

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 2159**

(SENATE AUTHORS: FATEH, Xiong and Duckworth)

DATE	D-PG	OFFICIAL STATUS
02/27/2023	1137	Introduction and first reading Referred to State and Local Government and Veterans
03/09/2023	1480	Author added Duckworth
03/13/2023	1612	Comm report: To pass and re-referred to Environment, Climate, and Legacy

1.1 A bill for an act

1.2 relating to metropolitan government; clarifying application of environmental review

1.3 statutes to regional and local comprehensive land use planning; amending

1.4 Minnesota Statutes 2022, section 473.145; proposing coding for new law in

1.5 Minnesota Statutes, chapter 473.

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

1.7 Section 1. Minnesota Statutes 2022, section 473.145, is amended to read:

1.8 **473.145 DEVELOPMENT GUIDE.**

1.9 The Metropolitan Council shall prepare and adopt, after appropriate study and such

1.10 public hearings as may be necessary, a comprehensive development guide for the

1.11 metropolitan area. It shall consist of a compilation of policy statements, goals, standards,

1.12 programs, and maps prescribing guides for the orderly and economical development, public

1.13 and private, of the metropolitan area. The comprehensive development guide shall recognize

1.14 and encompass physical, social, or economic needs of the metropolitan area and those future

1.15 developments which will have an impact on the entire area including but not limited to such

1.16 matters as land use, parks and open space land needs, the necessity for and location of

1.17 airports, highways, transit facilities, public hospitals, libraries, schools, and other public

1.18 buildings. The council's adoption and amendment of the comprehensive development guide

1.19 and its adoption and amendment of metropolitan system plans, as defined in section 473.852,

1.20 subdivision 8; other policy plans; and metropolitan system statements under chapter 473

1.21 shall not constitute conduct that causes or is likely to cause "pollution, impairment, or

1.22 destruction" under section 116B.02, subdivision 5, or "governmental action" under section

1.23 116D.04, subdivision 1a, paragraph (d).

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.2 Sec. 2. **[473.8651] ENVIRONMENTAL REVIEW.**

2.3 Notwithstanding any environmental review required under section 116D.04 and  
2.4 Minnesota Rules, chapter 4410, the adoption or amendment of comprehensive plans and  
2.5 the adoption or amendment of fiscal devices and official controls consistent with sections  
2.6 473.858 to 473.865 shall not constitute conduct that causes or is likely to cause "pollution,  
2.7 impairment, or destruction" under section 116B.02, subdivision 5.

2.8 **EFFECTIVE DATE; APPLICATION.** This section is effective retroactively from  
2.9 March 1, 2018, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
2.10 Scott, and Washington.