

No place for politics in DEQ decision making

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The Midland Daily News recently published an article on the new director of the DEQ, in which Director Heidi Grether said, "Employees are hesitant to make decisions or move on certain things because they don't know what that means for them. To be quite honest, it's hard to have your colleagues facing criminal charges for what people may think is doing their job."

I truly hope the best for the new DEQ director, but as a former decorated employee of the DEQ, I question her assessment of the purported hesitancy of DEQ employees being based on, "what it means for them." Almost every DEQ employee, in my experience, made decisions on the law and the best application of that law for the citizens of Michigan ... not political or personal motives. A small percentage of the employees may have made decisions on their own personal gain (career path versus serving the citizens). My personal virtue as a state employee was that my decisions were about Michigan's citizenry and not catering to the direction of politics. The inherent problem is that career paths in this agency often are now greased by that very catering. Ultimately, mid-level and high level managers in the agency are often selected based upon loyalty to political influence rather than the even handed application of regulations it is their job to apply.

Politicians of either party are inordinately against regulatory action because they know who has the strongest influence on their re-election. Term limits complicate their own independent thinking by beholding them to political party influence affecting their ability to make elected public service a long-term career. That influence would include businesses, re-election committees and party plans. Poor communities and defenseless natural resources do not have that influence. The average citizen of this state is probably not aware of the extent to which the civil service appointment system has been eroded by politicians to the point that first line

supervisors' continued employment is predicated on towing a political line via loss of the protections that the Civil Service Commission provides. The conscience and independence of the chain-of-command degrades to total subservience to gubernatorial appointees.

I hope that the DEQ employees are not inappropriately influenced by the criminal charges filed against a few department employees. I hope for aggressive defense of these employees to ensure due process and a full understanding of the truth. In the end, I hope that Attorney General Bill Schuette does not allow his inquiry to degrade to a witch hunt for sacrificial lambs. With his side-stepping of aggressive action on the criminal behavior of GM in the ignition switch travesty, he has already demonstrated that the prosecution system is not blind to the influence of well healed-funded entities. But back to you DEQ employees, you know what the environmental laws say and it is much easier to have a career of even-handedly applying those regulations as written rather than testing the waters for political backlash. Violators of environmental laws do not deserve to be protected from responsibility for their behavior any more than the typical criminal who steals. Environmental law violators are thieves and are motivated by greed or unwillingness to spend adequate financial resources on environmental protection.

Director Grether, shame on those who select those who lead the agency if they choose to not staff the chain-of-command of the agency with competent, even-handed personnel who know the law, respect those who are most affected by violations, understand the need to protect sensitive natural resources, and have the courage to move the agency to do its job. The Michigan Constitution states that the conservation and development of the natural resources of the state are hereby declared to be of paramount public concern in the interest of the health, safety and general welfare of the people. DEQ employees did not write the statutes they enforce; the legislature did, yet it is that very branch of government

that always chooses to ask the agency to softly enforce the regulations, even demonizing the agency. A dilemma then develops that wears down the fortitude of the regulators to do their job like a cancer.

The Flint water crisis is just one example of the erosion of the independence of a crucial regulatory agency and I expect that other incidents will follow unless the DEQ is restored to the nationally recognized agency it once was. Director Grether, as you try to restore morale of the agency and fill positions, I hope you truly understand the insidious disease of politics that has obviously spread through the body of this agency. Surround yourself with people who are confident they can speak their minds. Great leaders surround themselves with subordinates who address their weaknesses.

In the early 1970s, Governor Milliken (Republican) faced restructuring an environmental agency, then the DNR, filled with a similar cancer and succeeded in making it into an organization that the citizens of Michigan could be proud of and to which all other states looked to as a mentor. At that time, environmental protection programs were under the oversight and leadership of a citizen commission, the Michigan Natural Resources Commission, appointing the agency director. It is time for the formation of a Michigan Environmental Protection Commission to co-lead and support the director of environmental quality.

Gregory Eagle is a graduate of Central Michigan University's biology department, a former DNR conservation officer and retired DEQ environmental law enforcement supervisor who served the citizens of Michigan for 26 years. He served as one of the first six environmental conservation officers in Michigan, helped organize and lead the DEQ Office of Criminal Investigations, served as chairman of the board of directors of the Midwest Environmental Enforcement Association and served as an assistant to the DEQ director in the Saginaw Bay District. He is an active member of the Michigan Resource Stewards and resides in Midland.