

Environment in the Eighties

by James A. Roberts, PhD

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Dr. James A. Roberts is an internationally recognized consultant in environmental analysis and natural resource planning. He has more than 20 years of experience in the application of the natural and social environmental sciences to engineering, architecture, and planning.

His current responsibilities include membership in the Technical Advisory Committee for the El Dorado Irrigation District's water resource and hydroelectric project on the South Fork of the American River. In this capacity he is the primary environmental critic on the engineering and planning aspects of the project.

Dr. Roberts has managed, directed, or coordinated many environmental projects from EIS's for Federal projects (including Auburn Dam and Mineral King), State EIR's (including the California Transportation Plan EIR), local environmental studies and EIR's (including several in the Sacramento area and other urban areas, and several waste processing and industrial facilities), and natural resource plans including master plans for four State parks in Alaska, several urban projects, and the Mammoth Lakes area of California. He has published extensively in the fields of land use planning, environmental constraints and sensitivities analysis, and managing inter-disciplinary environmental, planning and engineering teams.

What is the definition of the term "environment". As I will use it, the word includes natural, social, and economic elements; the "SEE" discussed in the IRWA 601 course on right-of-way and the environment, which I have taught ten times. The course is currently being revised, mainly to update it to include current legislation, but is still based on the notion that the environment includes much more than merely the natural setting.

Within this article three major areas or questions will be examined. They are:

- What are the pre-'80's bases for what may happen in the '80's?
- What are some folks saying about what to expect in the '80's?
- What environmental concerns are there for the '80's?

Re-examining Past Environmental Action

By way of background analysis we really need to re-examine three areas: The 601 Course, National Environmental Policy Act (NEPA) goals, and the November, 1978 Revisions to the NEPA Guidelines. These topics will be our first step toward the '80's.

In Section 1, Introduction of Course 601: Environmental Considerations, the Right-of-Way Professional is described as "an individual already involved in

environmental affairs". How? You are involved in the environment in at least four ways:

- 1) evaluation of property values,
- 2) acquisition of right-of-way land,
- 3) management of right-of-way land, and
- 4) relocation assistance for affected people.

Furthermore, the introduction emphasizes that the definition of "environment" covers "all physical and socio-economic factors". It stresses that such factors also include both technical and attitudinal aspects — the latter may be difficult to grasp, but certainly effects the quality of environment.

Session 24, which is related to trends in environmental matters is a place where we would try to update the course materials. In a number of classes, efforts to streamline NEPA and its application through such things as scoping, inclusion by reference, and time limits was emphasized. In every class, and to be sure in most every case with an EIS or a state EIR (California), our discussion included criticism of the delays caused by NEPA or its daughters.

Maybe a glimmer of what to expect in the 1980's can be seen from the 1970's. Let us relook at a few of the basics of NEPA.

In Section 2, the purposes of the Act are stated to be:

To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and

welfare of man; to enrich the understanding of the ecological systems and natural resources important to the nation; and to establish a Council of Environmental Quality.

Let me emphasize what I believe are some key aspects of this section which set the stage for environment in the '80's:

● First: "productive and enjoyable harmony . . ." that to me really does mean productive harmony;

● Second: "man AND his environment . . ." that really does put man into the heart of things;

● Third: "stimulate health and welfare of man . . ." that does include both physical and economic welfare; and

● Fourth: "enrich . . . understanding of . . . natural resources . . . important to the nation . . ." that does include use of natural resources.

Section 101(a) of the Act includes, among a wealth of information, two more aspects which I find go to the heart of the current administration's attempts to administer NEPA. They are:

— Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.

— Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

In the late '70's there were some very important changes in NEPA to provide streamlining, shortening, and clarification of the law and its application. The November 29, 1978 Federal Register provides some insight into the building blocks for environment in the '80's. They were:

Section 1500.5 Reducing Delay ... emphasizes that agencies shall work for cooperation rather than as adversaries;

Section 1501.7 Scoping ... shall use

early scoping as a process to determine what is to be covered in an environmental assessment (note that in California this can lead to a Focused EIR. Apparently the same type of focusing is contemplated under federal guidelines);

Section 1501.8 Time Limits ... stated that agencies "shall set" time limits for environmental assessments and related processing, BUT it left the setting of time limits up to the agencies;

Section 1502. Incorporation by Reference ... the guidelines stated that this process "shall" be used. It can prevent mountains of paper (I wonder what the effect was of the requirement for EIS's on our national forests?); and

Section 1506.2 State and Federal Cooperation: Joint EIR-EIS ... the guidelines stressed that federal agencies "shall ... to the fullest extent possible..." use joint EIR-EIS documents on projects where a state and federal environmental assessments are required. Unfortunately some agencies, the

Federal Energy Regulatory Commission for instance, do not.

These are some of the areas that will be strengthened. The question is: how? Let us examine what some people are saying.

What Are Some Folks Saying?

It is not possible in this presentation to review every point of view from every organization involved in the environmental milieu. Let me look at some of the ones which are more important or receive more press.

1. The Sierra Club

No one can summarize all of the stands of this organization, but let me cite some points raised on a series of news articles in the Sacramento Bee illustrated by one on October 18, 1981. "Sierra Club to Fire More Salvos at Watt..." "Watt index" to be used to measure elected officials (is this really an environmental analog of



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