

SYSTEM STATEMENT – DISPUTE RESOLUTION PROCESS

We prepare and adopt metropolitan system plans for transportation, including highways, transit, and airports; wastewater services; and regional parks and open space. System statements summarize key changes and infrastructure plans in the Council’s metropolitan system plans. A community’s system statements explain what these metropolitan system plans mean for each local government. Each system statement is individualized and includes “System Plan Considerations Affecting Your Community,” which communicates what information from *Thrive MSP 2040* and regional policy plans need to be included in the community’s comprehensive plan update.

According to [Minnesota law](#), the Council sends system statements to each city, township, and county (local governments) in the region, except Rockford, Hanover, Northfield, and New Prague:

- When we adopt an updated comprehensive development guide as part of our 10-year planning cycle; and
- Whenever we adopt changes to a metropolitan system plan.

As part of the 10-year planning cycle, local governments review and update their comprehensive plans as needed within three years after the Council issues system statements. We then review each comprehensive plan for conformance to regional systems, consistency with regional policies, and compatibility with comprehensive plans of adjacent and affected jurisdictions.

RESOLVING DISAGREEMENTS OVER SYSTEM STATEMENT

If questions or concerns come up after the Council issues system statements, please contact your [sector representative](#) first. After we last issued system statements in 2005, Council staff answered questions and resolved most concerns by working with local governments. If disagreements over the content of a system statement can’t be resolved through discussions with Council staff, a local government may request a hearing. Some planners may refer to a system statement hearing as the system statement appeal process, known as reconciliation procedures for system statements in [Minnesota law](#).

To request a hearing to resolve disagreements over the content of its system statement, a local government must:

1. Request a hearing by resolution;
2. Make the request for a hearing within 60 days of receiving the system statement;
3. Describe the disagreement; and
4. Include specific, proposed amendments to the system statement.

A hearing shall not address the need for metropolitan system plans or the reasonableness of metropolitan system plans, or parts of metropolitan system plans.

System statements become final if the Council does not receive requests for hearings within 60 days after local governments receive their system statements.

The purpose of a hearing is to consider proposed amendments to the system statement. At a hearing, people may testify and present evidence on proposed amendments. The Council’s Land Use Advisory Committee or an administrative law judge at the Minnesota Office of Administrative Hearings conducts the hearing. Figure 1 shows what to do and when – the timeline for resolving disagreements through a system statement hearing.

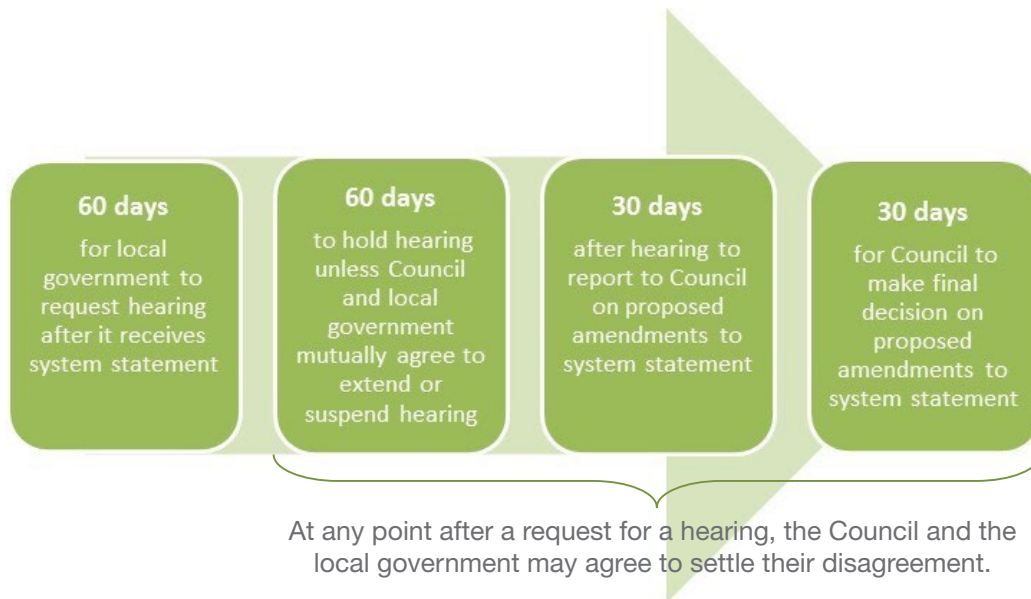


Figure 1. Timeline for resolving disagreements over system statement through reconciliation procedures.

A hearing must take place within 60 days after a request unless the Council and the local government both agree to extend or suspend the 60-day deadline. Hearings on related requests will be combined.

Within 30 days after a hearing, the Land Use Advisory Committee or administrative law judge report to the Council on proposed amendments to a system statement. The report includes findings of fact, conclusions, and recommendations. The costs of a hearing will be allocated between the local government and the Council.

Within 30 days of receiving the report, the Council makes a final decision on proposed amendments to a system statement.

At any time after a request for a hearing, the Council and the local government may agree to settle their disagreement in writing by stipulation.