To Our Supporters

Change comes slowly in government and law, which means achieving environmental protections through the courts and legislature can take years. But thanks to your support, MCEA has continued pushing. This summer, our perseverance paid off and in six weeks we celebrated three important victories (and three front-page news stories).

• We saved already contaminated waters from further pollution in our state appellate court win against a wastewater treatment plant permit for the cities of Annandale and Maple Lake.
• We exposed the disproportionate role industry polluters played in diluting the state’s plan to clean mercury from our waterways through an investigation of the pollution control agency’s internal documents.
• We protected waters in southeast Minnesota by blocking a plan that failed to sufficiently reduce fecal coliform bacteria when we won a federal court battle against the state and federal environmental protection agencies.

We’re proud of these and other victories we’ve had during the year because they protected our natural resources, held government accountable to our existing environmental laws and communicated the message that Minnesota faces serious environmental challenges.

You should be proud of these victories, too. With your support, our work as the legal and scientific voice protecting and defending Minnesota’s environment for current and future generations.

Thank you for your support.

Jan Goldman-Carter, Board Chair
Martha Brand, Executive Director

During the past year, the Minnesota Center for Environmental Advocacy (MCEA) continued to fight a number of important battles to protect Minnesota wetlands. We chose to feature this story in our 2005 Annual Report because it illustrates the way we approach our work in all our program areas—with an action plan that combines legal, legislative, scientific, communication and collaboration strategies to accomplish results that protect Minnesota’s environment and support our long-term policy-change goals.

Minnesota’s “no net loss” wetlands law aims to ensure protection of our surviving 10 million acres through acre-for-acre replacement of destroyed wetlands at the expense of whomever caused the damage. In practice, though, loopholes abound and enforcement is spotty. In fact, “no net loss” is by definition a policy that accepts an unacceptable status quo. This policy can’t bring back healthy duck populations, clean up polluted wetlands or reestablish vital wetlands in parts of the state where drainage has long ruled the day.

At MCEA, our wetlands protection work addresses these inadequacies. “Being a watchdog means pushing hard and asking why, getting out there...”
and trying to understand what policies or actions led to the failure to protect a wetland,” said MCEA Forestry Advocate Matt Norton.

To document the failure of “no net loss,” MCEA intern Sharon Wheeler spent the summer investigating reported instances of drained or damaged wetlands—parcels throughout the state that fell through the cracks of current law or government enforcement of it. “In many cases, wetlands were destroyed or degraded because of exemptions built into Minnesota’s Wetlands Conservation Act,” she said. In others, good laws were simply ignored or misapplied. It’s an all-too-common occurrence. Where agencies face intense pressure to bend wetlands rules in favor of other interests—roads, mining, developers, utilities, to name a few—wetlands protection loses. This is where MCEA has and will continue to step in to provide scientific analysis and encourage enforcement of the law through support of agency staff.

“When agencies cannot or will not speak up, we can be there to do that for them. That is a function we must, and do, serve very well.” MCEA Board Chair and wetlands attorney Jan Goldman-Carter

As a result, in late April only mud flats remained in what used to be 277-acre, nearly three-foot deep Rice Lake. Waterfowl feed and nest in Rice Lake, making it a popular hunting spot in the Twin Cities Metro area. The rare yellow lady’s slipper orchid flourishes here. Four trumpeter swan cygnets were spotted this spring. This wildlife, habitat and the surrounding wetlands had been compromised.

MCEA doesn’t take damage to a valuable area lightly. We turned to partners within DNR and the Orange Hat Brigade (a group of hunting and conservation activists working at the legislature and in communities for clean water and wetlands protection) to help pressure the district to correct the damage. We also issued an action alert to which hundreds responded by calling the watershed district office to demand remedial action. And we brought the actions to the media’s attention and major outlets covered the story.

Having exhausted all options that would repair the lake before duck hunting season, MCEA, joined by two other conservation groups, filed suit in September (as did DNR) to force the district to restore the lake. A judge in late September required that the city do so by October 1. On October 15 the press reported that water and ducks have returned to Rice Lake.

“It came to bat with all of MCEA’s advocacy tools, first speaking up with scientific credibility as a public watchdog, then using outreach and communications to enable the public to express its outrage, next presenting the case before the watershed district and DNR, and ultimately filing our lawsuit,” said Janette Brimmer, MCEA’s Legal Director.

At the Legislature: Changing Times

Most years, MCEA’s legal victories bring out attempts at the legislature to roll back wetlands protection laws. Resources, fought off an appeal by pro-drainage landowners to clear a ditch of sediment in the Paul Hugo Farms Wildlife Management Area (WMMA) exemplifies MCEA’s combination of legal skills and operational strategies. Four years ago, MCEA, working with DNR and the Board of Water and Soil Washington County’s Paul Hugo Farms Wildlife Management Area (WMMA) exemplifies MCEA’s combination of legal skills and operational strategies. Four years ago, MCEA, working with DNR and the Board of Water and Soil Protection Laws MCEA is the only environmental organization in Minnesota using the courts successfully to protect our wetlands. The litigation over Rice Lake in and do, serve very well,” said MCEA Board Chair and wetlands attorney Jan Goldman-Carter.

"In the Courts: Enforcing Wetland Protection Laws MCEA is the only environmental organization in Minnesota using the courts to successfully protect our wetlands. The litigation over Rice Lake in 2005 Annual Report

www.mncenter.org

More details about damaged wetlands are available on our website, www.mncenter.org.
back the wetland protection laws upheld by the courts. For example, past attempts have sought exemptions for road construction or agricultural activity on land with existing drainage. We have a strong track record of defeating these proposals.

In the coming year, Sharon Wheeler’s report on wetlands protection failures will provide the scientific and legal foundation for a campaign to eliminate legal loopholes that allow wetland destruction. This will be particularly important as developments at the federal level threaten to undermine a nationwide wetland protection law.

Communications and Collaboration: (Duck) Calls for Wetlands Protection
In the last year MCEA broadened our partnership efforts by joining the 40 organizations sponsoring the Rally for Ducks, Wetlands and Clean Water. The result was a gathering of nearly 5,000 concerned environmentalists, hunters and anglers—and their duck calls, which they used liberally—at the State Capitol to demand legislation to protect wetlands, wildlife habitat and clean water.

MCEA Executive Director Martha Brand spoke at the rally, calling on elected officials to recognize that “no net loss” doesn’t help our ducks, wetlands or our clean water supplies. What we need instead, she said, is a policy of “net gain.” She also called for passage of legislation to fund the clean up of our lakes and rivers, making the point that without clean water our wetlands will never recover sufficiently to reverse the dramatic decline of the state’s duck population.

Long-time conservationist, outdoor enthusiast and rally leader Dave Zentner took away an important message after seeing thousands of people, from all over Minnesota and from varying interests, gathered on behalf of Minnesota’s ducks and their habitat.

“The rally showed that Minnesotans share a common value—our state’s wetlands, wildlife, forests and lakes. We sent a message that we must do better in protecting our natural resources and preserving our outdoor experiences,” he said.

The rally also demonstrated that collaboration begets collaboration. After the rally we joined forces with the Orange Hat Brigade and helped organize local Wetlands Brigades (groups of concerned citizens that focus on a specific wetland). The rally also yielded a database of thousands of supporters eager to participate in future wetlands protection efforts.

“Types of activities are certainly needed in the state,” said Roger Pederson, Manager of Conservation Programs for Ducks Unlimited. “The Duck Rally called attention to the fact that state land use policy is heading in the wrong direction. MCEA has been leading the way on a lot of these issues and now sportsmen are starting to catch up with it.”

Roger Pederson of Ducks Unlimited

Looking to the Future: Clean Water Legacy Act
The Duck Rally also galvanized additional support behind yet another MCEA-led collaborative effort, the Clean Water Legacy Act. MCEA stood with more than 100 groups of varying interests—including the Minnesota Chamber of Commerce, the Farm Bureau, and the League of Minnesota Cities—to support the act, which would provide $80 million per year to test and clean up Minnesota’s polluted waterways.

In the 2005 legislative session, MCEA helped the landmark conservation proposal through committees and meetings armed with customized maps, communications with major media and hundreds of hours of lobbying. Despite a monumental effort by many supporting groups, the Duck Rally coalition and politicians, Clean Water Legacy did not pass because legislators and the governor could not find a palatable funding mechanism or the political will to pass the bill.
"Clean Water Legacy is a combination of doing the right thing for the environment and making sure we’re staying on top of the economy."  

Representative Dennis Ozment

MCEA will remain on the job at the legislature and at the forefront of collaborative efforts to pass a Clean Water Legacy bill.

“Clean Water Legacy is a combination of doing the right thing for the environment and making sure we’re staying on top of the economy,” said Rep. Dennis Ozment (R-Rosemount), who sponsored the bill in the state House of Representatives. “MCEA should be complimented for its willingness to sit down with the variety of players who worked on the issue. When you can get the Chamber of Commerce sitting down with the League of Cities sitting down with the environmental groups, that’s a very good thing.”

Reputation for Success

Our overall strategy is simple: Leave no stone unturned on behalf of Minnesotans who care about clean air, clean water and our outdoor heritage. That’s what it takes to make a difference.

People call MCEA seeking help in protecting a valued wetland or other resource, knowing they lack the time and expertise to take on this kind of battle on their own. In these cases we identify the best opportunities to accomplish something important and step forward with the tools to succeed, explained MCEA Advocacy Director Mark Ten Eyck. “That’s our niche—leveling the playing field in the legal, scientific, communications and legislative arenas where decisions are made,” he said.

It’s all made possible by Minnesotans like you, who join with us and make a commitment to preserve our state’s quality of life by creating a clean and healthy environment now and for future generations. We are grateful for your support.

Water Quality

• Won a Minnesota Court of Appeals decision upholding the law prohibiting degradation of the state’s “Outstanding Resource Value Waters,” thus overturning the Minnesota Pollution Control Agency’s (MPCA) permit for new wastewater discharge to the Rum River.

• Won a U.S. District Court decision requiring the U.S. Environmental Protection Agency and MPCA to rewrite a flawed cleanup plan to reduce fecal coliform bacteria in southeastern Minnesota’s rivers and streams.

• Won a Minnesota Court of Appeals decision prohibiting new pollution discharges to already-impaired waters, thus stopping a joint wastewater treatment plant permit for the cities of Annandale and Maple Lake that would have increased phosphorus in Lake Pepin.

• Exposed the disproportionate role industry polluters played in diluting the state’s plan to clean mercury from our waterways through an investigation of MPCA’s internal documents.

Land Use and Transportation

• Helped launch and manage goMinnesota!, a campaign to build support for improved public transportation, and participated in Transit Partners, a coalition supporting funding for transit needs, which resulted in a constitutional amendment to dedicate 100 percent of the proceeds from state motor vehicle sales taxes to roads and transit.

• Supported successful legislation to provide $101 million for road and transit projects, including the Northstar Commuter Rail Line, Central Corridor, Red Rock Corridor, Rush Line and Cedar Avenue.

• Worked with community organizations to modify plans by the City of St. Paul Park for a large residential and commercial development on land protected by the Critical Areas designation for the Mississippi River.

Public Health

• Forged a partnership of business and government interests, as co-chair of Clean Air Minnesota, that funded the retrofit of 15,000 school buses with diesel engine emission control equipment.

• Negotiated an agreement with an iron nugget manufacturer requiring public involvement in the development of mercury and nitrogen oxide pollution reduction measures at a commercial-scale demonstration plant on the Iron Range.

• Submitted comments on the Department of Agriculture’s final Pesticide Management Plan. Although the department did not adopt our recommendations, it invited MCEA to apply for a place on the committee that will oversee the plan’s implementation.

Wildlife and Natural Resources

• Passed in the 2005 capital bonding bill funds for flood damage reduction and natural resource enhancement projects in the Red River Valley, as well as dam removal work in four counties.

• Completed the initial development phase for a computer model to evaluate proposed timber harvesting against criteria for attaining the “range of natural variation” on forest lands in Minnesota. It will be used for the first time on a logging proposal along the Echo Trail near the Boundary Waters Canoe Area.

Clean Energy

• Encouraged the installation of equipment at Rochester Public Utilities to reduce coal emissions at the Silver Lake Plant. MCEA filed a federal court appeal to obtain such emissions reductions in January.

• Opposed expansion of the Big Stone coal plant in South Dakota, which serves Minnesota, because it would double the amount of global-warming pollution already produced by the plant.
2005 Donations

MCEA thanks all our members and supporters whose generous contributions make our work possible. Every gift, whether $10 or $10,000, makes a true difference for Minnesota’s environment and we sincerely appreciate every one. Some limitations prevent us from listing every donor, but we would like to recognize those whose contributions from July 1, 2004, to June 30, 2005, totalled $100 or more.

MCEA has become the ‘go-to’ organization in Minnesota when policy makers seek information on a variety of environmental issues. As a result of their credible track record, their environmental research is widely referenced by policymakers affecting the environment in Minnesota and nationwide.”
The biggest reason we continue to support MCEA is that our voice on MCEA, our voices are heard and we see good environmental legislation opposed to what we feel are good environmental practices. Through conservation issues is drowned out by lobbying on behalf of those...
2005 Audited Financial Statements

Information based on the certified audit by Sherry D. Heffernan, Ltd. Complete audit available upon request.

Statement of Financial Position  
Year Ended June 30, 2005

Assets  
- Cash & Certificates of Deposit $1,117,152  
- Unconditional Promises to Give 521,803  
- Endowment 868,033  
- Other Assets 19,080  
Total Assets $2,526,068

Liabilities and Net Assets  
- Accounts Payable & Accrued Expenses $109,615  
- Unrestricted Net Assets 881,495  
- Temporarily Restricted Net Assets 987,351  
- Permanently Restricted Net Assets (Endowment) 547,607  
Total Liabilities and Net Assets $2,526,068

Statement of Activities  
Year Ended June 30, 2005

Support  
- Individuals $849,988  
- Corporations $9,740  
- Foundation Support* $909,066  
- Workplace Giving $27,463  
- Earned Income $130,989  
- Net Gain on Investments** $59,306  
- Special Event, Net of Expenses $74,665  
Total Support $2,061,217

Expenses  
- Program Expenses $1,434,699  
- Management & Administration $27,463  
- Fundraising $110,848  
Total Expenses $1,662,747  
Increase in Net Assets $398,470

2005 Sources of Support

- Individuals 41%  
- Foundation Support 44%  
- Workplace Giving 1%  
- Earned Income 6%  
- Interest 3%  
- Special Event 4%  
- Corporations <1%

2005 Operating Expenses

- Program Expenses 86%  
- Management & Administration 7%  
- Fundraising 7%

2005 Program Expenses

- Clean Energy 6%  
- Embrace Open Space* 15%  
- Water Quality 12%  
- Land Use & Transportation 29%  
- Wildlife & Natural Resources 15%  
- Public Health 23%

* These amounts include multi-year grants. In accordance with generally accepted accounting principles, revenue is recognized in the year the grant is awarded, even though the related expenses will be incurred in current and future years.

** Net Gain on Investments includes investment income of $41,080 from the endowment funds. This income is not available for general operations until it is released by the Board of Directors.

* In fiscal year 2005, MCEA participated in Embrace Open Space, a public education campaign sponsored by The McKnight Foundation.

Board of Directors

Chloeachi From Top: Jan Goldman-Carter, Jim Perry, Dee Long, Kent White, Bob Duren, Roger Holmes, Gene Christenson, Steve Thorne, Doug Kelley, Kim Carlson, and Vanja Hogen (not pictured: Cecily Hines, Dale Swackhammer, Mary Harak Binger, Chuck Dayton, Jan Green, Sally Nettleton, Angus Vaughn and Michael Kleber-Diggs)

Lew Beccio, Database Administrator
Martha Brand, Executive Director
Janette Brimmer, Legal Director
Amy Conner, Communications Assistant
John Curry, Legislative Director
Randall Cutting, Geographic Information System Manager
Else Diedrich, Communications Director
Jim Ekel, Land Use and Transportation Program Director
Beth Goodpaster, Energy Program Director
Kasey Kester, Legal Secretary/Administrative Assistant

Sharon Kunau, Administrative Assistant
Jeri Lu Mattson, Financial Manager
Paul Norton, Forestry Advocate
Kris Sigford, Water Quality Program Director
Sandy Taufner, Administrative Director
Mark Ten Eyck, Advocacy Director
Henry VanOffelen, Natural Resource Scientist
Kerry Walsh, Development Director
Joan Wells, Development Associate
Samuel Yamin, Public Health Scientist

Back Row: Matt Norton, Elise Diedrich, Joan Wells, Kris Sigford, Janette Brimmer, Sandy Taufner, Jan Lu Mattson, Kerry Walsh, Mark Ten Eyck, Beth Goodpaster, Randall Cutting, Amy Conner
Front Row: Samuel Yamin, Jim Ekel, Shawn Kunau, Henry VanOffelen, Martha Brand (not pictured: Lew Beccio, John Curry and Kasey Kester)

Staff

Clockwise From Top: Jan Goldman-Carter, Jim Perry, Dee Long, Kent White, Bob Duren, Roger Holmes, Gene Christenson, Steve Thorne, Doug Kelley, Kim Carlson, and Vanja Hogen (not pictured: Cecily Hines, Dale Swackhammer, Mary Harak Binger, Chuck Dayton, Jan Green, Sally Nettleton, Angus Vaughn and Michael Kleber-Diggs)
The Minnesota Center for Environmental Advocacy (MCEA) is the legal and scientific voice protecting and defending Minnesota’s environment. We fill a critical niche in Minnesota by combining legal action and legislative work with science and communications to hold government accountable and enforce current environmental laws.

At the heart of our mission is a reverence for nature and a fundamental commitment to sustain and enhance environmental quality for the benefit of future generations.