

INTERVIEW ABSTRACT

PROJECT TITLE: Minnesota Foundational Environmental Laws Oral History Project

NARRATOR NAME: John Herman

DATE OF INTERVIEW: 11/9/2016

INTERVIEWER NAME: Stephanie Hemphill

DATE and LOCATION OF INTERVIEW: Mr. Herman's home in Scandia

LENGTH OF INTERVIEW (hrs): 1:14

Attorney for MPIRG 1971-73, then partner w/Chuck Dayton; later did real estate development law. "It was a heady time because everybody wanted to be an author of some kind of environmental bill," including Republicans. Democrat Roger Moe suggested Republican Bob Dunn should have the honor of carrying MEPA because of Dunn's earlier work. MEPA was designed to streamline and smooth the process, not be an obstruction. Herman & Dayton changed bills to win support of Ted Shields (MN Assn. of Commerce & Industry). Compromise over EQB makeup yielded hybrid where agency heads try not to make too much work for themselves and citizens aren't paid enough. EQB did set up good rules. Now, it's harder to win MERA cases because projects include mitigation and because courts are more conservative. Considering alternatives and including mitigation has been inculcated in the culture a bit, but there's unfulfilled promise in both these laws.