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Interim Report To The

New England Governors' Conference

on

"STRATEGIES FOR

NATURAL RESOURCE DECISION-MAKING"

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NEW ENGLAND RIVER BASINS COMMISSION

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Interim Report on

Strategies for Natural Resource Decision-Making

Summary of Findings and Recommendations

I. ELEMENTS OF A NATIONAL STRATEGY

The Commission recognizes and endorses the evolution of a national strategy for natural resource decision-making. The strategy recognizes the state as the dominant level of government, acting within the framework of national policies and with assistance from the federal government.

The strategy is explicit in the Coastal Zone Management Act of 1972 (P. L. 92-582) and Federal Water Pollution Control Act Amendments of 1972 (P. L. 92-500), and in the proposed National Land Use Policy Act of 1972 approved by the Senate. The pattern is consistent with broad policy objectives of the Administration and the Congress in strengthening the role of the states in the federal system, and with a substantial body of law enacted by earlier Congresses providing assistance to the states for natural resources planning and management (Land and Water Conservation Fund Act, Pittman-Robertson Act, Dingell-Johnson Act and others).

The strategy includes the following elements:

The Federal government --

1) Establishes national policies for protection and utilization of the Nation's natural resources and issues guidelines and standards interpreting these policies.

2) Recognizes the State as the level of government with primary responsibility for natural resources management.

3) Provides financial and technical assistance and research support to the states; and reviews state plans and programs for consistency with national policy objectives, guidelines and standards.

4) Contributes directly to natural resource management and protection by managing federal land and water areas, undertaking major water resource projects, and enforcement activities.

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5) Encourages, and in appropriate instances, supports, interstate and regional cooperation.

The State --

1) Asserts a leadership role in natural resources management within framework of national policies.

2) Assesses natural resources conditions, demands and adequacy of supply, and formulates management programs to meet state objectives.

3) Secures implementation of state management objectives through direct state actions, assistance to and a degree of control over local actions, and --in the absence of over-riding national interest-- application of state plans to federal actions.

At the interstate-regional level --

1) States join with each other, and as appropriate with regional federal officials, to secure the interests of multi-state regions in state and federal natural resource management activities.

2) Federal agencies coordinate their natural resource programs with each other and with the states, responsive both to state natural resource management objectives and to federal standards and policy guidelines.

II. RECOMMENDATIONS

General

The New England region, through the New England Governors' Conference, other regional governmental institutions and governments of the individual states, should pursue as a matter of policy a strategy for natural resources decision-making designed to develop and implement, under state leadership, an integrated natural resource management program for each state which is consistent with broad national policy objectives, reflects the interests of the state and of the New England region, and provides guidance for action by all levels of government.

Recommendations for the States

Each state should review and as necessary strengthen its structures and processes to secure the integration of land use, coastal zone, water quality and related natural resource management programs, responsive to broad social goals as interpreted by elected public officials. Structures and processes will vary, but each state should:

1) Design overall natural resource strategies in the context of economic, social and environmental goals of the state.

2) Formulate and execute natural resources plans and programs as elements of an overall strategy for effective management of the total natural resource base of the state. The state structure should be capable of identifying relationships among functional programs (water resources, fish and wildlife, outdoor recreation, etc.) and of relating these to the overall strategy.

3) Develop a focal point within state government capable of: a) assessing relationships among natural resource programs, securing their integration, and monitoring performance against overall natural resources strategy; b) stimulating, guiding and assisting political subdivisions of the state in natural resources decision-making.

4) Assure access for effective participation by local governments and private citizens, and interests in formulation and execution of state programs.

5) Support and participate in cooperative programs to secure effective natural resource management in interstate and region-wide contexts.

Recommendations for Federal Natural Resources Agencies

Federal agencies administering programs of assistance to states for natural resources planning and management activities, while conforming to specific provisions of law, should offer positive assistance to integration of natural resources decision-making at the state level:

1) Recognize interrelationships, overlaps and potential conflicts among the various federal assistance programs for natural resources planning and management, and provide flexibility and consistency in guidelines setting forth procedures for state participation in programs.

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2) Encourage and assist the states to achieve integration of state natural resource programs through such devices as integrated grants, consolidated grants and bloc grants.

3) Perform, as consultants to the states, specific tasks designed to meet state planning and program development needs.

4) Operate through the Governor in establishing patterns of federal-state cooperation in administration of natural resource programs, and operate through the state in relationships with its political subdivisions.

5) Delegate responsibility and authority to federal regional administrators to permit responsiveness to unique characteristics of individual states and the region.

6) Act firmly to secure coordination of federal natural resource activities at multi-state regional levels and within individual states, including in addition to administration of federal grant-in-aid programs, research, technical assistance and regulatory activities, and direct federal management activities.

7) Participate in cooperative programs to serve to secure effective natural resource management in interstate and multi-state contexts.

Recommendations for the New England Region

A. The New England region, through the combined efforts of the individual states and federal and regional natural resource agencies, should take steps to assure that the interests of the region are taken into account in both state and federal natural resource decision-making processes. For this purpose, it will be necessary to:

1) Assess, through careful analysis, the interests of the region in the management of natural resources.

2) Foster consideration of regional interests in the formulation of state natural resource plans and programs, and in administration of federal natural resource activities.

3) Identify interstate problems and devise means of resolving them.

4) Identify and advance the interests of the region in development of national policies and programs.

5) Strengthen direct communications links with respect to specific natural resource programs --among the states, and between federal and state administering agencies-- for such purposes as improvement of administrative practices, exchange of information, technical assistance, resolution of interstate problems, etc.

6) Develop, over time, such formal regional mechanisms as may prove necessary to secure integration of natural resources decision-making strategies in the interests of the region.

B. The New England River Basins Commission should continue to serve, under its existing authority* and funding channels, and pending any major modifications of regional mechanisms, as the focal point for developing and refining regional strategies for natural resources decision-making. The Commission's role in this regard should be construed as that of promoting integration and coordination of natural resource programs among the states, between the states and the federal government, and among federal agencies; not that of performing functions of state or federal agencies, or interfering in direct federal-state working relationships. In this context, and within limits of resources, the Commission should:

1) Serve as the principal agency for coordination within the region of plans for management of water and land resources, including interstate and regional aspects of plans and programs developed under land use, coastal zone, and water quality and related legislation. This process would involve assistance in development of state planning strategies, review of state plans and programs with special reference to interstate and regional interests, and coordination of related federal agency activities.

2) Pursue its responsibility for preparing and keeping up to date a comprehensive, coordinated joint plan for conservation and development of water and related land resources. The comprehensive regional plan should be construed as including:

   a) a regional framework assessing water and related land resource conditions, requirements, and general nature and magnitude of management measures necessary to secure regional objectives;

*P. L. 89-80, Water Resources Planning Act of 1965

b) completion of ongoing "Level B" plans* for selected areas with complex water and related land management problems, with appropriate modifications to assure consistency with strengthened state natural resource decision-making programs;

c) special studies of interstate and regional issues and problems necessary to develop the regional plan.

3) Recognize state plans and management programs prepared and approved under federal land use, coastal zone and water quality legislation as elements of the comprehensive, coordinated joint plan for the region.

C. The New England River Basins Commission should be recognized as an appropriate mechanism for contributing directly to development of regional and interstate aspects of state land use, coastal zone, water quality and related natural resource programs. Except for the "Level B" river basin plans prepared by the Commission pursuant to the Federal Water Pollution Control Act Amendments of 1972, direct Commission contributions to these programs should be undertaken at the request of the states (with any necessary federal concurrences). In this context:

1) The Commission will apparently be required to develop "Level B" plans for all basins by 1980, with funding appropriated pursuant to the Federal Water Pollution Control Act Amendments of 1972.

2) The Commission should be available to help accomplish objectives of specific state natural resource management programs, with costs borne by transfer to the Commission of federal grant funds under the program with matching state monies. Commission activities should relate primarily to interstate and regional

*"Level B" plans as defined by the Federal Water Resources Council are now underway in Southeastern New England, Long Island Sound and the Connecticut River Basin. The Commission will also be required to prepare "Level B" plans for all basins (not yet defined) by 1980, with priority for basins having substantial water quality problems, under Section 209 of the Federal Water Pollution Control Act Amendments of 1972.

aspects; and should be considered as supplementary to and not replacement for exercise of state and federal agency responsibilities for individual programs. The Commission may:

a) conduct studies analyzing the regional interest as contributions to development of state natural resources plans and programs;

b) assist in identifying interstate problems and problem areas, and in developing mechanisms and processes for dealing with them;

c) perform, as consultants to the states, specific tasks designed to meet state planning and program development needs on interstate problem areas.

D. The New England region should make appropriate use of other regional institutions to help develop and implement integrated national resources management programs. Special attention should be given to roles of the New England Regional Commission (regional development policies and plan, funding for appropriate research, demonstration, planning and implementation projects) and the New England Interstate Water Pollution Control Commission (with particular reference to interstate aspects of the water pollution control program). Special attention should also be given to the potential utility of the Federal Regional Council* in coordination of federal natural resource activities, and to development of effective working relationships between the Council and the New England River Basins Commission.

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*A body composed of the directors of the regional offices of the Departments of Labor, Health, Education and Welfare, and Housing and Urban Development, the Secretarial Representative of the Department of Transportation, and the directors of the regional offices of the Office of Economic Opportunity, the Environmental Protection Agency, and the Law Enforcement Assistance Administration. The Council was established by Executive Order 11647 on February 10, 1972 to advance the development of closer working relationships between major federal grant-making agencies and state and local governments, and improved coordination of the categorical grant system.

E. The New England region should consider carefully modifications in regional arrangements in the light of desirable strategies for natural resources decision-making. Initial policy guidance for the states for this purpose may be drawn from a statement approved by the New England Governors' Conference May 21, 1971, "Principles for National Policy Affecting Regional Environmental Programs" which provides, in part:

> "With reference to effective regional programs, national policy will encourage development of institutional structures serving interstate regions capable of perceiving relationships among ecological, social, economic and political systems, and of marshalling and channeling Federal and State efforts in an integrated program for environmental-natural resource management, use and protection. In New England, national policy should contribute to development of a regional institutional structure, operating primarily for planning, coordination and review purposes, which:
>
> a) provides for joint Federal-State participation, in recognition of divided responsibilities for planning, management and protection of the environment;
>
> b) serves and is utilized by both Federal and State governments as a vehicle for Federal-State and interstate cooperation in environmental-natural resource matters;
>
> c) more specifically, serves as a vehicle for
>
> 1) identifying and evaluating regional environmental-natural resource conditions, trends, problems and needs, and reviewing and recommending appropriate changes in Federal, State and regional policies and programs;
>
> 2) coordinating direct Federal program activities;
>
> 3) assisting in coordination of Federal environmental assistance programs;
>
> 4) securing interstate cooperation and coordination;
>
> 5) organizing and coordinating joint Federal-State planning and action programs addressed to environmental-natural resource problems of regional significance."

Supporting Documents

The findings and recommendations in this interim report are based in part on the following separate documents:

1) NERBC Staff Paper: STRATEGIES FOR NATURAL RESOURCE DECISION-MAKING; dated September 14, 1972 and revised December 6, 1972.

2) COMMENTS ON NERBC STAFF PAPER (Conference Proceedings, Correspondence, Resolutions), dated December 6, 1972..

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