 (1) provide inclusive outreach to stakeholders reasonably likely to be impacted by the
2.10 project, including but not limited to:

2.11 (i) landowners, renters, and businesses that are located in proximity to the project area
2.12 or are likely to be affected as a result of the project;

2.13 (ii) community leaders;

2.14 (iii) local elected officials; and

2.15 (iv) traditionally underrepresented populations;

2.16 (2) utilize multiple techniques to collect and disseminate information to stakeholders
2.17 and the general public;

2.18 (3) convey information about the project, which must include but is not limited to
2.19 identified or anticipated impacts related to:

2.20 (i) the environment;

2.21 (ii) public health;

2.22 (iii) noise levels;

2.23 (iv) traffic levels; and

2.24 (v) property acquisition;

2.25 (4) be designed to increase awareness of local priorities, preferences, and interests; and

2.26 (5) engage with stakeholders and interested parties in a manner that:

2.27 (i) undertakes consultation to obtain feedback; and

2.28 (ii) provides authentic involvement in identification of needs and objectives, project
2.29 development, and decision-making processes.

3.1 (b) The commissioner must document the public engagement activities as required under
3.2 subdivision 5.

3.3 Subd. 5. **Documentation.** (a) In documenting public engagement activities, the
3.4 commissioner must reproduce or summarize any comments submitted through written means
3.5 or testimony. For each actionable comment or group of related comments submitted, the
3.6 commissioner must provide:

3.7 (1) the disposition, project modifications, or decisions made in response, including no
3.8 change in project design as applicable; and

3.9 (2) a brief explanation or rationale regarding decision-making and actions under clause
3.10 (1).

3.11 (b) The commissioner must make the documentation under this subdivision available
3.12 on the department's website.

3.13 **EFFECTIVE DATE.** This section is effective June 1, 2021.