March 24th 2023

Jason Wittenberg
Community Planning & Economic Development
Public Service Building
505 Fourth Ave. S., Room 320
Minneapolis, MN 55415

Dear Mr. Jason Wittenberg,

The Center for Earth, Energy, and Democracy (CEED) is an environmental advocacy not-for-profit organization based in Minneapolis, MN. We serve environmental justice communities (i.e. low income communities, communities of color, and indigenous communities) and grassroots groups locally in Minneapolis, across the Midwest region, and nationally working to center environmental justice in climate and energy policy making. We appreciate the opportunity to provide input on the City’s proposed land use regulations.

For too long, communities of color, low income communities, and Indigenous communities (i.e., environmental justice communities) have experienced disproportionate harm from environmental contaminants and now face disproportionate risks from climate change.

Since 2013, CEED along with grassroots partners has been advocating for implementation of a Green Zones ordinance that would transform areas of the City overburdened by pollution into thriving neighborhoods. The new zoning code changes can play a role in this transformation by protecting the health and safety of Green Zones residents.

The Green Zones resolution, which passed in 2017, identified neighborhoods experiencing high levels of environmental pollution in addition to multiple socio economic burdens. The Green Zones goals of improving air and environmental quality, increasing “green jobs” and the availability of high quality affordable housing for low income people and people of color in the City of Minneapolis are reflected in the Minneapolis 2040 Comprehensive Plan as well.

We urge you to consider the following as you finalize new land use regulations in Minneapolis:

Bringing Justice to Sustainability
• **Create a buffer zone between production and residential districts.** Setting at least a quarter mile buffer zone between residential zoning districts and production and processing zoning districts would limit the exposure of residents to harmful industrial emissions.

• **Prohibit any high-impact and moderate-impact production and processing use within the Green Zones which may impact human health.** Restricting any new moderate impact (uses which produce noise, odor, vibration, glare and other objectionable influences such as metal working) or high-impact production and processing (uses likely to have a substantial adverse impact on the environment or on surrounding properties such as processing of chemicals and chemicals products, cleaners, detergents, fertilizers) that harm the health and well being of Green Zones residents would be a crucial step in ensuring that new facilities do not add to the existing pollution burden of Green Zones neighborhoods. An [environmental justice risk assessment](#) could be carried out to determine if a moderate or high impact production and processing will contribute to environmental and public health harms.

• **Prohibit utility use in which power is generated from municipal waste to energy facilities or other power sources that add to the pollution burden of the City.** Municipal Solid Waste (MSW) incinerators are large emitters of toxic air pollutants such as heavy lead, mercury, nitrogen oxides (NOx), and Particulate Matter (PM). These toxics are linked to a [variety of health problems](#) including asthma, heart disease, high blood pressure, and lung disease. Minnesota is already home to seven MSW facilities and many of them are [located in low income communities and communities of color](#). The largest MSW facility in the state is located in downtown Minneapolis and over the last decade has cost North Minneapolis residents their safety and health. As such operating any MSW facility should be prohibited and should not be a permitted or a conditional use under any of the zoning districts.

• **Limit any change or expansion of existing polluting facilities.** The new draft code grandfathers in many polluting facilities (such as the Hennepin Energy Recovery Center, Northern Metals, GAF, Smith Foundry) and allows for their continued operation. There should be increased inspection of existing industries across but more specifically in the Green Zones and in other environmental justice areas in the City to ensure that they are not allowed to expand or modify their operations. Eventually these facilities should be phased out and existing uses should comply with the underlying zoning code restrictions.

• **Conduct meaningful public engagement.** As, [Minneapolis 2040 comprehensive plan](#) points out, Minneapolis has led the nation in having the widest social and economic disparity between people of color, indigenous people and white residents.
Minneapolis now has the lowest rate of homeownership among African American households of any U.S. city. In the past, zoning policies have been used to enforce these disparities, creating racial segregation and discrimination. Zoning policies resulted in the isolation of communities of color and the concentration of environmental hazards in their neighborhoods. To address the legacy of racial zoning in Minneapolis, an equitable and inclusive zoning process would include meaningful involvement of the public. The land use rezoning process included only a 45-day public review and comment period which was later extended to 73 days. Multiple community based organizations including the residents of South and North Side Green Zones had requested a six month long public engagement process. So far, only one virtual public meeting has taken place and answers to questions raised by the public during the meeting have not been published yet on the Minneapolis 2040 project site. There has been limited public education on the proposed land use regulations and limited avenues where the public has been able to directly interact with the City Planning Commission and the Department of Community Planning & Economic Development on the draft zoning code. See example of City of Newark which deployed popular education methodologies to support community based organizations and the broader public in playing a proactive role in land use decision making processes. We urge your office to improve its public education and engagement processes.

We thank you for your consideration of the above comments.

Regards,

Ansha Zaman
Center for Earth Energy & Democracy