

**America since 1980:
From Nitrates & Non-point to
Ecosystems, Toxics and Terrorists
(The 150th Anniversary Of The ASCE;
2002, Washington D.C.)**

The Following Notes, Relate To The Earlier and later Administrations of President Ronald Reagan.

Contrary to the teachings of the 1980ís that government is the problem, not the solution, The National Water Pollution Control Program stands as a positive counterpoint. It is clear that the earlier, and later Clean Water Acts through the 1980ís, were major forces in changing the nations attitude toward water pollution.

In many ways it is a wonder that the nation has done as well as it has.

Comprehensive planning to bring rationality to the billions of dollars for water pollution control was never used by the Congress. State priorities were most often set by the readiness of polluters. Suggestions for the integration of Water Pollution control with Water Resource Development Acts of the Federal agencies were seldom honored. Congress seldom concerned themselves with pollution control planning or with the large resource development plans of the nation.

Prof. Lowi's definition of distributive politics was the course followed (Everybody gets a fair share of the public money).

It may be that in the real world of democratic governance was all that we should expect. Perhaps the results were not as bad as one might think, not having tried the other options.

Americans need to understand that there is no end to the process in which they have now been engaged for a half-century since the 1948 Act.

At some point the cost of the still current (and physically and biologically impossible) policy of eliminating the discharge of pollutants to the waters of the nationí need to be confronted in the light of other challenges that must be met.

How clean is clean inherently needs continuous determination. It is not a technical question.

American culture, social equity, and the meaning of the exponential curve of disturbance of the environment due to growth in population and income during the next quarter century must be confronted.

A curve that represents understanding of the environment stimulated by the concern for the destruction of those resources must be accelerated and a corresponding curve reflecting the evolution of management capacity must be accelerated as

Policies For The Future - Revolution or dejvu all over again. Water quality has been the focus for significant changes, approved by the Congress and confirmed in the courts, to greatly strengthen the relation of the federal government to the states and to local governments. Particularly true in 1948 and 1972, but also with many amendments in between (at least 1956, 1961, 1965, 1966, 1967) and since.

Most important, the Congress declared in 1972, the objective of the Act is to restore and maintain the chemical, physical and biological integrity of the Nations waters.¹ Secondly, it established two additional goals; the discharge of pollutants into the navigable waters of the United States be eliminated ... And that wherever attainable, - an interim goal of secondary treatment - be achieved ... (emphasis added).

Over the past several decades responsibility for water and natural and environmental resources fluctuated between national and state and local governments.

Some have argued that the programs for big technological investments have done their job and now more life style changes are need to make further gains in environmental integrity.

Shifts in institutional arrangements began to change substantially in the 1980s during the Reagan Administration. The 1994 mid-term elections sharpened the debate over the allocation of functions.

As the Nation moved toward 1996 it was important to understand the fundamental nature of the long ongoing debate about the Federal system. Should the federal role grow, if so where and how? If the states lag, and competitive relations are affected, whose responsibility is it to prod them? What is the role for direct

federal/local links? And many more questions of a similar nature are reflected in the evolution of water policy.

It is not a simple question of which party is in power. President Nixon signed the National Environmental Policy Act of 1969. In the 1981 President Reagan terminated the implementation of the Water Resources Planning Act of 1965, negating years of experience under that format. Initially enacted with strong bi-partisan support, the 1965 Act was intended to be the vehicle to update the Nation's water resource posture and policies.

New laws and the courts changed water allocation processes, increasing the need for interstate coordination. The national and international concern for environmental matters confronted the American public with new problems and issues. Boundary water problems with Mexico and Canada become more intense and, compounded by the free trade agreement. And history and the courts have added new members to the Federal System; the governments of the numerous Native American communities.

How have we, then, coordinated and integrated water investments and regulations if not by comprehensive basin planning and federal level institutions like the Water Resources Council as called for in the 1965 Act?

Planning by default appears to have shifted away from, not closer to, an ideal to apply rational analysis. The nation appears less well organized to apply analysis across all water resources, across all uses, taking responsibility for all alternatives and all consequences even in a planning mode that was not expected to go beyond recommendations to the Congress, the President and the States.

We have proposed re-establishing the interagency coordinating committees so that at least interagency communication can be improved.

The WWPRAC proposed a basin financing arrangements much like some enjoyed the Pacific Northwest but the ideas so far have found little traction. The WWPRAC also urged more attention to coordination at the watershed level and pointed to many good examples in the West most with federal agency participation. We agreed and cited many good examples in New York State. Federal agencies are less involved in the East. We also pointed out that such watershed groups might need a forum at the basin level that could be provided by an interagency coordinating committee hopefully

without the specter of independent federal power raised by TVA or the 1965 Planning Act and by the WWPRAC basin funding entity.