



Minnesota House of Representatives
Speaker Melissa Hortman

May 1, 2024

Re: Comprehensive plan clarity provisions in HF 3431

Dear Speaker Hortman and Representatives,

The Minnesota Environmental Rights Act (MERA) is landmark legislation. For decades, MERA has protected our environment for current and future Minnesotans.

We share legislators' deep frustration with the seemingly endless litigation over the Minneapolis 2040 Comp Plan. We also appreciate that the lack of a responsible resolution to that litigation is now threatening all cities since any city that legalizes new denser housing could be sued on the same basis used against Minneapolis. So environmental organizations have worked in good faith to be part of the solution.

Amendments A46 and A60 to HF 3431 resolve the controversy created by the Minneapolis 2040 Comprehensive Plan litigation while preserving MERA's integrity. The proposed A46 amendment responds to city planners who testified that environmental review was unworkable at the generalized comprehensive planning level. The A60 amendment provides a narrow exemption to allow approved city 2040 plans to proceed. We support these amendments because **they accomplish the twin goals of promoting sustainable urban planning and preserving our bedrock environmental laws. We ask for your support for these amendments and, with their adoption, the underlying bill.**

Any legislation that affects the applicability of MERA should not be taken lightly. Last year's bill, [HF2004](#) would have exempted comprehensive plans in their entirety as well as "fiscal devices and official controls" from MERA. We opposed that needlessly broad language as it was much broader than what was needed to protect cities from litigation over housing development. Legislative leadership agreed and sent folks back to the drawing board.

Both legislators and the Minnesota Chapter of the American Planning Association asked environmental groups to work over the interim to develop narrower compromise language that could win wide support. And we did. [HF4028](#) / [SF4183](#), which we call Comp Plan Clarity, incorporated this language and has earned the support of [twelve environmental organizations](#) as well as [many other groups](#).

While the language in today's amendments is different from HF4028, it meets the same crucial test: it protects cities' comprehensive plans, including those that choose to legalize more housing while impacting the applicability of MERA as little as possible.

We would like to express our appreciation to the chief authors, committee chairs, and House leadership for engaging with us and other parties to continue working on this issue until a responsible resolution could be reached.

Sincerely,



Steve Morse
Executive Director

Submitted on behalf of the following organizations:

Bicycle Alliance of Minnesota

Clean Water Action Minnesota

Climate Generation

Health Professionals for a Healthy Climate*

Land Stewardship Project

League of Women Voters Minnesota

Lutheran Advocacy Minnesota

Minnesota Center for Environmental Advocacy

Minnesota Interfaith Power & Light

MN350

Move Minnesota

Pollinator Friendly Alliance

Resilient Cities and Communities

Saint Paul Audubon Society

Sierra Club North Star Chapter

**denotes non-MEP member organization*