



March 20, 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 –

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

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.

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

Climate Generation

Pollinator Friendly Alliance

Resilient Cities and Communities

Alliance for Sustainability

Bicycle Alliance of MN

Minnesota Interfaith Power & Light

Move Minnesota