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STATE WATER MANAGEMENT:  
REORGANIZATION AND CONSOLIDATION

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Both proposed and actual changes to the state government structure of water resource management have evolved over a long period of time. It has been noted that there are a lot of agencies managing water in Minnesota because it has a lot of water. Like water drought cycles, the issue of proper state water management has surfaced periodically during various legislative sessions.

This information brief summarizes the recent laws as well as the studies that have effected or proposed changes in state water agency mangement. The identified pros and cons of program consolidation are also included.

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PART I

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A SELECTED CHRONOLOGY OF  
WATER MANAGEMENT REORGANIZATION LEGISLATION

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| YEAR | STRUCTURAL<br>AUTHORITY | LEGISLATIVE ACTION   |
|------|-------------------------|--|
| 1955 | WRB                     | The <u>Water Resources Board (WRB)</u> was created to help establish watershed districts, provide for flood control and achieve proper land utilization.   |
| 1965 | WRB                     | The <u>Water Resources Board</u> was given authority to approve the overall plan of a watershed district. The Board was also provided with the method for appointing managers of a watershed district.   |
| 1967 | MPCA                    | The <u>Minnesota Pollution Control Agency (MPCA)</u> was created.  |
| 1967 | WRCC                    | The <u>State Planning Agency (SPA)</u> formed a <u>Water Resources Coordinating Committee (WRCC)</u> to carry out state agency coordination, advise in expenditures of grant funds and to conduct planning studies financed under the grant.   |
| 1971 | DNR                     | The responsibility for developing a water and related framework plan was transferred from SPA to the <u>Department of Natural Resources (DNR)</u> .  |
|      | SSWC                    | The <u>State Soil and Water Commission (SSWC)</u> was brought into DNR. (SSWC later became SWCB).  |
|      | SMRBC                   | The <u>Southern Minnesota Rivers Basin Commission (SMRBC)</u> was created to initiate, coordinate, prepare and implement a comprehensive plan for the Minnesota River Basin and the tributaries of the Mississippi in Southeast Minnesota. It consisted of five members plus a chairman appointed by the Governor. (SMRBC later became SMRBB.) |

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| YEAR | STRUCTURAL<br>AUTHORITY | LEGISLATIVE ACTION   |
|------|-------------------------|--|
| 1973 | EQC                     | <p>An 11-member <u>Environmental Quality Council (EQC)</u> was established, consisting of seven major state officials and four members of the Citizen's Advisory Committee to EQC. It was charged with the responsibility for coordinating environmental planning and policy-making in state government and reviewing state programs affecting the environment. EQC was also required to convene an annual congress for an information exchange, and to submit a report every two years on long range environmental policy. (The EQC later became EQB.)</p>  |
| 1977 | WPB                     | <p>Water resources planning was modified by creating the <u>Water Planning Board (WPB)</u>. The seven-member board consisted of the Departments of Agriculture, Health, and Natural Resources; the Energy Agency and PCA; the Soil and Water Conservation Board; and a chairman appointed by the Governor.</p> <p>The Board's statutory duties were to:</p> <ul style="list-style-type: none"><li>. Direct preparation of a framework plan</li><li>. Assure participation of the public and all units of government in planning activities</li><li>. Direct state involvement in activities undertaken pursuant to the federal Water Resources Planning Act</li><li>. Evaluate continued state participation in federal-state basin commissions</li><li>. Evaluate and recommend improvements in state laws, rules and procedures to reduce overlap, and resolve duplication and conflicting jurisdiction problems</li><li>. Coordinate water resource management activities among state agencies.</li></ul> |

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| YEAR | STRUCTURAL<br>AUTHORITY | LEGISLATIVE ACTION  |
|------|-------------------------|---|
| 1980 | WPB<br>Extension        | The <u>Water Planning Board</u> was extended until 90 days after a permanent successor was chosen or until June 30, 1982. Its membership was altered to include three citizen members, appointed by the Governor and approved by the Senate. Its duties included coordination of long range resources planning, evaluation of local water agencies' relationships, and a review of state agency budgets related to water planning and management. |
| 1983 | SWCB<br>Transfer        | Chapter 66, Laws of 1983, implemented an executive order transferring the state <u>Soil and Water Conservation Board</u> from the DNR to the Department of Agriculture.   |
| 1983 | WPB and<br>EQB Merger   | The WPB merged into the EQB. The legislative duties of the SMRBB were also added to EQB, and SMRBB became a council of EQB. The EQB then became the state water coordinating body on July 1, 1983.  |
| 1984 | EQB<br>made part<br>SPA | By executive order in the 1984 legislative session, the total staff of EQB became employees of SPA.   |

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It is interesting to note that the role of coordinating water planning, which started in the State Planning Agency through the Water Resources Coordinating Committee in 1967, was back in the SPA by 1983 through the auspices of the Environmental Quality Board.

PART II.

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A 15-YEAR HISTORY OF  
WATER MANAGEMENT REORGANIZATION STUDIES

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| YEAR | TITLE OF STUDY  | SYNOPSIS  |
|------|---|---|
| 1970 | "Minnesota Water and Related Land Resources: First Assessment." State Planning Agency, Water Resources Coordinating Committee | Identified goals were: preparation of sound water resource plans; coordination of state programs and policies; a united position in water management involving state and federal government.  |
| 1970 | "Minnesota House of Representatives Land and Water Resources Committee Interim Report, 1969-1970"                             | Recommended a bill that would create a 12-member water resources coordinating committee chaired by the Commissioner of Conservation (DNR) to plan, develop and manage water and related land resources in the state.                      |
| 1971 | "Natural Resources Organization for Minnesota." Office of Governor Levander, Laurence Koll and David Durenberger              | Recommended placing the Water Resources Board (WRB) within DNR and studying the possible merger of WRB with the Soil and Water Conservation Commission (SWCC)   |
| 1972 | "Recommendations." House/Senate Joint Subcommittee on Water Resources.  | Recommended that the DNR prepare a framework water resources plan to guide local government decisions. Role of counties and municipalities in water resources were to be strengthened and special purpose districts were to be curtailed. |
| 1973 | "Governor Anderson's Special Environmental Message to the 68th Session"   | Recommended the transfer of the WRB to the DNR for coordinated water resource planning.   |

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| YEAR | TITLE OF STUDY   | SYNOPSIS   |
|------|--|--|
| 1973 | "Environmental Decision-Making in Minnesota: Summary and Alternatives." University of Minnesota Center for Studies of the Physical Environment | Recommended either: consolidating the number of water agencies, clearly defining each agencies' responsibilities, or establishing a policy coordinating committee.   |
| 1979 | "A Framework for a Water and Related Land Resources Strategy for Minnesota." Water Planning Board (created in 1977)                            | Proposed a permanent water resources coordinating body with adequate authority; suggested studying the feasibility of consolidating WRB, SWCC and DNR functions.   |
| 1981 | SMRBB Proposal   | The Southern Minnesota Rivers Basin Board recommended the merger of WRB, SWCB and themselves.  |
| 1981 | "Special Study on Local Water Management." Water Planning Board  | Proposed the development of formal agreements among counties, cities, soil and water conservation districts, watershed districts. A state coordinating body was to coordinate state regulatory policy and rules to ensure consistency. |
| 1984 | "State and Local Water Planning" Issue Team Report, State Planning Agency  | Recommended that the Environmental Quality Board (EQB) was to coordinate appropriate water policy and priority discussion.   |
| 1985 | "Ground Water Management Strategy." Issue Team Report, State Planning Agency   | Recommended that a superagency was not needed to consolidate various agency groundwater functions, but a coordinating body was necessary to address issues.  |
| 1985 | "Water Agency Merger Study." State Planning Agency   | Recommended the merger of WRB, SWCB and Southern Minnesota Rivers Basin Council (SMRBC), and that the EQB be given a stronger coordination and budget approval role.   |

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| YEAR | TITLE OF STUDY   | SYNOPSIS  |
|------|--|---|
| 1985 | "Metropolitan Development Guide Chapter: Water Resources Management; Part 3." Metropolitan Council | Proposed a board for water resources coordination, a strategy for water management, and an overall water management plan.   |
| 1985 | "Report of the 1985 Interim Study Group." Department of Agriculture                                | Recommends merger of WRB, SWCB and SMRBC by creating new board utilizing Department of Agriculture administrative services. |

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Part III.

PROS AND CONS OF WATER MANAGEMENT CONSOLIDATION

A number of consistent pros and cons on the consolidation of state agency water management functions can be identified in the studies and laws on water management.

PROS: For the Consolidation of State Agency Water Management

- The inherent linkages among natural systems mean that individual water management programs cannot be effectively administered independently of one another.
- Closer integration and coordination among water management programs are perceived as a means of achieving more effective state water management advocacy; it is more likely for overall goals to be expressed with a single voice.
- A more rational organizational structure increases efficiency and accountability, and simplifies administrative procedures and requirements.
- Consolidation reduces any fragmentation or overlap of water programs, and provides for better use of state personnel.

CONS: Against the Consolidation of State Agency Water Management Functions

- Consolidation disrupts the current system, and may not improve efficiency.
- Under a consolidated management system, major decisions on water priorities may be made in an administrative setting without full public scrutiny and with possible domination by special interests.
- Consolidation of water programs and agencies may de-emphasize working closely together with local officials on issues.
- Total integration within state agencies, by removing external checks and balances, may create the loss of a certain amount of creative tension and diversity.
- A particular water program emphasis, such as soil conservation, may be reduced with consolidation.

Despite administrative complexity and the fragmentation and overlap that may occur among state water management agencies, Minnesota traditionally has supported a system of strong, competing agencies, each concerned with its own

duties and specific goals. In political terms, an "advocacy" system promotes competition and increases the public representation of each goal or interest and highlights political choices.

Conflicts and tradeoffs in such a system are meant to be solved through the political rather than the administrative process.