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STATEMENT BY THE CITIZENS LEAGUE TO
THE SUBCOMMITTEE OF THE HOUSE
METROPOLITAN AND URBAN AFFAIRS COMMITTEE
CONSIDERING HOUSE FILE 335
ON MARCH 13, 1969

Introduction

Mr. Chairman and Members of the Subcommittee, my name is Charles Clay. I appear here today for the Citizens League, which is an independent, nonpartisan civic organization specializing in problems of local government and finance in the Twin Cities area. I was chairman of a committee of the Citizens League which prepared a report on this problem of metropolitan sewerage disposal for the 1965 session of the Legislature, and have been almost continually involved, I find, in the discussion as it has continued down to this present day.

I will not go back through all the aspects of this very complex problem. Most of the major issues are by now pretty well known. I would like to spend just a minute putting in a little background . . . really, a basic perspective on the problem . . . and then deal in a little more detail with one argument that some parties are now attempting to use against the bill.

Background

What we are doing here, essentially, I think everybody understands, is developing a huge central utility system.

We have probably not always seen it this way: There was a time when the individual plants were smaller and some of the streams were larger, and urban development was much more scattered and less dense than it is now, when these plants could and did operate individually and independently.

As the metropolitan area built up, however, we went into a transition . . . not really unlike what's been happening, for example, in the electric utility industry. . . which has been taking us not only into plants much larger in scale, but also, for the first time, into a really integrated operation.

The process of building this big central utility system has been a slow one, and there have been a lot of mistakes along the way.

We went into post war development in the suburbs thinking for a time that we could go along without a central system . . . and building homes by 1959 for something like 350,000 people, still burying our sewage in our back yards. And we learned the hard way that we could not do without central sewer service.

As we did build some of our sewers, we built them without providing -- in the original construction -- capacity for all the areas that should logically have been served by that line. For example, a line was built in from Osseo to Minneapolis

without providing capacity along the way for Brooklyn Center and Brooklyn Park.

We built treatment plants discharging into lakes and small streams that we assured ourselves -- and assured each other -- would be perfectly adequate to handle the waste. And we learned the hard way that, at least with the rising standards of water quality, they could not handle the problem. And so we have had to close down some expensive treatment facilities, in some cases before they were even paid for. The people around White Bear Lake, for example, are still paying on bonds to finance a plant that has since been closed down and taken out of service, and we appear likely to have the same situation now with the recently constructed facilities around Lake Minnetonka.

So as we've gone back to the job of thinking about how to build our big central utility system, since the water contamination crisis of 1959, we've been trying to find some way to avoid this kind of thing in the future.

Somehow, we have got to do three things:

* We must find a way to give all parts of this enlarging metropolitan region equal access to disposal sites, without penalizing them for the accident of their location in relation to the river.

* We must find a way -- an organizational and decision-making arrangement -- that will permit us to gather together the resources needed so we can plan and build ahead of development.

* We must have an organizational arrangement that lets us locate the points of discharge at what are really the most desirable locations . . . so we are not compelled to locate them simply at the point that represents the cheapest and most convenient discharge location for each individual community.

The Proposal by the Metropolitan Council

This, then, is pretty much the problem. How to accomplish these objectives . . . and what agency to establish to try to accomplish them . . . is what we've been wrestling with unsuccessfully for eight years now.

What has really been the frustrating thing for the Legislature, I think, has been the lack of agreement within the Twin Cities area itself as to the way in which the costs involved should be shared across the region (recognizing, as the Legislature has, that it is the Twin Cities area that will be paying for this utility system).

In 1967, essentially as a way to produce some local agreement on what was desired or acceptable, the Legislature created the Metropolitan Council. . . and asked it to return in 1969, after study, with its proposal. This is what is now before you in House File 335. It is the result of intensive study by a group that I think has, by and large, earned the respect of the people who watch public affairs in the Twin Cities area. Its proposal, and this bill, represent a basis for action this session.

The Critical Need for an Areawide Operating Agency

The need for an areawide operating agency can be put very simply: Without fully areawide ownership, decision-making, and financing, it will be virtually impossible to protect or to upgrade the quality of the rivers running through this metropolitan area.

Let me make two points to explain what I mean by this.

- * First, it is clear that those stretches of the river that it might be desirable to keep for uses other than waste disposal cannot, in fact, be preserved for these uses if some mechanism does not exist to provide an alternate solution for those communities that would otherwise have "no choice" but to run their sewer to the river at the closest point.

In the absence of an areawide decision-making and financing agency, this "no choice" argument by the individual communities, or groups of communities, would be unarguable: They could not be asked to incur on their own the full cost of carrying their effluent to some other point downstream, or to some other river entirely, when the benefits of this kind of extra expenditure would accrue mainly to other communities -- or to the residents of the metropolitan area in general.

If we do not develop an agency that can plan and finance the alternatives that can capture these broadly shared metropolitan benefits, it is inevitable that the location of sewage plants will follow the pattern of existing local political units -- as it is, in fact, now doing, for example, along the St. Croix River. Clearly, an areawide agency is needed to recapture from the people of the area as a whole who benefit from the decision (for example) not to build a major treatment plant on the St. Croix River, some revenue which can be used to meet the extra cost of carrying the waste to some other disposal point.

Much the same sort of argument applies to the problem of building interceptor, and to some extent, treatment facilities in advance of development . . . as it becomes a "metropolitan benefit" to hold down overall costs by building the facilities big enough at the very beginning.

Again, some areawide agency is required, with real authority to raise money, from people in the area who already have their own facilities "in and paid for" . . . in order to meet the cost of principal and interest until the areas for which the excess capacity has been provided are developed to the point where they can begin to pick up their own share without excessive burden. This kind of "banking" function is not -- as the last ten years must surely have taught us -- something we can count on the existing, developed communities doing voluntarily. So the conclusion, again, is that an areawide agency, with real authority, is absolutely required.

- * An areawide management authority is required to perform the job . . . essential if standards of water quality are to be met . . . of adjusting and readjusting levels of treatment at individual plants as conditions in the rivers change.

This concept of operating not a plant, but of operating a system of plants, appears in the Metropolitan Council's report on the sewerage problem . . .

but may not have been emphasized as much as it deserves to be.

Let me quote for just a minute some statements the Citizens League made to the Minnesota Pollution Control Agency September 25 last year in response to the Metropolitan Council's "concept plan:"

"The major plants along these rivers are not isolated plants. Each affects the other, and a problem at one almost immediately poses problems for the others. . . . It is much more than a matter of setting standards. Standards are, in fact, much like the basic framework of civil and criminal law set by the Legislature: There is still required a whole apparatus, like the courts and the police, to interpret and enforce these standards . . . or, in a sense, to operate the system . . . locally.

"Some local operating agency must be in a position to adjust all the parts of the treatment system in order to maintain maximum water quality as conditions change. And a number of variables, affecting water quality, are constantly changing: The volume of the river changes; the temperature of the river water changes; the volume and strength of the waste discharged changes; the degree of treatment provided at the various plants can be changed -- and sometimes changes by accident; flows can be temporarily withheld from discharge; the river volume can be augmented by releases from reservoirs upstream; treatment can be changed by adding chemicals or oxygen directly into the stream.

"Any significant change in any of these variables, including a breakdown or accident, or a scheduled maintenance that takes some plant out of service, will require adjustments elsewhere in the treatment system in order to maintain maximum water quality. If each of the treatment plants were independently owned and operated, we would have a situation in which one group of local officials and taxpayers would then be responsible for picking up the bill for another's shortcomings. Clearly, the treatment system requires a management authority able to assume temporary excess operating costs at any point in the system."

One way to think of this, perhaps, is to think in terms of a large glass pipe filled with a liquid which we are trying to keep a fixed color of light blue. Along the length of the tube there are a number of valves, each operated by a man sitting in a chair, releasing white dye or black dye into the blue stream. As the stream varies in size, and to some extent in color, the men manipulating the valves must adjust their releases of white and black liquid to maintain the stream at the given color of light blue. Obviously, this would be hard enough if it were no more complicated than this. But, if we know that, in addition, each "operator" has a cost incentive to release as much black liquid as possible, and as little white liquid as possible, the problem of maintaining our given standard of color becomes very difficult indeed. Each individual operator has a normal human tendency to do as little as possible, and to get his neighbor to do as much as possible. Maintaining our standard would, clearly, be much easier with the valves operated, as we are now coming to say about the treatment plants in this area, as "parts of a single total system."

As I say, this approach is only beginning to come into our thinking about the big central utility we are building for sewage disposal. It is a concept,

however, that is already well developed in the area's electric utility. If you go to the sixth floor of the Farmers & Mechanics Bank Building in Minneapolis, you will find a control center, from which men who are continuously monitoring the demand for electricity, and attempting to maintain a continuous supply of electricity at minimum cost, are constantly manipulating the switches that control the plants generating power, and feeding it into various parts of the system.

Or, if you prefer, you can look at the analogy at Wold-Chamberlain Airport: It is not enough simply to "operate" the aircraft individually . . . somebody must be in the control tower operating, minute by minute, the whole system of aircraft movement into and out of the facility.

Conclusion

We think the Legislature will not want to be refereeing the specific problems that occur in the extension of this big utility system as the area grows year by year. The Legislature -- having set down the basic policies and rules as to the way the process is to work -- wants the problem handled, we believe, by a competent specialized agency.

The bill before you . . . and only the bill before you . . . offers clearly and specifically a proposed set of such rules . . . covering the way in which the decisions about the extension of this sewer system are to be made, the method of selecting people who are to make them, the guidelines by which they are to allocate the cost of the critical metropolitan benefits. The Legislature will be much concerned, we think, to give itself the maximum assurance that the system it is setting up will, in fact, handle the problem with the least possible discord, and the least possible need to run back to the Legislature, with the kind of dispute that has been going on in these chambers over the last eight years.

This "best assurance", we believe, is to be found in House File 335.