



April 18, 2024

Re: H3431A23 amendment to H3431DE4

Chair Klevorn and members of the House State and Local Government Finance and Policy Committee:

The League of Minnesota Cities appreciates the opportunity to comment on the A23 amendment to the DE4 language of HF 3431. The League strongly supports the addition of the language included in the A23 amendment and respectfully requests that the amendment be adopted.

City comprehensive plans are an integral part of city planning and are adopted over extended public input processes. They are not, however, approval of specific projects. They identify the overall direction a city is planning on moving forward and the general means they expect could be available to accomplish those aspirational goals. Unfortunately, a city comprehensive plan was recently legally challenged under the Minnesota Environmental Rights Act because it did not include completion of an environmental assessment of provisions in that plan.

Environmental review is a tool intended to evaluate the specific potential impacts of a known development. Specific types and sizes of project trigger the need for that review, which can be done once the details of a development project are known. It is not, however, feasible or reasonable to require cities to hypothetically project what development might occur, as any or none of it may become reality and the development could take an almost endless number of possible forms.

The legislature's assistance is needed to clarify that the twenty-year plans laid out by cities in the metropolitan area under extensive state and Metropolitan Council guidelines, updated and approved by the Metropolitan Council every ten years, are not an appropriate place for MERA to be used as a strategic tool to oppose development. Environmental review will, and should, occur when the specific projects are put forward and apply for state and local permits.

The language in the A23 amendment addresses the problem identified in the courts and would prevent future suspensions of metropolitan city comprehensive plans using MERA. The League is grateful for the time and attention that Chair Klevorn, Rep. Howard, and Rep. Jordon have put into developing this solution and the support of the committee in moving it forward.

Thank you for your time and attention to this important issue.

Sincerely,

A handwritten signature in black ink that reads "Craig A. Johnson".

Intergovernmental Relations Representative