

Report of the Citizens' Subcommittee on the Future of the Environmental Quality Board



December 2010

The Citizens' Subcommittee on the Future of the Environmental Quality Board

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Executive Summary

Policymakers face the daunting challenge of facilitating economic development (and thus, job growth) while continuing to protect the environment. Voters made a commitment through the 2008 Legacy Amendment to safeguard the environment, while in the midterm elections sent a powerful signal to get the economy back on track. A central question now is how state government and its partners will respond to these mandates—how to move the economy forward without compromising the environment.

The core message of this report is that an essential mechanism to guide this response is already in place. The Minnesota Environmental Quality Board (EQB), a forum of the Governor’s top energy, jobs, and environmental appointees, offers a place to address cross-cutting environmental policy issues, as they pertain to the economy and energy, while engaging the public and the experts.

But what makes the Board a good choice for assisting in addressing these challenges? The Citizens’ Subcommittee on the Future of the Environmental Quality Board suggests these points:

- The forum is already spelled out in law.
- The Board’s charges are geared to meeting today’s challenges.
- The Board is composed of a synergistic mix of key commissioners and citizens, and led by a representative of the Governor.
- The forum’s discussions are public, providing citizens a unique opportunity to engage the Governor’s top-level decision-makers.
- A small but experienced and independent staff is in place today.

The Citizens’ Subcommittee on the Future of the EQB was created by EQB Chair Gene Hugoson in response to ongoing discussions about how the Environmental Quality Board can more fully live up to its charter. As outlined below, the subcommittee makes four recommendations that it believes would allow the EQB to fulfill its intended role in the environmental policy arena.

Recommendation 1: Implement a robust strategic planning process

The Subcommittee believes that a well-defined EQB strategic planning process, revisited on a regular and ongoing basis, is the key to a coherent environmental policy and that such a policy offers promise for ensuring a healthy environment, economy, and energy future. Accordingly, the subcommittee recommends that the Governor direct the Environmental Quality Board to establish this “evergreen” process and routinely develop policy recommendations as mandated under Minnesota Statutes, sections 116C.04 and 116D.10-.11.

Recommendation 2: Develop and implement a communication strategy

EQB leadership of a Governor's environmental policy process requires communication that captures the public's attention and invites its participation. Accordingly, the subcommittee recommends that the Environmental Quality Board adopt a communication plan that showcases this work and gives the public easy access to the policy process.

Recommendation 3: Optimize tools and resources

The EQB staff has been cut back over the years. In an ideal world, the Board would have additional staff to undertake the functions recommended above. The subcommittee acknowledges that, given the current budget challenges, it will be difficult to seek additional funding in the coming year. Accordingly, it recommends that the EQB make widespread use of the expertise of other agencies, and accelerate its use of technology for assessment and communication.

Recommendation 4: Establish mechanisms for sustainable Board vitality

The subcommittee recognizes that the Board must do more to sustain active participation of its members. It suggests ways to do this in the body of this report.

Introduction

Minnesota Statutes, Chapter 116C clearly states why the Legislature created the Environmental Quality Board:

The legislature of the state of Minnesota finds that problems related to the environment often encompass the responsibilities of several state agencies and that the solutions require the interaction of these agencies. The legislature also finds that further debate concerning population, economic and technological growth should be encouraged so that the consequences and causes of alternative decisions can be better known and understood by the public and its government.

The topics the Legislature suggested the Board address include:

...future population and settlement patterns, air and water resources and quality, solid waste management, transportation and utility corridors, economically productive open space, energy policy and need, growth and development, and land use planning.

The Board also plays a key role in the next chapter of law, *Minnesota Statutes*, Chapter 116D, the state's environmental policy act. Through its planning, coordination and environmental review functions, the Board is directed to help carry out state policy to, among other things,

...encourage productive and enjoyable harmony between human beings and their environment.

However, the Environmental Quality Board, while continuing to provide essential guidance on environmental review and water policy, has fallen far short of its promise over the last decade. The Citizens' Subcommittee on the Future of the EQB (referred to hereafter as the "Subcommittee") was created by EQB Chair Gene Hugoson in response to ongoing discussions about how the EQB can more fully fulfill its charter. Starting with a retreat in January 2007, EQB members have been struggling with this question. In response to discussions at that retreat, an initial subcommittee was established to address the issue. That committee's work culminated in a draft report that was presented to the EQB members in the fall of 2007. That report is included as an attachment to this document.

While the 2007 report did not result in action, many of the themes in that report are echoed in this document. Subsequent to that effort, the Legislature was asked by the Pawlenty administration to consider eliminating the EQB. The Legislature declined. In the wake of that legislative discussion, Chair Hugoson determined that it was

appropriate for a new subcommittee to take up this effort and chart a proposed path for the new administration that will take office in January 2011.

The task was given to the five EQB citizen members who form this subcommittee. The agency members of the EQB were represented by staff who participated fully in the subcommittee discussions and deliberations.

The task of this subcommittee is, as noted above, to chart a new course for the EQB. All participants recognize that a significant gap exists between the promise of the EQB (as reflected in the legislation authorizing the Board) and its actual work in practice. The subcommittee's role is to make recommendations for steps the EQB can take to close that gap.

Importantly, this report should not be read as a criticism of EQB staff or other agency staff. Whenever the report is critical of the Board's failure to undertake certain activities or to act with broader vision, the subcommittee intends that such criticism be leveled at the Board itself, meaning the actual collection of commissioners and citizen members. Any failure identified here is a failure of policy making and/or political will.

The members of the subcommittee along with EQB staff and agency representatives met three times over the course of the spring and summer of 2010. These sessions were facilitated by Charles Peterson, a management consultant with Minnesota Management and Budget. The purpose of facilitated sessions was to help ensure all viewpoints were heard and that, to the extent possible, consensus was achieved on the recommendations presented in this document.

Background Information

The EQB was established in 1973 as the state's environmental coordinating body. Over the last thirty years it has undertaken a broad range of environmental studies, from barge fleeting on the Mississippi to animal agriculture, forestry, urban development, copper-nickel mining, genetically modified organisms, land use management, pesticide management, water management and sustainable development. Major changes came to Board programs in 1980 (decentralization of environmental review), 1983 (addition of water planning duties), 1987 (environmental review and siting requirements for large natural gas and petroleum product pipelines), 1991 (energy and environment strategy reporting), 1995 (siting of large wind energy conversion systems) and 2005 (transfer of energy facilities siting duties to Commerce and the Public Utilities Commission). The Department of Administration provides the Board with the staff needed to carry out its statutory responsibilities.

The role and prominence of the EQB was at its zenith in the 1970s and 1980s, but has been diminished in recent years. Factors leading to this less prominent role include:

- The reorganization of state government in 2003, which eliminated the Office of Strategic and Long-Range Planning (Minnesota Planning) and merged many of those functions, including the staff supporting the EQB, into the Department of Administration. This took the EQB staff function out of a larger office with an overall mission related to policy and planning, and placed it in an agency with a mission largely unrelated to environmental policy.
- The budget for EQB staff and work is subject to review and comment by the legislative committees for state government operations, and not by legislative environmental policy committees. This impairs a vital linkage between the Board and legislative environmental policy discussions.
- One of the EQB's primary functions, providing environmental review and issuing site permits for large energy facilities, was transferred (along with staff funding) from the EQB to the Department of Commerce and the Minnesota Public Utilities Commission, respectively, in 2005. Regardless of the merits of this transfer from a policy or efficiency perspective, it had the practical effect of further reducing EQB staff and prominence.
- In addition to these more external factors, the EQB's exercise of its policy planning and coordination role is to some degree discretionary and is subject to the preferences and policies of any given administration. Any effort to coordinate activities of agencies will encounter a natural tendency of organizations to operate in "silos." Additionally, the EQB is a public forum, and administrations and agencies will vary in the degree they are comfortable with the transparency and accountability that the forum provides. In any event, while staff and budget play a role, as noted below, nothing in statute or inherent structure currently prevents the EQB from fulfilling its policy coordination and planning function to a greater extent, even under current budget conditions.

As recognized in the subcommittee discussions, the EQB continues to serve vital functions and excels in the roles it currently performs. For example, the EQB oversees implementation of the environmental review rules in Minnesota. While the EQB does not normally undertake the actual review, the EQB promulgates and provides guidance relating to the rules that govern the program. The EQB is the repository of that expertise.

Likewise, the EQB continues to perform its water policy planning functions well. For example, at its November 2010 meeting, the Board adopted its decennial water policy report, the Minnesota Water Plan, a document that compiles the best thinking of member agencies and others with water authority into a document that presents current knowledge and comprehensive policy recommendations.

Even this effort, however, is emblematic of how the EQB's profile has diminished. At the same time as this large water report is due (pursuant to a long-standing

legislative mandate), the Legislature determined to authorize and fund a separate water policy planning effort by the University of Minnesota. Without expressing judgment on the nature of or need for that work, one could at least ask the question, why the Legislature did not reflect on or acknowledge that it had already mandated this other effort by the EQB and its member agencies. The subcommittee believes the Legislature should at least have expressly considered whether it was, in fact, necessary to spend additional state resources on another report. To the best of our knowledge, the Legislature did not even take notice of the fact that it already had mandated a comprehensive water report. While one might criticize the Legislature for this oversight, we believe that it is as much the result of the EQB not adequately demonstrating that it is capable and willing to fill that role.¹

Fundamentally, we believe the Board has not adequately fulfilled its strategic planning mission. The Board has a clear mandate to take responsibility for a strategic planning effort. *Minnesota Statutes*, Section 116C.04, subdivision 2 provides:

(a) The board shall determine which environmental problems of interdepartmental concern to state government shall be considered by the board. The board shall initiate interdepartmental investigations into those matters that it determines are in need of study. Topics for investigation may include but need not be limited to future population and settlement patterns, air and water resources and quality, solid waste management, transportation and utility corridors, economically productive open space, energy policy and need, growth and development, and land use planning.

(b) The board shall review programs of state agencies that significantly affect the environment and coordinate those it determines are interdepartmental in nature, and insure agency compliance with state environmental policy....

(d) State agencies shall submit to the board all proposed legislation of major significance relating to the environment and the board shall submit a report to the governor and the legislature with comments on such major environmental proposals of state agencies.

This direction is mandatory. Even without additional specific planning or coordination authority, this law makes clear the necessity of the EQB engaging in strategic planning. However, the EQB and its member agencies also are **specifically required** to engage in a strategic biennial planning process pursuant to *Minnesota Statutes*, Sections 116D.10 and .11, which establishes a requirement to produce an “energy and environmental strategy report.”

¹ This is but one example. Over the past several years, the Legislature on its own or at the behest of the Executive Branch has created several additional multi-jurisdictional, multi-stakeholder advisory or policy bodies without considering whether the EQB could serve or facilitate that same function.

The EQB has never sought to produce such a report; nor has it implemented any sort of concerted effort at strategic planning. In our subcommittee discussions, we concluded that this gap between mandate and practice must be addressed.

As noted in the introduction to this report, this is not the first effort to address this question of the ongoing role of the EQB. As a result of a Board retreat in January 2007, the Board established the Subcommittee on Future EQB Directions. That subcommittee met several times throughout that year. The effort culminated in a report that was presented to the Board in fall 2007. That report recommended that the EQB focus on three core competencies: strategic planning; serving as a forum to address complex issues; and environmental review oversight. The report was never acted upon, but these recommendations are consistent with and mirror the conclusions of this present effort.

Subcommittee Findings

This report is a synthesis of ideas generated through a series of three facilitated sessions in which the subcommittee discussed the EQB mission, stakeholders, existing and potential services, core principles, vision for the future, obstacles that would need to be overcome to achieve the vision, as well as opportunities. The discussions resulted in the following findings:

1. The current mission statement of the EQB states that: “The mission of the Environmental Quality Board is to lead Minnesota environmental policy by responding to key issues, providing appropriate review and coordination, serving as a public forum and developing long-range strategies to enhance Minnesota’s environmental quality.” This mission continues to be valid, but should be revisited, strengthened, and clarified. The primary component of a new mission should be to work as “a cohesive entity of agencies, citizens, and policy makers working toward shared goals.” The EQB is the one place that exists where all agency environmental issues can be communicated to all agencies and the public, in turn improving interagency communication and coordination, and preventing duplication.
2. Key stakeholders include, but are not limited to, the citizens of the state, the Governor, the Legislature, government agencies (state, federal, and local), the environment itself, industry, academic institutions, local planning agencies, environmental advocacy groups, future generations, taxpayers, and voters. The EQB serves stakeholders by providing sound policy analysis and recommendations to the Governor, Legislature, and state agencies that carry out environmental policies.
3. A classic challenge in environmental policy is to protect the environment while providing for economic development and community prosperity. The composition of the EQB—with a governor’s representative, heads of state agencies with a mix of environmental, economic, and social missions, and five

citizen members—lends itself to addressing the balance of the environment, community and economics.²

4. The EQB provides a public forum where persons with opposing views can come and discuss issues and identify opportunities as policy is being developed. The EQB is positioned perfectly as a cooperative forum where access is available to all customers and stakeholders, allowing open and transparent policy discussions.
5. If agency policies and programs, when developed and implemented, are not well coordinated, duplication of effort may occur. The EQB is the ideal forum that can ensure that communication and coordination between agencies occurs to avoid such duplication.
6. State agencies often get caught between the Governor and Legislature. When there is cooperation between the executive and legislative branches, agency visions tend to be clear and resources can be focused appropriately. When there is conflict, intra- and inter-agency goals can sometimes work at cross purposes, resulting in governmental ineffectiveness and inefficiency.
7. Four core principles should guide the EQB. They are to:
 - Be good stewards of resources working in a collaborative and engaging atmosphere;
 - Understand the implications of its decisions, making decisions based on good science;
 - Be conscious of future environmental sustainability and protection, minimizing negative environmental impacts while maintaining a balance of interests; and,
 - Work in an environment of openness and transparency through education and consultation.
8. The EQB should maintain most of its current services, but those services should be recast and reoriented around a robust strategic planning process on environmental policy. The process needs to be “evergreen,” meaning that the environmental strategic plan is revisited on a regular and ongoing basis. Further discussion of the strategic planning process is contained in the recommendations.

² As noted in Recommendation 4 at the end of this report, at least two key entities with significant energy and environmental policy roles, the Public Utilities Commission and the Metropolitan Council, are not currently part of the EQB.

9. Climate change adaptation planning is a policy area for which the EQB is well positioned to unify and focus state efforts. The EQB would be the forum to develop unified policy and specific strategies to address climate change and adaptation to it.
10. The EQB is also well positioned to develop generic environmental impact statements (Generic EISs) for important resources and issues where environmental impact statement (EIS) preparation is commonly required. The preparation of these documents helps streamline the environmental review process by providing information useful for project-specific environmental review. Generic EISs are also useful for understanding emerging issues and how the state might respond to them.
11. The EQB needs to raise its visibility. The EQB should communicate and coordinate information to a larger audience about the opportunities for coherent environmental policy that the forum offers Minnesotans.

Recommendations

As reflected in the work of the prior subcommittee, the Board, because of its makeup, has a number of core competencies. It has deep expertise in overseeing the environmental review program, and that work should continue. Board staff also has developed skills and expertise in facilitating interagency efforts to assemble information and help set policy direction, particularly in the area of water policy. Finally, over time, the Board has served as an appropriate forum to raise and resolve complex interdisciplinary issues relating to the environment. Our recommendations build on these core strengths.

Recommendation 1: Implement a robust strategic planning process

The subcommittee believes that an organized, well-defined, and rigorous process, revisited on a regular and ongoing basis, is necessary for the Board to undertake adequately its strategic planning mandate. As envisioned, this process also then will allow the Board to advance another of its core competencies of helping resolve complex issues. Meeting the Board's strategic planning mandate will require the commitment of each member agency and citizen to identify current foreseeable environmental policy issues that would benefit from inter-agency cooperation, establishing overall environmental policy goals, coordinating efforts toward meeting these goals, and regularly reporting on successes or challenges.

The subcommittee envisions an environmental strategic plan that meets the legislative mandate of an "energy and environmental strategy report" (M.S. 116D.10-

11) as well as the other Board obligations set forth at 116C.04, and establishes goals and actionable milestones.³ Although not an exhaustive list, the plan should address:

- Overall state environmental policy goals as they relate to other policy areas such as energy, land use and development, transportation, and resource management
- Interagency and inter-governmental collaboration necessary to meet the goals
- Specific, actionable milestones within the overall policy goals that describe:
 - What each agency will do to advance the broader goals
 - How each agency will coordinate with other agencies and government entities
 - How each agency will engage stakeholders and citizens
 - How progress toward the milestones will be measured
- Information systems needs, including data sharing and coordination commitments
- Whether specific policy initiatives are possible within current agency authority or whether additional legislation is necessary
- Other elements required by M.S. 116D.10-11

By “strategic,” the subcommittee means a plan that in fact guides the Board’s activities and those of others, including member agencies. The subcommittee suggests a document that it revisits each meeting, for example, by having member agencies present their work in addressing plan elements (on a rotating basis). Each would discuss what it is doing and describe the progress it is making with its partners toward the identified milestones. Each would identify possible changes to the plan that might be needed based on its work and experience. At any given point, the Board can utilize this information to update the plan. The plan would be available for public review (i.e., among other things, maintained on the EQB Web site) and for submission to the Legislature each biennium as required by law.

³ In evaluating its various mandates, the subcommittee proposes to utilize the existing mandate to produce an energy and environment strategy report as an “umbrella” vehicle by which to accomplish much, if not all, of its strategic planning work. The subcommittee recognizes that there exists a number of additional mandated reports, either produced by the EQB or by member agencies (with review and comment by the EQB). In the interest of efficiency, the subcommittee proposes, wherever possible, to subsume these other individual reports within the umbrella energy and environment report. That report, constituting the Board’s strategic plan, will endeavor to address all the issues required to be addressed in other mandated reports and should more efficiently fulfill those mandates.

Recommendation 2: Develop and implement a communication strategy

The EQB needs to be better at communication. The subcommittee believes that few stakeholders understand and appreciate the role the EQB could play in setting environmental policy for the state. This is a result of the EQB not fully asserting itself in that arena, as well as the EQB's inability to communicate clearly the role it can and should play. The subcommittee believes that a comprehensive communication plan is necessary to remedy this gap.

First, the Board needs something to communicate. Thus, the communication strategy, we believe, begins with the EQB starting to fulfill the promise of its strategic planning authority. At the same time, the EQB should develop a description of its core functions; the subcommittee referred to it as a "users' guide" of sorts that explains to stakeholders—from the rest of the Executive Branch to the Legislature to the public at large—what the EQB does and can do.

If the EQB implements a robust strategic planning function as described above, it should plan on regular communication relating to that effort. The sort of "evergreen" planning process the subcommittee envisions lends itself to web-based communication efforts as well as regular reports to key stakeholders. The plan should be a primary device to communicate with all interested parties and solicit input on goals and strategies.

Finally, the EQB is uniquely suited to convene discussions related to difficult or complex issues. Its member agencies have a range of stakeholders and constituencies, all of whom need to be represented in environmental, energy, and development discussions. As part of the strategic planning process, the subcommittee recommends that the EQB revive its practice of regularly convening environmental congresses to identify and address significant issues. The EQB has legislative authority to convene such gatherings, but has not done so for several years. By way of example, several recent issues could lend themselves to such discussion, including: implementation of the state water plan; flood planning, protection and response; or environmental review and permit streamlining.

Recommendation 3: Optimize tools and resources

The EQB staff has been minimized over the years. In an ideal world, the Board would have more staff to undertake the functions recommended above. The subcommittee believes that, given the current budget challenges and, frankly, the current limited role of the Board, it will be difficult to seek additional staff resources until the Board can take tangible steps to implement these recommendations. Thus, a key task is to figure out how to be smarter in using existing resources.

The subcommittee believes that several opportunities exist to better utilize existing resources. For example, EQB staff has and can continue to draw upon the resources of its member agencies, particularly in areas of unique agency expertise. The strategic plan, as envisioned and described above, will be one such effort where

member agencies will draw upon their existing work in prioritizing and setting policy directions.

In addition, the subcommittee believes the Board can make better use of technology, particularly in furtherance of its strategic planning and communication functions. For example, we propose that the strategic plan be available on the Board website and that the site provide opportunity for citizen comment and feedback on an ongoing basis. The subcommittee also recognized that the EQB and its member agencies can better utilize technology for common data tracking and assessment.

Recommendation 4: Establish mechanisms for sustainable Board vitality

The subcommittee also recognized that the Board must do more to ensure vital participation among its members on an ongoing basis. Toward that end, we propose that the Board hold an annual retreat to review the strategic plan and establish a work plan for the following year.

On a longer term basis, we recommend that the EQB consider altering the way it conducts its business or its membership structure. Among the ideas raised for further consideration were to: institute a committee structure; to allow for formal participation by assistant or deputy commissioner level officials; and to expand membership, either formally or ex officio, to other entities—potentially, for example, the Public Utilities Commission or the Metropolitan Council. All of these ideas were raised but not fully discussed by the subcommittee, may have both benefits and drawbacks, and deserve careful analysis.



Refocusing EQB

Recommendations of the
Subcommittee on Future EQB Directions
June 2008

To better serve the Governor, Legislature, state agencies and the people of Minnesota, the Subcommittee on Future EQB Directions recommends that the Environmental Quality Board focus on three key functions, which it is uniquely suited to undertake:

- **Strategic planning**
- **Resolution of complex issues**
- **Environmental review process oversight**

In each instance the board would devote its energy and resources to helping agencies work together to address state environmental policy and the interagency aspects of Minnesota's most pressing development, energy and environmental issues. The board's outlook would be strategic; its perspective big picture. The board's concentration on these core functions would help ensure:

- **Strategic focus** – Minnesota addresses its most pressing issues with a long term, comprehensive view
- **Clear direction** – State activities take place as part of an overall environmental policy direction
- **Cross pollination** – Agencies benefit from the work of others
- **Efficient governance** – Duplication of efforts is avoided as gaps are addressed and the formation of new governmental committees is minimized
- **Accountability** – State government is held accountable for environmental results

Strategic planning

To help the state develop a cohesive state environmental policy, the subcommittee recommends that strategic planning be made a primary activity of a refocused EQB. Meeting this objective would require the commitment of each member agency and citizen to setting overall environmental policy goals, coordinating efforts toward meeting these goals, and regularly reporting on successes or challenges. The issue of climate change could provide a timely test of the board's renewed focus. Climate change is one of the most prominent environmental issues of our time and cuts across such policy areas as energy, land use, development and transportation. In coordinating an energy and environment strategic plan, the board would work with Commerce and the Pollution Control Agency to help ensure that every state agency and every local government plays its part.

Forum for addressing complex issues

The EQB offers special potential as a forum to coordinate and facilitate the resolution of complex, interagency issues. The focus would be in those policy areas where several agencies have clear interests or no one has responsibility, and where an issue would benefit from review by a public forum of agency and citizen leaders and a staff geared to serve them.

Environmental review process oversight

The EQB oversees implementation of the environmental review law and rules to ensure that state actions comply with the Environmental Policy Act and to safeguard Minnesota's environment for the future. EQB would continue its work in advising citizens and Responsible Governmental Units on how to navigate within the environmental review law and rules.

DECISIONS REQUESTED:

1. **Make the commitment to a working EQB, with the Governor giving the board the authority and direction it needs to be successful**
2. **Give the board the tools it needs to be effective, including full-time, dedicated leadership and the staff and resources to do the job**

**A Preliminary Proposal
for Refocusing EQB**
Subcommittee on Future EQB Directions
June 10, 2008

Core competencies

The board recommends that it focus on three key functions, which it is uniquely suited to undertake:

- Strategic planning
- Resolution of complex issues
- Environmental review process oversight

In each instance the board would devote its energy and resources to helping agencies work together to address state environmental policy and the interagency aspects of Minnesota's most pressing development, energy and environmental issues. The board's outlook would be strategic; its perspective big picture.

The board's concentration on these core functions should help ensure:

- Strategic focus – Minnesota addresses its most pressing issues with a long term, comprehensive view
- Clear direction – agency activities take place as part of an overall policy direction
- Cross pollination – agencies benefit from the work of others
- Efficient governance – duplication of efforts is avoided as gaps are addressed and the formation of new governmental committees is minimized
- Accountability – state government is held accountable for environmental results

Each of the key functions is described in more detail below.

Strategic planning.¹ The board believes that the strategic planning function should be a primary activity of a refocused EQB. In fact, as the board examined its various and diverse authorities, it became clear that the only way to harmonize them in an efficient manner was to put them in the context of an overall strategic planning process. If done properly and consistently, the board could help ensure the implementation of cohesive, coordinated environmental policy.

According to Bryson and Einsweiler, strategic planning is a *disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does, and why it does it.*² The board has a clear mandate to take responsibility for such a strategic planning effort. *Minnesota Statutes*, Section 116C.04, subdivision 2 provides:

¹ M.S. 116C.01-.04 EQB Powers and Duties; 116D.10-.11 Energy and Environment Strategy Report; 103A.43 and 103B.151 Water Assessments, Policy and Planning; 116G Critical Areas Act

² Bryson, John M. and Einsweiler, Robert C. in *Strategic Planning: Threats and Opportunities for Planners*, Planners Press, American Planning Association, Chicago, Illinois and Washington, D.C.

(a) *The board shall determine which environmental problems of interdepartmental concern to state government shall be considered by the board. The board shall initiate interdepartmental investigations into those matters that it determines are in need of study. Topics for investigation may include but need not be limited to future population and settlement patterns, air and water resources and quality, solid waste management, transportation and utility corridors, economically productive open space, energy policy and need, growth and development, and land use planning.*

(b) *The board shall review programs of state agencies that significantly affect the environment and coordinate those it determines are interdepartmental in nature, and insure agency compliance with state environmental policy. ...*

(d) *State agencies shall submit to the board all proposed legislation of major significance relating to the environment and the board shall submit a report to the governor and the legislature with comments on such major environmental proposals of state agencies.*

This direction is mandatory and puts the board in a good position to help make state environmental governance efficient and effective. Even without additional specific planning or coordination authority, this law makes clear the necessity of EQB engaging in strategic planning. However, EQB and its member agencies also are **specifically required** to engage in a strategic biennial planning process pursuant to *Minnesota Statutes*, Sections 116D.10-.11, which establishes a requirement to produce an “energy and environmental strategy report.”

Forum for addressing complex issues.³ The board offers special potential as a forum to coordinate and facilitate the resolution of complex, interagency issues. Its composition of key state commissioners and citizens makes it well positioned to play a key role in those policy areas where several agencies have clear interests or no one has responsibility, and where an issue would benefit from review by a public forum backed by a blend of agency and citizen leadership and a staff geared to serve that leadership.

The EQB would help policy-makers grapple with complex issues that cut across agency boundaries and levels of government. EQB would identify and facilitate resolution of complex environmental issues affecting policy areas such as land use and development, energy, transportation, and resource management. Historically, the board has taken the initiative to address such issues as the release of genetically engineered organisms, development of a coordinated system of environmental indicators, and pursuit of sustainable development.

Environmental review process oversight.⁴ The EQB oversees implementation of the environmental review law and rules to ensure that state actions comply with the Environmental Policy Act and to safeguard Minnesota’s environment for the future. EQB would continue its work in advising citizens and Responsible Governmental Units (RGUs) on how to navigate

³ M.S. 4A.07 Sustainable Development Policy; 116C.01-.06 Environmental Problems and Programs of Interdepartmental Concern; 116C.92 Genetically Engineered Organisms; 116D.01-.04 State Environmental Policy and Review; 116D.10-.11 Energy and Environment Strategy Report

⁴ M.S. 116D.04 State Environmental Review

within the environmental review law and rules. The board would continue receiving petitions, ensure they are complete and valid, and forward them to the RGUs it identifies. It would continue refining the rules under which environmental review is carried out and the various guidelines upon which people depend for interpreting the law and rules. EQB, with its unique expertise, would continue to seek opportunities to improve the environmental review process in the state. In essence, the board would keep providing the institutional glue that holds this program together and lets it function. This is significant since environmental review is the program citizens look to when they want to understand or influence decisions affecting the environment.

Implementing the key functions

An organized, well-defined and rigorous annual process is necessary for the board to undertake adequately its strategic planning mandate. As envisioned, this process also then will allow the board to address its second key function of helping resolve complex issues. EQB already has in place the processes and systems to fulfill its third key function of overseeing environmental review. However, that role also benefits from the ongoing learning and challenge provided by a robust strategic planning process.

Meeting the board's strategic planning mandate will require the commitment of each member agency and citizen to establishing overall environmental policy goals, coordinating efforts toward meeting these goals, and regularly reporting on successes or challenges.

The board envisions an environmental strategic plan that meets the legislative mandate of an "energy and environmental strategy report" under *Minnesota Statutes*, Section 116D.10-.11, as well as board obligations set forth under Section 116C.04 and other sections of law.⁵ Although not an exhaustive list, the plan should identify and address:

- Overall state environmental policy goals as they relate to other policy areas such as energy, land use and development, transportation and resource management
- Interagency and inter-governmental collaboration necessary to meet the goals
- Specific, actionable milestones within the overall policy goals that describe:
 - What each agency, including the board, itself, will do to advance the broader goals
 - How each agency will coordinate with other agencies and government entities
 - How each agency will engage stakeholders and citizens
 - How progress toward the milestones will be measured
- Information systems needs, including data sharing and coordination commitments
- Whether specific policy initiatives are possible within current agency authority or whether additional legislation is necessary
- Other elements required by M.S. 116D.10-.11.

⁵ In evaluating its various mandates, the board proposes to use the existing mandate to produce an energy and environmental strategy report as an "umbrella" vehicle by which to accomplish much, if not all of its strategic planning work. The board recognizes that there exist a number of additional mandated reports, either produced by EQB or by member agencies (with review and comment by EQB). In the interest of efficiency, EQB proposes, wherever possible, to subsume these other individual reports within the umbrella energy and environment report. That report, constituting the board's strategic plan, will endeavor to address all the issues required to be addressed in other mandated reports and should more efficiently fulfill those mandates.

By “strategic,” the board means a plan that in fact guides its activities and those of others, including member agencies. The board suggests a document that it revisits each meeting, for example, by having member agencies present their work in addressing plan elements on a rotating basis. Each would discuss what it is doing and describe the progress it is making with its partners toward the milestones. Each would identify possible changes to the plan that might be needed based on its work and experience. At any given point, the board can use this information to update the plan. The plan would be available for public review (i.e., among other things, maintained on the EQB Web site) and for submission to the Legislature each biennium as required by law.

Climate change as an example

The issue of climate change may provide a timely test of the board’s renewed strategic planning focus. Climate change is one of the most prominent environmental issues of our time and cuts across many policy areas, including energy, land use, development and transportation. Additionally, the Minnesota Department of Commerce and Pollution Control Agency – the lead state agencies on energy and pollution control matters – have initiated a stakeholder forum to identify the actions needed for Minnesota to come to grips with the issue. The Governor and Legislature will face a number of strategic opportunities as early as February 2008 when the Minnesota Climate Change Advisory Group issues its recommendations. As part of its efforts in coordinating the energy and environment strategic plan, the board will necessarily be addressing those recommendations. Beyond that, the board in its role as a place to address complex issues is the logical forum for helping the Governor, Legislature, Minnesota citizens, and agencies understand and consider how the state might best implement the recommended package.