

Water Policy Study Committee
Draft Recommendation
*Changes since May 12 draft **highlighted** or ~~struck~~*

INFORMATION

Goals:

- Make information necessary for water policy decision making available to policy makers, professionals, and citizens.
- Make publicly available and understandable information that shows that status of Minnesota's waters and demonstrates the affects of our actions and inactions (ex: what we do on the land affects the quality of the water)

Recommendations:

1. Create an ~~independent~~ Water Information Center: a data collection and reporting organization that would:
 - a. Collect and compile data on Minnesota's waters from relevant state agencies, local government units, and nonprofit organizations.
 - b. Report on the condition of Minnesota's waters and emerging trends.
 - c. Create and maintain an online information portal that provides information to the public about the quality and quantity of water by watershed (or other small region).
 - This information should be presented in a way that is useful and understandable to both average citizens and professionals. (ex: would be helpful for local governments to be able to "see" their water environment: quality, groundwater, models)
 - This site should provide information about what individuals, businesses, local governments can do to maintain or improve water in their region as well as help people understand how to reach out to the other organizations working in water in the region (state agencies, local governments, nonprofits)
 - d. Using data collected by the Water Information Center, measure the impact of programs, especially those that receive state funding.

~~Who would do it? Should be done by a trusted organization that is perceived as independent of the politics surrounding water policy questions (as much as possible). Perhaps University of Minnesota Extension? Or the water resources agency, if we recommend a single agency?~~

Information collected by PCA, publicized by Minnesota Compass (Wilder Research's website publishing data and trends in various policy issues).

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

- Money should be used for projects that directly impact water, not for more research and data collection.

CITIZEN PARTICIPATION

Goals:

- Include citizens more fully in defining goals for our water management and in the decisions and activities needed for the care of our waters.
- Enable government to **better** understand the public's priorities and goals for water.

- Recognize citizens' role as both polluters and people who can reduce pollution, advocates, etc., and enable citizens to better leverage government efforts and money.
- Help both citizens and government to understand the tradeoffs that must be considered in dealing with water policy issues (e.g. between clean water and individual property rights).

Recommendations:

2. State and local government organizations should hire staff with social science as well as natural science backgrounds, and who specialize in citizen and stakeholder involvement.

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

- Hiring capacity is already maxed out; can't afford to hire staff outside of core functions

Or

3. Develop a civic strategy for addressing nonpoint water pollution.

Action Steps

1. In addition to their substantive missions, state agencies in the land and water areas promote development of the capacity of citizens.

Rationale: The health of watersheds depends on the everyday choices of citizens, including farmers, businesses, and landowners. Water quality, in the view of the Water Policy Study Group, is among a number of challenges "that cannot be solved by government action alone (even though government remains an essential resource)[.]"ⁱ

Model: On the east coast, the EPA has collaborated with Save the Bay, a citizens group that works to prevent the degradation of and to restore Narragansett Bay. The EPA has provided funds and technical assistance as Save the Bay has taken the lead in public education, habitat restoration, and a national conference of estuarine groups. Save the Bay helped the EPA learn and utilize strategies which place greater emphasis on the local environment and community.ⁱⁱ

Over time, the EPA has strengthened civic engagement in watershed programs nationally. The agency, for instance, has convened conferences of stakeholders, provided training for "watershed practitioners," and developed manuals for watershed monitoring by volunteers. It has provided grants of \$5,000 to \$50,000 to watershed groups—*grants to build the capacity of the group, not just do a project*—and staff members directly coach watershed group leaders to develop leadership skills.ⁱⁱⁱ

2. At the local level, watershed districts (will we recommend one core governing agency at the local level?) work collaboratively with citizens, including individuals, farmers, businesses, public institutions, and nonprofit groups, to reduce nonpoint pollution and restore waters.

Rationale: As stated by Carmen Sirianni: "Local knowledge, relationships, and initiative are essential to develop effective strategies for reducing nonpoint sources of pollution, as well as to generate the political will to assume the costs of upgrading sewage treatment or altering sensitive land-use policies. Diverse stakeholders must develop a shared vision and find ways to collaborate: farmers upstream with boaters and oystermen on [Narragansett B]ay, environmentalists with developers, scientists and

regulators with lay citizens and students. Peer education is also critical. Farmers can help educate each other about best management practices through open houses, twilight meetings, and one-on-ones. Since the health of watersheds depends on the everyday choices of citizens, (lawn care, trash disposal, household chemical use), public education plays a central role in the watershed approach. Because watershed boundaries do not dovetail neatly with local political jurisdictions and watershed problems do not conform to segmented agency authority, a civic networking strategy, combined with interagency collaboration, is essential.”^{iv}

Model: We have some models in Minnesota, such as the Minnehaha Creek Watershed District. We should also utilize models in which farmers and others work together, such as the work in New York in the article that Kaitlin sent out.

Who should lead? This is a tough question and I welcome your input. I see the need for an independent organization to develop strategies for civic work within the state agencies and to work with employees of state agencies for the purpose of developing their capacity for civic work. This organization must be given appropriate authority to work within the agencies.

One of the recommendations (on Annie's new list) for private lands is to have an independent third party mediate issues between stakeholders. This would be appropriate at the state and local level. I recommend that, as time goes on, the third party also *develop the capacity* of those in state and local water agencies to mediate.

Funding: from the sales tax for clean water.

Challenges: legislative acceptance of the concept for funding purposes, agency resistance, time it would take to make this transition in governance and civic leadership.

or

4. Do a survey and project with citizens engaged around a water issue to figure out how their perceptions and values affect their actions.

Construct a simple online survey to assess:

- Do Minnesotans accurately assess the water quality of the river or lake on which they live/recreate? (The survey results could be linked to DNR and MPCA databases, which could give instant feedback to people, thus making it an instructional tool as well.)
- What quality measures do Minnesotans relate to most (e.g. phosphorus levels, clarity, mercury in the fish, swimming safety)?
- How satisfied are they with the quality of water on their *own* lake/river (this is critical for action)?

Publicize the survey to engaged citizens e.g.: river and lakeshore property owners, members of water-related citizen groups.

The project going forward would depend on the findings of the survey. Using this as a concrete example, we could begin to tease out what people value about water, and their goals and vision.

Who would do it? The Citizens League possibly in collaboration with another organization like Minnesota Waters

Who would pay for it? Grant funding through Citizens League and partner organization

How does this change water outcomes? Get participants thinking more deeply about how their actions affect the water body they're concerned about. More broadly, develop an understanding of citizens perceptions vs. facts vs. their desires for the water body, and use that to inform better water governance.

If people accurately assess their lake's water quality, then information is not lacking. If people think their lake is cleaner than it is, a different type of policy incentive may be needed than if people think their lake is more polluted than it actually is. And this is a different question from whether people are satisfied with their lake's water quality. If you want people to act, you have to understand their starting viewpoints.

Who would support this idea?

Possible criticism:

5. [Statewide conversation and other citizen engagement recommendations – group working on a draft]

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

Notes:

- Connected to the information recommendation – in order to make this effective, citizens should have access to useful and understandable information about waters' condition

PRIVATE LAND

Goals:

- Recognizing that many of today's water policy challenges are very diverse, to incent best management practices and connect water issues to what happens on private land ~~to maintain and improve water quality on private land.~~
- To reduce the contributions of urban and suburban development and of agricultural production to water pollution.

Recommendations:

6. Develop a program that encourages farmers to put in place best management practices that protect water resources.
- a. Hopefully by voluntary measures. However, if we cannot reach agreement, state should consider the option of regulation.
 - b. Consider options such as a "water steward" product certification or funding for BMPs contributed by downstream stakeholders.

Who would do it? An independent, trusted third party should mediate among stakeholders and the state. Parties would include:

- Agricultural producers
- Environmental groups
- Leadership from relevant state agencies: PCA, others?
- Large buyers of agricultural products, possibly including Cargill, ADM, General Mills, ethanol producers

Who would pay for it? Should be funded in part by participating stakeholders, in part by state.

Who would support this idea?

Possible criticism: From producers: that groups that don't understand farming are attempting to control what happens on private farms, putting on too many economic demands. From environmental groups: that compromises won't go far enough,

7. Create (or should it be: expand upon? Improve? Advertise?) incentives for new development and redevelopment to create permeable surfaces, rain gardens, stormwater retention, and other best management practices to reduce their impact on water quality. **Randy**

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

STATE GOVERNMENT

Goals:

- Clearly assign responsibility for water management **responsibilities** and hold responsible parties accountable for results
- Insure that the quality of Minnesota's waters is actually improving as a result of policies and programs
- Evaluate Minnesota's governance overall to see what is working, what is not working, and what is not being done.

Recommendations:

8. Link state funding for water management programs to environmental outcomes. Set clear program goals and evaluate if goals are being met. If not, shift responsibility and funding to another body.

Who would do it? Legislature, state agencies that give grants

Who would pay for it? No price

How does this change water outcomes?

Who would support this idea?

Possible criticism: Difficult to measure impact, especially over short periods of time.

State agency reform options

9. Establish a single state agency responsible for water resources management. The agency would have sole responsibility for the management and regulation of all surface and ground waters of the state and would administer the state water law.
 - a. The new state agency would assume the water-related duties and responsibilities now encompassed by the Board of Water and Soil Resources, the Dept. of Natural Resource, the Pollution Control Agency, and the Dept. of Health.

- b. This new state agency would be responsible for establishing policy for water resources management in Minnesota, for developing a long-term plan for water resources management, and for evaluating the success of water resources management. It would also be the single point of contact for all federal agencies administering water resources activities for the United States.
- c. The Board of Water and Soil Resources would be abolished.

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

- Hurts transparency – debate that would have happened more publicly between agencies will happen behind the doors in this single agency
- Moving water-related duties into one agency may do nothing to eliminate silos.
- An agency may not be able to critically evaluate its own activities, eliminate pieces that aren't performing, and recognize what's missing.
- Is it politically possible?
- It would, in many cases, be inappropriate and counterproductive to delink water quality programs from related issues: e.g. agriculture, fishing and recreation, land use. Plucking water programs from other agencies may eliminate some silos only to create others
- Water could become ghettoized: no one's responsibility except for "the water people." Less motivation for people who work in related issues to consider water.
- Single agency would be tremendous concentration of power and money
- Such a major disruption could throw off what is working well currently. Tearing apart and reestablishing the relationships between the public and other governmental units to the state agencies would take a very long period of time.

or

10. Establish a new oversight entity based on wide representation from all the entities at the State level that have a role in water quality. Ensure appropriate staffing and funding.
 - A. The first task of the oversight entity would be to create and maintain a single, comprehensive description of the state's water governance system. This effort should be considered a significant project and funded appropriately. This description should be viewed as a living document that will be revised to reflect ongoing changes to the water governance system. Funding and staff support for these ongoing revisions should be provided.

The rationale for this exercise is that we can't evaluate the existing system unless we have described it. We can't (or at least shouldn't) propose a new system until the existing system is described and can be better understood by everyone who needs to be involved in the discussion.

- B. The most important and basic charge for the new oversight entity: Review the existing water governance system and propose a new framework.

We should provide a detailed charge for this task – including ideas about the need, appropriate goals, possible processes, and other elements.

We should also provide at least three specific alternatives for this group to consider:

- Reform the state-level water governance system in a single agency

- Consider how responsibilities and authorities are currently distributed and propose a new division into a smaller set of agencies
- Aim for relatively minimal, but strategic, alterations to the existing governance.

Who would do it? The oversight entity would be formed with representation from state agencies, Governor's office, Legislature, citizens, environmental groups, local governmental levels (cities, counties, townships, watersheds, SWCDs, etc.). The description of the governance system should be developed by a contractor or entity that has sufficient experience and expertise, and is independent of the state agencies that are currently responsible for aspects of water governance.

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

- Coordination doesn't work. Resistance to idea of shared responsibility
- Has no teeth – need political backing and power to get changes made, and to hold agencies accountable for results
- We don't need more study, we need changes. What will make this study different or more likely to be implemented than the many that have come before it?

or

11. Establish a Minnesota Water Commission charged with overseeing water governance in the state. The Commission would oversee water monitoring efforts, development of data transparency tools, development of regular "state of water" reports, development and tracking of performance benchmarks, development of the visioning process, etc.

Who would do it? A board of representatives from each watershed in the state (of 20-30 established watersheds) would oversee the Commission. Representatives would be elected/appointed by county boards. Representation may be weighted based on population (so watersheds with higher populations would have greater representation on the board). Counties that cross watershed boundaries would vote for representatives in each, based on proportional representation.

This would result in a board that is highly representative of local watershed-level interests throughout the state, yet also have proportional representation. It would be entirely separate from agencies, the executive branch, and the legislative branch, and therefore have potential for real independence. This type of board might also be well suited for developing greater citizen engagement.

Who would pay for it?

How does this change water outcomes?

Who would support this idea? Because the election of representatives would be done by county boards, they would likely be favorable to the scheme.

Possible criticism:

12. Reestablish the Legislative Water Commission to review and evaluate laws, activities, and outcomes.

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

LOCAL GOVERNMENT

Goals:

- At the local level, give government units the authority and resources to achieve the goals set at the state level

Recommendations:

13. Establish a single set of local Natural Resource Management Districts with boundaries drawn along watershed district lines. **danielle**
 - a. Charged with **XXXX**
 - b. Districts should be run by elected managers.
 - c. Districts should have authority to levy taxes, and their budgets should not be limited by state law.
 - d. Keep existing Watershed Districts? Eliminate Soil and Water Conservation Districts?

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

- Reorganization will disrupt the pieces that are working well.
 - One of the strengths of watershed districts is that they are formed by citizen petition. Districts that are formed where there is not citizen demand will not be as strong.
 - **What will counties say?**
14. Reform the funding/distribution mechanism to direct funds proactively and with appropriate parity regardless of local fiscal capacity.
 - a. Options:
 - Revenue-sharing formula, like education finance
 - Revenue sharing pool, like fiscal disparities, in which a portion of any increase in property tax levy is shared among the state's Natural Resource Management Districts
 - b. Ensuring fairness in allocation of money would require that public be informed about the conditions of state's waters and the way that funding is prioritized. An informed public could be a check on this system.

Who would do it?

Who would pay for it?

How does this change water outcomes?

Who would support this idea?

Possible criticism:

Other recommendations from the post it notes that I wasn't sure what to do with:

- Mass media water quality education campaign

ⁱ Boyte, H. (2004). *Everyday politics: Reconnecting citizens and public life*. Philadelphia: University of Pennsylvania Press, p. ix-x.

ⁱⁱ Sirianni, C. and Friedland, L. (2005). *The civic renewal movement: Community-building and democracy in the United States*. Dayton, OH: Kettering Foundation Press.

ⁱⁱⁱ Sirianni, C. The civic mission of a federal agency in the age of networked governance: U.S. Environmental Protection Agency. *Italics added.* This quote was from a draft of an article for *American Behavioral Scientist*. If we want to use the quote in our final recommendation, I would need to track down the actual article.

^{iv} *Id.*