



March 3, 2024

Members of the Senate and House of Representatives,

We are writing in support of HF4028/SF4183, which would both provide needed clarity on City Comprehensive Plans and also ensure that the Minnesota Environmental Rights Act (MERA) will continue to protect our environment for future generations.

Thoughtful land use reforms are an essential component of climate action because pro-sprawl policies are very damaging to the climate in multiple, significant ways. First, **since undeveloped and natural lands sequester carbon and provide habitat, destroying more and more of those natural and undeveloped lands year after year at the perimeter of the metropolitan area is hugely detrimental.**

We also know that new development at the fringe of the metropolitan area is the most inefficient and polluting. The #1 source of climate emissions from Minnesota – and the nation –

Policy tiers	Strategy	Potential impact per household (● = 5%)	MnDOT role
1. More and better travel options	Walking and biking	●○○○○○○○○○○○○○○○○○○○○	☾
	Transit	●●○○○○○○○○○○○○○○○○○○	☾
2. Transportation demand management	TDM and broadband	●●○○○○○○○○○○○○○○○○○○	☾
	Constrained highway capacity spending	●●○○○○○○○○○○○○○○○○○○	☾
3. Coordinated transportation and land use	Road pricing	●●●●○○○○○○○○○○○○○○○○	☾
	Parking policy	●●●●○○○○○○○○○○○○○○○○	○
4. Commercial travel	Land use patterns	●●●●●●●●●●○○○○○○○○○○	☾
	Commercial VMT	?	☾

Figure 3. Various policy levers, potential impact on household VMT, and approximate MnDOT role.

is transportation. Our land use policies force more people to be dependent on car travel and also to drive longer and longer distances. In their [Transportation Options and Vehicle Miles Traveled \(VMT\) Reduction Field Scan](#), MnDOT ranked land use patterns as the

most impactful by far. Notably, MNDOT ranked land use #1 even while breaking out “parking policy” as a separate category.

**Unfortunately, the work to sustainably plan cities in Minnesota is now threatened.** The ability to plan for denser infill development is vital to reducing emissions and protecting natural lands. But due to the litigation over the Minneapolis 2040 Plan, *all cities*, from Richfield to

Roseville and Saint Louis Park to Stillwater, are at risk of bad faith lawsuits based on a faulty analysis of the relationship of land use to climate emissions.

The threat of litigation impairs other economic and community development goals as well. To their great credit, many suburban communities (e.g. Hopkins) are seeking to revitalize their pre-war downtowns or main streets with new multi-story housing that allows new residents to walk to local businesses. Other suburban cities, like Burnsville and St Louis Park, are creating new downtowns and main streets, also with new housing. City leaders in these communities recognize that young adults should be able to afford to live in the communities they grew up in and senior citizens shouldn't have to move out of their local communities when they need to downsize.

City leaders should be able to plan for housing for the full lifecycle of all their residents. When they are able to do so, **those cities are also helping to reduce climate pollution**. Decades of studies show that [where people live makes a huge impact on how much they pollute](#). People living in denser areas are able to pollute much less per capita than people who don't. Higher climate emissions in low-density sprawling areas are due to a long list of factors including not just longer driving distances and less access to transit, but also less walkability, less heating and cooling efficiencies from multi-family housing, and the greater carbon intensity of building new infrastructure to connect people who are farther apart from one another.

Between the 1950s and the 1990s, many cities in the metro area lost population due to the decrease in the number of people per household. Thanks to thoughtful planning, cities have been restoring their populations by adding housing units. Regaining lost populations in older cities stabilizes property tax bases, supports basic city services, **and also reduces emissions**. At least eleven municipalities are still underneath their previous peak populations and should not be prevented from making further progress.

The legal arguments made in current litigation misuse existing environmental protection laws to challenge city planning decisions that were adopted to address the climate crisis. The legislature should provide clarity and take needed action to protect cities who are trying to do the right thing for their residents and our climate.

The proposed compromise language is significantly more narrow than what was originally proposed in 2023. The proposed compromise includes findings which accurately describe the relationship of land use to climate emissions and clarifies that "residential density, that is approved by the Metropolitan Council, or that is determined by a municipality to result in environmental and public health benefits, shall not constitute conduct that causes or is likely to cause pollution, impairment, or destruction, as defined (under MERA)." As always, individual development projects remain subject to MERA.

The Minnesota Environmental Rights Act (MERA) is landmark legislation. It is a cornerstone which has protected current and future Minnesotans. It is precisely because of MERA's essential role that we ask the legislature to support this language. We must not allow our environmental laws to be weaponized against the environment. To protect our environment, the effectiveness of MERA must be preserved. We urge you to support HF4028/SF4183.

Signed,

Sierra Club North Star Chapter

Minnesota Environmental Partnership

Land Stewardship Project

Health Professionals for a Healthy Climate

MN350

Clean Water Action

Pollinator Friendly Alliance

Resilient Cities and Communities

Alliance for Sustainability

Bicycle Alliance of MN

Minnesota Interfaith Power & Light

Move Minnesota

March 13, 2024

Representative Rick Hansen  
Chair of the Committee on Environment and Natural Resources Finance and Policy

Re: HF 4028— Jordan: Metropolitan Council; environmental and public health considerations required in comprehensive development guide.

Dear Environment and Natural Resources Finance and Policy Committee members,

We are writing in support of HF 4028 which clarifies the review and approval process for comprehensive planning, under the Metropolitan Council's authority and purview. Under Chapter 473, the Metropolitan Council is required to prepare a comprehensive development guide for the metropolitan area, which provides for a regional approach to planning for anticipated population changes over time. Local Government Units then develop comprehensive plans that are reviewed by the Metropolitan Council for consistency with that guide. The Legislature prudently recognized the interdependence of government bodies in the metro and the need for coordination among these entities "to protect the health, safety and welfare of the residents of the metropolitan area and to ensure coordinated, orderly, and economic development." Minn. Stat. § 473.851.

Comprehensive plans include analysis of the impacts to environmental and infrastructure systems within an individual community, coordinated according to the Metropolitan Council's analysis for the metropolitan region, based on anticipated population growth using a regional forecast model. The function of the process is to guide development, and the policies and infrastructure needed to accommodate it, in a regional way.

The requirements for successful coordination are laid out in Chapter 473. A comprehensive planning process is required to accommodate projected population growth and includes reviewing and analyzing both how that growth will impact the natural environment, and the infrastructure needed to support that growth. It is a policy document that sets a vision intended to guide decision making at the local level. It does not confer approval of any particular project or development or guarantee that any particular development pattern will occur. Nor is it intended to predict how real estate and development markets will respond or change over time.

Potential environmental impacts and improvements are considered throughout this planning process. For these reasons, and as clearly stated in the rules implementing the Minnesota Environmental Protection Act, comprehensive plans and zoning should not be subject to the same environmental review process that is appropriately required for development on a project-by-project basis, at the time they are to occur.

While comprehensive planning provides coordination and guidance, it does not implement any development, or even any elements of the comprehensive plan itself. In order to be implemented, a comprehensive plan is followed by other governmental or market-driven actions, at which point effective environmental review can occur, subject to MEPA, that assesses development actually proposed and accurately projects environmental impacts. As such, comprehensive plans are exempt from environmental review under MEPA. Minn. R. 4100.4600, subps. 1, 26. Yet, some argue that requirements exist elsewhere in statute in conflict with this clear directive.

HF 4028 would clarify any ambiguity that may exist in law to ensure that local governments can continue to conduct this valuable planning process without the potential for requirements that would be onerous, inappropriate, and impractical, without any resulting benefit to the planning process or the environment.

Cities of all sizes across the seven-county metro complete comprehensive plans and many find it to be a challenge for their staff and financial resources. But this kind of planning and coordination brings great benefit to the region and State. We would like the process to remain as effective and efficient as possible, for the benefit of local communities as well as the entire region. Thank you for your support.

Yours Truly,



Mayor Jacob Frey  
City of Minneapolis



Council President Elliott Payne  
City of Minneapolis



Council Member Aurin Chowdhury  
Chair, Intergovernmental Relations Committee  
City of Minneapolis

United Labor Centre  
312 Central Avenue, Suite 556  
Minneapolis, Minnesota 55414



Phone: (612) 379-4234  
Fax: (612) 379-4479



Boilermakers #647  
Bricklayers & Allied  
Craftworkers #1  
Carpenters #322  
Cement Masons #633  
City Employees #363  
Construction & General  
Laborers #563  
Electrical Workers #110  
Electrical Workers #292  
Elevator Constructors #9  
Glaziers & Glassworkers  
#L-1324  
Heat & Frost Insulators  
& Allied Workers #34  
Iron Workers #512  
Iron Workers Shopmen #535  
Millwrights #548  
MN State Interior Systems #68  
Operating Engineers #49  
Painters #386  
Pile Drivers & Dock Builders  
#1847  
Pipefitters #539  
Plasterers #265  
Plumbers #15  
Roofers #96  
Sheet Metal Workers #10  
Sign, Display & Allied workers  
#880  
Sprinkler Fitters #417  
Teamsters Local #120

March 12, 2024

Representative Sydney Jordan

Dear Representative Jordan,

I write on behalf of the 14,000 members of the Minneapolis Building Trades in strong support of your bill, HF 4028, which will ensure that frivolous lawsuits cannot be brought against a City's comprehensive plan under MERA for increasing density.

The Building Trades unions support pro-density zoning and those aspects of the Minneapolis 2040 plan that would bring more housing and development to the City. Suing the City under MERA for increasing density should not be allowed because that zoning is a benefit to the environment.

Further, the uncertainty faced by developers since this lawsuit started has led to confusion and a slowdown in building in the city that is already impacting our members. We appreciate this compromise legislation that has been agreed to with environmental organizations and encourage you to vote Yes on it so we can get back to building.

Sincerely,

Dan McConnell  
Business Manager

# Comprehensive Plan Clarity

## HF4028 / SF4183

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Cities want to plan sustainably, build dense housing, and revitalize downtowns.

Here are examples of what Minnesota cities have already done that could be threatened if we don't provide clarity by passing HF4028 / SF4183.

# Environmental Groups Supporting Comp Plan Clarity HF4028/SF4183

- Sierra Club North Star Chapter
- Minnesota Environmental Partnership
- Land Stewardship Project
- Health Professionals for a Healthy Climate
- MN350
- Clean Water Action
- Pollinator Friendly Alliance
- Resilient Cities and Communities
- Alliance for Sustainability
- Bicycle Alliance of MN
- Minnesota Interfaith Power & Light
- Move Minnesota

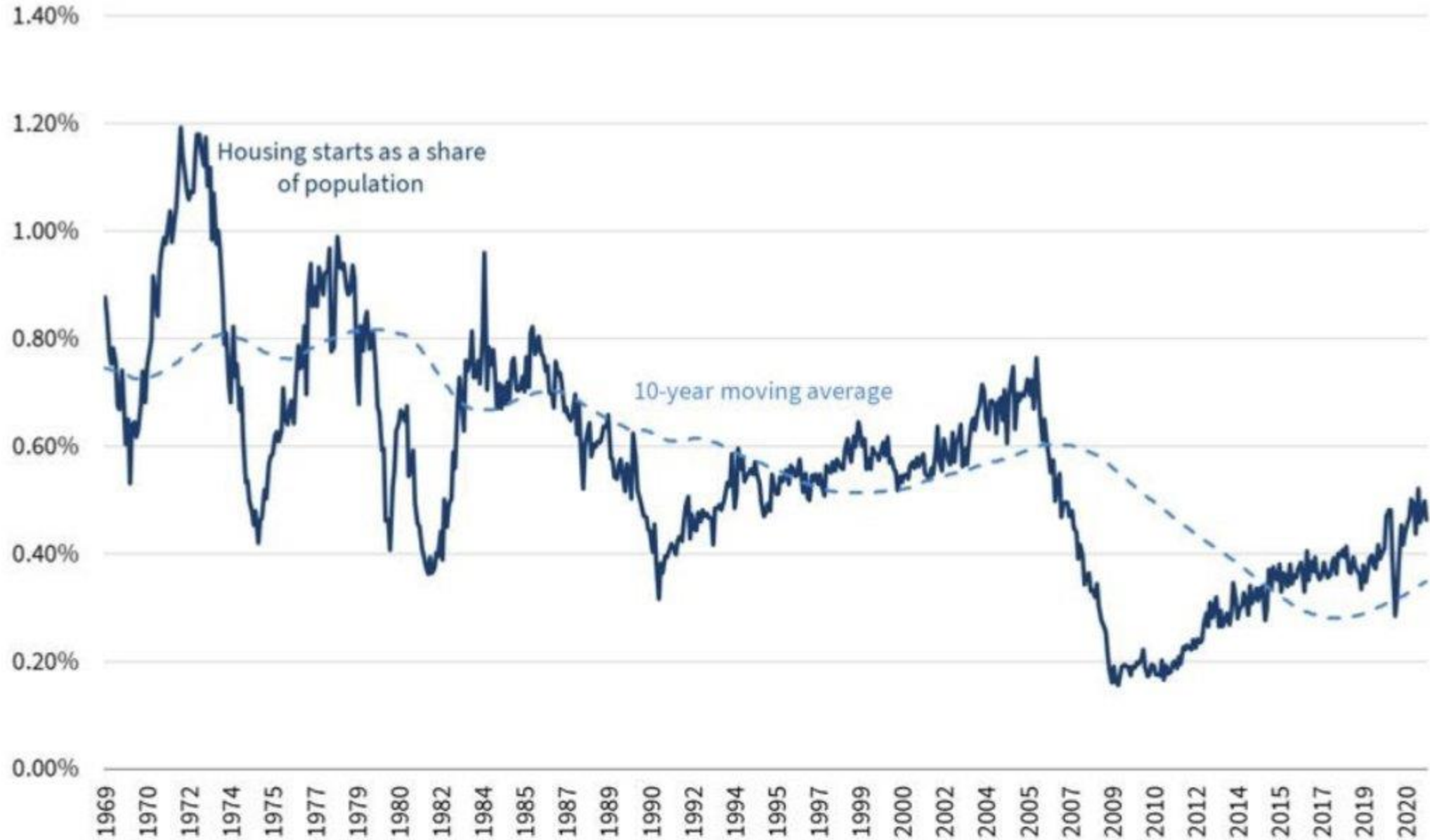


# All across the nation, cities lost population

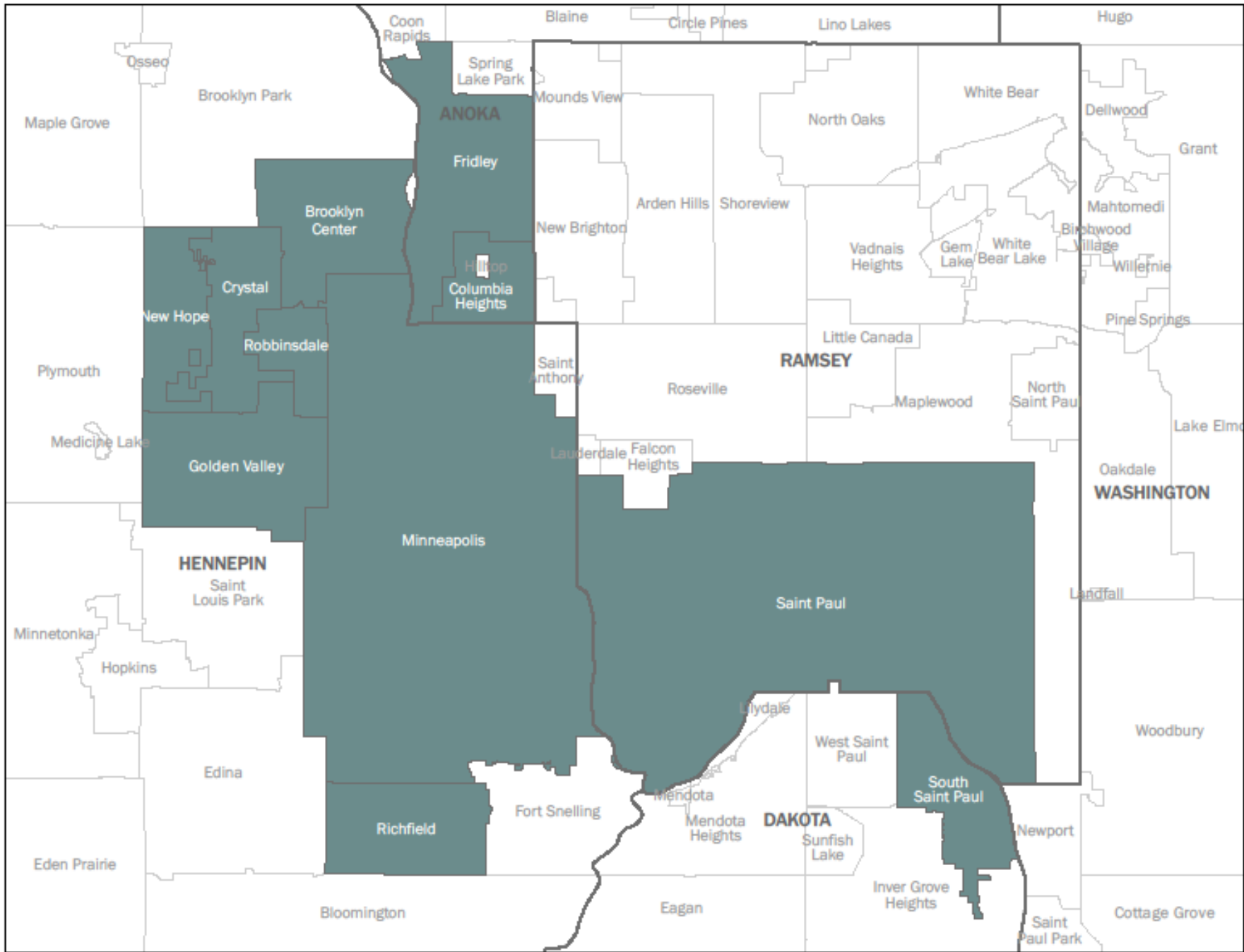
- Average Household size in 1950 was 3.5
- Average Household size in 2020 was 2.6

# Figure 2: Housing production has not kept pace with population growth

Percent



Source: Federal Reserve Economic Data (FRED); CEA calculations.



# Hopkins Mainstreet

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- New residences near historic downtown and future Green Line LRT station will allow people to live car-free, reducing climate pollution



# Historic Stillwater Downtown

- Stillwater's 2040 comprehensive plan calls for higher density near downtown
- A 61-unit apartment building in downtown Stillwater opened in 2023 (photo on bottom right)



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# Seventh Avenue (North St Paul)

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- A 100-unit apartment building recently opened near North St Paul's historic downtown
- Mac's Diner on the ground floor (photo bottom right)
- Mayor cited housing as driver of downtown revitalization



# Anoka

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- Senior living co-op opened in 2022 (photo on right)
- 400+ apartments and food hall planned near Northstar station



# Burnsville Heart of the City

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- Urban, walkable, pedestrian-friendly area near rapid transit
- Hundreds of condos, apartments, and townhomes
- Host to Ames arts center and annual jazz festival
- Burnsville's 2040 Comprehensive Plan calls for more density and mixed-use neighborhoods that build upon the success of the Heart of the City





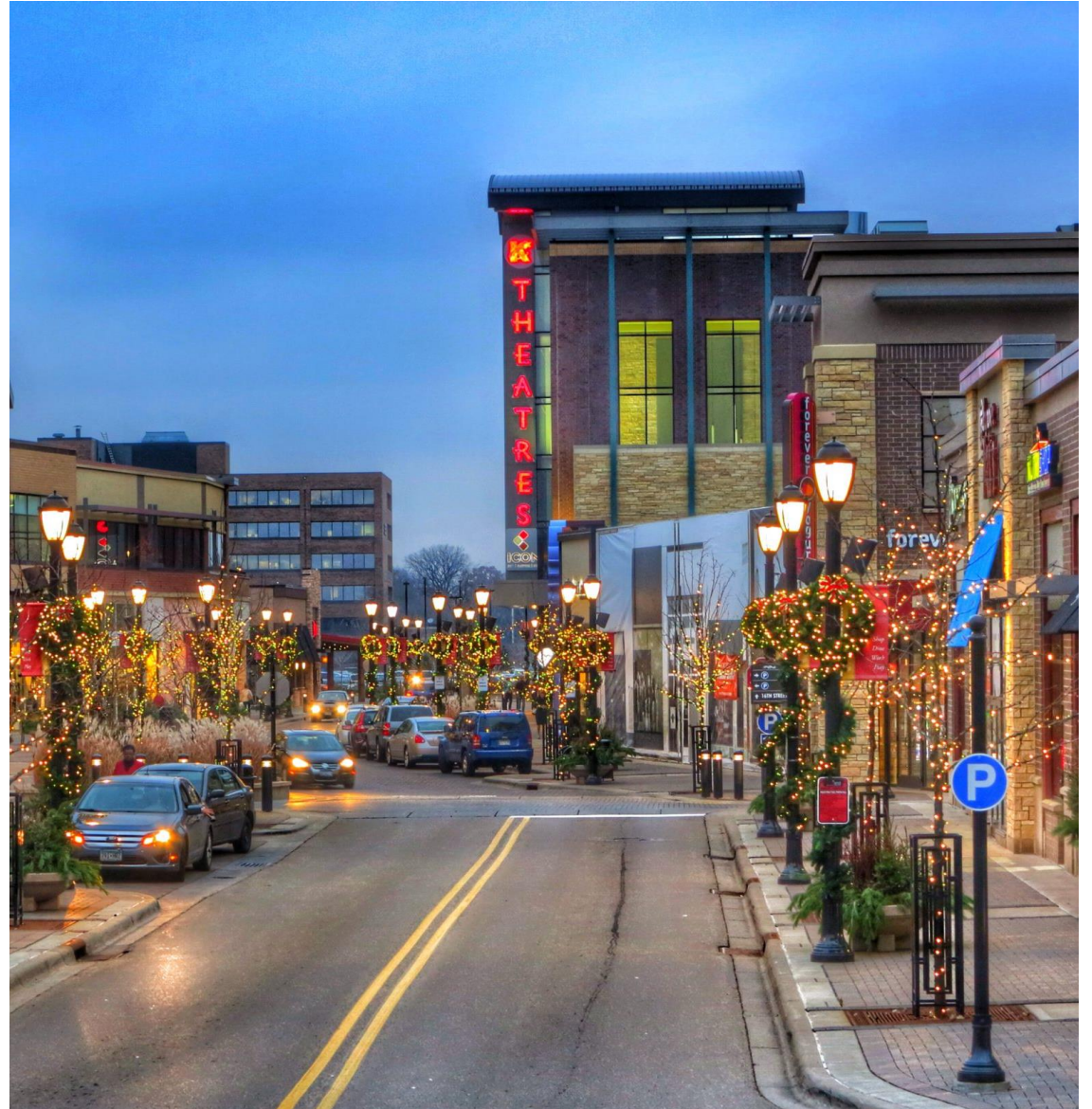
# Burnsville Heart of the City



# The West End (St. Louis Park)

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- Walkable and vibrant commercial district with shopping, dining, and entertainment
- Hundreds of units across multiple apartment buildings as well as hotels



# The West End (St. Louis Park)



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# Highland Bridge (St Paul)

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- Redeveloping 122 acres of former Ford site into mixed use commercial, residential, and greenspace
- Market rate and affordable homes



# Highland Bridge (St. Paul)



# Rice Creek Commons (Arden Hills)

- Former Twin Cities Army Ammunition Plant
- Comprehensive Plan calls for mixed-use development with shopping, dining, employment, and for thousands of housing units







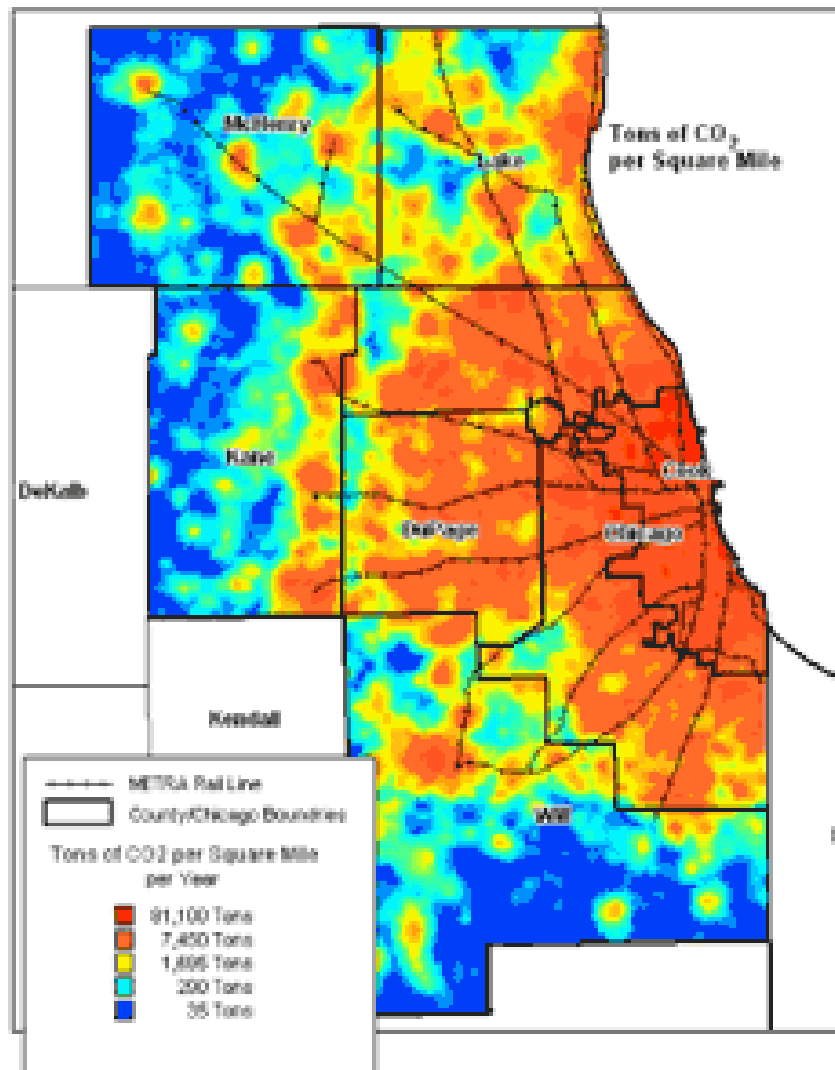


# Two Views of Cities and CO<sub>2</sub>

CO<sub>2</sub> Generated by Automobiles in the Chicago Region per Year

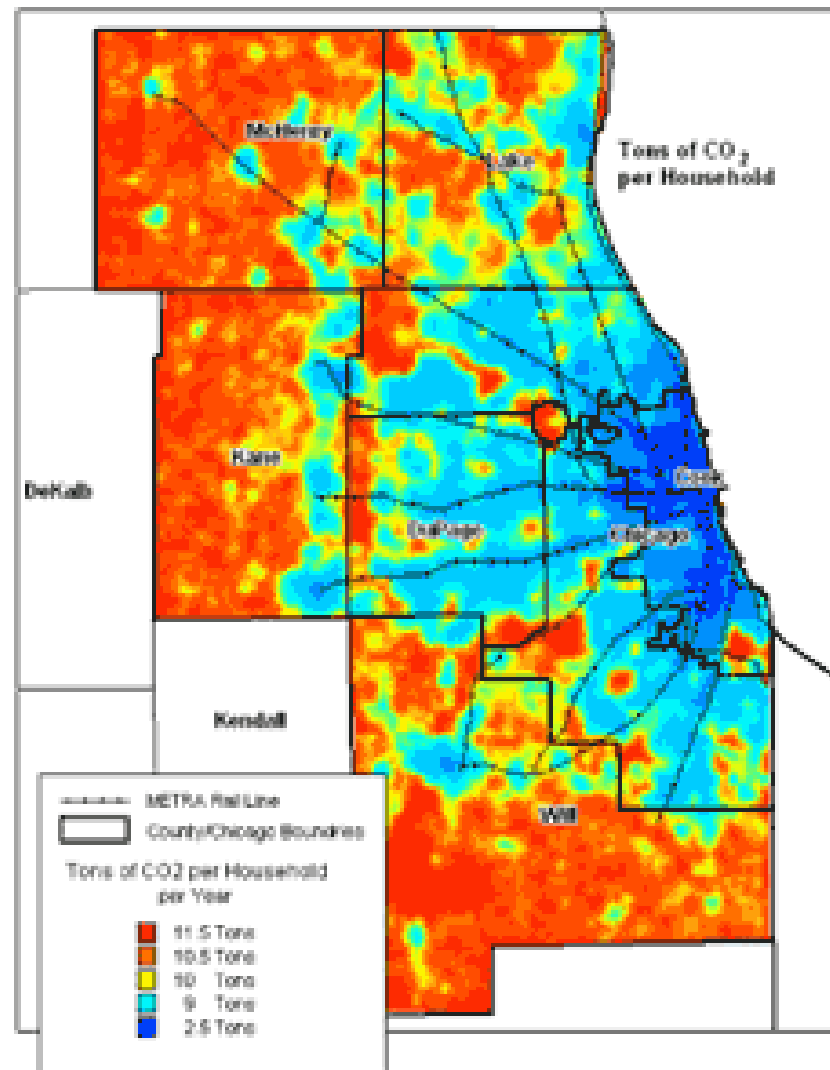
## Traditional View:

Cities produce large amounts of GHGs.



## Emerging View:

City dwellers produce relatively low amounts of GHGs.



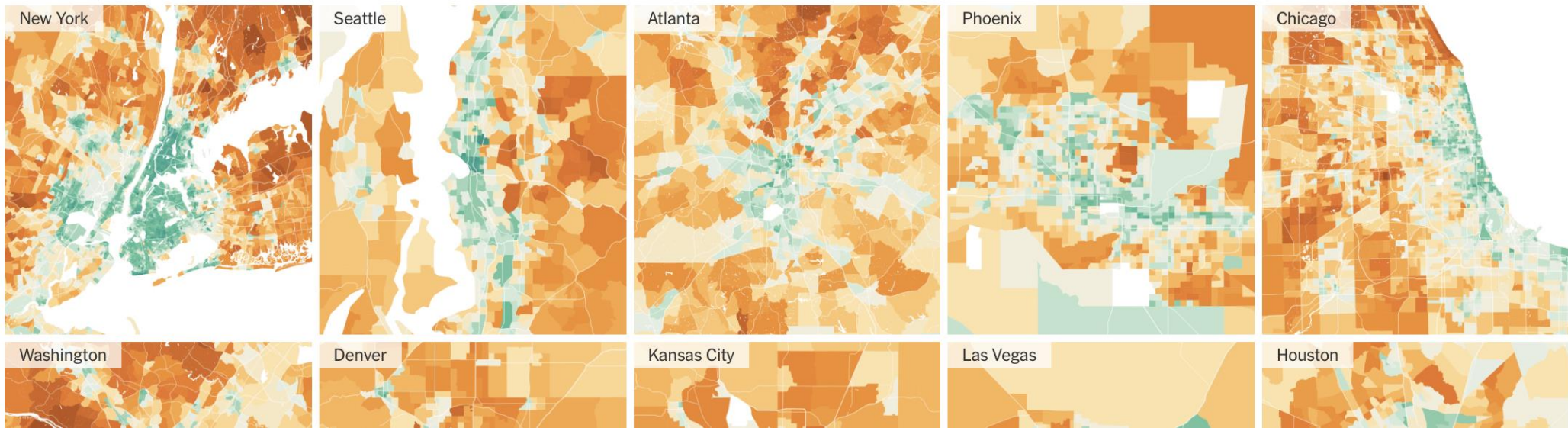
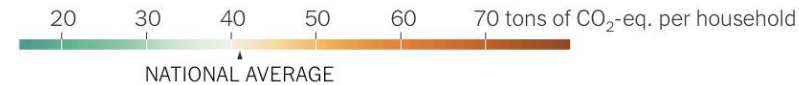
Each color represents one fifth of the land area on each map.

# The Climate Impact of Your Neighborhood, Mapped

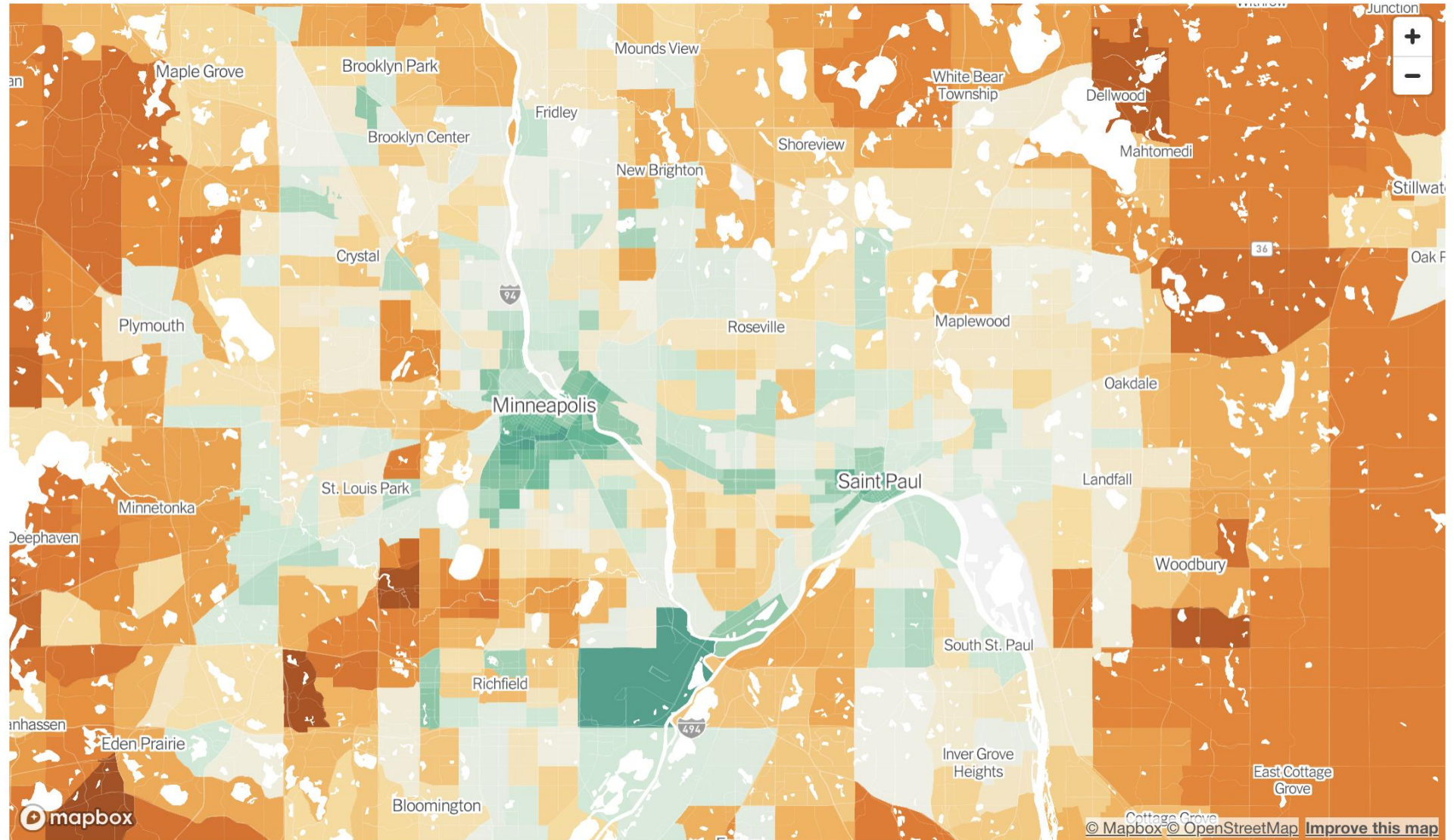
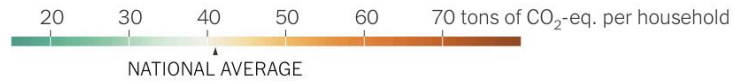
By [Nadja Popovich](#), [Mira Rojanasakul](#) and [Brad Plumer](#) Dec. 13, 2022

New data shared with The New York Times reveals stark disparities in how different U.S. households contribute to climate change. Looking at America's cities, a pattern emerges.

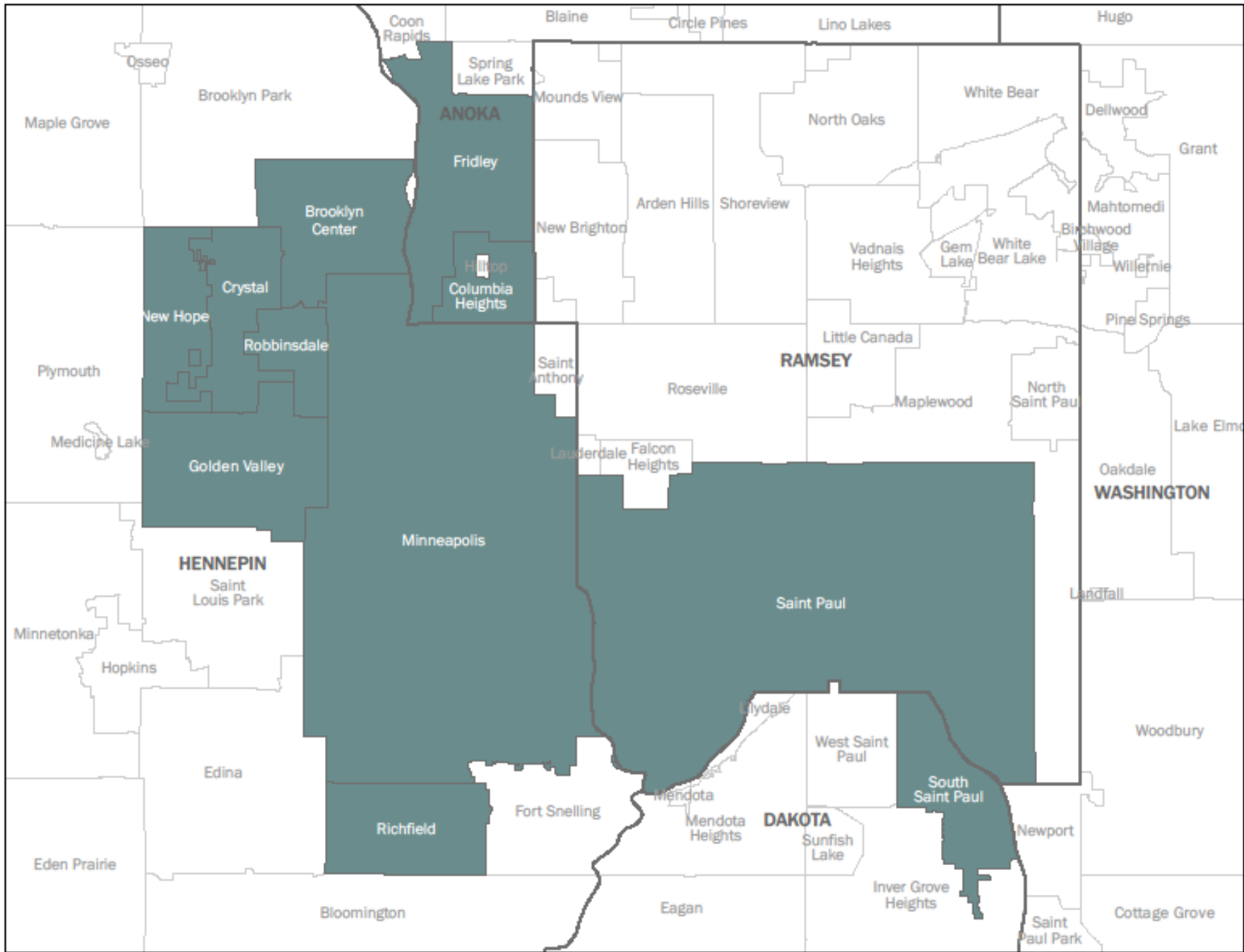
## Emissions Footprint of the Average Household



### Minneapolis-St. Paul metro area



Note: Metro area names have been simplified.





March 12, 2024

Dear House Environment and Natural Resources Finance and Policy: via  
[Peter.Strohmeier@house.mn.gov](mailto:Peter.Strohmeier@house.mn.gov)

The Twin Cities Housing Alliance (TCHA) is a collaborative network dedicated to addressing the housing challenges and strengthening community vitality in the Twin Cities region. Our network of 80 experienced housing professionals advocate for policies to create a more affordable, equitable, economically vital, and environmentally sustainable future for the Twin Cities community.

We are deeply involved in and concerned about finding practical solutions to address the alarmingly short supply of housing.

**We write to state our support for H.F. 4028**, which would provide clarity that City Comprehensive Plans are exempt from review under the Minnesota Environmental Rights Act (MERA). The proposed legislation would allow for the development of thousands of needed housing units that are stalled due to pending litigation and eliminates the risk in suburban locations for new housing development at higher densities as outlined in their comprehensive plans.

In a time when the region has a severe housing shortage of over 80,000 units, restricting production is counterproductive and will only exacerbate the problem. Continuing to allow litigation requiring onerous and inefficient environmental reasons related to city comprehensive plans that outline areas to increase housing densities will eliminate the ability to produce more needed housing in our region.

Thank you for your consideration.

Sincerely,

Robb Bader, TCHA Board Chair  
President  
Bader Companies

Cathy Capone Bennett  
Executive Director  
Twin Cities Housing Alliance



March 13, 2023

**RE: Support for clarification on comprehensive plans [HF 4028](#)/[SF 4183](#).**

Dear Chair Hansen, Vice-Chair Jordan, and members of the Environment and Natural Resources Finance and Policy Committee,

Beacon Interfaith Housing Collaborative appreciates the opportunity to comment in support of HF 4028. This bill is a positive step forward in clarifying statutes to ensure a city's comprehensive plans can be enacted to meet our region's housing goals.

Beacon believes that affordable housing belongs in all communities and works towards the vision that "all people have a home." We are a collaborative of 100 congregations that creates new, deeply affordable homes with services, sustains 20 affordable buildings for over 700 residents, and advocates for change to our state and local housing policy.

Cities' comprehensive plans are powerful tools for achieving our regional and state housing goals. These plans act as north stars to help each city understand its role in addressing the housing shortage our state faces. As a developer, Beacon relies on the dependability and consistency of these plans to create projects that will meet a city's goals. It harms developers when our multi-year projects, created around current plans and zoning laws, are put in doubt when these plans are subject to litigation or rapid change.

We support Minneapolis's 2040 plan that creates a clearer, more dependable process to seek land use for affordable housing across the city. This plan has helped Beacon, and other developers move forward creating affordable housing without costly land use hearings or delays for rezoning petitions. We rely on the Minneapolis 2040 plan to guide our development schedule for the foreseeable future, and the current litigation creates unhelpful unknowns. We support efforts to preserve dependability when cities create comprehensive plans, and we believe that this bill does that.

Thank You,

Ben Helvick Anderson  
VP of Policy and Organizing  
[bhelvickanderson@beaconinterfaith.org](mailto:bhelvickanderson@beaconinterfaith.org)



March 12, 2024

Representative Rick Hansen, Chair  
House Environment and Natural Resources Finance and Policy Committee

Representative Hansen,

I am writing in support of HF 4028/SF 4183, legislation updating comprehensive plan guidelines to recognize the environmental and public health imperatives associated with increasing housing density.

In Minneapolis, the city's nation-leading 2040 comprehensive plan has allowed the Minneapolis Public Housing Authority (MPHA) to recently expand its deeply affordable family housing portfolio. The Family Housing Expansion Project, enabled by the changes enacted in the 2040 plan, delivered 26 two- and 58 three-bedroom units in fourplexes and sixplexes to 16 sites across Minneapolis, mostly in locations that previously had empty lots or single-family homes. Sixteen of the units are disability accessible, with another 17 being high-priority homeless units with services funded through Hennepin County's Coordinated Entry program.

With more than 700 deeply affordable family homes scattered across Minneapolis, this is the most sought-after type of housing the agency offers, with a waitlist that has recently been as many as 7,500 people. Of the nearly 3,100 residents currently living in CHR homes, 88 percent are Black/African American, 54 percent are children, 86 percent of households are female-led, and nearly two-thirds of the households have five or more family members living there—families with young children.

These homes are also a proven tool to provide families with a solid foundation for upward mobility. Of the current heads of household, 19 percent were employed when entering their new home. On average, these residents earned \$20,722 a year in income. Today, 70 percent of these residents are employed, earning an average of \$37,321 a year, with more than 60 percent of these residents' earned income increasing while in these homes. Better yet, since 2020, 16 percent of all families leaving these homes went on to purchase their own homes.

In 2024, MPHA had been planning to expand this portfolio once again by adding eight new deeply affordable family units across three sites where single-family homes are offline because of major capital needs on each home. However, because of the legal uncertainties surrounding the 2040 plan, the agency cannot move forward with these plans at this time. This means MPHA cannot invest nearly \$1.5 million to add new units of its most sought-after housing. I urge lawmakers to support this legislation and empower MPHA to build this much-needed housing this year and in the years ahead.

Respectfully Yours,

A handwritten signature in blue ink, appearing to read "Abdi Warsame".

Abdi Warsame  
Executive Director/CEO  
Minneapolis Public Housing Authority



March 12, 2024

Dear Chair Hansen and Members of the House Environment and Natural Resources Committee:

Metro Cities, representing the collective interests of cities in the metropolitan area, appreciates the opportunity to comment on HF 4028 (Jordan), as it is heard in the Environment Committee on Wednesday.

Metro Cities supports legislative changes to clarify that cities' comprehensive plans are exempt from review under the Minnesota Environmental Rights Act (MERA). HF 4028 provides municipalities this exemption for elements of a comprehensive plan that authorize increased residential density. Metro Cities supports this provision in the bill.

Comprehensive plans are long range guiding documents for cities and lay out a range of future land use scenarios intended to allow for the orderly and economic development of the region. To allow for local flexibility and functionality, as well as to best align local goals with regional requirements, it is essential that local comprehensive plans remain high-level visioning documents that serve to guide future development and other local goals and policies.

Recent litigation, if successful, could require local comprehensive plans to meet the standards of the Minnesota Environmental Rights Act (MERA), which is not possible given that comprehensive plans are high-level documents and not development plans. Comprehensive plans, under state law, are expressly exempt from the Minnesota Environmental Protection Act (MEPA), unlike development projects, which are regularly reviewed under MEPA. This litigation threatens the ability of cities to conduct long-term planning for their local communities.

Thank you for your consideration of this letter. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Michael Lund'.

Mike Lund  
Government Relations Specialist  
Metro Cities