

## Prior To The Essay

### The Nations Water Resources Management Program

#### A Preliminary Introduction

We are concerned with the failure of the Nations Water Resources Management program.

We sense the need for a State process with federal assistance to meet this challenge.

We do not know what the next National water policy design(s) will look like. What we do know is that it is unlikely that water policy at all levels of government will remain unchanged as we enter the next century.

In this new-yet old-thought, we provide "A Start To A State-National Aid Program".

#### A New Start

The problems confronting the United States are increasing. We need to find how to better manage the growing complexity of the flowing interstate waters of the United States and of the adjoining Federal Lands.

In a complex world, how do we manage the institutional (the thousands of institutional forms) that have grown up in the course of State Boundaries through the decades of the Nation? How can we manage the numbers involved?

Can we find a new grouping of States and their Processes; of the programs with which we are concerned that involve:

- Fifty States and their State organizations and individual capacities
- The Federal System
- State -Federal Cooperation
- Administration of EPA and its Ten Administrative Regions
- River Basins of the 18 Regional Watersheds of the United States

We believe the time has come to provide some rationality to the existing complex system by considering the specific roles of the Fifty States, their State Constitutional members and their Capacity.

We believe the time has come to provide a framework within which the thousands of institutional forms can fit. We seek alternatives within each State that provides a reasonable opportunity for law to be managed within bounds.

However, EPA's role is not necessarily that of the Federal Agencies.

During the last ten years of the 20th Century, new proposals for water planning and management that place States first must be understood.

EPA's role is transitional. Beginning about 1980, EPA said "--- watershed planning is to guide the implementation of key elements of the Federal Water Pollution Control Act. But something happened along the way"".

We know that the last ten years has produced a revolution in the Environmental role of the EPA. The EPA has said, "The (watershed) program is not new to EPA; neither is it in broad use".

Reflecting on the early purpose of the U.S. Public Health Service, the 226 Basin Watershed Plans seem to have been forgotten by EPA.

A new strategy has emerged.

The watershed imperative has been overtaken by a new voice. While the Ten Regions of the EPA Administrative Organization seem appropriate; there is no consistency or content in each of the Regions.

The new voice we now hear is that of the EPA expressing itself in any pollution arena it can claim as a participant.

Yet, Ecological processes limit EPA's role and related Agency functional plans.

These views need to involve;  
State-Federal Cooperation;

EPA and its Ten Administrative Regions;  
State-Local Water Resources Planning Act of 2003.

President Nixon's National Environmental Policy Act (NEPA) of  
1969 as amended;

Council For Environmental Quality;

Eighteen Continental Regional Basins of the Second National Water  
Quality Assessment;

226 watershed sub-basins of the Eighteen Water Resources Regions

to be used appropriately.

These and other questions of water law and related questions need to be  
considered. Our search seeks new institutional arrangements built  
around States and/or used by the States themselves.

(Prior Federal interagency committees had an exemplary record of over 40  
years (1940-1980).

State Government agencies, later replaced by State Government  
options, were not ready for local designs.

We believe State organizations should have a new role within  
Interagency Committees. Alternatively, State entities may be within several  
State Regions. New options can follow either basin or hydro systems that  
allow water

#### A Test Mode

We examine a test mode of a specific Water Resources  
Region as a useful example. It is composed primarily of  
four States, (Washington, Oregon, Idaho and Montana)  
plus the adjoining parts of States that fit the Region's  
Watershed Boundaries. The watersheds in these States  
comprise eleven- sub basins.( Collectively the 226  
Watershed Basins of the Eighteen National Water  
Resources Regions of the Nation are part of the 1979  
second National Water Assessment).

We describe the emerging Pacific Northwest Regional Center as built around a proposal for new water planning and management entities that put States first.

In the 1965-1989 Act governments were the source of most of the water services used by the American people. Federal level support should be based on State needs.

EPA's role continues to be limited by Ecological processes and is not necessarily consistent when compared to the functions of the remaining Federal Agencies

. The ideas that describe the emerging Pacific Northwest Regional Center are built around a proposal for new water planning and management

The guiding principles of this paper involve moving away from centralized statutory driven programs. These are not consistent with most previous policies, including the Water Resources Planning Act of 1965-1981.

We provide both a Federal entity and a Pacific Northwest Region Center entity designed to enable the four States to better manage their affairs. The purposes of the proposed entities are to provide information, advice to governments and facilitate communication between governments. Moreover, the entities offer support for implementing plans.

As we enter the 21st century the nation is so diverse and its water problems so complex that any attempt to establish governmental institutions that have central management as its orientation would be out of place.

What is needed is a process to facilitate a loose flexible management arrangement, determined in various ways to fit the various needs of the several regions (or water basins) of the country. The word assist is intended to mean assist, and not control nor micro-manage.

We propose that assistance be sought in strengthening cooperation and coordination of water management among the regional agencies; federal, state, local and tribal governments.

Until the future is more clear, cooperation should be required to respect and operate within the existing framework of eastern riparian law, western prior appropriation doctrine, and state, federal and court defined laws.

It is important to recognize " if future water demands are to be met, there must be reconciliation of the single-objective environmental and regulatory planning used by EPA. EPA is the dominant Federal Water Resources Management Agency. It has the multi-purpose, multi-objective planning system, evolved over a long period of time to guide federal investment in water management.