New Guidelines for Fighting Discrimination in Public Contracts

by William L. Wilson

Whenever public officials attempt to end discrimination in the marketplace, they take a significant risk. How far can affirmative action go before it becomes reverse discrimination? Do set-aside programs provide equal access to competition, or do they eliminate it altogether? How does a government body determine the existence and the extent of abuses that need to be remedied, and how will they know when their work is completed? None of these questions are easily answered, but still there have been very few guidelines established for local governments to follow when taking corrective action in the awarding of public contracts.

Making this policy area especially treacherous was a 1989 United States Supreme Court decision in the case of City of Richmond, Virginia v. J.A. Croson. The city of Richmond had adopted legislation requiring at least 30 percent of all public contracts to be awarded to racial minorities and was sued for discrimination by a non-minority contractor. The Supreme Court found that Richmond's program was in violation of the Equal Protection Clause of the Fourteenth Amendment. Subsequently, and somewhat prematurely, most public jurisdictions across the country abandoned their minority-contractor hiring programs in order to avoid potential lawsuits.

Some Minnesota authorities were among them. The City of St. Paul had a set-aside program for minority and women business enterprises (MWBEs) instituted in 1976 and bolstered with an increased budget and staff in 1982.
Ramsey County had a similar program established in 1979. Independent School District #625 in St. Paul, formerly compliant with the city and county’s affirmative action programs through a Joint Purchasing Office, had its own purchasing office and set-aside goals established in 1985. But, based on the Croson decision, all three of these jurisdictions suspended their affirmative action programs by 1992 in favor of race- and gender-neutral policies that targeted small businesses. Although assistance to small businesses indirectly provides some assistance to MWBEs, the specific mandates for the hiring of minorities and women disappeared.

What made these policy reversals premature, however, was that the original set-aside programs may have been perfectly legal. In the Croson decision, the Supreme Court made it quite clear that despite the unconstitutionality of the Richmond program, public jurisdictions do have the authority to address identified discriminatory practices and, moreover, that a municipality has a compelling interest in remedying discrimination, including the use of race-conscious remedies under certain conditions. These conditions are that the compelling government interest must be demonstrated, the remedies must be narrowly tailored, and the program must be limited to the geographical boundaries of the enacting jurisdiction.

Further, the court allowed that when there is a significant disparity between the number of able, willing minority contractors available and the number of contracts they are awarded, there does not have to be a showing of de facto discrimination but only a prima facie showing. In other words, when there is a disparity in the numbers, discrimination needs only to be inferred rather than proven in order to justify corrective action, particularly when taken in combination with anecdotal and historical evidence of discrimination. Based on these guidelines, a number of authorities nationwide began initiating disparity studies in order to establish a solid legal foundation for MWBE set-aside programs.

Here in St. Paul, the Post-Croson Project was created in 1993 for this purpose by the Disparity Studies Joint Powers Board. Chaired by myself, the board also consisted of two representatives from each of the three participating jurisdictions: Ramsey County, the City of St. Paul, and Independent School District #625. Initially, the project was to be completed jointly with Hennepin County, The City of Minneapolis, and the Minneapolis Public Housing Agency, but these groups withdrew to conduct their studies independently.

For this project to be successful, several things were needed: first, an examination of other communities that had performed disparity studies in the area of public contracting; second, an evaluation of the hiring practices of several Twin Cities-area public jurisdictions to assess the need for antidiscrimination efforts; third, public hearings among minority and women businesses to gather anecdotal evidence of marketplace conditions; and finally, thorough recommendations for the design and implementation of anti-discrimination policies if found to be necessary.

Nationwide Patterns
To keep abreast of developments across the country in this area, and for guidance in the development of our own project, we reviewed disparity studies conducted in New York City; Seattle, Washington; Maricopa County, Arizona; and Phoenix, Arizona. Site visits were used in each case, and the above agenda for our project closely matched the methodologies used in each of these various studies.

The New York City Disparity Study revealed that qualified MWBEs received a significantly smaller share of contract dollars spent by the city than would reasonably be expected based on their general availability in the market area. These disparities were shown to have occurred among all major racial and ethnic groups—including African Americans, Asians, Hispanics, and American Indians—and among women, and they
were found to exist across the major industries enjoying the city’s business: commodities, construction, and personal and professional services. In many cases, women and the major racial minorities received, as groups, less than half of their expected contract dollars.

Although there was quite a deficiency of records for both Phoenix and Maricopa County, there were enough data to show a definite under-utilization pattern of MWBEs. Coupled with anecdotal testimony from affected minority and women business owners, a sufficient case was made for the establishment of MWBE programs in both jurisdictions. In Phoenix, disparities were also shown in the rate of business formation, with minority businesses being formed at approximately one-eighth the rate of White-owned businesses. In Seattle, as well, minorities received only 44 percent, and women roughly 20 percent, of the contracts that would be expected in a non-discriminatory environment.

The Local Situation

On June 6, 1995, the Disparity Study Joint Powers Board entered into a contract with BBC Research and Consulting to conduct a disparity study of MWBEs for the jurisdictions of Ramsey County, the City of St. Paul, and Independent School District #625. By assessing the condition of minority- and women-owned businesses and then comparing their availability with the local procurement contracts they received, the study would determine whether it would be legally possible in each area to institute affirmative action programs.

An examination of 1987 U.S. Economic Census data revealed significant disparities between the revenues of MWBEs and their White, male counterparts in the eleven-county Twin Cities metropolitan area (Figure 1). African American-owned businesses reported an average of 56 percent of the annual revenue of the average White-male-owned business, Asians 63 percent, American Indians 51 percent, and Hispanics only 27 percent. Women-owned businesses reported 33 percent. When these disparities are computed as actual dollars, the loss of revenues to these communities is severe: Hispanic-owned businesses generated an estimated $62 million less in annual revenues than would have been expected at the same contract rate as White-male businesses, Asians $78 million dollars less, African Americans $88 million, American Indians $12 million, and women a staggering $4.4 billion.

From 1985 to 1994 in Ramsey County and the City of St. Paul, and from 1988 to 1994 in Independent School District #625, approximately 2 percent of the combined prime contracts awarded by all three jurisdictions went to minority-owned firms, and approximately 3 percent to women-owned firms. In assessing the availability of MWBEs, or the number that are willing, able, and qualified to perform on a contract, we used information from the U.S. Census Bureau, telephone surveys, and bidder lists provided by the jurisdictions. None of these data sets alone would be sufficient for this type of study, but when taken in combination, a fairly comprehensive picture of marketplace activities began to emerge. Juxtaposed with the numbers of actual contracts awarded, the availability data showed, with few exceptions, at a 95 percent level of confidence, that all three jurisdictions gave evidence of both passive and active discrimination against MWBEs in all the major public contracting industries.

Interestingly, there was a sharp decline in the amount of business done with minority firms following the Supreme Court’s Croson decision, issued in 1989 (Figure 2). Prior to this, minority businesses received some $15 million in prime contracts from the three jurisdictions, and afterward that amount fell to $8.7 million, a 42 percent drop in business. Over the same period, transactions with women-owned businesses increased from $9.1 million to $27.2 million, an increase of almost 200 percent. Although the amount of business done with both still showed disparities with White-male-owned businesses, these data strongly suggest that there has been intensified discrimination against minority firms and a lessening of discrimination against female-owned firms since the Croson decision.

Public Hearings

The Disparity Study Joint Powers Board also contracted with the University of Minnesota Law School’s Institute on Race and Poverty (IRP) to design and conduct public hearings on marketplace discrimination in the Twin Cities area. Two hearings were held on January 11th and 22nd, 1996, in St. Paul, with over thirty individuals from all relevant groups providing sworn or written testimony. On this basis, independent of the previous statistical findings of BBC Research, the IRP found that all three jurisdictions were at least passive participants in a discriminatory marketplace.

Racial harassment on the job. A minority contractor described situations where non-minority contractors who were forced to hire minority subcontractors under a legal requirement would deliberately harass the subcontractors in an effort to force them off the job, often creating bogus disputes about the quality of their work and then withholding payments due. This tactic could be extended for a period of months, making it virtually impossible for the subcontractor to pay his employees.

A minority owner of a construction firm in business for over fifteen years testified of harassment he had faced while working as general contractor on a project for the City of St. Paul. The city inspector, contrary to normal procedure, demanded

Figure 1. Average Annual Income of Twin Cities Area Businesses by Type of Owner *

* Numbers are for the eleven-county Twin Cities Standard Metropolitan Statistical Area (SMSA).
and as a result of his persistence the document reappeared a few days later, at which time he was informed that he had been under-bid and the contract was awarded to the firm that previously held the contract. The minority contractor suspected at that point that his bid had been “shopped,” or illegally shared with the other contractor as a way of getting a lower bid, particularly in view of the fact that his competition underbid him by less than 1 percent on a contract of $850,000.

The contractor protested and was given some non-bid contracts with the corporation in exchange for his silence, which he accepted as a way of getting his foot in the door. But soon a change in management occurred within the corporation and, almost immediately, he began receiving conflicting information about job assignments and negative evaluations of his work. He successfully challenged the action of corporate management through their compliance office, but, according to the contractor, the management decided that because of the informal nature of his contract and what they saw as their potential exposure, it was better for them to allow his contract to lapse rather than sanction the manager responsible for the discriminatory action. The contractor did not sue the corporation because he felt that it would have a long-term negative effect on his ability to get work in the industry.

Another minority contractor testified about general contractors shopping his bids to his non-minority competitors, something he knew to be true because, on occasion, he would be informed of this practice by White contractors who did not participate in nor appreciate these practices. The contractor stated that he reported these incidents to the appropriate contracting public jurisdictions, but they said they were powerless to regulate the subcontracting activities of general contractors.

Predatory business practices. A minority business owner who operated a trucking business for eleven years testified that after expanding his business into the area of truck brokering, his two largest competitors colluded with a large contractor to disrupt his business. The contractor ordered trucks from the minority broker, then immediately used his competitors to fill the same demand and canceled the original orders. According to the broker, this became a repeated pattern which created complete chaos for his business and eventually drove him out of business.

In the area of product pricing, a minority business owner won a seven-figure contract with the State of Minnesota and the University of Minnesota to supply them with light bulbs and lamps. As distributor for a large manufacturer, he negotiated a fixed price with the manufacturer, but the manufacturer then granted one of his competitors—who had previously held the contracts—a favorite son price which was even lower. The to review all subcontracting bids and instructed him not to accept two minority bidders because the inspector found them inadequate. The contractor was then forced to hire two non-minority bidders at a substantially higher cost. Given that the city inspector had no authority to dictate subcontracting decisions, it was the opinion of the general contractor that the inspector had allowed his perception of the inability of minority contractors to perform on the job to conflict with normal business practice, and the contractor acquiesced to the demands only from fear of losing the contract.

Bid shopping. A minority contractor also testified that he submitted a timely bid on an annual maintenance contract with a large Twin Cities corporation. When inquiring about the status of the contract after the bid process had closed, he was informed that his bid had apparently been lost in the mail. He insisted otherwise,

Minority business owners competing for government contracts testified to a wide variety of discriminatory practices in public hearings held in St. Paul in 1996.
More reliable enforcement of affirmative action laws would relieve many minorities and women of the burden of fighting discrimination themselves.

Additionally, he testified that the school admits only persons between the ages of sixteen and twenty-four, which he believes to be in violation of the age discrimination law.

This contractor also made the point that working for, or being sponsored by, a contractor is a prerequisite for admission to the school, and therefore many black males cannot attend the school because general contractors will not hire them. Given these types of barriers, as he stated, many young black men interested in the construction trades resort to working short-term jobs as a way of building up some work history and skills. But, over an extended period of time in these alternative arrangements, many of the young men very quickly find themselves beyond the cutoff age for admission to the apprenticeship school. Though skilled, they have no formal apprenticeship record, which literally forces them into a long-term situation of earning below their skill level and doing so without the benefits of insurance and retirement plans.

Recommendations

Based on the combined findings of BBC Research and Consulting, sworn testimony provided at the public hearings, and subsequent analysis by the Institute on Race and Poverty, the board concluded that each of the three jurisdictions—Ramsey County, the City of St. Paul, and Independent School District #625—met the legal standard of having the compelling state interest necessary to institute corrective action programs for racial minorities and women. This finding applied to nearly all the industries involved in public contracting, to nearly every racial group, and to women in each jurisdiction (Table 1).

The board also felt that there was a troubling possibility that policymakers could unknowingly implement programs that either were insufficient to redress the unfair discrimination or which exceeded the findings of the study and therefore would be subject to a legal challenge similar to the Croson case. As a result, we created a framework of guidelines, in sixty-six specific recommendations, for any jurisdiction to use in the designing of corrective programs. Following are some of the most important of them.

Outreach to MWBEs. Jurisdictions must publicize their programs to potential MWBE firms. Mass media advertising, seminars and trade shows, and a telephone help line are a good start. In relation to particular contracts, they should better advertise bidding opportu-
nities, maintain a bidder list of minority firms, and develop systems for immediate notification. We also recommend publishing a subcontracting and supplier directory for firms after contracts are awarded.

**MWBE business development.** For minority businesses that lack the training or access necessary for success, jurisdictions should provide appropriate referrals to training programs and technical assistance, in addition to funding existing training organizations. To foster relationships within an industry, they should also begin the practice of introducing minority and women subcontractors to suppliers and establish a mentor or protégé program to pair small, emerging firms with larger, well-established firms.

**Improvement of contract procedures.** One of the contracting elements most punishing to MWBEs is the requirement of security bonds to bid on projects. The Phoenix and Maricopa County disparity studies, discussed earlier, reported some of the largest disparities for minority and women hiring, and these two jurisdictions also had by far the most restrictive and inflexible bid bond requirements. But the perception often held of these requirements as a guarantee of reliability has been called into question by a bonding study done in conjunction with the New York Disparity Study which found that many contractors, both large and small, simply did not bid on jobs that required bid bonds, yet these firms’ rates of defaulting on a job were on average only 0.6 percent higher than the rates of bidding firms. Given also that smaller firms pay disproportionately more for bonding than do higher revenue firms, we recommend that jurisdictions allow more discretion in waiving bond requirements altogether, or, at the least, consider bonding in phases.

When bonds are still required, we recommend the change made by Maricopa County, Arizona, with encouraging results. It requires that a good faith effort be made to assist an MWBE contractor in securing the financial assistance necessary for a bond bid, and backs the requirement with a reliable enforcement program. Also, for many firms the cost of insurance is not proportionate to a firm’s volume, and therefore the access to insurance should be equalized by more closely matching the insurance level with the actual degree of risk. Finally, to increase opportunities for small firms, the amount of time allotted for the receipt of contract bids should be increased, the size and scope of contracts should be reduced, and unnecessarily restrictive contract specifications such as high-priced brand preferences should be eliminated.

**Reliable enforcement.** Minority and women business owners increasingly have found themselves needing to become aggressive advocates for addressing the enforcement failures of a program, which in effect puts them in direct conflict with the very businesses with which they need to develop networking relationships. Consequently, these programs are often seen by the broader business community as simply a legal requirement rather than a corrective social statement which, in turn, increases the likelihood of MWBEs being thought of as affirmative action businesses or tokens.

An excellent example to follow in alleviating this condition is the city of Seattle, which linked its MWBE program directly to its civil rights enforcement agency, thereby elevating the program’s activities to the level of civil rights while simultaneously providing a legal mechanism for its enforcement. In Seattle, the city’s human rights director is given both broad powers to demand compliance with the program’s provisions and the responsibility for educating the community about the benefits of the MWBE program.

In addition, any government body issuing contracts must ensure that its existing anti-discrimination laws are strictly enforced, including the requirement of prompt payments and the full disclosure of all subcontracting bids to a governmental authority in order to reduce predatory business practices. This would be complemented by the establishment of reliable tracking mechanisms for the hiring of, and the payments to, MWBE subcontractors. And, to ensure access to government contracting, jurisdictions could set flexible target goals for the hiring of MWBEs.

**General administration and review.**

A fair and accurate assessment of which firms should be entitled to MWBE benefits is fundamental to all of these recommendations. With any program there should be developed a uniform set of standards for certifying the eligibility of a minority- or female-led business, and along with it must come adequate sanctions for violators. Jurisdictions should also consider the development of a single regional certification procedure incorporating as many public and private agencies as practicable.

A program must also have a review framework capable of accurately assessing problems in the system. The policies must be both effectively tailored to respond to specific disparities and periodically reviewed so that ineffective remedies may be promptly updated. A jurisdiction should provide guidelines for the discontinuance of all programs after their stated goals have been met, and each program and activity should contain mechanisms that signal its own end. Finally, as numeric data play a critical role in any remedial effort, so too does anecdotal information, and programs typically dependent on numeric data must make an effort to look at anecdotal information as well.

**Implementations.**

The Disparity Studies Joint Powers Board held its final meeting on September 12, 1996, at which time it submitted its final report to the St. Paul City Council, the Ramsey County Board of Commissioners,
and the St. Paul Board of Education. The board also recommended that action to implement the remedies outlined in the report be taken within ninety days of its acceptance. Given that this study shows there have been obvious violations of the law, failure to institute corrective programs such as those we recommend demonstrates a willingness to continue to perpetuate unfair discrimination against minority and women citizens.

On August 20 and September 16, 1997, the city and the county respectively adopted versions of the programs recommended in our report, and it was very recently reported that the Board of Education plans to adopt its own program early in 1998. In the two completed adoptions, however, there is a remarkable difference. Ramsey County complied with sixty-four of our sixty-six specific recommendations, while St. Paul complied with only twenty. Those accepted by St. Paul appear to represent each of the major areas outlined above—mass media advertising, providing feedback to unsuccessful bidders, lengthening the lead time on contract bids, and setting flexible hiring goals for MWBEs, to name a few—but they mostly omit many large areas of concern such as providing support services, increases in training and financial assistance, requiring improvements in contract specifications, and involvement of the Human Rights Department.

Furthermore, one of the biggest differences between the city and county programs is that the City of St. Paul’s program assists not only MWBEs but also economically disadvantaged businesses, although no disparity studies have been conducted by the city to show any record of discrimination against businesses designated as economically disadvantaged. Many minority and women business owners have expressed displeasure over this inclusion, feeling that a program established to address their problems is only diluted by adding large numbers of other businesses to the pool.

In support of their position, the critics cite the 1996 annual report of the Targeted Vendor Development Program, which found that MWBEs represented only 34 percent of all businesses certified by the city as targeted vendors while economically disadvantaged businesses composed the remaining 66 percent.* This program had been created as a neutral way of assisting struggling businesses after the Croson decision, yet its only requirement for disadvantaged status was that the business be a small one, and, as the recent report shows, most of its beneficiaries have been White male-owned businesses. The City of St. Paul’s choices in implementing our recommendations suggest a desire to match their Targeted Vendor Program as closely as possible, thereby favoring the status quo over more extensive MWBE anti-discrimination efforts.

Despite our disappointment with the City of St. Paul initiatives, we are greatly encouraged by the actions taken by Ramsey County as a result of our post-Croson project, and we look forward to similar endorsement from the Board of Education. Ideally these districts will provide an example for other jurisdictions across the country seeking to provide fair opportunities for minorities and women but wary of overextending their efforts and becoming subject to a court challenge. We hope that they will now have the framework for legally-sound programs and can safely begin the work of combating discrimination.

Bill Wilson worked as coordinator of intercultural programs with CURA from 1969 to 1975. He served as Minnesota’s Commissioner of Human Rights from 1975 to 1979 and as a member of the St. Paul City Council from 1980 to 1993. He is now a research fellow with CURA and coordinator of Common Ground in the College of Education and Human Development at the University of Minnesota.

Wilson chaired the multi-jurisdictional Disparity Studies Joint Powers Board that met from 1993 through 1996 to oversee the post-Croson project described here. His time on the project was funded by a grant from the St. Paul Companies. Funding for the research of BBC Research and Consulting and the Institute on Race and Poverty (University of Minnesota Law School) came from Ramsey County, the City of St. Paul, Independent School District #625, and the St. Paul Port Authority. A more detailed account of the entire project (Final Report of the Post-Croson Project by William L. Wilson) is available from CURA upon request.

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A group of teenagers gather round an unusual statue in a graveyard, telling tales of how the strange monument came to be. A town resident shows visitors an old cave, entertaining them with an anecdote about how it got its name. The stories they tell, passed on from person to person, independent of mass media, schools, or churches, are the stuff of folklore. This oral tradition, often dismissed as outdated nonsense, is a mirror of our cultural values. Like anywhere else, Minnesota is rich in folklore.

Everyone knows and passes on folk tales, whether they are urban or rural, professional or blue collar, old or young, although different stories become relevant at different times in our lives. This article examines a number of tales about places in Minnesota, tales that are current across the state. My purpose is not to mine the history books for stories that have died out, but rather to find those that people still tell.

All the tales quoted here come direct from the source. They are stories that college students have collected from each other, and from their friends and families, over several years of folklore courses at the University of Minnesota in Duluth.

Stories of the Unusual

Minnesota, like any region, has hundreds of current legends tied to specific locations. Unusual houses, cemeteries, and lonely bridges are the kinds of places around which folk tales develop. At the heart of many local legends is an attempt to explain the unusual—something that does not quite belong or differs from the things around it.

Cemeteries are full of grave markers, yet only one or two are likely to have stories attached to them. In New Ulm, in a cemetery rich with interesting markers, one stands out. It is a statue of a boy dressed in a formal suit, standing casually, one leg crossed over the other. To look at the statue is to inevitably wonder, Who was he? How did he die? Why is this grave marker so personal and touching? In the absence of clear historical information, our impulse is often to fill in the blanks.

A visit to the Brown County Historical Society will tell you the history of the boy, Thomas Amon Peterson, eight-year-old son of Senator and Mrs. S.D. Peterson. He was known as Allie, and that name is on his grave-marker. He died from “enlargement of the heart” in 1883, in spite of his parents’ and doctors’ efforts to...
save him. The historical society has a photograph, which the bereaved parents used as a model for the statue.

Local folklore tells us a different story, however:

Back in New Ulm, there’s a fenced-in statue of a boy within a cemetery. It is rumored that the boy was a straight A student and was very proud of that fact, but killed himself one day after receiving a bad grade. It is claimed that the fenced in area surrounding the statue is haunted by his restless spirit. Anyone who enters this domain risks being cursed by some sort of failure. No one I know has actually tested this claim for obvious reasons. But everyone seems to believe it unquestioningly since they heard that someone else who knows someone that did test it is now miserable and they aren’t willing to try it themselves.

The college student who told this story described how it came up in a dorm room discussion about exams and grades, and the dire consequences of failure, and how telling it reminded her of home, and simpler times. In the Allie tale, the sad, but not uncommon, reality of a child’s early death is translated into a tragedy that helps us explore our fears associated with pressures to succeed. Folk legends, then, are not just about a place itself, but about the particular concerns of the people who tell the legends—in this case, students who worry about grades and who miss home.

Not surprisingly, the boy’s statue has become something of a pilgrimage site for local youths, who bring Allie offerings of flowers and challenge him to step down from his pedestal. It has become a site for the classic legend trip—more on this later. The unusual is not explained away randomly, but in legends that address particular concerns and fears. Like Allie, many legends explore the death of children. Our expectations tell us that young children should not die, and the folk imagination tries to cope with such reality by telling tales about it.

Near Granite Falls and Montevideo is the Swensson farm, a site that is now open for tours because of its historic interest. The Swensson farm is unusually large for its age and location, and it stands alone, with few other buildings nearby. Perhaps most significantly, it has its own little family grave plot, where a group of headstones testify to the lives and deaths of the family during the nineteenth century. Graves in the wrong place inevitably invite speculation, and in the twentieth century, graves do not belong next to a family farm. Furthermore, some of the headstones are clearly those of children; while deaths of young children were quite common in the last century, they have become progressively less so.

So once again, our imaginations fill in the blanks. Some of the stories about the Swensson farm are fairly conventional ghost tales, incorporating a murder and a haunting. The house is now open for tours, except, the story goes, for an upstairs bedroom:

Some say that a murder was committed in the bedroom. Others say the woman to whom it belonged witnessed a horrible crime and went crazy up there. She simply locked herself in and eventually starved. No one ever went in after she originally locked the door....Some nights the figure of a woman all dressed in white can be seen there and looks out over the farm.

Other versions focus on the deaths of the children. In these tales, the deaths caused their father to go mad with grief. He was especially distraught by the death of his son, and in order to be closer to the boy, he dug a tunnel from the farmhouse to the boy’s grave. He would clamber through the tunnel every night so that he could talk to his son.

We can see how in this tale, the tragedy of the real children’s deaths is dramatized, and the unusual proximity of the graves to the house is explained by an eccentric plan devised by a father driven to the point of madness by grief, as perhaps any of us might be. The tunnel becomes a symbol of the passage from life to death, which can only be traveled so far, until one’s time comes. Thus, real history is transformed into folk legends full of human drama and emotion. Even when there is almost no historic event to answer the question, Why is it there?

In the small town of Janesville, there is an old house on the main street whose window has invited speculation for years.

In the window, you can see the figure of a mannequin or large doll, gazing down on the town park. Why is it there? What does it mean? Folklore, like nature, abhors a vacuum, and will piece together the picture to create a full explanation.

According to a local newspaper article, no one knows for sure why the mannequin is there, only that it has been there for years. What do the townspeople say? According to one story, the couple who once lived in the house, many years ago, had a young daughter. One day, they left her in the charge of a neighbor, who allowed her to play unattended in the nearby park. Playing on the swing, she became entangled in the rope and stranded to death. Her parents placed the doll in the window of their house as a constant reminder to the neighbors of how their neglect had cost her life.

Other residents tell of how the mannequin is to remind the townsfolk of a child, sometimes described as retarded, who was abused and killed in the attic bedroom. And yet another story tells of how a woman, grief-stricken at the death of her husband, became crazy and kept the mannequin in the window, thinking it was him.

We can see how in this tale, the total absence of historic evidence results in a freedom to create reality. But people have not created just any story. In all the versions of the folk legend, people have picked up on emotionally-charged motifs that are explored in the narrative. Once again, there is the theme of a young child who died an untimely death in a tragic way. The stories warn us about either leaving a precious child unattended, or standing by while a child is abused. The doll stands as a witness to the horrors that might befall our own children. And

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Center for Community and Regional Research

This study of folk legends in Minnesota originated in the Center for Community and Regional Research (CCRR) on the Duluth campus of the University of Minnesota. The center encourages and supports social, scientific, and humanities research in northeastern Minnesota. CCRR projects link faculty and students with community agencies on research projects of local and regional significance. Projects provide an opportunity for UMD students to become actively involved in their community while learning specific research skills and general principles of planning and evaluation. Students work closely with faculty members who are ultimately responsible for the success of the project. Major student involvement is essential for project funding.

Project proposals come from UMD faculty. Many have been working with community organizations and see CCRR as a way to tackle important problems. The director and staff of the center encourage these relationships and often direct an inspired professor toward an appropriate agency (or vice versa). Base funding for the center is provided by CURA. CCRR and the community agencies involved in each project normally share project costs equally.

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even as local people agree that they do not know the real truth of the story, many believe that there is a truth, and it will be revealed when a time capsule, buried in the park during bicentennial celebrations in 1976, is eventually opened. This adds an extra twist to the mystery.

Legend Trips

Many local legends live on not only in the telling, but in activities that surround the site—activities known to folklorists as legend trips. These local legend sites are not dead, but are believed, with varying degrees of seriousness, to still house the spirits of the unfortunate individuals whose stories are now told.

Allie is said to come down from his pedestal on moonlit nights, to scare people. If you kiss him you risk death. The legend trip has two dimensions: the telling of the tale, followed or accompanied by a visit to the site, and certain tests of bravery. The trip may be a simple, brief visit during which stories are told and fears raised. Or it may be more elaborate, with almost ritualistic activity involving illicit alcohol or drug use, occasional sexual experimentation, and vandalism.

Legend trips are, for teenagers, one of the few activities that are far outside adult control. The youths themselves set the terms. They determinedly set out to terrify themselves and test the boundaries of adult rationality. Legend trippers are usually between ages fifteen and twenty, from around legal driving age to legal drinking age. The car offers the freedom to roam their communities with their own rules and in the face of the authorities. Haunted sites are often difficult to find in the dark. Participants rely on vague directions given from memory, which increases the excitement of the car ride. Once there, they frequently mark out the boundaries of the site with graffiti and decoration, delineating it as their territory, set apart from normal reality.

The potent combination of drugs, alcohol, and fear—induced by the legend—offers a way to escape from the adult world. Folklorist Carl Lindahl writes, "At the center of the classic legend is the overlapping of two worlds, an intersection of the everyday and the supernatural." The legend trip takes the teenager away to a different reality, where everyday rules do not apply. The teen who pushes the limit by tripping the furthest, and getting the closest to the supernatural, gains status within the group. Evidence of this can be found at the sites themselves. Legend trippers have defaced and even removed tombstones, marking their progress with damage and graffiti, all, apparently, as a show of bravado in the face of the unknown.

A location in Stillwater, known as the High Bridge, illustrates the continuing power of the local legend. It is an impressive structure that spans the St. Croix river, 185 feet above the water, secluded from watchful eyes. A local history tells that the bridge was built in 1910 and 1911, and is half a mile long, supported by six piers. It was "a major engineering feat of its time." It is dizzyingly high, with guard rails only along one side. To reach it one must go down a dark and inre-
The High Bridge is a forbidding enough site on its own merits, but according to local teenagers, it is also haunted, having been the site of a terrible tragedy many years ago. Details vary, showing clearly the way oral tradition works on a core story over the years, adding and deleting new details. Most versions hinge on the appearance of a blue or green light, which, on dark nights, is said to move across the bridge. Usually, the story involves the fate of a night watchman or his young child.

The story goes on to say that the night watchman’s ghost walks across the bridge on the midsummer anniversary of his death. The ghost apparently carries a green lantern to light the way on his eternal trip across the bridge. Those unfortunate individuals who see this green light apparently end up dead the day after seeing it.

In another version the daughter of the night watchman is the central figure:

The story goes that around the turn of the century, Soo Line finished a bridge about six miles north of Stillwater. A family lived next to the bridge. The father told the young daughter to stay away from the bridge because she might get hurt. One day near dusk the little girl’s dog ran across the bridge so she grabbed a lantern and went to look for it. She saw a train coming and she tried to get back. When the father came home the girl hadn’t come back yet so the father went looking for her and found the lantern on the bridge. He didn’t know if she was dead or lost in the forest because he couldn’t find her body. He looked for her every night with that lantern until he passed away. It is said that if you go there on certain nights you can see the lantern going across the bridge.

In this version the grief caused by the child’s untimely death is the backdrop for the haunting. A third version was told by a man, now in his late twenties, who had heard the story first from his father. This suggests that the legend has been around for some time.

About one hundred years ago a boy and some of his friends went to the High Bridge and got really drunk. They dared each other to go across the bridge. They went across the bridge and while they were crossing back over one of the boys lost his balance and fell off the bridge into the water. It is said he died instantly and washed away down the river. So the boys all go home and get the father of the boy who fell in. The father goes back up to the High Bridge with a blue lantern and looks for the boy, but he can’t find him, so the father decides to commit suicide because he is upset about his son and jumps off the bridge. After this happened the area was blocked off and now no trespassing signs cover the area. Many people still continue to go up there just to park, drink, and try and cross the bridge. These people say they have seen the shadow of the father walking across the bridge with his blue lantern calling out for the boy. Others just look for the blue light or listen for the father.

This story seeks to account not only for the blue light, and the mysterious bridge, but also for the fact that authorities do try to restrict access to the site, which is posted no parking, apparently with the main purpose of keeping visitors away.

From all these variants, we can see how people constantly generate new
spins on a story whose core remains the moving light. We can also see that the stories live on in the activities of teenage legend trippers. Visiting a haunted site is an emotionally charged event, making the air electric with anticipation and fright. Even the doubters in the group will experience an adrenaline rush. As one participant put it, “I really didn’t believe in ghosts or anything, but when we got there I sure was scared.”

The High Bridge, like most legend sites, shows the signs of its ritualistic uses, with sections near the end of the bridge marked out by graffiti. The excitement of the ritual generates the bravado that leads teens to venture out along the railroad tracks, looking through the slats at the St. Croix River, almost 200 feet below their feet. Fortunately, perhaps, it also generates a fear of the supernatural that prevents all but the most foolhardy from going too far.

The Stillwater legends themselves interact with the energy of the moment, dramatizing many of the concerns that the teenagers are dealing with in their own lives. In one tale, the child did not listen to her father, and this caused her death. Legend trippers are just at the age where they are testing authority and parental boundaries; the trip itself is part of that testing. Thus the legend offers a challenge, which the youngsters act out. In another version the connection is even clearer—the boy who died was drinking, just like the present day legend trippers, and his father’s suicide was the result.

While legend trips dare teenagers to act against the adult world, they also provide an outlet for confronting their anxieties about death, a topic that adolescents are beginning to worry about. Adolescence is a time of many changes, both emotionally and physically, and these changes carry with them conflict and anxiety. Parents still try to exert their authority, and the teenager, while still needing that security, is trying to become independent. Legend trips are part of that growing need for independence, and for confronting danger and the reality of death.

It seems that almost every Minnesota community has its special, haunted site that allows youngsters to explore their fears and their independence. Genoa has the Devil’s Kitchen, an old, burned-out house where supposedly a baby died in the fire that destroyed the house. Trenton has a graveyard where lie the victims of a crazy axeman who wiped out the town “one cold November evening in the 1890s.” In Saint Cloud’s Calvary Cemetery is the Black Angel, a granite marker to a cruel man who murdered some children. “If you touch the angel you will awaken the spirit of the man and you have one minute to get out of the cemetery or something very bad will happen to you.”

In Duluth, teenagers recklessly court danger by jumping into the Lester River from a high railway bridge. Before trying it, they may tell tales of a high school student named Trod: “He went to East [High School] back in the seventies or sixties and was know for his gutsy jumps.” One day, perhaps broken-hearted when his girlfriend dumped him, he tried a double back flip. “He never came up for air after he hit, and people got spooked out. When the cops finally got to the scene, they could find no trace or remains of a body. The story goes that if you go there at night, sometimes you can catch the ghost of Trod haunting the water below.”

Haunted places and horror tales clearly function for teenagers as a way for them to assert their identity, differentiating themselves from adults and from other groups of adolescents. Knowledge of and participation in a legend visit may mark out students from one high school or community as distinct from another, or perhaps simply demonstrate which kids are cool or brave.

Ghosts and murderers, heroes and villains—these are just a few of the wealth of Minnesota legends that still flourish all around us. Folklorists have debated for years whether people really believe these stories of ancient origins and supernatural happenings. Most likely they do not, at least in the literal way they may believe the stories of the history books. Yet people continue to create and recreate these folk spins on the past. The meaning of folklore transcends the issue of literal truth—folk history is symbolic history. It is a tapestry of the fantastic, the might-have-beens, and the what-ifs, and the stories come truly alive only at the local site where they are told. Through folk legends, people are exploring their own community—their awareness of its past and the values it supports or rejects—and they are asserting their own sense of belonging in that community.
When Wild Rice is Cultivated

by W. Daniel Svedarsky, Jay T. Huseby, Richard D. Crawford

Wild rice is Minnesota's state grain, growing in slow moving rivers and shallow portions of many lakes, mostly in the forested part of the state. It is well known to be a favorite food of waterfowl and large numbers of ducks, geese, and swans have used wild rice stands as well as cultivated wild rice paddies since their initial development over thirty years ago. Certainly the potential existed for these "constructed wetlands" to add measurably to waterfowl numbers but few quantitative data have been collected. Also, since paddies are drained back to the source river to facilitate harvest in late summer, the effects of wild rice production on water quality have been a source of public concern.

Our study examined the behavior and breeding patterns of waterfowl that use wild rice paddies along the Clearwater River, eleven miles north of Gully in northwest Minnesota (Figure 1), and also analyzed water quality from several samples drawn from the river near these sites. Paddies are within two miles of the river and interspersed with pasture land, forests, heavy brush areas, and idle lands mostly enrolled in the Conservation Reserve Program, which maintains grass-cover. Data were collected during the field seasons of 1993, 1994, and 1995.

Wild Rice Production Practices

Wild rice is cultivated using selected varieties and production techniques developed by University of Minnesota researchers along with creative growers. Approximately 17,000 acres of cultivated wild rice paddies were in production in 1992, located mostly along the Clearwater River in northwest Minnesota, the Waskish/Kelliher area southeast of Upper Red Lake, and the upper portions of the Mississippi River basin in the north-central part of the state.

Typically, paddies have been developed in flat, peat soil areas near depend-able water sources, usually rivers. Paddy fields range from five to 300 acres in size and have perimeter dikes and adjacent ditches five to ten feet deep (Figure 2). In fall or early spring, water is pumped in and held at a paddy depth of ten to twelve inches until late June when the grain crop begins to mature. Some water (about six inches per month) is lost to evaporation and plant transpiration during the summer and the remainder is removed by interior ditches and/or a tile system to perimeter ditches and then back to the source river. Water levels are gradually lowered until late July and then fields are harvested with track-mounted combines, beginning in mid-August. After harvest, the crop residue is burned or plowed down, fertilizer is applied in late September or October, and, if possible, paddies are fall-flooded to stabilize the nitrogen fertilizer and prepare for the next growing season.

Cultivating wild rice is a typical agricultural operation involving seeding, fertilization, pest control, and harvesting, but there are some unique features. During the initial production season, a considerable amount of seed shatters before harvest but remains viable, so that subsequent crops do not have to be re-seeded; in fact, the "volunteer" crop has to be thinned with an apparatus attached to an airboat. Most paddies require one or two aerial applications of nitrogen at the time of peak growth, in addition to a fall application of fertilizer. The major pests are fungal brown spot and the rice head worm, which can be treated aerially with Tilt and Malathion, respectively, when problem infections occur.

Waterfowl in Wild Rice Paddies

During our study, we found that migrant waterfowl began using wild rice paddies as soon as open water was available in early April. Major species included tundra swans, Canada geese, mallards, blue-winged teal, northern shovelers, pintails, lesser scaup, gadwalls, ring-necked ducks, wood ducks, and canavasbacks. Densities averaged about 1.4 birds per flooded acre of paddy in the spring and 3.6 in the fall. Peak numbers were often greater than 8.0 birds per acre in the spring and 20.2 in the fall. Not only did the shallow, open water expanses provide attractive resting areas but core samples taken from the paddy fields after fall cultivation revealed that an average of 282 pounds per acre of excellent waterfowl foods were present. This food consisted mostly of wild rice seeds (65 percent), but also contained significant quantities of sago pondweed tubers and seeds (33 percent), and duck potato tubers (2 percent). We had expected to find the wild rice seed but not the large amounts of sago pondweed, another highly preferred waterfowl food. Tundra swans in particular are fond of sago pondweed and seeds, and duck potato tubers. We were particularly interested in the value of these paddies for waterfowl reproduction. Surveys in the 1970s indi-
cated that considerable numbers of breeding duck pairs were present on wild rice paddies, but follow-up work on how many ducklings were actually produced was not carried out. We recorded an average of thirty-seven breeding duck pairs per one hundred flooded paddy acres during the three-year study. A total of 380 nests of eight different duck species were monitored to determine hatching rates. Most nests were found in the expanses of upland grassy cover—mostly enrolled in the Conservation Reserve Program—located near paddies, some in the strip cover associated with paddy dikes, and some on islands within paddies. Over a third (38 percent) of these nests hatched and, when analyzed according to time exposed to predation, indicated a Mayfield nesting success of 26 percent. A Mayfield success of 15 to 20 percent is considered minimal for population maintenance, so this finding suggests that ducks nesting in proximity to wild rice paddies are adding to the continental waterfowl population.

In order to evaluate mortality, movements, and habitat use of duck broods, thirty-two hens and seventy-seven ducklings were equipped with radio transmitters. Hens were trapped on nests and ducklings were tagged shortly after hatching but before leaving the nest. Of the radio-tagged ducklings, 44 percent survived the first fourteen days (the period of highest mortality) with an estimated 42 percent reaching flight stage. Brood habitat use was concentrated along paddy perimeter ditches until rice plants emerged above the water in June and provided adequate concealment cover from predators.

It is useful to compare the duck producing capability of wild rice paddies with other areas having mainly natural wetlands, and so we compared our study with selected earlier studies (Table 1). Nearly half of our study area (43 percent) consisted of paddies, averaging forty-two acres in size. Most were adjacent to at least two other paddies, separated by dikes and/or roadways. The other studies involved a complex of wetland types and sizes interspersed throughout upland grasslands, occasionally containing some woody vegetation. The most prevalent waterfowl in all of these studies, including our own, were the upland-nesting, dabbling ducks, primarily mallards and blue-winged teal.

Breeding pair counts per wetland area in wild rice paddies were comparable to natural wetland areas elsewhere in Minnesota and in Wisconsin but lower than Saskatchewan and Montana, where wetlands were smaller and well dispersed throughout upland nesting areas (Table 1). Productivity of flight stage ducklings was also comparable to the best areas of Minnesota and Wisconsin but lower than Saskatchewan and Montana on a wetland area basis. However, when comparing duckling production on a study area basis (including combined wetland and upland acreage) the wild rice paddy study area was second only to Saskatchewan. This demonstrates that equally as important as the brood habitat provided by the paddies was the critical nesting habitat provided by the nearby uplands.

About 21 percent of our study area was comprised of idle grasslands, brush-
Table 1. Waterfowl Production in Selected Regions

<table>
<thead>
<tr>
<th>Region (dates)</th>
<th>Percentage of study area in wetlands</th>
<th>Breeding pairs per 100 acres of wetland</th>
<th>Wetland area productivity a</th>
<th>Total area productivity b</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minnesota (1993-95) d</td>
<td>43</td>
<td>37</td>
<td>39</td>
<td>17</td>
</tr>
<tr>
<td>Wisconsin (1973-75) d</td>
<td>11</td>
<td>27</td>
<td>51</td>
<td>6</td>
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<tr>
<td>Minnesota (1958-60) e</td>
<td>17</td>
<td>30</td>
<td>62</td>
<td>11</td>
</tr>
<tr>
<td>Saskatchewan (1952-66) f</td>
<td>6</td>
<td>163</td>
<td>332</td>
<td>-21</td>
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<tr>
<td>Montana (1987) g</td>
<td>&lt;1</td>
<td>310</td>
<td>943</td>
<td>8</td>
</tr>
</tbody>
</table>

a Flight-stage ducklings per 100 acres of wetland.
b Flight-stage ducklings per 100 acres of study area (upland + wetland).
c This study.

lands, and odd areas; especially key was a centrally-located, 640-acre block of Conservation Reserve Program grassland where many dabbling ducks nested. Nests in larger blocks of upland cover (more than forty acres) were six times as likely to hatch as those in strip cover along dikes and roadways, where they face greater likelihood of being discovered by mammalian predators, especially striped skunks, Franklin’s ground squirrels, mink, red foxes, and raccoons.

Three to four Canada goose nests were discovered each year, generally on islands inaccessible to predators, and the eggs in all but one successfully hatched. Our productivity estimates are probably conservative since they were derived from radio-tagged broods which generally experience higher mortality than untagged broods. But considering this factor, the concentrated nature of paddies, and the lowering of paddie water levels at a critical time for some broods, duckling production in paddies was impressive.

Invertebrate Populations

Aquatic invertebrates are a key food for egg-laying ducks and growing ducklings. The two primary sources of invertebrates in the paddy waters we studied were the pumped-in river water and the peaty substrate of paddies containing eggs and larvae that had lain dormant through the winter. These sources served as “seed” for several types of invertebrates which then actively reproduced in the paddies. Invertebrates were measured by activity traps (funneled jars) suspended in paddies for twenty-four hours, and floating traps used to monitor emerging insects. We discovered a variety of water beetles, water bugs, dragonflies, damselflies, mayflies, midge nymphs, crustaceans, snails, and three species of minnows (vertebrates). The most abundant group was crustaceans—especially tadpole shrimp, seed shrimp, and clam shrimp—and water beetles. This food base was available both to waterfowl and to nesting black terns, which were observed carrying tadpole shrimp and minnows on a number of occasions.

Nongame Birds

Partially flooded wild rice paddies were very attractive to migrating gulls and shorebirds, including marbled godwits, Wilson’s phalaropes, yellowlegs, American avocets, and a variety of sandpipers. Nongame bird use of paddies during the fully-flooded stage was generally restricted to emergent cattails, bulrushes and other vegetation along the edge of paddies and dikes. Birds associated with these areas included red-winged blackbirds, savannah sparrows, clay-colored sparrows, common yellowthroats, song sparrows, sandhill cranes, and yellow-headed blackbirds. Birds nesting in the fully flooded portions of paddies included black terns and pied-billed grebes. A considerable number of American coots (actually a game bird) nested along paddy edges the first year of the study, but not in 1994 or 1995. Apparently, good water conditions in the prairie wetlands to the west drew the coots away from the paddies. American bitterns, a special concern species in Minnesota due to the threat of extinction, were commonly observed feeding in wild rice paddies but actually nested in upland, grassy cover. While searching for duck nests, we found about six each of American bittern and northern harrier nests in each year of the study.

The black tern was a candidate for special concern species at the time, and we added a nest monitoring component to our study. In 1993, forty-six nests were found and a Mayfield nesting success of 34 percent was determined for the sample. Black terns are an opportunistic species with the ability to take advantage of sporadically available nesting conditions. Wild rice paddies presented the necessary conditions for nesting in an expanse of semi-vegetated open water. Minnows and tadpole shrimp were available as food sources in perimeter ditches. Despite the suitable nesting conditions of the paddies, it was difficult to determine the fledging success of black terns due to the dense cover of developing rice plants and the hiding ability of their young. Newly-fledged, flying young were observed in the immediate nesting area, however, indicating some level of fledging success in rice paddies.

Water Use And Quality

To determine what effect wild rice cultivation had on river water quality in relation to governmental regulations, in 1994 we tested water samples weekly at the onset of the paddy draw-down and continued until mid-August when paddies had been completely drained and harvesting began. The source river was sampled upstream of, in the midst of, and downstream of the wild rice growing area (Figure 1). Samples were also collected from five randomly selected paddies and three discharge ditches which received more than 50 percent of their drainage water from paddies.

The quality of return flows is regulated according to standards set by the Minnesota Pollution Control Agency (PCA). In a regulatory sense, wild rice paddy discharges are considered the same as irrigation return flows, where the concern is that minimum standards of water quality be maintained within the receiving water rather than in the discharge water itself. This is in contrast to discharges such as effluent from secondary sewage treatment facilities where the concern is, instead, with the characteristics of the discharge.

A summary of measured water quality parameters is presented in Table 2 along with the necessary conditions for nesting in an expanse of semi-vegetated open water. Minnows and tadpole shrimp were available as food sources in perimeter ditches. Despite the suitable nesting conditions of the paddies, it was difficult to determine the fledging success of black terns due to the dense cover of developing rice plants and the hiding ability of their young. Newly-fledged, flying young were observed in the immediate nesting area, however, indicating some level of fledging success in rice paddies.

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with PCA standards, if given, for the Clearwater River. Water quality parameters can be compared between the first and the last half of the paddy draw-down period—the latter being the time of greatest concern for potential effects of paddy discharges on the receiving river quality. The majority of the paddy water (perhaps 90 percent) is released during the first half of the draw-down period and is generally of higher quality. While the quality of the water released during the last half of the period may be lower, the total volume released is considerably less, which has a compensating effect. Other mitigating factors to consider are heavy rains and droughts. These can affect discharge volumes and river volumes, both changing the dilution factor. Also, the Clearwater River has been channelized for a portion of its length, including that in our study area. The effect of this action on the river’s ability to assimilate discharges is unknown, but converting the original, meandering channel to a straight ditch reduced the river volume to perhaps 30 or 40 percent of the original.

Of the various water quality parameters measured, dissolved oxygen and total suspended solids probably have the greatest biological significance to aquatic life. In paddies, oxygen tended to decrease and suspended solids increased as paddy depths were lowered (Table 2). Increases were also noted in suspended solids values in discharge ditches when comparing the first to the last half of the draw-down period. Oxygen levels did not change by period in discharge ditches, and measurements taken in 1995 indicated that outlet structures (see Figure 2) increased oxygen levels an average of 0.7 ppm after a plunge height of about six feet. Fecal coliform levels an average of 0.7 ppm after a plunge height of about six feet. Fecal coliform levels in both paddies and discharge ditches increased during draw-down, perhaps influenced by waterfowl contributions and, in discharge ditches, some runoff from cattle pastures. Of all the parameters tested at each of the three sampling sites in the Clearwater River, none exceeded PCA standards.

### Summary

Cultivated wild rice paddies are an agricultural enterprise, yet they also provide important waterfowl migratory and production habitats. They are particularly attractive feeding areas for dabbling ducks, Canada geese, and tundra swans, with practically all of the plant and animal foods in the paddy being available due to shallowness. A number of nongame birds also use wild rice paddies, particularly migrating shorebirds and nesting black terns. When we compared river water samples taken upstream of, in the midst of, and immediately downstream of, the wild rice growing area, we found that during the wild rice growing season some parameters increased (fecal coliforms, conductivity, chemical oxygen demand, phosphorus, suspended solids, and turbidity) and others decreased (pH, dissolved oxygen), yet river water values were all within PCA standards. This could change should the discharge volume increase and/or the river volume decrease, thus changing the dilution factor.
Dan Svedarsky is a professor of natural resources at the Northwest Agricultural Experiment Station and the Agricultural Management Division of the University of Minnesota, Crookston. He received the Morse-Alumni Award for outstanding contributions to undergraduate education in 1997. His interests include agriculture and wildlife interactions as well as wetland conservation. Jay Huseby is a doctoral candidate in the wildlife biology program at the University of North Dakota, Grand Forks. Richard Crawford is a professor of wildlife biology at the University of North Dakota whose interests include waterfowl and wetland ecology.

This study was supported by an interactive research grant from CURA and the Office of the Vice President for Research, University of Minnesota. Interactive research grants have been created to encourage University faculty to carry out research projects that involve significant issues of public policy for the state and that include interaction with community groups, agencies, or organizations in Minnesota. These grants are available to regular faculty members at the University of Minnesota and are awarded annually on a competitive basis.

This study was organized through the Northwest Agricultural Experiment Station located on the Crookston campus of the University in conjunction with the following cooperators: Minnesota Cultivated Wild Rice Council (the commodity organization for wild rice growers), Red Lake Watershed District, Clearwater County Soil and Water Conservation District, Minnesota Department of Natural Resources, U.S. Fish and Wildlife Service, Minnesota Waterfowl Association, University of Minnesota Cooperative Fish and Wildlife Research Unit, and Wallace C. Dayton. Especially key to the success of the study was the cooperation and support of John, Ken, and Jim Gunvalson, and Paul Imle on whose farms the study was carried out.

The shallow, open water expanses of wild rice paddies provide attractive resting areas for migrant waterfowl and plentiful food supplies. These ducklings, bred in perimeter ditches of the paddies, were near flight stage by July.
Project Awards

In an attempt to keep our readers up to date about CURA projects, we feature a few capsule descriptions of new projects underway in each issue of the CURA Reporter. Two new, large projects are listed this time along with the project of the new Borchert Fellow.

Sustainable Lakes. CURA is working with the Minnesota Lakes Association to develop comprehensive plans for five pilot lakes in Minnesota. Based on a framework of sustainable development, the plans will involve members of five lake associations and surrounding local governments in balancing economic activities, environmental safeguards, and the social needs of people so that they can plan for the future of their lake in two generations. Participants will look at questions like: What kind of shore development do you want? How can water quality be maintained? How can fishing and other uses of the lake be balanced? and What role will state and local government play in implementing this plan?

The five lakes will be selected from various lake regions across the state: the Arrowhead region, north-central Minnesota, central Minnesota, western Minnesota, and the metropolitan fringe area. The Cross/Whitefish chain has already been chosen for the central Minnesota area. The Department of Natural Resources coordinated selection of KabaKona Lake from the Tri-County Leech Lake watershed area to represent north-central Minnesota. After the comprehensive plans have been developed for the five pilot lakes, a format package will be developed from the pilot lake plans that other lake associations can follow to develop their own plans. George Orning is directing the new Sustainable Lakes Project. He also directed CURA’s Lakeshore Development Study twenty years ago. That study led to the creation of the Shoreland Management Program and to classifying all state lakes for zoning purposes.

America Reads. President Clinton has challenged the country to make independent reading possible for every child by the time they enter third grade. At the present time 40 percent of the children entering third grade are not reading well. The president has called for 30,000 entering third grade are not reading well. At the time they enter third grade. At the

New CURA Publications


Over the 1980s the incidence of poverty in Minnesota increased. By 1989 about one in ten Minnesotans lived in poverty. The vast majority were White, but White’s as a group had the lowest poverty rate of all the races, about a fifth the rate of American Indians and a quarter of the rate of African Americans. The keys to avoiding poverty are clear: work and productive attributes, such as education and English language proficiency. Some Minnesota households are more likely to be poor than others, particularly single-mother households. Here again, employment and education are very important in keeping the household out of poverty. It would have required 0.7 percent of 1990 state income to move all Minnesotans out of poverty, both a lower percentage and a lower dollar amount than a decade earlier. This indicates that while poverty became more common over the decade it also became less severe.


Can the community accept the burden of Minnesota’s policy for assuring the safety of maltreated children? A symposium held in June 1997 at the University continued on page 20
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Minneapolis, MN  55455
of Minnesota examined this question. This summary of the proceedings examines the eroding of public child welfare services during a period of severe budget cuts. A standard child protection response has been the “funnel” effect that reduces voluminous reports of maltreatment to a trickle of cases opened for service. Partnerships between public authority and the informal and formal resources of communities are providing promising experiments in changing the system. Evaluations of what works and what doesn’t work are sorely needed, but these partnerships provide the most recent hope for improving the lives of families and children.


Geographic Information Science (GIS) was pioneered at the University of Minnesota thirty years ago. The initial research project involved faculty and graduate students from many disciplines and that tradition of many fields continues to this day. This course guide, developed by CURA and the Department of Forest Resources, should aid faculty and students in locating courses on the Twin Cities campus that are related to GIS.

Sixty-four courses offered in sixteen different departments are included in the guide. The guide lists these courses by department, giving course descriptions, instructor’s name, prerequisites required, number of credits, and when the course will be offered.

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