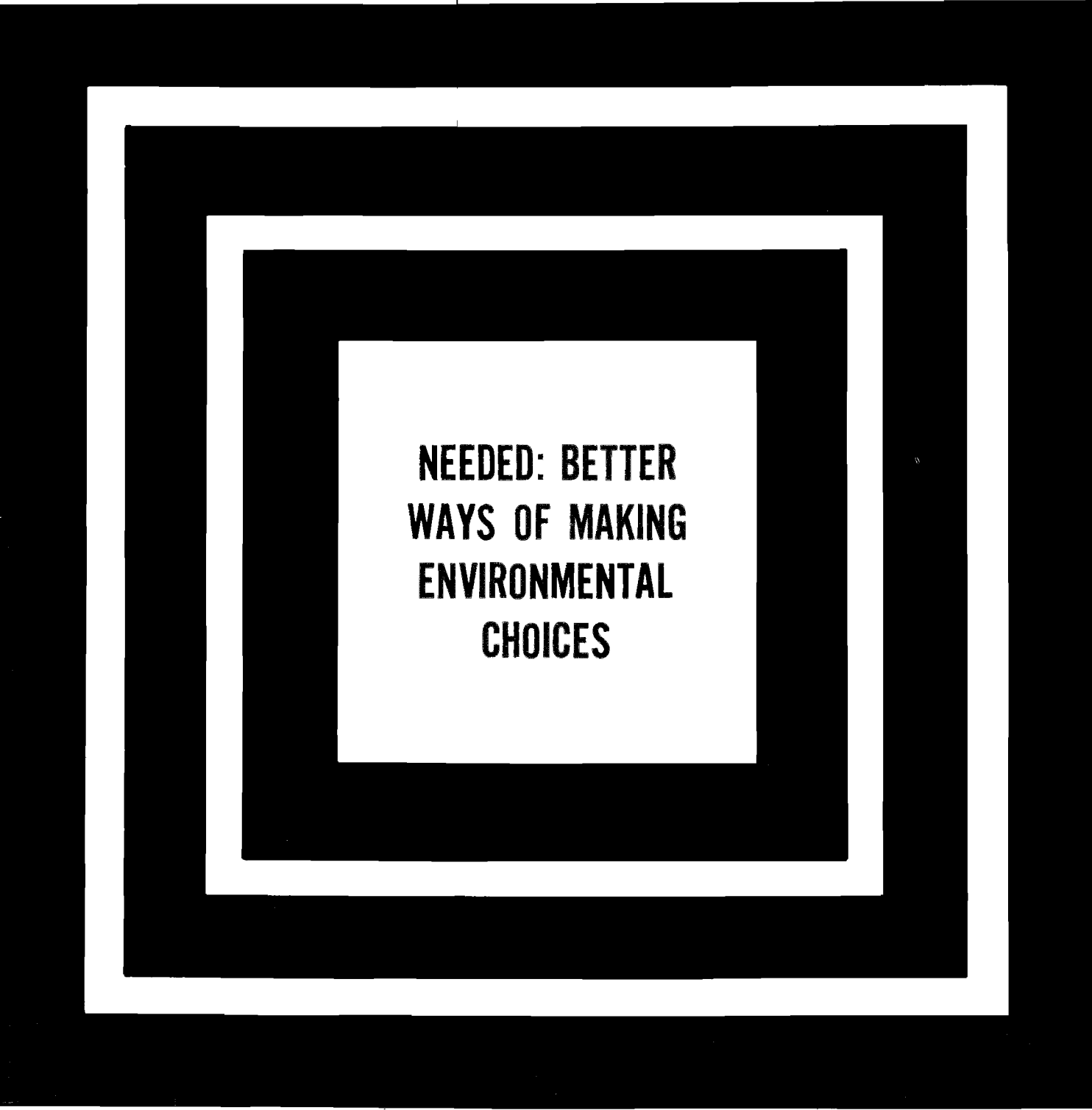


CITIZENS LEAGUE REPORT



**NEEDED: BETTER
WAYS OF MAKING
ENVIRONMENTAL
CHOICES**

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Recommendations on Improving the
Environmental Decision-Making Framework in Minnesota

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Environment
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INTRODUCTION

I. Our Concern for the Environment

Minnesotans along with citizens throughout the nation are beginning to reappraise their style of life.

The reappraisal is prompted by a growing recognition of the impact which this style has on their physical surroundings, the habitat in which they live.

It is a difficult reappraisal for at least two main reasons. First many do not want to change or are not convinced change is desirable. Second many aren't entirely sure what it is that should be changed, or knowing what should be changed they don't know how to go about it.

For most people a satisfactory or successful life has been equated with "bigness" and "more." Bigger houses. Bigger yards. More freeways. More cars. More people in our community. More tourists in our state. More electricity. Bigger airports. Greener grass. More land. Bigger dams. Even more garbage.

Growth of all kinds has been equated with success. Community, regional, and state-wide planning has been more often geared to accommodating or encouraging growth for its own sake than to reducing rates of growth, changing directions of growth, or questioning the assumptions behind projections of growth.

Consumption has been rewarded. Or, put another way, exploitation of the environment has been rewarded. For example, utility rates usually decrease as consumption increases.

These values, quite naturally, have spilled over to public institutions, municipal and county governments, regional and state agencies, which have been primarily growth-oriented. Their influence over private decisions reflects this orientation.

Public institutions have not been oblivious to the implications of growth on the natural environment. Natural resource preservation, pollution control and planning agencies have been established. In some respects Minnesota has been a leader nationally in this regard.

More and more people are saying that these corrective remedies, while indispensable, are not enough. They are calling for an attack on more fundamental issues--such as changing policies on population distribution and growth and on encouragement of use of natural resources.

Much of this concern may not be sufficiently defined. Much of it may not be based on hard empirical evidence, but instead may be impressionistic. Popular terms, such as environmental quality, will mean different things to different people. Nevertheless, our committee is willing to overlook some of these deficiencies. We accept the fact that much of our judgement today about the state of the environment must be subjective. Given the limitations of the information available, we doubt Minnesota has yet "turned the corner" on moving toward a better environment. Some examples:

- * A possible shortage of public water supply in the Twin Cities area in future years if ground and surface water sources are not better managed.
- * Garbage dumps still operating in flood plains.
- * Inadequate action on open space preservation in the Twin Cities area.
- * Uncontrolled sprawl of our urban areas.
- * Only token recognition of the importance of recycling so-called "waste" products.
- * Insufficient funding for agencies charged with enforcement of environmental protection regulations.

We believe a change in goals in this state is necessary, from a quantitative to a qualitative way of life, from an emphasis on consumption to one of management and preservation, from an attitude of exploitation of land to an attitude of stewardship of land.

II. Nature of this Report

This report deals with the process of making environmental choices. Minnesota today is confronted with more complex and far-reaching environmental policy issues than ever before. How are environmental quality and economic growth to be balanced? How to decide, relatively, between the interests of the speed boaters and the sail boaters? Between fishermen and swimmers? Between the residents whose homes would no longer be flooded if a dam were built and the residents whose land would become flooded because of the dam? Between jobs for steelworkers and cleaner air? Between the commercial interests who benefit from billboards and the conservation interests who contend billboards desecrate the environment? Between the need to hold down the monthly electric bill and the push to place power lines underground? Between farmers who want to drain wetlands for more agricultural production and hunters who want to preserve them for wildlife? Between the advertising agency's demand for a pure white box and the need to recycle more waste paper to ease the disposal problem? Between the tendency for population to concentrate in large urban areas and the need to reduce congestion?

Almost all issues when decided will have side effects, many of which cannot be forecast accurately. Almost all of these issues and effects are economic in nature. Almost all will be controversial. More than anyone else, the Governor and State Legislature hold the power to influence decisions on these issues, either by action or by inaction. They cannot remain neutral.

The fact that ready answers are not available to the questions above does not diminish their importance. We believe the questions must be faced and answered. We also believe that this will not happen unless the governmental setting is changed.

Consequently, the chief emphasis in this report is on the *process* by which environmental choices are made.

Such an emphasis has its drawbacks. We do not make recommendations on many immediate environmental problems which are of deep concern to many of our committee members, such as the continued use of DDT, the continued use of the non-disposable bottle, whether copper-nickel mining should be allowed in the Boundary Waters Canoe Area, whether more power plants should be permitted on the St. Croix River, whether an international airport should be located near the Carlos Avery Game Refuge, whether flood plain regulations are strong enough, whether billboards should be banned, and so forth. Each of us undoubtedly can add his own favorite, "most critical environmental problem facing this state."

But we have come to conclude that by improving the process by which environmental choices are made, we will make a significant contribution towards solving the immediate environmental problems, plus many more in future years of which we are not even aware at this time.

III. The Problem of Definitions

We were assigned by the Citizens League Board of Directors to review the mechanisms for resolving issues and conflicts likely to be arising in Minnesota over the use of the natural environment, including the issues of water, air, land, noise, and visual pollution.

It is very difficult in the broadest sense to define what environment is *not* let alone what it *is*. Most of us had fairly common feelings about what we would include in our definition of environmental problems. We knew, for example, that our definition would include the matters relating to adequate water supply in the future, but that it would not include specific attention to finding adequate housing for low income families. Housing is a major environmental problem, but in another sense.

Nevertheless, we have found it most difficult to articulate a workable definition, perhaps because many of us didn't want a definition so narrow as to foreclose consideration of a problem in the future which we may not regard today as an environmental question. Within our own committee we reached no final, exact definition, but when we discuss environmental affairs we mean the sum of our physical resources and the economic and social issues relating to use of these resources. Physical resources include the air, water and land, both surface and sub-surface, plus plants and animals--in effect, our physical surroundings. The issues relating to use of these resources would also encompass the sensorily-perceived features of noise, sight and smell.

It is not critical to this report that a narrow definition be determined. Our recommendations are framed in such a way that a very broad, general definition is workable.

We include the following array of concerns in our definition of environmental problems: (1) the need to prevent all avoidable pollution and contamination of the air, water and land with harmful chemicals, radioactive wastes and other materials which impair present or future use; (2) the need to limit population concentrations and growth to a size so that future generations can enjoy the amenities of life; (3) the need to manage, wisely, renewable resources; (4) the need to preserve some and carefully manage other non-renewable resources; (5) the need to guide land and transportation development so as to preserve the humanity and humanness of people's living spaces.

IV. Our Frame of Reference

It is important to recognize the framework into which our findings and recommendations are placed. In a sense this framework represents the "facts of life" related to environmental decision-making in Minnesota. At least four major facts of life come to the forefront:

1. All citizens of the state, directly or indirectly, by private decisions or decisions by the units of government which represent the citizens, are involved in changing the face of the earth by using natural resources and in producing waste products. As an industrialist frankly admitted to our committee: "We are and will continue to be major manipulators of the environment." It is not a question of those people who are affecting the environment and those who are not. It is not the polluters versus the purists or the good guys versus the bad guys or the exploiters versus the preservationists.

The state does, of course, face critical problems with individuals, groups, corporations or governmental units who deliberately abuse natural resources for personal gain. But from our perspective, arbitrarily blaming any one segment of society for environmental degradation is a poor substitute for constructive change.

2. Much decision-making on environmental affairs continues to be vastly decentralized. For example, individual land owners, acting by themselves, not in concert, and acting largely on their own initiative, continue to play a major role in land-use decisions. Also, individual counties, cities, villages and townships throughout the state continue to be key governmental units in land-use planning.
3. Private individuals, groups, corporations and governmental units are unlikely to make decisions which are contrary to their own short-term self-interest. On a voluntary basis they are not likely to take actions calculated to improve the general welfare of the large community at what they consider to be their own personal expense. At least three implications are suggested by this fact. First, it points up the importance of environmental education so that people can see what is in their long-term self-interest. Second, it explains the need for exercising influence over the environmental choices made by individuals, groups, corporations and governmental units. Third, it can be a clue as to what kind of influence works best. That is, where possible, public controls should seek to stimulate the private and public decision-makers, acting in their own self-interest, to act also in the best interests of the larger community. For example, a family imposes certain limitations of its own on the use of water or electricity--not so that other families will have enough, too, though that is the result, but--to keep its utility bills in line.
4. Environmental choices involve areas with substantial conflict of special interests. This is why we place such a considerable emphasis on having the public interest represented as broadly as possible in the governmental framework which makes the environmental choices.

SUMMARY OF RECOMMENDATIONS

I. To improve the process of making and implementing environmental choices, we recommend:

- A. Focus overall responsibility for environmental quality, by statute, in the office of the Governor. The statute should specifically provide:
 - 1. A high-level special assistant to the Governor for environmental affairs, appointed by the Governor and serving at his pleasure, with compensation at least equivalent to that of major department heads. The special assistant would function chiefly as the Governor's spokesman for environmental affairs and perform duties as instructed by the Governor, including carrying out the Governor's statutory responsibilities in environmental affairs.
 - 2. A clear direction to the Governor to (1) spell out the state's environmental policy as a guide to all state agencies (2) resolve disputes among state agencies over natural resource and other environmental policy issues (3) represent the state on inter-state and state-federal organizations and provide official liaison between the state and federal agencies on environmental matters (4) prepare an annual report, with legislative recommendations, on the condition of the environment in Minnesota.
- B. Assign the Department of Natural Resources and the regional councils the responsibilities for supervising the activities of watershed districts and soil and water conservation districts. The Minnesota Water Resources Board and the Minnesota Soil and Water Conservation Commission, which now carry on these functions, should be abolished.
- C. Move away from requirements that representatives of certain interests or occupations be assured representation on state boards. Specifically, the 1971 Legislature should provide that no member of the Minnesota Pollution Control Agency represent any specific interest or occupation.
- D. Broaden the assignment to the Minnesota Resources Commission, a legislative service agency, to cover all matters relating to the physical environment. Make its membership primarily from legislators serving on the committees of the House and Senate which have broad assignment for environmental affairs.
- E. Upgrade enforcement of air and water pollution control regulations by:
 - 1. Increasing state funding for pollution control so needed enforcement officers can be hired and equipment purchased.
 - 2. Increasing state funding for the Department of Natural Resources to improve the process of review and action on permit requests for appropriation of waters of the state.
 - 3. Utilizing wherever possible personnel employed in other state and local agencies to help carry out enforcement responsibilities.
 - 4. Establishing an adequately-funded governmental framework to carry out the detailed air pollution control enforcement activities needed in the Twin Cities region.

5. Providing sanctions against officials of private companies to enforce compliance with pollution control regulations and against public employees for failure to enforce rules and regulations as required by law.
 6. Shifting the burden of proof to the alleged pollutor in a civil proceeding to enforce pollution control regulations once a certain amount of evidence indicates regulations are being violated.
- F. Direct the Minnesota Pollution Control Agency to expand its pollution control activities to cover rules and regulations on control of noise and to proceed promptly to carry out its present authority to develop rules and regulations covering control of underground water pollution.
 - G. Impose fees to cover the cost of monitoring and enforcement of discharge of wastes into the air, water and land.
 - H. Assist education of the public on environmental matters and improve citizen access to governmental agencies by:
 1. Providing that governmental information and research relating to the condition of the environment be made available to the public in an understandable form.
 2. Charging the Governor with promoting a program of environmental education in the state.
 3. Providing a formalized mechanism whereby private individuals or groups may petition the Governor through his special assistant for environmental affairs on any environmental concern, with provision for hearings, findings and recommendations, as deemed desirable.
 4. Permitting any citizen to sue to enforce pollution control regulations, regardless of whether his economic interest is affected or whether he suffers directly because of his geographic proximity to the pollution source.
- II. To improve the process of identifying, measuring and evaluating environmental choices, we recommend:
- A. Require the establishment of effective environmental information and research systems covering a broad range of data items necessary to know "the state of the state" environmentally.
 - B. Require that whenever any private individual or group submits an application to a government unit or agency for permission to carry on an activity which has significant environmental impact as defined by guidelines developed by the Governor's special assistant, the applicant attach a statement spelling out such impact as a routine part of the application.
 - C. Require that whenever any governmental unit or agency proposes to undertake an activity which requires approval of another unit or agency or undertake an activity with significant environmental impact as defined by guidelines developed by the Governor's special assistant, a statement be prepared spelling out such impact.

- D. Require that land use guidelines be prepared by regional councils, where they exist, or the state, to be followed by local units of government in adopting their own land use control ordinances. Initially, require that the areas in a region which are most critical from the standpoint of how the environment is used be identified, with guidelines prepared for those areas first.
- E. Provide for regional or state review of proposed land use decisions which are of areawide environmental significance, with a provision that in certain cases regional or state approval would be required.

STATEMENT OF THE PROBLEM

I. Government Organization

We learned early in our committee work that anyone who concerns himself with the way environmental choices are made in Minnesota today needs to develop a general understanding of the major governmental bodies, their responsibilities and how they relate or do not relate to each other.

We found that our understanding of the system was aided by dividing it into logical categories. At the state level, it is helpful first to divide discussion between the executive branch and the legislative branch. Each has clearly different, though complementary, roles to play.

A. State Government, Executive Branch

1. The present structure--A large number of agencies, boards, commissions, and committees concerned with environmental affairs have evolved through the history of state government. Depending upon who is doing the counting, and what is counted, the total may reach 40 or 50. We have attempted to zero in on the major ones. This simplifies the explanation.

The following will be central to this report (a more detailed description of each will be found in the appendix):

- Department of Natural Resources--Charged with conserving and promoting the wise use and management of state-owned land and forests, game and fish, state parks, and waters, soils and minerals of the state.
- Pollution Control Agency--Charged with management of the quality of surface and underground waters, quality of the air, and solid waste disposal.
- Department of Economic Development--Charged with developing, promoting and stimulating optimum economic growth in the state, either directly or through liaison with the private sector and all levels of government.
- Department of Agriculture--Charged with encouraging and promoting development of agricultural and food industries, including certain regulatory powers over fertilizers and pesticides.
- Board of Health--Charged with safeguarding human health, which includes specific responsibilities for sanitation of public and semi-public water supplies, approval of soil absorption sewerage systems, regulation of septic tank pumpers, licensing of hotels, resorts, restaurants and mobile home parks, radiation surveillance and control, and provision of chemical and other laboratory services to state and local agencies.
- Water Resources Board--Charged with approving applications for establishing watershed districts and with hearing and making recommendations on disputes over water policy.
- Soil and Water Conservation Commission--Charged with promoting and establishing soil and water conservation districts throughout the state, administering funds appropriated for their use and assisting them in their activities through advice and consultation.

- State Planning Agency--Charged with preparing comprehensive, long range recommendations for the orderly and coordinated growth of the state. A division of natural resources and environmental studies is part of the agency.
 - Water Resources Coordinating Committee--Charged with preparation of a comprehensive statewide water and related land resources plan. It is an inter-agency committee appointed by the State Planning Agency, without statutory standing.
2. Limitations of the present structure--We have found several limitations and shortcomings of the present structure which are interfering with the ability of the executive branch to carry on an effective program in environmental affairs. Specifically we have found:

- Varying degrees of responsibility to the Governor--It would be misleading to conclude that the Governor, as the head of the executive branch, exercises direct control over all the agencies, boards, commissions and committees in this branch.

The Governor personally appoints the chief staff person in the Department of Natural Resources, Pollution Control Agency, Department of Economic Development, Department of Agriculture, and State Planning Agency. He does not appoint the chief staff person in the State Board of Health, Water Resources Board and Soil and Water Conservation Commission. In those three cases, the appropriate board makes the appointment. The Governor does select the members for these three boards, but in all cases the board members serve overlapping terms with that of the Governor.

- Lack of a governor's spokesman--More and more, issues such as the proposed dam on the Blue Earth River, agricultural feedlot regulations, lakeshore zoning, and location of new power plants, call for a strong executive spokesman. Who speaks for the Governor now? The Commissioner of Natural Resources? The Director of the Pollution Control Agency? The Executive Officer of the State Board of Health? The Director of the State Planning Agency? The Commissioner of Economic Development?
- Difficulties in federal-state relationships--The role of the Governor and that of various state agencies in certain federal-state relationships is not clear. Federal law may require approval by the Governor for federally-aided projects, such as flood control projects of the Army Corps of Engineers. State law, meanwhile, charges the Department of Natural Resources with approval for any changes affecting the flow of a stream in the state. We understand, too, that federal officials have difficulty knowing whether the responsibility for water resources planning in the state rests in the State Planning Agency, under the Governor, or in the Department of Natural Resources. Apparently the agencies, too, are unsure.
- Inadequate coordination--Only a brief description of the responsibilities of these environmentally-related agencies reveals that the division of their functions is not entirely clear. Efforts have been made to bring agency heads together on an informal basis to coordinate their activities, but generally this has not worked effectively. Moreover, agencies which know they do not have exclusive or broad responsibilities

in a certain field tend to be reluctant to give too broad an interpretation to their functions for fear of causing friction with other agencies with similar responsibilities.

- Duplication of functions--The Soil and Water Conservation Commission creates soil and water conservation districts. The Water Resources Board creates watershed districts. The functions which each type of district is empowered to perform are virtually indistinguishable. Top officials of the Soil and Water Conservation Commission and the Water Resources Board admitted to us that the functions of the two types of districts are quite similar. The Department of Natural Resources is charged with providing technical assistance to the Water Resources Board. Also the Department of Natural Resources provides advice for local watershed districts and soil and water conservation districts.

In other cases functions may not be essentially the same, but the differences are so slight as to make it very difficult to carry out an effective program. For example, when does a sewage disposal problem become too big for the State Board of Health and have to be handled by the Pollution Control Agency? Apparently, the Board of Health retains jurisdiction if there is a health hazard. What are the differences between the program of the Department of Natural Resources to improve stream beds for trout fisherman and the program of a soil and water conservation district to improve a stream bed for a farmer or the program of a watershed district to improve a stream bed for navigational purposes?

- Conflicts between regulation and promotion--The agency responsible for promoting the economic welfare of a certain industry or product should not also have regulatory authority over the same industry or product. The Department of Natural Resources has responsibilities relating to promotion of mining and timber production but also has some regulatory authority over these activities. The Department of Agriculture, which is charged with promoting the agricultural industry, also is responsible for setting regulations on the use of pesticides.
- Limitations on Governor's ability to coordinate--The Governor is limited to using his own personal staff and, to some extent, the staff of the State Planning Agency in coordinating the activities of various state agencies in environmental affairs. But such personnel do not have sufficient backing in state statutes to assure effective coordination. Former Governor Harold LeVander did establish a non-statutory, informal, inter-agency "Environmental Cabinet," which brought the heads of several state agencies together periodically. He also appointed a special assistant on environmental affairs to his personal staff.
- Inability to formulate environmental policy--There is a lack of overall direction for state agencies on environmental matters. The Water Resources Research Center at the University of Minnesota has compiled a list of environmental policy statements from laws passed over the years. But this amounts to little more than a series of unrelated, often conflicting, goals and objectives. It was not intended to be--and could not possibly function as--a guide for any agency or group of agencies as to how they should approach environmental problems. The Governor now has no vehicle available through which a central policy within the executive branch can be formulated which can be a guide to the various state agencies.

- Authority not being utilized--Certain functions, required by state law in environmental coordination, are not being carried out. For example, the Legislature created the Water Resources Board to function as the forum through which conflicts over water policy could be aired, and hopefully, resolved. Yet the Board never has developed guidelines or rules and regulations as to how it would proceed in carrying out this function, and in fact, it has been used only four times since the Board was created in 1955, and not at all since 1963.*

In 1969 the Legislature charged the Water Resources Board with reviewing plans and projects of soil and water conservation districts. The Board has not yet received any plans or projects for review under this law. But the Board has not developed guidelines or rules and regulations as to how it would proceed in this matter either.

Another example of authority not being utilized is the failure of recent Governors to appoint a Water Pollution Control Advisory Committee, as required by a 1961 state law, to assist in the development of state natural resource policy.

- Excessive emphasis on appointing special representatives on boards--It is an all-too-common practice in the organization of boards, commissions and committees, either under state law or created as advisory bodies, to place representatives of certain special interests on bodies which make decisions affecting them. There are several examples of this, and the practice is spreading:

- * The Pollution Control Agency originally was set up with only citizen members, without any legislative requirements on representatives. In 1969, the Legislature amended the law to require that at least one member of the agency board be knowledgeable in agriculture.
- * All five "citizen" members of the Soil and Water Conservation Commission must be farmers. In fact, they must be appointed by the Governor from a list of nominees submitted by an organization of farmers, the state Association of Soil and Water Conservation Districts.
- * There are no statutory requirements as to representatives on the Water Resources Board, but governors have named mainly agricultural and land development-oriented people to the board.
- * Statutes relating to watershed districts permit the establishment of advisory committees to each watershed district, but require the appointees to be, if practicable, as follows: a supervisor of a soil conservation district; a member of a county board; a member of a sportsman's organization; and a member of a farm organization.
- * Members of the State Board of Health must be "learned in sanitary science."

*In two cases in 1957 the Water Resources Board made recommendations to the Commissioner of Conservation on whether permits should be granted to two applicants on appropriation of ground water. In the third case, in 1961, the Board refused to intervene in a matter involving a county ditch in Kandiyohi County. In the fourth case, in 1963, the Board refused to intervene in a dispute between a village and a township in Dakota County over the level of a lake.

- * Somewhat an extension of this concept is evident in the membership on the non-statutory, but important, Water Resources Coordinating Committee, which is made up almost exclusively of representatives of various agencies.

B. State Government, Legislative Branch

The organizational structure of the State Legislature in environmental affairs involves principally (a) its standing committees, which are empowered to meet for the entire biennium, although formal action on pending legislation is possible only during the first 120 days and (b) a permanent House-Senate commission, the Minnesota Resources Commission.

1. Standing Committees--Prior to the 1971 session neither the House nor the Senate had established a single standing committee with broad responsibility for environmental affairs. But in 1971, for the first time, the word "environment" is used in connection with standing committees of both bodies. The Senate has merged its Game and Fish Committee and Public Domain Committee into a Natural Resources and Environment Committee. The House has an Environmental Preservation Committee, which is the former Land and Water Resources Committee, plus a Natural Resources Committee, which is the former Conservation Committee. In addition the Senate has a Civil Administration Committee and the House, Government Operations, both of which handle considerable environmental-related legislation, particularly as regards the organization of state agencies.
2. Resources Commission--The Minnesota Resources Commission, made up of seven members of the Senate and seven from the House, has played a major role in overseeing an accelerated outdoor recreation resources program for the state. Under its present charge, however, the Commission's scope of activity is not broad enough to encompass a broader range of environmental concerns. The Commission recognizes this problem and is proposing to the 1971 Legislature that its responsibilities be broadened accordingly.

If the Legislature, in its internal organization, assumes a fragmented approach to environmental problems, it will not be able to develop a coordinated environmental policy. The Legislature, in the final instance, determines state policy on any question.

Even though its internal organization has been somewhat fragmented in the past, the Minnesota Legislature has played a major role in developing and acting on environmental-related policy proposals. This is somewhat a departure from the classical governmental concept of the legislative body responding to policy proposals of the executive. The emergence of the Pollution Control Agency, the recent reorganization of the Department of Natural Resources, and the creation of the State Planning Agency are products of legislative study, for example.

C. University of Minnesota

There is no clear relationship between the University of Minnesota and the formal environmental decision-making structure in state government. But organizations associated with the University have a major role in environmental affairs, particularly from a research standpoint. A partial listing:

1. Minnesota Geological Survey--The Geological Survey was established by the 1872 Legislature and was placed administratively within the University of Minnesota. The Geological Survey provides geological information needed to

evaluate the state's groundwater resources. It does field mapping and laboratory research to aid in the search for, and development of, the mineral resources of Minnesota. It plays a role in coordinating joint federal-state topographic mapping. The Survey also has a limited program to provide background information for land-use decisions.

2. Water Resources Research Center--The center was established by the University's Graduate School in September, 1964, stimulated by the passage of the Federal Water Resources Research Act of 1964. The Center has responsibility for unifying and stimulating University water resources research through administration of funds under that act and made available by other sources. Among the Center's current activities is a three-year investigation of water resources administration in Minnesota. This activity began in July 1969. A number of preliminary reports already have been issued, describing the various legal institutions, administrative structures and public administrative processes and techniques in the field of water and related land resources in Minnesota. Ultimately, the project will make recommendations aimed at achieving coordinated water and related land resources programs in the state.
3. Lakeshore development study--The University's Department of Geography and Center for Urban and Regional Affairs have prepared the first detailed inventory of the characteristics of the shoreline of all lakes over 150 acres in Minnesota outside the seven-county Twin Cities area. The study was financed by the Minnesota Resources Commission. Data from the study is being used by the state Department of Natural Resources in its regulation of lakeshore development.
4. State land use mapping study--Somewhat as an outgrowth of the lakeshore development study, the University's Center for Urban and Regional Affairs and the State Planning Agency are coordinating an inter-departmental effort to computerize land-use information by 40-acre tracts throughout the entire state. The study is being financed with state and federal funds. For each 40-acre tract the study will show watercourses, predominant land-use, location, amounts owned by the federal, state and county governments and amount owned privately. It will be the first statewide land-use data bank.
5. Agricultural involvement--Under state law the dean of the Institute of Agriculture and the director of the Agricultural Extension Service are members ex-officio of the Minnesota Soil and Water Conservation Commission, the office of which is on the St. Paul campus of the University.
6. School of Public Health--The School of Public Health works closely with the State Department of Health and the Pollution Control Agency, both of which are located on the Minneapolis campus of the University.
7. Limnological Research Center--The Center carries on a research program on the chemical, biological and physical characteristics of lake waters in the state. Water sample stations are maintained in certain lakes throughout the state.

D. Regional Commissions

In the Twin Cities area, particularly, regional government is assuming increasing importance in dealing with environmental affairs. The Metropolitan Council has been given major responsibilities in open space planning and acquisition,

solid waste disposal, sewage disposal, land use control around major airports for environmental reasons, and in the development of a comprehensive guide for the area. The Council reviews long range comprehensive plans of local governments and special purpose districts. In the case of plans of special purpose districts it can suspend the plans pending further action by the Legislature. However, there currently is a dispute between the Metropolitan Council and the Water Resources Board over whether the Council has jurisdiction over watershed districts.

The 1969 regional development act permits the establishment of regional commissions in other parts of the state and provides for comprehensive planning by such commissions for their regions plus review of local plans similar to the powers of the Metropolitan Council in this regard.

E. Local Government

The State Legislature has granted to the various cities, villages, towns and counties throughout the state the basic--and potentially most significant--tools for environmental control, namely the power to regulate land use within their borders, including the power to establish regulations for the platting and zoning of land and the issuing of building permits.

F. Federal Government

The importance of the federal government in environmental affairs in Minnesota can in no way be equated with the small amount of space and attention given to the federal government in this report. The federal influence is far-reaching. A few examples:

- The requirement that the state's pollution control regulations meet federal standards.
- The pre-emption by the Atomic Energy Commission on standards for nuclear power plants, recently upheld by a federal district court.
- The development of federal-state river basin commissions designed to provide coordinated planning of large inter-state river basins.
- The flood control projects of the Army Corps of Engineers and the U. S. Department of Agriculture.
- The establishment and management of national parks and national forests.
- The provision of federal aid to states and localities for a host of environmental activities including, for example, sewage plant construction and open space acquisition.

The federal influence is likely to increase in coming years, perhaps extending into such areas as land-use policy.

A federal Council on Environmental Quality was established in 1970 to assist in carrying out a national environmental policy. Also set up in 1970 was an Environmental Protection Agency, bringing together some federal agencies responsible for various aspects of pollution control.

II. Pollution Control

The 1967 Legislature created an independent state agency, the Minnesota Pollution Control Agency (MPCA), and has charged the MPCA with establishing and enforcing standards for air and water pollution control and solid waste disposal in the state. In general it appears as if the MPCA's greatest current need is enough money and manpower to carry on an effective surveillance and enforcement program. It already has prepared and adopted, as required by state law, air and water quality and solid waste disposal regulations. Under present law the MPCA is not charged with developing regulations relating to noise.

A. Water Pollution

We were not equipped to review in detail whether the MPCA's regulations are sufficiently tough so that--coupled with good enforcement--they will assure an adequate program of water pollution control in the state. However, we were told by the regional office of the federal Environmental Protection Agency that the MPCA's quality standards for surface waters are above average when compared with those of other states. The MPCA's standards for interstate surface waters (lakes and rivers which form a boundary with another state or cross a boundary) have received federal approval. The MPCA's standards for intrastate surface waters (lakes and rivers wholly within Minnesota) do not require federal approval, but federal officials indicated they are as good as the standards for interstate waters.

The MPCA has not prepared rules and regulations for control of pollution of underground waters, although we understand that work is beginning on these rules and regulations. It is generally agreed that adequate protection of underground waters is very important.

Based on the information presented to us there appear to be at least two major problems in obtaining compliance with MPCA regulations. First, because of the lack of funds and manpower, is the difficulty in monitoring some 800 public agencies and private businesses which discharge wastes into the state's lakes and rivers. Second is the difficulty in stopping a violation because of inadequate powers of sanction or because of the necessity of long drawn out legal procedures to prove a case against an alleged polluter.

B. Air Pollution

As with the water quality standards, we were not equipped to review in detail whether the air quality standards are sufficiently tough. However, we were told by an official of the National Air Pollution Control Association that Minnesota's standards, while not as tough as those in California and New York, rank favorably with other states.

Nevertheless, substantial work needs to be done on monitoring and enforcement, particularly in the Twin Cities metropolitan region. Federal law requires that air quality regions be designated in metropolitan areas, of which the Twin Cities area is one. Minnesota's air quality standards have been adopted for this area in conformance with federal law. But federal law also requires a plan of implementation to enforce the standards. The implementation plan for two air pollutants, particulates and sulfur oxides, did not get completed by the federal deadline of November 14, 1970, and it is not clear when the plan will be completed.

The implementation plan will be an extremely technical document. It will include detailed information on emissions into the air throughout the region and the condition of the air throughout the region. This information will be computerized in such a fashion that actions necessary to achieve the approved standard of air quality will be evident--including whether stiffer regulations need to be imposed on the public or private dischargers of waste into the air.

We understand the plan may be completed by early spring 1971. However, the process of implementation, we understand, will not be adequate given present limitations of the MPCA. Also it is not clear whether the MPCA, as presently financed and organized is adequate to carry on the detailed work necessary in the Twin Cities metropolitan region.

C. Solid Waste

Solid waste standards have been adopted by the MPCA. These include regulations for proper disposal of waste and establish a permit system for points of disposal. In the Twin Cities area the Metropolitan Council, pursuant to a 1967 law, has prepared a comprehensive plan for solid waste disposal in the metropolitan area, which defines the location, capacities, site criteria and operational standards, consistent with MPCA regulations. Each of the seven counties of the metropolitan area is charged with preparing plans to carry out the Metropolitan Council's plan in each county. Counties are empowered to acquire and maintain solid waste disposal locations. A permit for a solid waste disposal location in the Twin Cities area cannot be issued unless the Metropolitan Council determines the permit request is consistent with its comprehensive plan.

III. Land-Use Decisions

Our committee was profoundly influenced by the extent to which environmental controversies arise as a product of certain land-use decisions. We do not delude ourselves that making better land-use decisions is a panacea for environmental quality, but it certainly appears to us that by improving our land uses, problems will be more manageable. Following are some "hindsight" examples of how land use decisions produce later problems:

- The question of whether Reserve Mining Company should continue to dump taconite tailings in Lake Superior never would have arisen had the plant been located elsewhere.
- The conflict between recreational users of the St. Croix River and the Allen S. King power plant would not have arisen if the plant had been located elsewhere.
- Agricultural feedlots would not contribute to pollution of creeks and rivers if they hadn't been located along the shoreline.
- Floods would not inundate residences and businesses if the structures had't been built in the flood plain.
- The problem of cottage septic tanks polluting lakes would not arise if shoreland development had been adequately controlled first.
- Airports wouldn't be hemmed in by urbanization if urbanization were not allowed so near airports.
- The question of whether ground water supplies are endangered because of construction in recharge areas would not arise if such construction were not allowed there.

- Increased stream runoff with resulting flood problems downstream would not be as severe if swamps which served as holding areas were not drained for urbanization or farming in the first place.

Much more careful attention than ever before needs to be devoted to how land is to be used and to thorough analysis of the implications and second-and-third-order effects of certain land uses.

Major proposed land use decisions, affecting significant portions of the state and with significant environmental implications, are on the horizon in the near future. Some examples:

- Power plants--In the next 15 years the construction of 15 new generation facilities is contemplated by state utilities, according to a report from the Center for the Study of Local Government, St. John's University. The report points up the need for proper site selection for these plants.
- Flood control--The U. S. Army Corps of Engineers has identified 53 potentially feasible flood control projects in the state, with a total cost in excess of \$1 billion, including several dams and reservoirs along the Minnesota River and other rivers of the state. The U. S. Soil Conservation Service has identified an additional 492 potentially feasible smaller flood control projects with a total cost approaching \$300 million.
- Airports--In addition to the biggest land use decision relating to airports--the location of a new major airport to serve the Twin Cities area--the State Department of Aeronautics and the Metropolitan Airports Commission are calling for 21 new airports in outstate Minnesota by 1975, plus 8 smaller airports in the Twin Cities area for general aviation aircraft by 1991.
- Highways and transit--The Minnesota Highway Department is planning several hundred miles of additional freeways and expressways in the state and is planning various improvements on more than 10,000 miles of roadway over the next 20 years. The Metropolitan Transit Commission is working on a proposal for major transit facilities in the Twin Cities region which could cost \$1 billion or more.
- Copper-nickel mining--Some exploration efforts are contemplated in the Boundary Waters Canoe Area. Development of semi-explored copper-nickel resources, now known outside of the BWCA, might envisage construction of smelting facilities.
- General growth--The most *conservative* estimates of population growth in the state as developed by the State Planning Agency indicate a growth of 2 million more people over the next 50 years, which means at least a 50 per cent growth in urbanization, and all the land uses associated with it--residential, commercial, industrial, and so forth. Do we want this additional growth to take place in the same manner as that which has occurred so far? Should the additional growth be decentralized to avoid congestion which now is such a problem in large urban areas like New York and Chicago and which is spreading to the Twin Cities, too?

The State Legislature has not been oblivious to the importance of land use decisions. In addition to its emphasis on comprehensive planning on a regional basis, the Legislature in 1969 passed at least four additional major pieces of legislation relating to land use: (a) lakeshore zoning in unincorporated areas (b) flood plain regulation (c) land use regulation around a major new airport to serve the Twin Cities area, and (d) reclamation of iron mining lands.

RECOMMENDATIONS

This report looks more to the future, than to the past or even to the present. A fundamental objective which guides our recommendations is to avoid environmental degradation before it starts--to find ways to make the right choices in the first place, rather than just correcting for past mistakes (although this certainly must be done as well).

We look to the thousands of environmental choices yet to be made by thousands of private and public individuals and organizations in the future. Their actions, in the aggregate, will determine the kind of environment Minnesota will have.

I. Better Policy Direction, Executive Branch

The major problem in the executive branch of state government is not the lack of any agency responsible for quality of the environment. At least three major state agencies, and perhaps a fourth, plus a number of smaller agencies, each would claim its main job is to preserve the quality of the environment. And each is correct, within its own sphere of responsibility.

To overcome what we believe to be the chief organizational problem in the executive branch--a lack of central direction in dealing with environmental problems--we recommend as follows:

- A. Special assistance for the Governor--We recommend that the Legislature establish by statute a high-level executive policy office for environmental affairs, headed by a director (or commissioner, the title is not important) who would be directly responsible to the Governor. Such a director would be appointed by and serve at the pleasure of the Governor and receive compensation at least equivalent to that of major department heads.

We envision that the director of an executive office for environmental affairs would be the Governor's chief spokesman on environmental matters. He would perform functions as designated by the Governor. (For more discussion of this recommendation see pages 29 and 30.)

- B. Responsibilities--We recommend that the Legislature spell out a number of specific functions relating to environmental affairs which shall rest with the Governor's office. The Governor would assign the implementation to the staff personnel over which he has direct jurisdiction, which would include, of course, mainly the proposed director of the executive office for environmental affairs. Although, in actual operations the director of this office will be carrying out major functions relating to environmental quality, we believe it is important to focus overall responsibility in the Governor, not his director of environmental affairs. Also the Governor is head of the State Planning Agency to which he can assign some of the functions as well. He can determine the precise relationship between the director of environmental affairs and the State Planning Agency.

The functions we recommend be specifically assigned to the Governor by the Legislature are as follows:

1. Articulate the state's policy relating to the physical environment. Although this may seem somewhat nebulous, it is extremely critical that the executive branch of state government spell out the state's environmental

policy as precisely as possible. The Legislature should specifically instruct that such a policy be prepared. It should set broad guidelines for the areas the policy should encompass, and, to assure prompt action, the Legislature should set a deadline for preparation of the policy. It then should be submitted to the Legislature for approval.

We believe that such a policy should be a detailed statement, much more extensive than the brief introductory comments to state laws which now contain the state's environmental policies.

It should seek to incorporate all existing policies and, where policies are in conflict, state the over-riding policy. It should be a guide within which state agencies would make specific program proposals.

Environmental policy, specifically, should make clear the direction this state is moving on major conflicts over resource use. Following are *illustrative examples* (which reflect feelings of many of us however):

- Advanced treatment of sewage wastes will be favored over structural changes in streams which are designed to increase the flow of water to provide adequate dilution of effluent during certain periods of the year.
- Lakes should be segregated as to use. For example, power boats should be permitted on some lakes and sail boats on others.
- Non-structural measures, such as flood plain regulations, are to be favored over structural measures, such as dams, in coping with floods.
- Parks and other open spaces, areas with valuable scenic quality, and historic sites are to be favored for protection over the demands for construction of transportation or other facilities which can damage such areas.
- Controlled urban growth in areas best suited for such growth is preferred over urban sprawl.

A policy is a guide for action. Consequently, it must be more than a statement which says it is the policy of the state to protect the natural environment. It must deal with very real conflicts which will arise.

2. Assure a strong, positive role for Minnesota in connection with various interstate and state-federal boards and commissions both formal and informal. This should also include liaison with the Minnesota Congressional Delegation, the Congressional Committees, President's Council on Environmental Quality, and other federal agencies.
3. Carry out responsibilities for resolving disputes among state agencies over natural resource policy matters. This responsibility now rests in part with the Water Resources Board but has not been utilized in almost a decade. It should be removed from that Board and placed directly under the Governor. Decisions by the executive office should be binding on the affected state agencies.
4. Have the general assignment of coordinating the activities of state agencies in environmental affairs.

5. Generally, look after the public interest in environmental affairs and be charged with promoting environmental education programs. This should include holding general informational hearings on a periodic basis around the state to give citizens and groups the opportunity to present their environmental concerns.
 6. Review all budgetary proposals by state agencies dealing in the physical environment to assure that, before the Governor submits his budget message to the Legislature, special attention is given to the environmental implications of the budget.
 7. Prepare an annual report on the state of the physical environment for the Executive Branch, the Legislature and the public, including specific proposals for legislation. Specifically, we believe the Legislature should instruct the Governor to develop policy proposals in the areas of:
 - State departmental organization in environmental affairs.
 - State and urban growth and population distribution within the state.
 - Impact of property tax policies on local environmental decisions.
 - Ways to maximize the re-use and re-cycling of resources.
 8. Supervise the activities of the Water Resources Coordinating Committee to assure that all its recommendations on the management of Minnesota's water and related land resources will receive the highest possible consideration in the executive branch.
- C. Information system--It is becoming increasingly clear that much more complete information about the state--its land-use, what lies beneath the surface (both as to kinds of material and sub-surface water supply), amounts and kinds of pollutants, and up-to-date inventory of our supply of natural resources, for example--must be developed. The information must be gathered and reported in such a form that it is usable by policy-makers and the general public, not just technicians. In effect, it is indispensable if the public and its elected governmental officials are to know, continually and completely, the "state of the state," environmentally. Many efforts are under way, but they are fragmented. We recommend that the central responsibility for such an information system be assigned by the Legislature to the Governor or his designated representative. The University of Minnesota and the State Planning Agency should be intimately involved.
- D. Changes in executive agencies--A significant amount of the problem in coordinating existing state agencies in environmental affairs is their sheer number. We have not attempted to "place all of the environment," so to speak, in one agency in state government. Some measures can be taken, however, to streamline activities somewhat:
1. We recommend that the Legislature abolish the Water Resources Board, which has not carried out its assigned function of resolving water policy disputes and which functions mainly as a Board for approving watershed districts. Our recommendations above provide that the Governor or his director of environmental affairs be the vehicle for resolving natural resource policy disputes. The functions relating to approval of watershed districts can more appropriately be handled by the Department of Natural Resources, which

already provides the technical assistance on watershed matters to the Water Resources Board.

2. Along with transfer of authority over watershed districts to the Department of Natural Resources, we recommend that the Legislature enact appropriate safeguards against possible indiscriminate formation of more districts or river basin authorities. A district or authority is a formal unit of government with taxing powers. Such units of government should be established only with the greatest of care and in response to demonstrated need. We recommend the Department of Natural Resources be charged with preparing rules and regulations relating to the establishment of additional watershed districts or river basin authorities. Such rules and regulations, specifically, should cover (a) desirable minimum size (b) what should be encompassed in each district or authority's comprehensive plan. We also recommend that the Department of Natural Resources be charged with reporting to the 1973 Legislature on the extent of the need to continue to establish more districts or authorities.

Regional councils, where such exist, should be charged with reporting to the Department of Natural Resources on the desirability of proposed districts or authorities within their areas. Plans and projects of watershed districts or river basin authorities should be subject to approval of regional councils and the Department of Natural Resources. (For more discussion of these recommendations see page 32.)

3. We recommend that the functions of the Minnesota Soil and Water Conservation Commission, which relate mainly to supervision of soil and water conservation districts, be assumed by the Minnesota Department of Natural Resources and that the commission be abolished as a formal governmental board. Plans and projects of soil and water conservation districts should be subject to the approval of the Department of Natural Resources and the appropriate regional council where such exists.
4. The Legislature should repeal the law, passed in 1969, which requires at least one member of the Minnesota Pollution Control Agency to be knowledgeable in the field of agriculture. The Legislature should steer from designating representatives of any private interests as members of state boards.

II. Better Policy Direction, Legislative Branch

- A. Minnesota Resources Commission--We recommend the Legislature broaden the general assignment to its Minnesota Resources Commission, a permanent advisory body to the Legislature, to encompass all areas relating to the physical environment. We suggest the Legislature could re-name the Commission to reflect its broader tasks. Perhaps the name could be Minnesota Legislative Commission on the Environment. Currently the Commission is limited principally to advising the Legislature on recreation-related resources. In effect, the Commission's range of interest would be at least as broad as that of the Governor's special assistant as recommended above.

We recommend that the Senate and House primarily appoint members to the Commission who are serving on standing committees of the Legislature which would have general responsibility for the physical environment.

We envision that the Minnesota Resources Commission would be the vehicle whereby the Legislature and Executive Branch maintain continuous contact on environmental affairs, even between sessions.

- B. Standing committees--We support movements taken by the 1971 Legislature to designate certain committees as having general responsibility for management of all natural resources and environmental quality. We recommend that the House and Senate move to develop parallel committees in both houses on this subject.

III. Pollution Control

We recommend that the Legislature, which in 1967 mandated the establishment of stiff pollution control regulations, with the creation of the Minnesota Pollution Control Agency, now move to provide the tools necessary to enforce pollution control regulations effectively. Specifically:

- A. Increased financial support--We recommend an increase in appropriations for pollution control to enable the hiring of the necessary enforcement officials and purchase of necessary equipment. This should not be accomplished solely by expanding the staffs of existing agencies, although this will be necessary. Certain enforcement responsibilities, such as routine surveillance of monitoring equipment, may well be assisted by utilizing existing personnel in some state agencies, such as personnel already employed by the Department of Natural Resources in enforcement and field service. Also there is a possibility that counties will establish environmental control offices. Such personnel could also be utilized.

We also recommend an increase in appropriations to assist the Department of Natural Resources in enforcement of regulations for granting water permits, and for shoreland and flood plain regulations.

- B. Revenue for enforcement--Currently, fees are not charged when permits are issued to public and private applicants for discharge of wastes into the air or water or for appropriation of water, for example. We recommend that the Legislature provide for the costs of monitoring and enforcement of regulations to fall on the public agencies, the private businesses and individuals who were issued permits.
- C. Monitoring--We recommend that the individual dischargers of waste into the air, water, or land be required, as a condition for receiving a permit to discharge, to report on a regular basis on the kind and amount of all materials being discharged into the air, water, or land. If a discharger of waste claims it lacks the ability to conduct such self-monitoring, pollution control authorities should be empowered to carry on the necessary monitoring and charge the costs directly to the public or private body which is being monitored.
- D. Change in "burden of proof"--In civil proceedings necessary to enforce pollution control regulations, we recommend that once a certain amount of evidence indicates regulations are being violated, the alleged polluter be given the "burden of proof" to show that he is not in violation. This would be a shift from the present situation in which the pollution control authorities have the burden of proving that regulations are being violated.
- E. Compliance with laws and regulations--We recommend higher fines and, as necessary, sanctions, to enforce regulations. Sanctions could be imposed against the officers responsible for offending activity relative to violations or against companies themselves.

We also believe that the effectiveness of pollution control regulations depends upon the extent to which public employees carry out their assigned tasks. We

therefore, recommend that the Legislature adopt appropriate safeguards to assure that public employees will act as required by state law. We believe that these safeguards could include sanctions that would prohibit payment of salary for non-compliance with the law. Other sanctions could be suspension from employment or denial of promotions or salary increase.

- F. Metropolitan area air pollution control--We are deeply concerned about the effectiveness of present mechanisms for air pollution control in the Twin Cities metropolitan region. Because of the detailed monitoring required of thousands of sources of air pollution in the Twin Cities area and, further, because of the urgent need to comply with federal requirements, we recommend the establishment of an adequately-funded mechanism for pollution control in the Twin Cities region. Among several possible options for such a mechanism, are (a) metropolitan division of the Minnesota Pollution Control Agency (b) branch of the Metropolitan Council, such as expanding its Metropolitan Sewer Board to a Waste Management Board, responsible for both air and water pollution control, not just water pollution as at present.
- G. Additional rules and regulations--We also recommend that the Legislature specifically assign the MPCA to develop rules and regulations covering noise control and instruct the MPCA to proceed promptly to carry out its present authority to develop rules and regulations covering underground water pollution control. The Legislature should instruct the MPCA to recommend other areas, as necessary, where further regulations are needed.

IV. Citizen Access

We recommend legislation patterned after that which recently was passed in Michigan giving the citizen a right to sue to enforce pollution control regulations, regardless of whether his economic interest is affected or whether he suffers directly because of his geographic proximity to the pollution source.

We also recommend that a formalized mechanism be established whereby any citizen or group may petition the Governor through his director of environmental affairs (the position we recommend above) on any matter relating to a unit of government or agency's decision on the environment. If it is determined that a petition merits further inquiry, a hearing should be conducted and a report prepared with findings and recommendations to the appropriate unit or agency.

V. Better Environmental Awareness

Quite naturally, the goals of public and private individuals and organizations will in many cases conflict with other goals for protection and management of natural resources, reduction of pollution, reduction of noise, consideration of esthetics, and so forth. We propose the following specific steps designed to make sure that environmental impact is, at least, a major consideration in public and private decision-making:

- A. Private activity--We recommend that the Legislature provide a mechanism whereby private individuals, groups and businesses will be required to consider and report the impact on the physical environment when planning residential, commercial or industrial developments or other activities that might affect the environment.

We believe this can be accomplished by working through the mechanisms already

operating by which private activity is regulated by government. A proposed private activity of significance is likely to require the approval by some government unit or agency for its implementation. Plat approvals, zoning, building permits, and permits for use of water and the discharge of waste are examples.

We recommend that the Legislature require a statement from each applicant on proposals with significant environmental impact, as defined by guidelines developed by the Governor's special assistant for environmental affairs. We recommend that such a statement be attached as a routine part of each application when submitted to a governmental unit or agency, and that it be a matter of public record, that is, available as public information. We envision that such statements will then be used by the appropriate government units and agencies in evaluating and acting upon the applications from an environmental viewpoint.

To assure that such statements cover relevant information, we recommend that the Legislature instruct the Governor's special assistant to prepare an acceptable outline of inquiries, perhaps in the form of a checklist, which would be made of applicants.

Such an environmental impact statement should cover the following:

1. A quantitative assessment of the effects of the proposed activities on the physical environment (for example, the exact amount and type of wastes to be discharged).
2. The extent to which the proposal serves to maintain or enhance the quality of the environment.
3. The extent to which there will be irreversible or irretrievable commitments of resources by the applicant.

We further recommend that suitable mechanisms be established to guard against fraud, such as, for example, the automatic denial of an applicant's request if he knowingly submits false information.

- B. Government activity--We believe the same kind of environmental consciousness must be required of units and agencies of government as we recommend for the private sector.

We recommend that environmental impact statements be required and be a matter of public record whenever a government unit or agency proposes to undertake an activity which would have significant effect on the environment, as defined by guidelines developed by the Governor's special assistant for environmental affairs.

We believe environmental impact statements should be required of a governmental unit or agency (a) whenever any proposed activity by one unit or agency requires the review or consent of another unit or agency; (b) whenever a unit or agency proposes rules and regulations or makes recommendations for proposed legislation; (c) whenever a unit or agency prepares long range plans (d) whenever a unit or agency proposes any construction project or proposes altering the natural terrain or watercourses.

As with private activity, a suitable form would have to be prepared. We recommend this responsibility be assigned by the Legislature to the Governor's special assistant.

Statements prepared by a governmental unit or agency would be attached as

routine information whenever a proposed action is required to be submitted for review or approval to any other governmental unit or agency. In addition, however, there will be cases where proposed activities do not now have to be reviewed by any other governmental unit or agency. If such cases involve state agencies, we recommend the statements be submitted to the Governor or his designated representative. Below the state level, the statements should be submitted to the regional council, where such exists (as in the Twin Cities and Arrowhead regions) or to county governments, where there is no regional agency. If in an area where there is no regional agency a county government does not carry on recognized planning and land use control activities, which would involve, for example, an active planning commission and an approved zoning ordinance, the statements should be submitted to the governor or his designated representative. (For more discussion of this recommendation see pages 30 and 31.)

VI. Better Land Use Decisions

Extreme care must be taken in making decisions on how land is to be used, because of the long-term--and largely irreversible--impact of such decisions. The vast majority of problems relating to depletion of natural resources, pollution, and esthetics, for example, can be attributed in the first instance to land use decisions.

We specifically recommend that the Legislature empower the regional councils where they exist, as in the Twin Cities and Arrowhead regions, or the Governor or his designated representative, where such councils do not exist, to carry out the following responsibilities:

- A. Establish guidelines--We recommend that the Legislature require the areawide or state agency, as appropriate, to develop land use guidelines for environmental protection to be used by local governments in adopting their own land use control ordinances, including subdivision and zoning regulations. Guidelines would show the kinds of land uses to be permitted in various situations.

Ultimately, we envision that guidelines would be prepared to cover all parts of a community. However, because of the time this would require, we recommend first that the specific areas be identified within each county, city, village and township where decisions on land are most critical from the standpoint of best use of the environment. For example, such areas might include land along streams, rivers and lakes, land with slopes above a certain degree, swamps, forests, or land which overlies valuable geological resources. Hearings would have to be held before the final determination of the exact areas to be covered.

We recommend that the Legislature establish reasonable deadlines for the areawide or state agency to prepare such guidelines plus a reasonable time for local compliance. Further, we recommend that local ordinances and regulations be submitted for approval as to compliance with regulations.

- B. Review of specific proposals--Specific land use decisions, whether or not they are located in certain areas critical for environmental protection, can have significant areawide impact. We recommend as follows:
1. First, procedures must be established so that proposed land use changes of areawide environmental significance are known in advance of the time decisions are made at the local level on the proposals. We recommend that local governments be required to report to the appropriate regional or state

agency on proposed changes of areawide environmental significance before action is taken at the local level. We believe that the Legislature should specify the types of proposed changes that would fall in this category. We believe it would be reasonable to include (a) all proposed plats for new residential, commercial and industrial sub-divisions; (b) building permit requests from both public and private applicants when the acreage exceeds, say, 5 acres, or the floor space exceeds, say, 60,000 square feet; and (c) alterations in topography when acreage exceeds, say, 5 acres, for purposes such as gravel pits, for example.

2. Second, we recommend that the appropriate regional or state agency review and comment upon such proposed changes as to the environmental impact and, as desirable, to assist local authorities in working out decisions which will maximize the prospects of preserving environmental quality.
3. Third, it is likely that in some cases a satisfactory solution will not be worked out between the local authorities and the regional or state agency. In such cases, too, the environmental impact may be of such magnitude that a locality should not be permitted to proceed without approval by the regional or state agency. We do not envision that this would be a common occurrence. Normally, differences should be worked out in conciliation. But because of the importance of broader environmental considerations, the regional or state agency should be able to override a local decision in some instances. This action should be permitted only after detailed procedures have been followed to assure that the power would not be abused. For example, in the event of an impasse, we believe it would be appropriate to require the regional or state agency to spell out why the pending decision is of such areawide environmental significance, to hold a hearing and then take action. If a local government is overruled, court appeal should be permitted. (For more discussion of these recommendations see pages 31 and 32.)

DISCUSSION

Many questions undoubtedly arise relating to the rationale for a certain recommendation, how it would be carried out, or what other options were considered. Following is an attempt to raise and answer what may be more common questions.

1. *In the proposal relating to improvement in the organizational structure of the Executive Branch, what other organizational possibilities were investigated?*

Our chief proposal to improve coordination of environmental activities in the executive branch is to give more tools to the Governor--principally in the form of a statutorily-appointed assistant, with responsibility for coordination and resolution of policy disputes.

We considered a number of other options. Among them:

- Merger of agencies--One proposal was merger of the major natural resource-environmental departments and divisions in state government under one commissioner. This would involve principally the Pollution Control Agency, Department of Natural Resources, Water Resources Board, Soil and Water Conservation Commission, and parts of the State Board of Health.

We could find no compelling reasons for such a comprehensive reorganization, particularly since the Pollution Control Agency has just recently been formed and generally is regarded as carrying on an effective job in its sphere of activity, and since the Department of Natural Resources was itself just recently reorganized. Also, some of us felt that regulatory bodies, such as the Pollution Control Agency, should function separate from administrative agencies. Moreover, we were not convinced that coordination necessarily results from placing a number of different agencies together. Inevitably divisions are established which end up acting like individual agencies anyway.

Another reason we did not adopt this approach is that our concept of environmental coordination extends far beyond the above-named agencies, to Agriculture, Economic Development and Highways, for example. No administrative organization would place all of them together.

- Supervisory board--A more popular idea was to create some sort of environmental quality board which would be charged with coordinating activities of various agencies. We were cool to such an approach because of our conviction that responsibility needs to be centered in the Governor's office, not in some board. Secondly, we recognized, that as a practical matter, there already are so many boards in the environmental area in state government it is difficult to keep track of them and clearly understand their responsibilities. Adding another would only add to the confusion. Third, we were not convinced that establishment of another board would serve to advance citizen input to environmental policy. On the contrary, many of us felt that a board might well "insulate" the executive branch from citizen input by creating a false illusion that the board itself is carrying out this function.

Nothing would preclude the Governor from appointing an advisory citizens committee on the environment to make recommendations to the Governor or his special assistant for environmental affairs, as proposed in this report. But it should be clear that any such advisory body would not be a substitute for spotlighting responsibility in the Governor or his special assistant.

-- Upgrading an existing board--As originally established the Water Resources Board was intended to be *the* Water Policy Board for state government. But it never has really carried out this function. Nevertheless, it has been suggested that the responsibility of the board could be broadened to cover all natural resources. We believe that it is inadvisable to take this approach because of the current standing which the Water Resources Board has. It is little known outside its role in approving watershed districts. It has had primarily an agricultural orientation. Its members are appointed to six-year overlapping terms which effectively removes the board from direct responsibility to the Governor. Rather than upgrading this board, we believe it can be abolished with no loss to the state. The only function it is carrying out today, the establishment of new watershed districts, can better be handled by the Department of Natural Resources.

2. *Isn't there a risk that a Governor, who may be unsympathetic to environmental concerns, would appoint an environmental assistant with a negative attitude on pursuing strong environmental control programs?*

Yes, this is a possibility. The Governor's special assistant probably will reflect quite closely the Governor's own personal concerns.

Some environmental groups, who fear such an eventuality, suggest that a body needs to be set up in state government which is semi-independent or totally independent of the Governor.

We did not favor such an approach, because we believe the strengths of close ties to the Governor far outweigh the risk that an "anti-environmentalist" would be appointed by the Governor. In exchange for such a risk is the guarantee of spotlighting responsibility in the highly-visible office of Governor, who is directly elected by the people, and who, therefore, is directly subject to public pressures. Not only is the office highly-visible, but it is a center of power.

No doubt some sort of body semi-independent or independent of the Governor could serve as the state's "conscience" so to speak, for the environment. But it would also be insulated from the general public. Without direct responsibility to the public it could easily be ignored. Also it is inappropriate to suggest that the Legislature assign the functions we propose for the Governor's special assistant to any office which is not responsible to the state's Chief Executive.

3. *What, specifically, would be encompassed in an environmental impact statement?*

According to our proposal, someone appointed by the Governor would be responsible to preparing an outline for such a statement. We envision that such an outline should be flexible and concise. That is, it should be designed to fit many different kinds of situations, yet it should not be so detailed as to impose an undue burden on the applicant.

We believe it would not be unreasonable to require consideration of the following in a statement: (a) air quality, including the amount and type of discharge into the air, the extent of odors, temperature of emissions; (b) water quality, including amount, type, temperature, and rate of discharge of wastes into water; (c) water quantity, including amount to be used, source of withdrawal, rate of withdrawal, why needed, extent of recirculation; (d) land, including anticipated effect on runoff, erosion, slope stability, change in topography, impact on areas nearby, disruption of scenic areas; (e) vegetation, including trees and

other plants to be removed, proposed new plantings, extent to which agricultural land will be taken out of production; (f) wildlife, including impact on available habitat; (g) mineral resources, including amount and type of extractions proposed, arrangements for restoration of land following mining and dust control, extent to which a proposed development would make a mineral resource unavailable, for example, proposed construction over a possible source of sand and gravel; (h) noise, anticipated noise levels either from the proposed development itself or by corollary uses (such as traffic); (i) esthetics, including measures being taken to assure pleasant visual appearance and impact, the effect of the proposal on preserving or obstructing scenic views; (j) other impact, including what requirements the proposal would impose for ancillary services, such as highways, power lines, gas and oil pipelines, public safety, and impact on density of population.

The environmental impact statement would be used by the appropriate unit of government as appropriate information in evaluating a proposed development.

4. *Wouldn't requirements for environmental impact statements result in a lot of unnecessary paper work? Who possibly could evaluate all of the statements?*

We envision that each applicant would be required to answer the questions on an outline to the best of his knowledge. The statements would then be attached to whatever formal application is being made. The chief goal of requiring the statements is to stimulate the applicants to anticipate environmental impact in advance. Perhaps in some cases it would result in an applicant altering his plans even before he submits an application.

It is our intention to blend the environmental impact statements into the normal review process which now exists. Statements would be reviewed by the same governmental officials who review the various applications for development, whether at the municipal, county, regional or state level. No office will receive a pile of new applications to review. The only new review involved would be in the case of proposals by some unit or agency of government which now do not require any review by any other unit or agency. This would be rare.

5. *Isn't there a risk that an environmental impact statement would give a private developer or governmental agency the opportunity to divert attention from the undesirable aspects of a proposal?*

According to this point of view, an environmental impact statement could be written in such glowing terms as to hide what the actual adverse impact would be. If this occurred, the environmental impact statement might produce the exact opposite goal which was intended.

We believe that such a risk would exist, and that it must be taken into account when the outline for the impact statement is prepared. Information must be requested in such a manner to guard against giving the applicant the chance to overstate the benefits or understate the negative impact of his proposal.

6. *What do we mean by developing land-use control guidelines for local governments?*

We envision that the development of land-use control guidelines for local governments would be a logical extension of other movements already begun in this direction. In 1970 the Department of Conservation (now the Department of Natural Resources) adopted guidelines for county governments to follow in zoning shoreland in unincorporated areas. County zoning ordinances and sub-

division regulations are to conform to the Department's guidelines. The guidelines outline permitted uses of lakeshore in different areas, with emphasis upon such factors as the condition of the lake, amount of forested land and soil conditions. The Department also developed guidelines for flood plain regulation in 1970. The Metropolitan Council is charged under a 1969 law with developing guidelines for control of land use in the vicinity of a major new airport. Local governments will be required to adopt zoning and sub-division regulations which conform to these guidelines.

In the preparation of guidelines we would expect that the appropriate regional or state body assigned the responsibility would work closely with many public agencies who could provide valuable information. For example, the Minnesota Geological Survey could assist in identifying areas of mineral resources. Or the divisions of forestry in the Department of Natural Resources, for example, could help identify forest protection lands.

7. *Are there areawide or statewide controls on land use in effect in other states?*

The 1970 Maine Legislature approved a new law providing for veto by the state Environmental Improvement Commission over development which may substantially affect environment. The law defines such development as any commercial or industrial proposal for areas of more than 20 acres, or which contemplates excavation of natural resources or has structures which occupy a ground area of more than 60,000 square feet.

The 1969 California Legislature empowered the Bay Area Conservation and Development Commission to control land use around San Francisco Bay.

The 1970 Washington Legislature created a body to approve power plant sites.

Statewide zoning of land has been in effect in Hawaii for many years.

Michigan requires state approval of subdivision plats.

8. *What about the possibility of establishing strong units of government organized along hydrologic boundaries to carry out environmental protection, rather than using present units of government which are organized according to geographic boundaries?*

Several suggestions have been advanced for the establishment of new, fairly large regional units of government in the state whose boundaries would follow the drainage area of major rivers. These suggestions frequently contemplate granting broad powers over water and related land use planning and development in the drainage area. Such regional units of government would not follow geographic boundaries, nor would they coincide with the boundaries of the designated economic regions of the state.

A prime thrust of this report concerns making environmental choices. We are convinced that it is best to assign these choices to officials of general government, not to officials of special districts.

To the extent that watershed districts and river basin commissions are needed to carry on certain functions, they should operate within guidelines as established by general government. They should not have broad authority to make policy but should function as operating units under general government.

BACKGROUND OF THIS REPORT

Several reports have been published by the Citizens League in recent years covering various environmental problems. A report issued in 1965 strongly recommended a metropolitan sanitary sewer district to preserve the quality of the rivers which run through the area. In 1966 in a report on metropolitan area solid waste collection and disposal, the League recommended a program of strict regulation of solid waste disposal areas, areawide planning for additional disposal areas, prohibition of outdoor burning, and combined collection of garbage and rubbish in Minneapolis and St. Paul. In 1968 the League recommended a metropolitan approach to preservation of open space in the Twin Cities area. The League's proposal in 1969 for sharing the growth of the property tax base in the area is directly related to solving environmental problems. That proposal would reduce pressures which local officials now have to encourage certain kinds of development in certain areas simply to encourage tax base, with little consideration of the environmental impact. The creation of the Metropolitan Council, which followed recommendations in a League report, is an attempt to attack environmental problems on an areawide basis in the Twin Cities area.

In the fall of 1969 the Citizens League Board of Directors approved the establishment of a new research committee with the following assignment:

"Examine the mechanisms available, and required, to resolve the issues likely to be arising in Minnesota over the use of the natural environment, including the issues of water, air, land, noise and visual pollution. Review the nature of the conflict over the recognition, measurement and allocation of the costs of these various forms of pollution. Examine the present mechanisms available for resolving these conflicts in Minnesota, and make recommendations for improved ways of anticipating these issues and resolving the conflicts."

COMMITTEE MEMBERSHIP

A total of 37 members participated actively in the work of this committee. Chairman was C. Paul Jones, Minneapolis, member of the Citizens League Board of Directors, and State Public Defender. Other members were:

Newton Ablahat
Kenneth P. Alpers
Earl R. Alton
John L. Archibald
Douglas W. Barr
Richard O. Bartz
Merlin H. Berg
Dale C. Bergstedt
Mrs. William Brascugli
Lee Ciampi
James Lee Dallas
Wallace C. Dayton
Vince Dworak
Paul Farseth
Mrs. M. M. Garrison
Leon R. Goodrich
Mrs. A. C. Greenman
State Senator Mel Hansen

James Hawks
Rudolph K. Hogberg
George E. Johnson
William C. Johnson
E. G. Joselyn
Ernest K. Lehmann
Robert J. McFarlin
Wallace E. Neal, Jr.
Victor S. Roterling
Allen I. Saeks
Thomas C. Savage
Paul M. Segner
Warner Shippee
Edward J. H. Smith
Phillip Thompson
Jerome Truhn
Richard A. Wilhoit
Viktor O. Wilson

The committee was assisted by Paul A. Gilje, Citizens League Research Director, and Theresa Schmieg of the Citizens League clerical staff.

COMMITTEE PROCEDURES

The committee held 40 meetings from November 18, 1969, to January 11, 1971. With the exception of the summer months, the committee met almost weekly. Meetings were held on alternate weeks in St. Paul and Minneapolis for the convenience of committee members and resource persons. In addition more than a dozen informal breakfast meetings were held.

During the first several months, members of the committee received orientation on the organization and functions of the various levels and agencies of government in environmental affairs. Detailed minutes were taken on each meeting, and copies were made available to members who could not be present. In addition a large list of interested persons outside the committee were kept informed by receiving minutes of the meetings. A limited number of copies of minutes are on file at the Citizens League office. Also a large amount of background material assembled for the committee can be reviewed in the League office.

Staff personnel in many government offices provided invaluable assistance in phone calls and other informal meetings. Particularly helpful were staff of the Minnesota Pollution Control Agency, Department of Natural Resources, State Planning Agency, Department of Administration, Soil and Water Conservation Commission, Water Resources Board, the Metropolitan Council, and Water Resources Research Center, University of Minnesota.

All resource persons who met with the committee accepted invitations without hesitation. In addition to so-called "local" resource persons, the committee met with Charles H. Stoddard, Duluth, consultant to the Conservation Foundation and former regional coordinator for the U. S. Department of the Interior; Edwin T. Haefele, Resources for the Future, Washington, D. C.; and Alvin H. Baum, deputy director, San Francisco Bay Conservation and Development Commission. Also the committee held a half-hour phone conversation with Ralph Nader via long distance hookup to Washington, D. C. Other resource persons were:

Edwin H. Ross, Organization and Program Analysis, Department of Administration and State Planning Agency.

Joseph Sizer, director, Natural Resources Planning, State Planning Agency.

John P. Badalich, executive director, Minnesota Pollution Control Agency.

Edward Wiik, director, Air Quality Division, Minnesota Pollution Control Agency.

John Borchert, member, Minnesota Pollution Control Agency, and director, Center for Urban and Regional Affairs, University of Minnesota.

Robert Tuveson, member and former chairman, Minnesota Pollution Control Agency.

Dr. Robert N. Barr (now deceased), secretary and executive officer, State Board of Health.

Clarence Buckman, deputy commissioner, Department of Natural Resources.

Gene Gere, director, Division of Waters, Soils and Minerals, Department of Natural Resources.

Robert H. Rygg, assistant commissioner, Department of Natural Resources.

Jerome H. Kuehn, director, Bureau of Planning, Department of Natural Resources

Richard W. Wettersten, director, Division of Game and Fish, Department of Natural Resources.

William A. Aultfather, director, Division of Land and Forests, Department of Natural Resources.

U. W. Hella, director, Division of Parks and Recreation, Department of Natural Resources.

Earl Lhotka, Supervisor, Law Enforcement and Field Service Division, Department of Natural Resources.

Frank Crippen, chairman, Minnesota Soil and Water Conservation Commission.

Marshall Qualls, Executive Secretary, Minnesota Soil and Water Conservation Commission.

George Holmberg, Assistant State Soil Conservationist, Federal Soil Conservation Service.

Erling M. Weiberg, administrative secretary, Minnesota Water Resources Board.

Harold Macy, vice chairman, Minnesota Water Resources Board.

William C. Walton, director, Water Resources Research Center, University of Minnesota.

Raymond A. Haik, Minneapolis lawyer, former president, National Isaak Walton League; authority on natural resource law in Minnesota.

Lawrence Koll, special assistant for environmental problems to (then) Governor Harold LeVander.

George Orning, Department of Geography, University of Minnesota.

M. Barry Peterson, assistant director of planning, Metropolitan Council.

J. Robert Calton, chief, Planning Branch, St. Paul office of Army Corps of Engineers.

R. W. Comstock, director of environmental affairs, Northern States Power Company.

Peter Martin, professor of law, University of Minnesota.

Walter Robinson, Mrs. Magnus Olson, and Robert Morgan, members, and Edward Howe, administrative assistant, Minneapolis Committee on Urban Environment.

State Rep. Thomas Newcome, chairman, Minnesota Resources Commission.

Herbert Mohring, professor of economics, University of Minnesota.

Charles Rambeck, graduate student, Department of Economics, University of Minnesota.

John J. Waelti, assistant professor, Agricultural Economics, University of Minnesota.

James Majors, vice president and general manager, Mill Operations, Hoerner-Waldorf Paper Company.

Following is additional background information on the major state agencies discussed in this report:

1. Department of Natural Resources--Largest state agency in the natural resource-environment area, the Department is authorized some 1,150 employees. Generally, the Department has the task of conserving and promoting the wise use and management of the natural resources of the state--its land and forests, game and fish, state parks, and its waters, soils and minerals. The commissioner is appointed by and serves a term coterminous with that of the Governor.

Among the Department's specific functions are enforcement of laws relating to game and fish, provision of public access to lakes, protection and management of wildlife, fire prevention in forests, management of state-owned forest land, management of state-owned mineral rights, management of state parks, issuance of permits for appropriation of water from surface or ground water sources, development of guidelines for lakeshore and flood plain zoning, and restoration of areas after iron mining.

Prior to January 1, 1971, the Department was called the Department of Conservation.

2. Minnesota Pollution Control Agency--The MPCA was created in 1967 as successor to the old Water Pollution Control Commission, with former connections between the Water Pollution Control Commission and the State Board of Health severed. Currently the MPCA is independent of all other state agencies. It is headed by a nine-member citizen board appointed by the Governor to four-year staggered terms, one of whom must be knowledgeable in agriculture, according to law, and by a full-time director appointed by the Governor to serve at his pleasure.

The MPCA is responsible for management of the quality of Minnesota's waters, both surface and underground, the quality of the air and the collection, transportation and disposal of solid wastes. The MPCA deals either directly or indirectly with virtually all of the state's pollution problems of any significance. It has adopted quality standards for all surface waters of the state as well as air quality standards. The MPCA grants permits for discharge of wastes into the air, water or on the land.

There are about 75 persons on the staff. About 3/4 of its budget comes from state funds and 1/4 from federal funds.

3. Department of Agriculture--The Department encourages and promotes the development of agricultural and food industries, investigates marketing conditions, assists farmers, producers and consumers in the organization and management of cooperative enterprises, and enforces laws designed to protect the public health and to prevent fraud and deception in the manufacture and distribution of food, animal feeds, fertilizers, economic poisons, seeds and other items.

The Department is headed by a commissioner who is appointed by the Governor to a term coterminous with that of the Governor.

4. Department of Economic Development--The Department was established to develop, promote and stimulate optimum economic growth in the state, either directly or through liaison with the private sector and all levels of government. Emphasis has been on development and expansion of business and industry, publicity and promotion, the tourist and travel business, and economic research in the state.

The Department is headed by a commissioner who is appointed by the Governor to a term coterminous with that of the Governor.

5. State Board of Health--The State Board of Health is made up of nine members appointed by the governor to three-year overlapping terms, who, according to the 1871 statute, must be "learned in sanitary science." The Board appoints a full-time secretary and executive officer who serves at the pleasure of the Board. The executive officer is the chief staff person for the Department of Health.

The Board has the broad responsibility for safeguarding human health. Among its responsibilities are the sanitation of public and semi-public water supplies, approval of small sewerage systems, regulation of septic tank pumpers, licensing of hotels, resorts and restaurants and mobile home parks, and radiation control. It also has other functions related to disease prevention and control, supervision of local health departments and boards, hospital licensing, family planning services, industrial hygiene and noise control, control of offensive trades, health education, and others.

6. Water Resources Board--Established in 1955 after a legislative interim study on water policy in the state, this five-member board, appointed to six-year staggered terms by the governor, has two major functions, only one of which has been performed in recent years. The two functions are (a) acting on proposals to set up watershed districts in the state (b) serving as a vehicle through which conflicts over water policy can be resolved. The latter function has been used only four times since the Board was formed in 1955 and not at all since 1963.

Some 28 watershed districts have been established in the state. Two petitions for additional districts were pending in the fall of 1970 and five additional petitions were in various stages of preparation. Watershed districts can be established for any one of a large number of purposes, including flood control, stream channel improvement, and reclaiming or filling wet and overflowed lands.

The Board appoints an administrative secretary who serves at the pleasure of the Board.

7. Soil and Water Conservation Commission--The Commission is charged with promoting the establishment of soil and water conservation districts throughout the state, administering funds appropriated for use by these districts, and assisting them in their program through advice and consultation.

The Commission is made up of nine members, five of whom are farmers appointed by the Governor to five-year overlapping terms from a list of nominees submitted by the State Association of Soil and Water Conservation Districts, and four of whom serve ex officio, the dean of the Institute of Agriculture, University of Minnesota; director of Agriculture Extension, University of Minnesota; State Commissioner of Agriculture and State Commissioner of Natural Resources.

The Commission appoints an executive secretary to serve at its pleasure.

Soil and water conservation districts now cover all unincorporated areas of the state, except in Ramsey County. There are 90 districts. Districts carry out a number of various projects, such as flood control, tree planting, drainage of farm land for agriculture, and wildlife development.

8. State Planning Agency--The State Planning Agency has the general charge in state

law to prepare comprehensive, long range recommendations for the orderly and coordinated growth of the state. The Governor is designated as the state planning officer and appoints a director who serves as head of the agency. The Agency's staff of about 50 people is divided into several divisions, one of which is the Division of Natural Resources and Environmental Studies. There are eight professionals and two clerical personnel in this division.

Extensive research is underway in four separate areas in this Division now:

- Water and related land resources planning.
- Park and open space policy.
- State land inventory and management.
- State environmental control study design.

At this time the Division of Natural Resources and Environmental Studies does not serve the function of developing specific environmental proposals for the Governor to present to the Legislature.

The Division is involved in efforts, in cooperation with certain other state and university organizations to develop a much better environmental information system in the state than exists today. A project involving the University of Minnesota, aided by funds from the Minnesota Resources Commission, an arm of the State Legislature, now underway is producing a complete land use inventory on computer, by 40-acre tracts, for the entire state. Recently, another information study was completed by the University, using funds from the Resources Commission, providing detailed information on land use and the characteristics of lakes in the 80 counties of the state outside the Twin Cities metropolitan area.

The State Planning Agency also is designated as the state agency which reviews requests for federal grants from various state and local governments and agencies. This gives the Agency the opportunity to review many proposed projects before they are undertaken. Currently this review concerns the extent to which a proposal is consistent with areawide or statewide planning. The extent to which a proposal advances or retards environmental quality is not a part of the review process at this time.

9. Water Resources Coordinating Committee--This is an inter-agency committee appointed by the State Planning Agency, without statutory standing, to prepare a comprehensive statewide water and related land resources plan. Preparation of the plan, now in process, was stimulated by, and is financed in part by, the Federal Water Resources Planning Act of 1965.

The committee's work to date includes a comprehensive "first assessment" of Minnesota's water and related land uses today along with implications for the future. It represents perhaps the most comprehensive work done so far in Minnesota on resource planning for the future. Final recommendations are not expected for another year. It is not clear whether the recommendation from this committee will be taken as official recommendations from the State Planning Agency or not.

Membership on the Water Resources Coordinating Committee includes representatives, usually second or third level executive personnel, from the Department of Conservation, Minnesota Geological Survey, Department of Health, Soil and Water Conservation Commission, Department of Agriculture, Department of Economic Development, Department of Highways, Water Resources Research Center at the University of Minnesota, Pollution Control Agency, and the Water Resources Board. The Water Resources Director of the State Planning Agency serves as chairman.

ABOUT THE CITIZENS LEAGUE . . .

The Citizens League, founded in 1952, is an independent, non-partisan educational organization in the Twin Cities area, with some 3,600 members, specializing in questions of government planning, finance and organization.

Citizens League reports, which provide assistance to public officials and others in finding solutions to complex problems of local government, are developed by volunteer research committees, supported by a fulltime professional staff.

Membership is open to the public. The League's annual budget is financed by annual dues of \$10 (\$15 for family memberships) and contributions from more than 600 businesses, foundations and other organizations.

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