

March 20, 2019

To: House Environment Finance Committee
Re: Support for House File 973 (Persell) to Reinstate the MPCA Citizens' Board
Fr: Loni Kemp
14083 County 23, Canton MN 55922
lonikemp@gmail.com

I am writing in strong support of H.F. 973, (Persell) to reinstate the Minnesota Pollution Control Agency Citizens' Board. The board was eliminated by the Legislature in 2015 without a bill or hearings and in the final hours of the session. It was a hasty decision that should be reversed.

I served as a member of the MPCA Citizens' Board from 1990—1994, appointed by Governor Rudy Perpich and approved by the Senate after a hearing. I used my environmental policy experience to contribute to oversight of MPCA decisions. In my four years, we board members made hundreds of decisions on routine matters, and on contentious ones including the Forestry GEIS, Dakota County Incinerator, and livestock waste lagoons. The Citizens' Board provided a transparent and efficient process that helped Commissioners and Governors with a process that worked.

The Citizens' Board was created as part and parcel of the MPCA in 1967, to ensure transparency and accountability in this vitally important agency charged with protecting the environment in a democratic and fair manner. For 48 years this was a government process that worked. We need it again.

Why is transparency so important? The MPCA Commissioner oversees all activities of the agency, including staff and recommendations for all decisions. When the Commissioner put the staff recommendation and rationale for a proposed decision before the Citizens' Board, the recommendation was usually clearly stated and well-thought out—in part because they knew the Citizen's Board members were reading every item in their agenda packet. In a case where anyone felt they had been ignored, they had an opportunity to state their concerns and present facts to the Board. Whether a business seeking a permit, a community needing approval of their pollution control activities, or citizens who never had a place at the table during the process, this final approval step by the Board made sure all were heard and the decision made sense to ordinary people.

Here is the best evidence of success: I can't tell you how many times people who appeared before us, even those who did not get the final decision they wanted, still came up to thank us for listening to them and explaining the rationale for the decision we made. They saw and personally experienced that the MPCA Citizens' Board was democracy personified.