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MINNESOTA ENVIRONMENTAL QUALITY BOARD  
GUIDEBOOK

**PUC COMMISSION STAFF NOTE**

**2/1/2016:**

THESE ARE EXCERPTED PAGES REGARDING PRIME FARMLAND,  
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## PAST ACTIVITIES

The predecessor to the Board, the Governor's Council on Environmental Quality, was created by executive order in 1972 in an effort to concentrate environmental policy formulation and coordination in the Governor's Office. The order designated the Governor, the Directors of the State Planning Agency and the Pollution Control Agency, and the Commissioners of Natural Resources and Highways as Council members.

In 1973, the legislature broadened the Council's membership by creating a new Environmental Quality Council that was a combination of an inter-agency committee and an independent council. Membership included four citizens as well as six agency heads (the Directors of the State Planning Agency and the Pollution Control Agency and the Commissioners of Agriculture, Health, Natural Resources, and Transportation) and a representative of the Governor's office. The legislation also specified that the State Planning Agency Director would be the Board Chairman.

In 1975, the Environmental Quality Council was renamed the Environmental Quality Board and, in 1982, further legislative changes resulted in the current Board composition and designated the representative of the Governor's office as Board Chairman.

Past Board activities have included special assignments, at the request of the Governor or Legislature, as well as those regulatory activities mandated by statute. The following brief summaries denote representative work and noteworthy projects.

### ● Policy Analysis and Review Program

Since initiation of the environmental review program in 1973, the Board has received and processed over 650 environmental assessments (EAs and EAWs) and over 100 environmental impact statements (EISs). This process has often involved responding to citizen petitions and conducting informal or contested case proceedings to enable the Board to assess the adequacy of the environmental review. Occasionally, the Board is directly involved in the preparation of major EISs such as those for large pipelines, the Reserve Mining case, or the Minneapolis domed stadium. In addition to these statutory responsibilities, the Board has staffed and completed work on special projects for the Governor and the Legislature. These have included the Copper-Nickel Regional Study, the Uranium Mining Study, the Solid and Hazardous Waste Study, the Pesticide Task Force Report, and the Governor's Task Force on Low-Level Radioactive Waste. The Board also has published a variety of informational materials in response to public interest in pipelines, animal feedlots, pesticides, and barge fleetings on the Mississippi River. Most recently, the Program completed new rules (see Appendix) that were promulgated by the Board to decentralize and streamline the environmental review procedures.

### ● Power Plant Siting Program

The major function of this Program is certification of power plant sites and transmission line routes. The Board has sited three power plants



and routed 900 miles of large transmission lines since enactment of the Power Plant Siting Act in 1973. Preparation of EISs for these plants and sites is also the responsibility of the Board. In order to develop independent information on related issues, a study program has produced staff and consultant reports addressing cogeneration, district heating, electric generation from solid waste combustion, power plant economies of scale, underground transmission lines, and transmission line use of existing rights-of-way. Staff members have represented the Board in Certificate of Need proceedings for large energy facilities and prepared rules (see Appendix) on prime farmland preservation that were recently adopted by the Board. In 1980, the Program sponsored an international Crop Loss Symposium that focused on biotic and abiotic (e.g., pollution) factors affecting crop production. The staff also provide assistance to the Board's Power Plant Siting Citizen Advisory Committee and monitor compliance with siting and routing permits. During the past year, the Program has worked on a number of projects associated with the UPA-CPA direct current (DC) line. These have included staffing the Scientific Advisory Committee on Health Impacts of DC Transmission Lines, monitoring the DC electrical environment, and coordinating a survey of the dairy herd records of farms near the DC line to assess the effect of the line on herd performance.

● Critical Areas Program

Following passage of the 1973 Critical Areas Act, the Critical Areas Program staff developed an inventory of areas that might be eligible for this classification. Based on Board recommendations, two Critical Areas have since been designated by the Governor. The Lower St. Croix Critical Area was temporarily designated in 1974; the designation was later withdrawn when protection was extended to the area under the National Wild and Scenic Rivers Program. In 1976, the Mississippi River Corridor in the metropolitan area was designated a critical area. Grants were made available to affected units of government for preparation of comprehensive plans and zoning ordinances. Most of those local plans and regulations have now been completed.

## SOIL AND FARMLAND LOSSES

Although the reasons for losses of soil and prime farmland may differ, both result in a diminished resource base for Minnesota agriculture. Productive agricultural land is either being eroded or converted to other uses at an alarming rate. While this concern is directed at farmland in general, recent attention has focused on the loss of prime farmland, the land that provides the highest yields with minimum inputs of energy and/or money and results in the least damage to the environment. Public surveys conducted by the State Planning Agency, hearings conducted by the Board, and studies by the Governor's Council on Rural Development, the Minnesota Farmers Union, and the Minnesota Project have all indicated the need to address this issue. The legislature has responded with numerous laws that reflect the importance of agricultural land in their policy statements. These laws include the Minnesota Environmental Rights Act, the Minnesota Environmental Policy Act, the Power Plant Siting Act, and the Metropolitan Agricultural Preserves Act.

The implications of being unable to produce sufficient crops are apparent; however, the loss of this resource base also has environmental implications. At some point, productivity needs may require farming of less suitable land, resulting in reduced crop yields, greater environmental hazards, and higher production costs (particularly energy).

### Problem

Productive agricultural land is an important natural resource in Minnesota. Over half of the state--30 million acres--is in agricultural land, 23 million acres of which are croplands. Minnesota has 19.5 million acres of prime farmland (as defined by the U.S. Soil Conservation Service); 15.3 million of those acres are now being cropped. Another 3.7 million acres of pasture, range, forest, and other land have high or medium potential for conversion to cropland.

Estimates vary on the loss of agricultural land in Minnesota. The National Agricultural Lands Study estimated a total loss of 490,000 acres between 1967-1977. A University of Minnesota study concluded that approximately 50,000 acres of agricultural land are lost annually. In 1975 the State Planning Agency estimated that in the period between 1975 and 1990, 500,000 acres of agricultural land would be converted to other uses and 333,000 acres of forest land might be shifted into agricultural use as replacement acreage. While these numbers show that less than 1% of Minnesota's cropland base is likely to be lost each year, a high crop demand and moderate crop yield could necessitate a total harvested acreage of 22.6 million acres by 1990. This level of production is very near the limit of available cropland in the state.

The shift of other lands into agricultural use could be environmentally damaging. Its conversion would reduce habitat for plant and animal species and affect land that is usually more susceptible to erosion and groundwater overdrafts.



Additional erosion would only compound an already serious problem in Minnesota. Data from the 1979 National Erosion Inventory indicated that 7.7 million acres in Minnesota are losing soil in excess of allowable rates (rates that still permit the soil to maintain its productivity). Approximately 80% of this erosion is water-related; the remaining 20% is due to wind erosion. The figures also indicate that the amount of erosion has increased over recent years. This increase is attributable to more intensive row cropping and farming practices, production on marginal land during periods of favorable crop prices, and the tendency of some farmers to emphasize short-term economic gain during cost-price squeezes. Not only is the soil resource lost, but the erosion contributes to reduced water and air quality because of sedimentation and air-borne particulates.

#### Current Activities

Present activity in these areas is concentrated in the state Agriculture Department and the Soil and Water Conservation Board. The Department of Agriculture is now implementing the 1982 Agricultural Land Protection Act which requires review of all state agency actions or rules that adversely impact agricultural land. Justification must be provided for any actions or rules that substantially restrict the use of 10 acres or more of agricultural land.

In response to 1982 state legislation, the Soil and Water Conservation Board is now preparing a new information base and criteria to insure that future funding of activities in the state's 92 soil and water conservation districts is directed to those areas with the most serious erosion, sedimentation, or water quality problems. These areas have been generally defined as having erosion from either wind and/or water on Class I-IV soils in excess of 2T tons (about 10 tons) per acre per year or any soil within 300 feet of a stream or 1,000 feet of a water basin designated as a protected water or wetland by state, that is eroding in excess of T tons (about 5 tons) per acre per year. Preliminary analyses have shown that erosion caused by water runoff in excess of 2T is most prevalent in southeastern Minnesota. Wind erosion is estimated to be greatest in northwestern and west-central Minnesota. Feedlots are most heavily concentrated in southeastern and central Minnesota.

According to the new legislation at least 70% of available cost-sharing funds must be allocated to these high priority areas. At least 50% must be assigned to the serious erosion problems.