

State of Minnesota
Water Pollution Control Commission

Statement on the Adoption of Criteria for the Interstate Waters of Minnesota and Establishment of Standards of Water Quality and Purity
(Prepared for Joint Meeting of the Sub-Committee on State Departments, Senate Civil Administration Committee, and the Sub-Committee on Water Resources, Senate Public Domain Committee, June 17, 1966)

Authority for setting standards for waters of the state was given to the Commission originally by the Water Pollution Control Act of 1945, Section 115.03. The Commission from its inception in 1945 did not for many years consider it either necessary or desirable to classify the waters of the state or adopt generally applicable standards, and very substantial progress was made in controlling both old and new sources of pollution without such action. The Commission, in the main, relied upon education and persuasion to attain its objectives, although abatement orders were issued in a few exceptional cases.

Recently it became necessary to establish standards for the surface waters of the Twin Cities Metropolitan Area, and after an extended series of public hearings in 1962 this was accomplished by formal adoption of classifications and standards in March 1963, comprising Regulations WPC 1, 2 and 3, based on MS Section 115.03.

Later in 1963 the Legislature amended the water pollution control statutes, which strengthened the powers of the Commission and extended its authority to groundwaters. Among the changes made by Laws 1963, Chapter 874, (MS Section 115.44) was a specific charge to adopt water use classifications and establish standards of water quality and purity as soon as practicable after public hearings thereon. The Commission was also required to prepare and submit to the Legislature a long range plan and program for the effectuation of the expressed policy of the State to provide for the prevention, control and abatement of water pollution. The plan, program and progress report as submitted to the 1965 Legislature included a proposal for development of a state-wide water classification and standards system.

During this same period classification of several additional streams in the Metropolitan Area was also undertaken. These projects were based on the statutory guidelines given in Laws 1963, Chapter 874. The additional classifications of waters in the Metropolitan Area which are referred to above were adopted by the Commission in November 1965 as Regulations WPC 5, 6, 7, 8 and 9, thereby making a total of eight individual classifications and sets of standards adopted to date.

Since it would be necessary ultimately to classify all of the waters of the state, as required by law, it became apparent that a general reference framework or rational system for classification and establishment of standards, otherwise known as criteria, would be highly desirable to ensure as much uniformity as possible and avoid inequities and conflicts in the future establishment of standards for specific bodies of water. Studies leading toward the development of such criteria or general procedures were already underway when the Federal Water Quality Act of 1965 (PL 89-234) was passed by Congress and signed into law by President Johnson in October, 1965. (It is assumed that the Senators have copies of this Act.)

Much thought was given and effort expended to develop basic and generally applicable criteria from which classifications and standards could be prepared for individual waters after completion of the detailed field studies and in conformance with the requirements of MS Section 115.44, and PL 89-234.

Proposed Procedures for Classification and Adoption of Standards (see Enclosure 1) were prepared and submitted for review and criticism by interested parties at a public hearing held beginning in January and continuing in February and March at Rochester, Marshall, Moorhead, Hibbing and St. Paul. The Procedures were well received in general and are now being revised to clarify some of the terminology and incorporate some helpful suggestions. Following their revision and completion of the Findings of Fact, the Procedures will be submitted to the Water Pollution Control Commission and the Federal Water Pollution Control Administration for approval well