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# 1967-1968 Biennial Report ADDENDUM B

## Recommendations for Metropolitan Area Legislation

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A Proposal for  
A Twin Cities Area  
METROPOLITAN  
ZOOLOGICAL  
GARDEN

The Metropolitan Council and its citizens Zoo Advisory Committee propose the establishment of a major zoological garden to serve not only residents of the Twin Cities Metropolitan Area but all Minnesotans. It would be a zoological garden that puts learning first but with recreation, preservation, and research as essential and ~~parallel~~ benefits. The zoo would be the first year round zoo with specially designed Minnesota displays. The zoo offers a potential for features unique in the world and would bring vast benefits to the state with minimal cost to Minnesota's citizens. At least three and, perhaps, more acceptable sites are available. A sound operating plan can be developed.

Purposes of a Major Zoological Garden

1. To provide a recreational asset for people of all ages, and every racial and cultural background.
2. To provide a unique educational facility for the region's half million children in public, private, and parochial schools, under direct control of educational specialists working with zoo personnel.
3. To provide an exciting field for graduate study and research in such areas as nutrition, behavior, and veterinary medicine--establishing Minnesota as an internationally known training center for biologists, ecologists, zoo directors, and students of related sciences.
4. To protect species threatened by extinction.
5. To develop new concepts for display of the world's fauna so the lessons of nature and man's part in life may be better understood.
6. To establish in the Metropolitan Area an asset rounding out the region's recreational facilities. The facility would stimulate tourism and enhance the image of Minnesota as an interesting, cultural, and educational state in which to live.

## Unique Features of a Minnesota Zoological Garden

First, the zoo would be planned and constructed for year-round operation. It would be the first zoo specifically designed for "cold weather" operation where warmed visitors can watch native animals living in their natural habitats. The zoo is conceived as a temperature-controlled expandable zoo with design and operations innovations. It could have underground parking for winter convenience; air conditioned and heated passageways (or transportation facilities) between groups of buildings or exhibits; arctic exhibits exposed in winter but refrigerated in summer; and display areas designed for summertime expansion into broad acreages or herd plains.

Second, the zoo will be a significant part of a larger complex of open space and recreational facilities promising a richer life for Minnesotans, new prestige for the state, and an added tourist attraction.

## Area-wide Support

Numerous major state and regional agencies have already offered their assistance and resources to create this outstanding zoo. Agencies that have indicated their support include --the Minnesota Zoological Society, University of Minnesota, Audubon Society, Educational Research and Development Council, and Minneapolis School of Art. In addition, dozens of civic and local governmental groups--representing thousands of individuals--have written to the Council indicating their support and willingness to cooperate in the development of this facility.

## Major Recommendations

### A. Facilities

1. Operate zoo on year-round basis.
2. Establish children's zoo during early stage of construction.
3. Provide enclosed and heated means of transportation between zoo exhibits.
4. Establish special display of Minnesota wildlife in a natural Minnesota setting.
5. Provide classroom or auditorium facilities at the zoo where educational programs can be conducted.

### B. Programs

1. Work with Educational Research and Development Council of the Twin Cities Metropolitan Area to develop school educational programs.

2. Work with University of Minnesota committee to establish research and educational programs and facilities.
3. Develop a program of animal acts.

C. Planning and Construction

1. First Phase--First Year.
  - a. Hire a zoo director, architect, landscape architect, and utilities engineer.
  - b. Acquire zoo site.
  - c. Establish policies for operation.
  - d. Develop long-range site plan.
2. Second Phase--Second Year. Develop short-range and specific plans for initial construction. The first buildings or displays should be of the type that will attract large numbers of visitors, such as a small mammal house, monkey island, primate house, and an aviary.
3. Third Phase--Third to Tenth Years. Develop detailed plans for the next set of major buildings or exhibits during the time the initial buildings are being constructed.

D. Ownership and Operation

1. Place ownership of land and facilities with Metropolitan Council.
2. Establish a zoo board consisting of seven members appointed by the Metropolitan Council. Each board member would represent two contiguous Council districts, would not hold another public office, and would be appointed for staggered four-year terms. The initial board would have four members appointed for four years and three members for two-year terms. Board members would be compensated on the same per diem basis as members of the Metropolitan Council. If the chairman of the zoo board is to be compensated on other than a per diem basis, the rate of compensation would be determined by the Metropolitan Council. The initial chairman of the board would be appointed by the Metropolitan Council chairman. Thereafter, the board would select its own chairman. The term of the board chairman would be for two years.

3. The responsibilities of the Council and zoo board would be as follows:

a. Metropolitan Council

- (1) Appoint board members.
- (2) Prepare system plan and capital improvement program with assistance of zoo board.
- (3) Develop over-all policies, guidelines, and priorities.
- (4) Review and approve site plan and detailed engineering and design plans.
- (5) Approve annual operating budgets.
- (6) Issue bonds and levy taxes.
- (7) Approve zoo site.

b. Administrative Board

- (1) Prepare and recommend site plan and detailed engineering and design plans.
- (2) Prepare and recommend annual operating budget.
- (3) Appoint zoo director.
- (4) Maintain and operate facilities.
- (5) Appoint advisory committee.
- (6) Study and recommend zoo site.

E. Site

The Council and its citizens Zoo Advisory Committee have found three primary sites that are acceptable for a zoo: the Jordan Farm site in Ramsey County, the Bailey Farm site in Washington County, and the Lebanon Hills site in Dakota County. Other sites may also be found acceptable with further detailed engineering studies and the final decision on selection of a site must be left open until a zoo director, architect, landscape architect, and utilities engineer are available to provide the necessary recommendations.

F. Financing

1. Site acquisition and zoo construction should be financed by levying taxes.
2. Operating costs of the zoo should be paid by zoo users and subsidized slightly by taxes.
3. Construction of the zoo would cost \$15-20 million over a ten-year period.
4. Annual operating costs of the zoo would be between \$1 million and \$1.25 million.

5. The Metropolitan Council would be granted \$20 million bonding authority to finance zoo construction as well as taxing authority to meet debt service costs. Bonds would be issued as needed in such amounts as to meet construction costs over a ten-year development period.
6. Financing to amortize this debt would be undertaken by one of the following alternatives:
  - a. Increasing the cigarette tax 1¢ per package in Minnesota with the proceeds to be allocated on the basis of population. The Metropolitan Area's share of these receipts would be committed to the metropolitan zoo. The other 80 counties in the state should allow the proceeds to be used for parks, recreation, or zoos.--
  - b. Increasing the cigarette tax 1¢ in the Metropolitan Area only and committing the proceeds to the zoo.--
  - c. Levying a one mill property tax in the Metropolitan Area and committing the proceeds to the zoo.
7. Charge a \$1.00 admission fee to offset the major portion of the operating costs but provide adequate free parking. Profits from food vending, souvenir sales and similar operations would also be used to offset operating costs.

A Proposal for Preserving a  
METROPOLITAN  
OPEN SPACE  
SYSTEM

We cannot wave a magic wand and, by such an action, create surroundings to our liking. Rather, our environment is determined by a set of existing natural, ecological features and our use or misuse of these features. We must plan to make the most effective use of our natural resources, and **implement** those plans through countless individual and collective decisions.

Open space is needed for breathing space, as space for productive extraction industry, as space for recreation, greenery, protection and preservation of resources, for natural beauty and scenic value. Open spaces can protect our water supply, provide capacity for high-water floods, and provide open ways for hikers, cyclists, horseback riders, snow mobilers, skiers, and even walkers.

Whatever shape our Metropolitan Area takes, our environment in 1985 and 1995 and thereafter depends on open space decisions made now and within the next few years. For example, in our Metropolitan Area today:

- Less than 32 of 310 miles of shoreline on the Mississippi, Minnesota, and St. Croix Rivers within the Area are in public holdings.
- Only 47 lakes out of a total of 704 are fronted by a public park of 15 or more acres.
- Of 704 lakes, only 40 have either public or commercial beaches.
- Of lakes over 150 acres, only 10 percent are developed for recreational use.
- No single stream in our area is ensured against being converted into a concrete channel or a buried storm sewer as development of its watershed continues.
- No flood plain in the Area is subject to regulations that are completely adequate to regulate its development in the public interest.

There is need for more open space of all functional types in the Metropolitan Area, and this need exists in spite of existing state, county, and municipal facilities and programs.

Definition of Open Space

Open spaces are not just lakes and parks. Generally, open space is land that has not been built upon. It includes open lands and water bodies that have recreation, production, protection, conservation, and esthetic value. Recreational facilities of various types, water features, the countryside, land around homes and buildings and along highways and streams--these are all considered as open space.

Open space is not simply left-over land, but land that serves the Conservation, Protection, Production, Recreation-Education, or Amenity functions.

If there is to be a metropolitan system to meet immediate and future needs, it is important to begin an acquisition and preservation program at once.

The data above point out the immediate need to preserve land and water access as permanent open space. Open space for Recreation, Conservation, and Protection should be preserved now.

Our options are rapidly expiring. We must make our commitment to preserve selected open space now. The present undeveloped land must be considered as the last available that can function as permanent open space.

### Findings and Conclusions

The Council appointed a citizens Open Space Advisory Committee to determine open space needs in the Metropolitan Area and to make recommendations to the Council. The Advisory Committee report included the following conclusions:

1. A metropolitan open space system should be established to ensure sufficient permanent open space to protect health and safety, promote the general welfare, and provide a quality setting for living and recreational opportunities for Metropolitan Area residents. The permanent metropolitan open space system should consist of lands fulfilling the CONSERVATION, PROTECTION, PRODUCTION, RECREATION-EDUCATION, and AMENITY functions.

2. The Metropolitan Council and an Open Space Board responsible to the Council should be responsible for providing the metropolitan open space system.

a. The Metropolitan Council should prepare the total open space system plan; it should provide standards, criteria, and guidelines for development of the total open space system, including preservation priorities; and it should have the necessary powers to ensure the establishment of the metropolitan elements of the system, including the power of eminent domain.

b. The Open Space Board should acquire metropolitan open space, prepare site and facility plans and designs, develop sites and facilities, operate and maintain facilities, and prepare an annual budget.

3. FINANCE--The Metropolitan Council should be authorized to pledge the full faith and credit of the Metropolitan Area toward providing the metropolitan system of open space.

a. The Metropolitan Council should be authorized to issue bonds in sufficient quantity to meet the Area's future open space needs described in paragraph 7.

b. When lands are acquired in fee title for use as open space, consideration should be given to compensating, for a limited number of years, municipalities and school districts that lose a substantial portion of their tax base, compared to savings in service costs. Such compensation, if any, should be on a decreasing basis to ease adjustment and not be of long-term nature.

4. CONSERVATION--Federal and state agencies should continue and increase their efforts to provide Conservation open space, including wildlife management areas, for the metropolitan population, and the state should provide additional major state parks within the Metropolitan Area to complement the regional facilities provided by the Open Space Board.

5. PROTECTION--Metropolitan Protection open space includes the following elements, defined primarily by physical characteristics, including geology and hydrology; flood plains, drainage ways, wetlands, recharge areas, and steep slopes. Preservation of such areas depends upon their intrinsic unsuitability for urban development.

a. Flood plains should be preserved as first priority by state standards and guidelines that are adopted and enforced by counties, municipalities, or special districts, with review of enforcement and major amendments by either a state or metropolitan agency. Protection policy should limit building and human habitation in flood plains to those uses not severely damaged by natural floods, not adversely affecting floodways capacity, and not causing a threat to health or safety when flooded.

b. Drainage ways, wetlands, recharge areas and steep slopes should be preserved through standards and guidelines established by the Metropolitan Council; adopted and enforced by counties, municipalities, and special districts; with review of enforcement and major amendments by the Metropolitan Council to ensure consistency with regional policy.

c. County and municipal governments have first responsibility to adopt and enforce ordinances preserving Protection open space.

d. Zoning, subdivision regulations, the official map, easements, and the assessment of permanent open space lands as "rural" should all be used in preserving the Protection open space system.

6. PRODUCTION--Since important minerals may be lost if development precludes extraction, both agricultural and mineral production elements should be considered for inclusion in an open space system plan. Questions concerning what types might be included in the system plan and techniques to be used in their preservation need more extensive study.

7. RECREATION-EDUCATION--The metropolitan Recreation-Education elements should include: regional parks, water areas, interpretive nature centers, nature reserves, scientific areas, a zoological garden, trails, and pleasure drives and parkways. At least 20,000 acres of metropolitan recreational open space should be acquired immediately to meet current to 1985 needs and an additional 20,000 acres should be reserved as soon as possible to meet needs caused by population growth between 1985 and 2000.

a. County provision of Recreation-Education open space elements should, in the immediate future, concentrate on: 1. preserving open space, in advance of urban development, for use by municipal populations after development occurs; 2. providing water access sites and facilities for swimming and boating; and 3. providing multi-community or sub-regional parks and play fields for intensive, active recreational use.

b. Municipal Recreation-Education elements should continue to include totlots, block parks, playgrounds and playfields. All municipalities should act to ensure an adequate supply of such facilities for their citizens.

c. The Board should include interpretive nature centers as part of an educational program designed to provide a better understanding of ecology and the importance to the well-being of man of reaching a balance between the man-made and the natural environment.

8. AMENITY--Public agencies preserve certain areas based on their amenity value alone, particularly in the process of building roadways; the skylines, breathtaking views, and landscape along the roadside should be preserved by acquiring land and scenic easements to provide continuing public enjoyment and relief.

#### Recommendations

To ensure the preservation of open space in the Metropolitan Area, it is recommended that a metropolitan open space system be established and that responsibilities for its planning, development, and operation be placed in the Metropolitan Council. The Council should, in turn, have the authority to create an open space board under it to administer this program. The open space board would consist of seven members appointed by the Council. Members of the administrative board would each represent two contiguous Council districts, would not hold another public office, and would be appointed for staggered four-year terms. The initial board would have four members appointed for four years and three members for two years. The board members would be compensated on other than a per diem basis, the rate of compensation would be determined by the Metropolitan Council. The initial chairman of the board would be appointed by the Metropolitan Council chairman. Thereafter the board will select its own chairman. The terms of the board chairmen will be for two years.

The responsibilities of the Council and administrative board will be as follows:

a. Metropolitan Council

- (1) Appoint board members.
- (2) Prepare a system plan and capital improvement program with assistance of administrative board.
- (3) Approve detailed engineering and design plan and annual operating budget. Use financing and bonding authority for financing the open space system.

b. Administrative Board

- (1) Prepare and recommend detailed engineering and design plan and annual operating budget.
- (2) Acquire metropolitan open space.
- (3) Prepare site and facility plans and designs.
- (4) Develop sites and facilities.
- (5) Operate and maintain facilities.
- (6) Appoint advisory Committee.

Initial priority should be given to the acquisition of required open space and to develop zoning and other measures in cooperation with the state, county, and local government designed to protect and preserve existing open space.

A Proposal for  
SOLID WASTE  
DISPOSAL  
In the Twin Cities Area

This proposal is in response to a provision in the Council's enabling legislation that requires the Council to study "the acquisition of necessary facilities for the disposal of solid waste material for the metropolitan area and the means of financing such facilities." A citizens advisory committee assisted the Council in developing its findings.

Solid waste includes refuse generated by normal family activity and includes garbage, combustible or non-combustible rubbish, ashes as well as commercial and industrial refuse.

As our urban population has grown and as the nation has become more affluent, the disposal of solid waste has become a major problem. Poor disposal practices have become the rule rather than the exception and such practices increasingly present serious water, air, and land pollution problems. In the Twin Cities Area, as across the nation, we see the results of this growing problem in several ways:

1. A scarcity of suitable land for disposal purposes within short, economical haul distances of large population centers.
2. Increasing citizen intolerance of disposal nuisances such as burning dumps.
3. A substantial increase in promiscuous dumping of refuse along roadsides, in vacant lots, and other unauthorized places.
4. Increasing cost to citizens for the removal and disposal of solid wastes.

Findings and Conclusions

1. Governmental action should be taken to establish and maintain a solid waste disposal system in the seven-county Metropolitan Area that:
  - a. Meets uniformly high standards for site selection and operational conditions.
  - b. Provides economical disposal services for all parts of the Area.
  - c. Provides for the future availability of necessary disposal sites and facilities.
2. Sanitary landfill should be adopted and enforced as the basic disposal method for the seven-county Area for the next ten years. This recommendation is based primarily on two facts:
  - a. Capital and operational costs are substantially smaller compared to other alternatives.
  - b. There is greater flexibility for the Area to take advantage of new disposal technologies as develop in the future.

Disposal by sanitary landfill consists of depositing refuse in natural or man-made depressions or at ground level, compacting it to the minimum practical volume, and covering it with earth or other inert materials in a planned and sanitary manner. Most facilities with which we are now familiar are open, burning dumps. Only three of over sixty land disposal facilities now in use in our Metropolitan Area that were surveyed for this study qualify as true sanitary landfills. To qualify as a true sanitary landfill a facility must meet the following requirements:

1. Blowing paper must be controlled.
2. All refuse must be covered with a minimum of six inches of dirt.
3. The final cover must be a minimum of two feet thick.
4. There must be no ground or surface water pollution.
5. There must be no burning at any time.
6. Raw refuse should be spread and compacted in two foot maximum layers.
7. Final cover should be graded for subsequent use.
8. Final cover should be seeded.
9. Site should be fenced with a gate.
10. There should be specific hours of operation.
11. When open, there should be an attendant.

The combined cost of hauling and disposal of solid waste using the sanitary landfill concept is estimated to be about \$4.45 per ton. Similar costs for incineration are estimated to be about \$8.60 per ton. The Council should continue and expand its solid waste disposal study so as to properly develop the long-range plans needed, including the proper integration of solid waste disposal with air and water pollution into a total waste management system for the Metropolitan Area.

#### Recommendations for Action

1. Divide the function of developing and operating a solid waste disposal system for the Metropolitan Area among the Minnesota Pollution Control Agency, Metropolitan Council, and individual counties as follows:
  - a. The Minnesota Pollution Control Agency would:
    - (1) Develop and adopt standards and regulations related to air and water pollution.
    - (2) Issue licenses to operators, either public or private.
    - (3) Enforce PCA standards or seek enforcement from Attorney General's office.
    - (4) Enforce Metropolitan Council standards in those cases where counties own and operate the sites and facilities. If the PCA chooses not to accept or is not given this responsibility, then it is recommended that the Metropolitan Council be responsible for this function.

- b. The Metropolitan Council would:
  - (1) Develop solid waste disposal system plan indicating general location of sites and site and operational standards.
  - (2) Hold public hearings on system plan.
  - (3) Adopt system plan.
  - (4) Review and approve or disapprove of operations plans submitted by counties for consistency with system plan.
  - (5) Acquire, finance, and operate sites and facilities if the counties fail to act in accordance with system plan.
  - (6) Develop site and operational standards that may be more extensive and detailed than the PCA standards.
  - (7) Develop model ordinances and regulations.
  - (8) Review applications for licenses submitted to PCA.
  - (9) Seek enforcement of Metropolitan Council site and operational standards by PCA or Attorney General's office if counties fail to enforce the standards.
- c. The counties would:
  - (1) Present recommendations on system plan at public hearings.
  - (2) Develop and submit operations plans for each site to Council for review.
  - (3) Acquire or allow private operators to acquire sites and facilities.
  - (4) Finance acquisitions of sites and facilities through issuance of bonds.
  - (5) Establish and post rates and submit posted rates to Metropolitan Council.
  - (6) Develop, operate, and maintain sites and facilities.
  - (7) Adopt Metropolitan Council site and operational standards.
  - (8) Submit applications for licenses to PCA.
  - (9) Issue licenses and require performance bonds by private operators after applications come back from PCA.
  - (10) Enforce Council site and operational standards through periodic inspection of sites.

2. The Metropolitan Area system plan for solid waste disposal is fundamental to this proposal. Once adopted by the Council after public hearings, it will serve as the main coordinating element in the establishment of solid waste disposal system. It will be a comprehensive planning document, defining the disposal plan with full consideration for all factors that either effect or are affected by solid waste disposal. These factors include other land use needs, transportation accessibility, air and water pollution, ecology, park and open space needs, economics, disposal technology, growth and development of the Area, and other elements of the total system.

The system plan will contain:

- a. Statement of goals and policies for solid waste disposal.
- b. Estimations and projections of disposal capacities required.
- c. General location and capacities of disposal sites required.
- d. Criteria for approval of disposal sites.
- e. Standards for operation of disposal sites.
- f. Alternative disposal techniques to be permitted or encouraged.
- g. If necessary, a classification of disposal sites based on the type or types of solid waste to be disposed of at each site.

Like any plan, the system plan will be subject to continual review and evolution so as to adapt to experience in our Metropolitan Area and changes in future disposal needs and technologies.

3. An advisory board made up of citizens and experts in the field of solid waste disposal should be appointed by the Council to aid in development of a system plan. The board could also recommend amendments to the plan and solutions to operational or interpretational disputes under the plan.

A Proposal  
To Change Requirements  
And Procedures for  
LOCAL CONSENT  
ON HIGHWAY PLANS

Present Procedures and Laws

The term "local consent" as it pertains to highways derives from laws that require municipal approval before highways can be built or altered within a municipality. Three state laws effect highway local consent in the Metropolitan Area. These three laws state that no portion of the trunk highway system (MSA Chapter 161.17), controlled access highways (MSA 160.08), or county state-aid highways (MSA 162.02) lying within the corporate limits of any city, village, or borough shall be constructed, reconstructed, or improved without prior approval of the plans by the governing body of the municipality. Interstate routes were removed from local consent requirements in 1959.

The State Attorney General has ruled that "plans" as used in these laws mean contract drawings and specifications and, therefore, local consent is needed at the final contract drawing and specification stage.

The highway department passes through many stages in the process of constructing a highway including:

1. Data gathering and analysis.
2. Route location (plan, no profile).
3. Staff approved layout (plan and profile).
4. Construction limit drawing--basis for right-of-way acquisition, utilities planning, application for federal funds.
5. Construction drawings (road and bridge design).
6. Contract plans and specifications--municipal approval required in accord with Attorney General's opinion.
7. Construction.

Recent action by the Federal Bureau of Public Roads and State Highway Department now require hearings at Points 2 and 3 above thus bringing about earlier community involvement. While contract sometimes did occur at these points previously, it was informal. Because final municipal approval does not formally occur until Point 6, the highway department may have acquired right-of-way. On the other hand, municipal approval is now informally asked and given at Point 3, but the approval is frequently reversed or altered at Stage 6.

### Need for Change

The Council and its citizens advisory committee agree that there are serious problems with local consent laws as they operate today. When a controversy develops on which neither the municipality nor the highway department will alter its position, or when adjacent municipalities cannot agree, the project is often indefinitely delayed and even completely halted. At present, local consent has completely halted road construction at 11 points in the Metropolitan Area and has caused a delay in 18 other cases. In these latter instances, construction finally did begin after considerable delay and often compromised safe and efficient highway design.

In addition, there are many additional cases where the anticipation of local consent has affected highway design or where the highway department has never even considered certain design possibilities. The 13 area agencies participating in the Joint Program examined and compared the presently designed highway system to the highway spacing and access standards they felt desirable for the Metropolitan Area. Results indicated over 120 cases where interchanges were too close together and many cases of freeways being located too close together. Present local consent laws are responsible for many of these variations from desirable design standards, this resulted in a highway system that does not serve the metropolitan transportation needs successfully or lend itself to desirable land-use development.

### Findings and Conclusions

1. Although the council and committee approached the problem from the standpoint of the Twin Cities Metropolitan Area, the recommendations should be considered for applicability on a state-wide basis.
2. There was unanimous agreement that the vital need is for early and continuing participation in the highway planning process by all affected parties under a procedure spelled out and incorporated into law.
3. The principle of local community participation and approval embodied in the local consent law yields benefits and should not be eliminated. A modification of the present law is needed that will provide a balance of power to be exercised within certain limits so that community impact, safety, and non-highway considerations can be introduced.
4. To become more effective participants in the highway planning process, communities should be able to call upon the Metropolitan Council or county engineers for technical assistance.
5. Transportation planners and engineers must broaden the scope of their analyses and recommendations to include social, economic, esthetic, cultural, and community values during all stages of all projects.

## Recommendations

The Council recommends that existing laws be rewritten to achieve three objectives: (1) increased early meaningful involvement by local governing bodies and affected individuals in the highway planning and programming process; and (3) a method of appeal to reach a decision in those situations where deadlocks occur.

1. Involvement--The Council recommends that local governing bodies be involved in five phases of the transportation planning process: (1) metropolitan thoroughfare plan, (2) five to ten year construction program, (3) route alignment or corridor study, (4) layout or design plan, and (5) final contract drawings and specifications.
2. Proposal and Response--The recommended procedure to be incorporated into law is as follows:
  - a. Corridor Study--The State Highway Commissioner would submit to affected governmental bodies, Metropolitan Council, and the Metropolitan Transit Commission a study showing the need for the proposed project, alternatives and reasons for selecting the recommended route, route information (general alignments and profile, approximate access points, level of service, and costs), relationship of the project to existing and planned regional and local development, and social and community value factors.

Within 120 days after the hearing, each governmental unit would indicate in writing its approval or disapproval to the Commissioner. If it disapproves, specific reasons will be stated and alternatives suggested. The Commissioner would accept the suggested alternative or explain its rejection and justify his proposal before proceeding. Neither the community nor the Commissioner make a binding commitment at the early stage, but formal response makes it difficult for either to change approaches at a later stage. An appeal procedure at this stage would require development of too much detail for corridor determination. It would tend to bring about a layout and design study at this stage.

- b. Layout or Design Plan--The Highway Commissioner would submit to each affected governmental unit, the Metropolitan Council, and the Metropolitan Transit Commission, a report containing a recommended layout plan with an evaluation of the alternatives, approximate right-of-way limits, tentative schedules for right-of-way acquisition, profile, alignment of roads, access and interchange configurations, frontage roads, and tentative schedules for construction, utilities, landscaping, illumination, and estimated costs of each layout.

Within 90 to 120 days a public hearing on the proposed project would be conducted by the Commissioner of Highways. Following the hearing the Commissioner would formally adopt a layout plan. Within 120 days after receipt of the layout plan, each governing body would notify the Commissioner in writing of its approval or disapproval of the adopted layout plan. If the governing body notifies the Commissioner of its approval or does not indicate its disapproval within 180 days, the layout plan would become final as adopted by the Commissioner. The Commissioner may then proceed to prepare final construction plans and specifications and acquire the necessary right-of-way. If the governing body disapproves the layout plan, it would indicate along with its written disapproval the parts of the layout to which it objects, the reasons for its objections, and proposed alternatives. If the parties cannot agree on a layout, the Commissioner may request a hearing by the Highway Appeal Board. If the Commissioner fails to act within one year after submission of the adopted layout plan, any affected governing body may ask the council to set a date for producing a layout.

c. Contract Drawings and Specifications--At least 120 days prior to letting contracts the Commissioner would submit to affected governing bodies the final plans and as much of the specifications as are available together with indications of any changes from the earlier approved layout and the reasons for these changes. The contract drawings then undergo the same procedures as the initial submission of an adopted layout except that action is limited to changes from the earlier approved layout.

3. Appeal Procedure--When a deadlock occurs, a three member board of national experts who have been commonly nominated by the participants to the dispute would convene to reach a binding decision. These three persons would be nominated by the participants from a national standing panel of 25 experts in social, economic, esthetic, engineering, finance, legal, and other related fields and five lawyers as chairmen. This panel would originally be selected by the Council in consultation with the Metropolitan Section of the League of Minnesota Municipalities, the Metropolitan Inter-County Council, the Highway Commissioner and others. A non-voting chairman, chosen by the Metropolitan Council chairman would preside over the panel. The board will have the authority to bring the parties together to explore possibilities for agreement as well as making a binding decision.

### Benefits of the Proposal

Under the Council's proposal, the municipality will gain more and earlier participation in the planning process, full consideration of community impact, prohibition of Highway Department acquisition of right-of-way prior to municipal approval, written justification from the Highway Commissioner for his proposals and rejections of municipal proposals, and prevention of indefinite delay of a project by the Highway Department. The municipality would lose its absolute veto power and would be required to approve or disapprove at each stage of the highway planning process.

The Highway Department would gain by receiving firm or definite commitments from the municipality, eliminate the need to seek municipal approval for minor changes, and modification of the absolute veto so projects can proceed more quickly and without compromise of design or safety standards. The Highway Department would lose its ability to acquire right-of-way prior to municipal approval, must present complete information on alternatives, must submit its evaluations in writing, and must proceed on a specified schedule.

Under this proposal, the Metropolitan Area would gain by earlier completion of the metropolitan transportation system according to the Metropolitan Development Guide, more comprehensive design, safer highway construction, and safeguarding of existing social, economic, esthetic, cultural, historic, and community values by realizing the community potentials inherent in the development of the metropolitan transportation system.

A Proposal for  
a  
METROPOLITAN  
SEWER SYSTEM

It is essential that the Council prepare, adopt, and maintain a metropolitan-wide sewerage plan as a part of a total development guide for the Twin Cities Metropolitan Area. Such a plan is necessary to enable the Council to carry out its responsibilities under both state and federal legislation in a competent and impartial manner. It is also needed as a guide to local governmental units and private organizations and individuals as a basis for specific planning and construction in the Area.

The present method of handling sanitary sewage is to "clean" it up in a treatment plant and then dilute the result by placing it in a river, stream, or lake. As a matter of policy, the Council opposes putting sewage effluent into lakes. The effluent fertilizes lakes and hastens their deterioration. Although the Area has many lakes, it cannot afford to lose even one if the recreation demands of our increasing population are to be met.

The moving water of our rivers is the best choice for diluting effluent. But is sewage dilution the best use of the rivers? There is great competition from swimming, fishing, boating, domestic water supply needs, industrial process water, barge transportation, sewage dilution, stock watering, irrigation, and a variety of other interests for the use of each segment of every river. All these uses cannot be accommodated in each stretch of the river because some uses prevent others or make them very difficult. We need an over-all plan that recognizes legitimate competing interests and provides for them.

The metropolitan sewer plan is not a detailed plan for construction of facilities, but rather a policy plan in sufficient detail to make responsible decisions affecting the total development of the Area, its governmental organizations, and its financial allocation structure.

Under the plan, the desired uses of the river can be determined and standards set. The standards would describe the quality of the water and ensure that the desired uses can be accommodated. Then systems of sanitary sewage disposal, water supply, and others can be designed consistent with those standards. The emphasis would be on a balanced use of water resources because the segments of the river form a linear system. Effluent deposited at one point flows to another. To manage such a system, an over-all organization is needed. This organization can plan, construct, and operate an integrated system of sewage treatment plants as part of a total water resources program to ensure the protection and selective use of our water resources.

#### Description of Metropolitan Sewer Plan

The Metropolitan Council sewer plan provides for a collection system of joint interceptors based primarily on watersheds or combinations of watersheds and provides a financial method based on these service areas. The treatment system relates to the river system and pollution control and would be financed on a metropolitan-wide basis.

The over-all policies for the system plan, the financing of the plan, and the staging of construction through a capital improvements program will be determined by the Metropolitan Council with the advice and participation of a sewer board. The Council would have taxing and bonding authority for this purpose.

The Council would have authority to establish a sewer board to administer area-wide sewer policies and carry out the construction, operation, and maintenance of the facilities. Optional service area advisory boards may be formed by the municipalities within the service area to study and advise the sewer board and Council on matters affecting that service area.

Each sewerage service area will be a taxing district for the purpose of spreading normal sewage facility costs associated with the collection system required to serve each service area. In this way, each community in a service area will pay the costs of collection resulting in a uniform rate charged in that service area.

Construction and operating costs for each sewerage service area will be apportioned by the sewer board to each municipality.

Each municipality will determine how municipalities would continue to plan, construct, maintain, and finance laterals and individual connections.

#### Specific Benefits of Metropolitan System

1. Maximum protection of rivers and water resources.
2. River monitoring and automatic recording of dissolved oxygen and other quality characteristics that will provide for detection of possible sub-standard plant performance and enable this and other plant operations to be adjusted to ensure desired river quality standards.
3. Standardization of design features, specifications, and equipment among the various plants to simplify operations and parts replacement.
4. The maintenance of a central pool of staff experts (instrumentation technicians, electricians, etc.), and sophisticated sewer inspection equipment and other equipment that would be too expensive for smaller organizations. Plants designed with the knowledge that such skills and services are readily available can be made far more sophisticated, effective, and automatic than might otherwise be practicable.
5. Maintenance of a central laboratory will help solve special operating problems.
6. Operation of centralized incineration facilities for sludge cake disposal.
7. Coordination of sludge incineration with the incineration of municipal refuse.
8. Where sludge incineration facilities are known to be available, it may be feasible to eliminate sludge digestion from the sewage treatment process. This would reduce the amount of nutrients in the sewage effluent which could be of substantial benefit in controlling algae growth.

9. The ownership of package sewage pumping stations and package treatment plants for temporary service in small developing areas. These package units would be replaced with larger facilities at the appropriate time and might be reused at other locations.
10. Services to the peripheral area, including high-level technical assistance to service and maintain automatic equipment that is generally not available due to small plant budgetary restrictions. Also, with a single operating authority, rural communities with septic tanks materials could dispose of the materials without disruption of plant processes.

### Governmental Organization Recommendations

Establish a sewer administrative board consisting of seven members appointed by the Metropolitan Council. Members of the sewer board would each represent two contiguous Council districts, would not hold another public office, and would be appointed for staggered four-year terms. The initial board would have four members appointed for four years and three members for two years. The board members would be compensated on the same per diem basis as members of the Metropolitan Council. If the chairman of the sewer board were to be compensated on other than a per diem basis, the rate of compensation would be determined by the Metropolitan Council. The initial chairman of the board would be appointed by the Metropolitan Council chairman. Thereafter, the board would select its own chairman. The terms of the board chairmen would be for two years. The functions and powers of the Council and sewer administrative board would be as follows:

#### 1. Metropolitan Council

- a. Establish board policies for fiscal policy, bonding, and capital budgeting.
- b. Prepare and adopt the sewerage system plan with the assistance of the sewer board.
- c. Approve location and timing of plants, interceptors, and outfalls.
- d. Prepare and adopt capital improvement program with assistance and recommendations of sewer board.
- e. Adopt first-year capital improvements program.
- f. Review and approve budget.
- g. Provide operating funds for sewer board.
- h. Establish guidelines for establishing service areas and approve service area boundaries and changes.

#### 2. Sewer Board

- a. Assist in preparation of sewerage system plan.
- b. Prepare and recommend detailed engineering and design including construction schedule.
- c. Assist in preparation of capital improvements program.
- d. Prepare annual operating budget.
- e. Construct interceptors and sewage treatment plants.
- f. Operate and maintain physical facilities.
- g. Establish cost to communities.
- h. Propose and recommend service areas.
- i. Appoint advisory committee, if desired.

## Financing Recommendations

The metropolitan sewer system is defined as having two parts: the collection system and the treatment system. The collection system consists of those facilities involved in picking up sewage and transporting it to where it is treated. The treatment system consists of sewage treatment plants, pumping stations, outfalls, and any interceptors needed to connect the collection system to the plants. All treatment costs including those associated with metropolitan benefits should be apportioned on the basis of community volumes and limited to the area served by the central sewers.

Bonding power will be established in the Metropolitan Council and the full faith and credit of the whole Metropolitan Area will be used to obtain a low interest rate on bonds. All bonded indebtedness of the existing metropolitan sewer system will be assumed by the Metropolitan Council. It will also assure equity in financing the sanitary sewer system by lodging the responsibility for establishing fiscal policy with the Council. Cost apportionment and payment will be based upon the following policies:

1. Basis of Cost Apportionment
  - a. The principle on which cost apportionment will be developed is based on community payments depending on the volume and strength of the adjusted average annual flow of sewage treated in the metropolitan sewer system.
  - b. User costs will be apportioned on the basis of volume and strength of sewage. Future user costs will be apportioned on estimated volumes based on the excess capacity reserved in the system for each community. Strong effluent that results in significant additional treatment costs will be calculated and charged back to the community contributing it. Conversely, if a community contributes a weak effluent, its charge will reflect a lower treatment cost.
2. Rates
  - a. To help achieve the goal of uniform rates for communities, all the sewage treatment plants within the central service areas will be considered as a single system.
  - b. Treatment costs will be allocated across the whole central service area rather than by separate service areas.
  - c. The metropolitan interceptors serving more than one community will be paid for on the basis of the separate service areas.
3. Rental
  - a. A rental based on a fair market value will be paid to communities that have an equity in the existing metropolitan system by those communities using these facilities.
  - b. The rental fee will be paid until the facility has been depreciated, but not more than 30 years.
4. Deferred Payments
  - a. To help provide capitalization for communities that may be unable or fiscally pressed to install their metropolitan interceptors, the Council will be able to aid them by deferring payment for a period of time.

- b. The payment of this deferred cost will include interest and service charges.

State-Metropolitan Council Relationships

The Minnesota Pollution Control Agency (PCA) has three major functions in the sewage collection and disposal field: (1) setting of standards, (2) enforcement, and (3) a construction of disposal system option if a municipality fails to carry out the PCA order.

The metropolitan sewer system plan assumes no change in the present powers and functions of the PCA. The proposed plan would provide a means of enabling the Metropolitan Area to plan, construct, and operate the necessary facilities to meet the PCA standards.

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