

DOCUMENT RESUME

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Improvements Needed by the Water Resources Council and River Basin Commissions to Achieve the Objectives of the Water Resources Planning Act of 1965. CED-78-1; B-167941. October 31, 1977. 14 pp.

Report to Cecil D. Andrus, Secretary, Department of the Interior; Cecil D. Andrus, Chairman, Water Resources Council; by Henry Eschwege, Director, Community and Economic Development Div.

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Twelve years after the passage of the Water Resources Planning Act of 1965, only limited progress has been made in carrying out its purposes. None of the river basin commissions, for example, has completed a comprehensive water plan for its entire region. Although the Water Resources Council is required to review these plans, it still has not determined how it will conduct the reviews nor has it reviewed the partial plans that it has received. Recommendations: The Chairman of the Water Resources Council and the chairmen of the river basin commissions should jointly prepare guidelines for the preparation and review of comprehensive, coordinated joint plans and priority reports and for the clarification of the working relationship among the Council, river basin commissions, the States, and their members. In a minimum, the guidelines should include: a description of the essential elements to be included in regional plans; a format included in regional plans; a format so that plans may be compared among regions; and a procedure detailing how these plans will be reviewed, processed, and used at the various levels of government. The Chairman of the Council should urge the Director of the Council and individual members of the Council and the House of Representatives to take a more aggressive role in bringing unresolved matters to the attention of the Council members for resolution. (Author/SC)

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*UNITED STATES
GENERAL ACCOUNTING OFFICE*

**Improvements Needed By The Water
Resources Council And River Basin
Commissions To Achieve The
Objectives Of The Water Resources
Planning Act Of 1965**

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The Chairman of the Water Resources Council and the chairmen of the river basin commissions should jointly prepare guidelines for (1) comprehensive water plans and priority reports and (2) the working relationship between the Council, river basin commissions, the States, and their members.



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

COMMUNITY AND ECONOMIC
DEVELOPMENT DIVISION

B-167941

The Honorable Cecil D. Andrus
Secretary of the Interior and
Chairman, Water Resources Council

Dear Mr. Secretary:

We reviewed selected activities of the Water Resources Council and river basin commissions to assess their progress in implementing the Water Resources Planning Act of 1965. We concentrated on the Council's responsibilities to review plans submitted by river basin commissions. These responsibilities are (1) to determine both the adequacy of the plans and their ability to contribute to national water needs and (2) to make recommendations to the President, for transmittal to the Congress, about Federal projects and new Federal policies and programs. If the comprehensive, coordinated water and related land use planning required by the 1965 act is to serve the purposes intended by the Congress, these responsibilities must be carried out.

We believe that the Council and the river basin commissions have made only limited progress in achieving these responsibilities and that they need to further define and implement (1) the planning and coordination goals of the Council and the river basin commissions, (2) the means for accomplishing these goals, and (3) the role of the Council and the river basin commissions in attaining these goals. Our recommendations for further defining and implementing these efforts are on pages 11 and 12.

Our work was performed primarily at the Water Resources Council in Washington, D.C.; the Pacific Northwest River Basin Commission in Vancouver, Washington; and the Missouri River Basin Commission in Omaha, Nebraska.

INTRODUCTION

The Water Resources Planning Act of 1965 was enacted to encourage the conservation and development of water and related land resources through comprehensive, coordinated planning by the Federal Government, States, localities, and private enterprises on a cooperative basis. It (1) established the Water Resources Council as the interagency body

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at the Washington level, composed of members (Council of Members) 1/ of the Federal departments and agencies which have a role in water and related land resources planning, (2) provided for the establishment of river basin commissions, a unique partnership of Federal agencies and States with participation by others that have a role in water and related land resources planning at the regional level, and (3) authorized financial assistance to States for comprehensive water and related land resources planning.

Among other things, the act requires the Council to study both the relationship of regional or river basin plans to the requirements of larger regions of the Nation and the administrative and statutory means for coordinating Federal water and related land resources policies and programs and then make recommendations to the President about the adequacy of Federal policies and programs to meet these requirements. It also requires the Council to review comprehensive, coordinated joint plans (CCJPs) submitted by river basin commissions to determine their adequacy and their ability to contribute toward fulfilling national goals in order to make recommendations to the President for transmittal to the Congress about the Federal projects included in these plans.

River basin commissions are responsible for (1) coordinating Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in their area of responsibility, (2) preparing and updating a CCJP for regional water resources development, (3) recommending long-range schedules of priorities for basic data collection and for investigating, planning, and constructing projects (priority reports), and (4) fostering and undertaking such studies of water and related land resources problems in its area of responsibility as are necessary to prepare a CCJP.

1/As of August 1977, the Water Resources Council consisted of 9 cabinet level members (Council of Members), 1 associate member, and 21 observers. The Council's Chairman (traditionally the Secretary of the Interior) and the river basin commission chairmen are appointed by the President.

LIMITED PROGRESS IN ACHIEVING THE OBJECTIVES
OF THE WATER RESOURCES PLANNING ACT

Over the last 12 years, the Council has made limited progress in accomplishing these responsibilities. This is not to say that no progress has been made, because we recognize that both the Council and river basin commissions have been pursuing other responsibilities set forth in the act, such as the preparation of a National Water Assessment and CCJPs.

But the preparation of CCJPs has not reached the point where the Council can review the river basin commissions' inputs, and there are matters that we believe need to be resolved so that the Council can effectively carry out its responsibilities when the river basin commissions' inputs are ready for review.

In a report dated January 1977, entitled "Evaluation of the United States Water Resources Council: A Synthesis of Experience by Members, Alternates, and Observers," the following was said about the responsibilities we concentrated on in our review.

" * * *the Act is less specific in defining Council responsibility for: (1) appraising the adequacy of administrative and statutory means for coordinating Federal water resources policies and programs, (2) appraising the adequacy of existing and proposed policies and programs to meet the needs of basin plans and requirements of larger regions of the Nation, and (3) making recommendations to the President with respect to Federal policies and programs. The less specific responsibilities assigned to the Council by the Act have been the most difficult to implement and subject to various interpretations."

The Council is currently trying to fulfill these three responsibilities through the development of its Water Assessment and Appraisal Program. Expected to become operational in 1978, this program is designed to provide the Council with a management tool for appraising national water policy and programs through the integration of water resources planning at the Federal, regional, and State levels.

This appraisal process is diagramed by the Council on page 5. According to the Council, in order to make

recommendations to the President and the Congress, the appraisal process will use data from State and regional plans and priorities reports, the 1975 National Water Assessment and continuing assessment activities, the data base from the funding of previous water resources programs, and other appropriate information such as existing or emerging national policy.

In order to expedite progress in achieving the act's objectives through the Water Assessment and Appraisal Program or other programs, we believe that the following must be addressed:

- Uniform definitions and guidelines for the preparation and review of CCJPs and priority reports.
- A clarified working relationship among the Council, river basin commissions, and their members.
- An effective means to bring unresolved matters to the appropriate decisionmaking level.

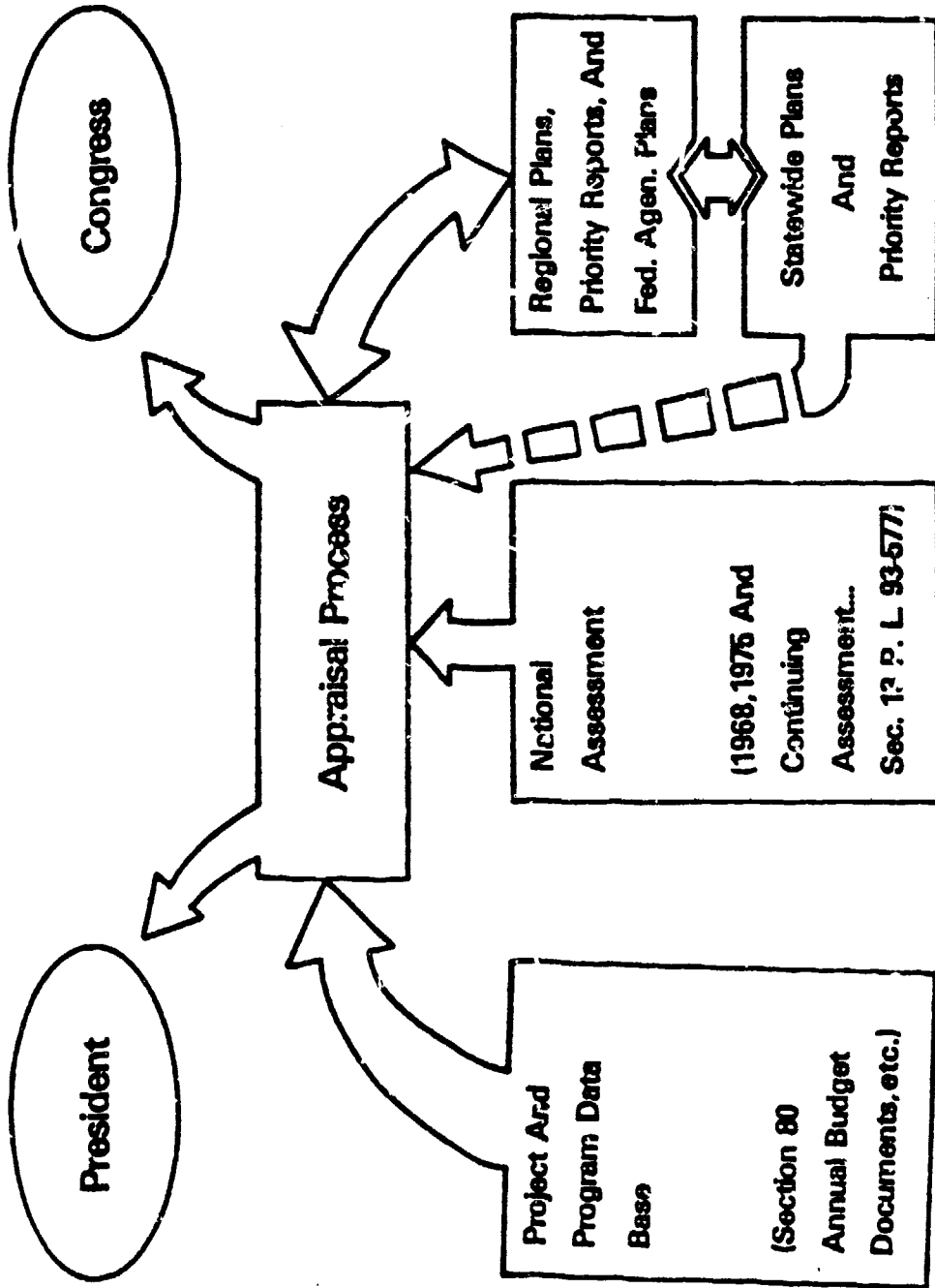
Need for uniform definitions and guidelines for CCJPs and priority reports and a clarified working relationship

Although none of the six river basin commissions established under the 1965 act have completed an entire CCJP as required by the act, several portions of CCJPs have been completed and a process for completing CCJPs has evolved in the river basin commissions. Once completed, such plans will, of course, require continual updating to keep them useful.

Six river basin commissions have been established under the 1965 act; the first three in 1967, a fourth in 1971, and the last two in 1972. Five of the six commissions are expected to complete first draft CCJPs by the end of fiscal year 1977. The other commission expects to have a completed CCJP in fiscal year 1978. The Council staff told us, however, that they were not sure whether the first drafts would be adequate. They said they intended to review the drafts for format and content before deciding on a further course of action.

The Council has determined that CCJPs and priority reports should be prepared for all water resources regions in the Nation, and it plans to provide funds, beginning in fiscal 1977, to certain regional planning entities where river basin commissions have not yet been established under

Water Assessment And Appraisal Program



SOURCE: "Justifications for Appropriations, Fiscal Year Ending September 30, 1978," U.S. Water Resources Council.

the 1965 act. These plans, in our opinion, increase the need for formalized guidelines and clarified working relationships to carry out the planning activity in the cooperative manner envisioned in the 1965 act.

There must be some uniformity in approach and criteria to form a basis for comparison and consolidation of plans. There must be a recognition and acceptance of the fact that priority national objectives and goals may not always coincide with regional, State, or local goals. The difficulties in getting this recognition and acceptance is illustrated by the comments we received from the Executive Director of the Great Lakes Basin Commission, as follows:

"* * * the Council's inability to integrate priorities reports into the budget mechanism is questioned unless the objective is to trade-off priorities among regions to develop a national priorities document. However, such a document and such a process is not called for in the Act, and it would seem that the regional priorities reports developed by the RBC's as called for in the Act suffice in themselves and are the intention of the Act. The reports currently being developed are what was required and requested for use at the national level by the Act and should be used in that manner without modification by WRC. Any attempt by the Water Resources Council to unilaterally develop a national priorities report would preclude State input into such a document." (Underscoring supplied.)

The Executive Director stated that there are complicated issues involving coordination not only among Federal agencies but also among independent States and regional and local entities and that there are coordination problems at the national level. He agreed that our recommendations on page 11 of this report concerning guidelines are necessary and should be written. He stated, however, that "without more direct authority given to WRC, and to some extent to the RBCs, some of these goals will continue to be an exercise in formality." (Underscoring supplied.)

We believe that uniform definitions and guidelines and a clarified working relationship must be established to

assist in developing plans which produce timely results and which will be acceptable and used by the various levels of the public and private sectors. But attempts to develop these elements through the Council-river basin commission mechanism have not been successful and there is no assurance that they will be developed in the future.

For example, there have been several unsuccessful attempts, going back to 1967, to define and develop guidelines for preparing and reviewing CCJPs. The river basin commission chairmen have desired flexibility in defining, designing, and implementing their plans because of the geographic differences in their regions. However, the chairmen have recognized the importance of criteria which established a common basis for displaying each regional plan so they may be summarized and compared at the national level. But the Council and river basin commissions have not been able to agree on a basis for comparing these plans.

In October 1975, the Council established a task force to consider, among other things, a uniform CCJP definition and other concepts for preparing CCJPs. In April 1976 a subgroup of the task force developed generalized elements that should be included in CCJPs. One of the river basin commissions objected to these elements. In addition the task force has been inactive since that time and neither it nor the Council of Representatives 1/ has acted on the subgroup's proposal.

According to the 1965 act, the Council is required to review the CCJPs submitted by river basin commissions for their plans':

--Effectiveness in achieving the optimum use of the water in its area.

--Effect on programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation.

1/The Council of Representatives, a working group made up of staff from the member agencies, decides technical issues and makes recommendations to the Council of Members on policy issues.

--Contributions toward reaching the Nation's economic and social goals.

Based on this review, the Council can make recommendations that it deems in the national interest to the President for his review and transmittal to the Congress. The river basin commissions can submit their CCJPs to the Council in their entirety or in major portions. As of September 1977--about 12 years after passage of the 1965 act--the Planning Committee within the Council was trying to develop a process for reviewing CCJPs.

In the same way, the Council has not developed guidelines for processing and reviewing priority reports. Guidelines were prepared in 1968, but they did not provide a format for comparing reports among regions. Attempts to rewrite the 1968 guidelines were made in 1969 and 1971; however, the Council and river basin commissions could not agree on a draft revision. The Council approved draft priority report guidelines in March 1976, but the Council staff informed us they would like to have more substantive and definitive guidance while continuing to allow river basin commissions flexibility to develop their reports.

The river basin commissions submitted priority reports to the Council in 1970, 1971, 1975, and 1976, and the Council expects to receive priority reports during fiscal year 1977. The Council has not provided review comments on any of these reports even though some of the river basin commissions told the Council that the reports represented portions of their CCJP. Lacking a report format and a formal report processing mechanism, the Council staff informed us that they could not compare the priority report project recommendations of one commission against another.

Without report comparability or a Council process for effectively integrating the reports into the budget, the Council staff informed us that past river basin commission reports were not and could not be used at the national level. They also stated that the priority reports will have limited value to the Council until the 1975 National Water Assessment is completed in December 1977 and the Water Assessment and Appraisal Program is underway. They believe that the National Water Assessment will provide the beginnings of the basis for the Council to analyze and compare the priority reports.

The Council in its "Evaluation Report of WRC Strengths and Weaknesses" stated the following:

"The Act clearly states a Council role in the review of RBC comprehensive coordinated joint plans. However, the relationships between RBC Chairmen (Presidentially appointed GS-18s) and the Council Chairman (Presidentially appointed level I) and Council staff Director (Chairman appointed GS-18) have varied greatly. Further, no policy interface is spelled out in the Act. Rules and Regulations addressing this issue have not been approved.

"The lack of definition and concurrence on Council mission, role and relationships, has contributed to the inconsistency and uncertainty within the Council, and between the Council and others."

Since 1967, the Council and river basin commissions have attempted to clarify their working relationship through proposals for formal rules and regulations. Because of opposition by either the Council, river basin commissions, or both, these attempts have proved unsuccessful. In October 1975, the Council accepted a proposal for clarifying the Council-river basin commission working relationship and for establishing a joint task force. However, the Council-river basin commission task force was never formed, and no further activity has occurred.

In addition, the river basin commissions have questions regarding their coordination responsibilities under the 1965 act. For example, the Chairman of the Missouri River Basin Commission in Senate hearings in July 1975 stated that his interpretation of his role as the principal coordinating officer of the Commission's Federal members had been challenged by the Commission's Federal members.

Need for bringing unresolved matters to the appropriate decisionmaking level

The National Water Commission and the Council in their assessment of strengths and weaknesses stated that the Chairman of the Council has not spent much time on Council matters because of his other duties as head of the Department of the Interior. As Cabinet officers with major duties requiring a large amount of time, the members of the Council, including the Chairman, have little time to spend with Council

activities. This is reflected in the fact that the Council of Members met one time during a 3-year time period from July 1970 to June 1973.

But failure to hold meetings is only part of the problem; matters which need resolution have not been presented to the Council of Members. In the past, the failure of the Council and river basin commissions to reach agreements have curtailed the development of CCJP guidelines, priority report guidelines, and a clarified Council-river basin commission working relationship. Although these issues are being discussed at the Council of Representatives level, they are not being presented to the Council of Members. Council rules and regulations limit the authority and responsibility of the Council of Representatives. More meetings have been held than in the past at the Council of Members level, since the Council changed its rules to allow Assistant Secretaries (Council of Members, Alternates) to speak for their departments in official Council meetings. But these issues still have not been presented to the Council of Members.

Matters are decided in the Council of Representatives by unanimous vote, while the Council of Members decides matters by majority vote except for issues affecting the authority or responsibility of a member, which can only be decided with his consent. The Director of the Council, at his initiation or at the request of anyone from the Council of Representatives, can refer matters which have not been resolved by the Council of Representatives to the Council of Members, but this option has not been exercised.

CONCLUSIONS

Twelve years after the passage of the 1965 act, the Water Resources Council and river basin commissions have made limited progress in achieving the objectives and carrying out the responsibilities of the act. To meet the act's objectives, the Council is trying to develop a system through its Water Assessment and Appraisal Program to integrate planning at the Federal, regional, and State levels. Unfortunately, its efforts are either being accomplished at a slow pace or are of questionable usefulness when they are completed.

Before the objectives and responsibilities of the 1965 act can be met, there must be some decision about how these objectives should be accomplished on a cooperative basis. With the interrelated responsibilities but independent

structure of the States, river basin commissions, and Federal Government in water resources planning, a clear understanding of how the objectives of the 1965 act are to be met is especially important. But attempts to develop the means to carry out the objectives through guidelines, rules and regulations, and a clarified working relationship have not been successful. We believe that the failure to develop these means has affected the ability of the Council, river basin commissions, and States to develop plans on a timely basis. There has been and still is no assurance that the planning being performed at the national, regional, and State levels can be integrated and eventually used for the purposes intended. We believe that the Council and the river basin commissions need to redirect their efforts to further define and implement the

--planning and coordination goals of the Council and the commissions;

--means by which these goals are to be effectively accomplished; and

--role of the Council, the commissions, and their members in attaining these goals.

RECOMMENDATIONS

We recommend that the Chairman of the Water Resources Council and the chairmen of the river basin commissions jointly prepare guidelines for the (1) preparation and review of comprehensive, coordinated joint plans (CCJPs) and priority reports and (2) clarification of the working relationship among the Council, river basin commissions, the States, and their members. In addition, at a minimum, the guidelines should include a

--description of the essential elements to be included in regional plans;

--format so that plans may be compared among regions; and

--procedure detailing how these plans will be reviewed, processed, and used at the various levels of government.

Further, we recommend that the Chairman of the Council encourage the Director of the Council and individual members of the Council of Representatives to take a more aggressive

role in bringing unresolved matters to the attention of the Council of Members for resolution.

If the Council, river basin commissions, and their members decide that the issues in this report cannot be adequately resolved in the cooperative manner that was originally envisioned, then we recommend that the Chairman of the Water Resources Council propose legislation to establish an entity responsible for water resources planning that would have the necessary authority to accomplish the objectives of the 1965 act.

AGENCY COMMENTS AND OUR EVALUATION

The Acting Director of the Water Resources Council and his staff did not agree with either the focus or the conclusions of our report. They believe the report concentrated too heavily on the relationship between the Water Resources Council and river basin commissions without giving adequate attention to the Council's total responsibilities under the 1965 act.

The Council staff believes that the need for (1) definitions and guidelines for preparing and reviewing CCJPs and priority reports and (2) a clear working relationship between the Council and river basin commissions have limited relationship to its total responsibilities and are not the principal reasons for limited progress. They added that a solution to these two issues would not have had much impact on progress toward the major overall responsibilities under the act.

The Council staff admitted that attempts to draft regulations covering some of our recommendations failed. They stated, however, that until the Council decided what it was going to do in response to the Council's responsibilities under the act, regulations about regional plans were not the most important issue to come before the Council. They further added that under the Water Assessment and Appraisal Program, the Council and river basin commissions will move jointly toward agreement on the matters in our report. They believe that this is preferable to forcing the structure of regional plans by regulations.

Although the Chairmen of the Pacific Northwest and Missouri River Basin Commissions generally agreed with our recommendations, they and the other river basin commission chairmen believed that our conclusions would be different if

we had evaluated the accomplishments of the Council and river basin commissions separately. They indicated that much had been accomplished by the individual river basin commissions in each of their own areas of responsibility. Some of the commission chairmen also said that lack of funding and inadequate commitment by Federal members were additional reasons for the limited progress.

We agree with the Acting Director, his staff, and the river basin commission chairmen that we concentrated primarily on those responsibilities requiring the Council to make reviews and recommendations to the President and the Congress based on river basin commission plans and that we did not measure progress for the Council and the commissions separately. We did this because we believe that these particular responsibilities are crucial if the Council and the commissions are to effectively carry out the comprehensive and coordinated planning required under the 1965 act and envisioned under the Council's Water Assessment and Appraisal Program. Moreover, based on prior problems, we believe that the Council staff's belief that the Council and river basin commissions will jointly move towards agreement on the matters in our recommendations during the development of the Water Assessment and Appraisal Program is unduly optimistic. We believe that the Council should address these recommendations immediately while the Water Assessment and Appraisal Program is still being formulated.

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As you know, section 236 of the Legislative Reorganization Act of 1970 requires the head of a Federal agency to submit a written statement on actions taken on our recommendations to the House Committee on Government Operations and the Senate Committee on Governmental Affairs not later than 60 days after the date of the report and the House and Senate Committees on Appropriations with the agency's first request for appropriations made more than 60 days after the date of the report.

We are sending copies of this report to the four committees to set in motion the requirements of section 236. Copies are also being sent to the legislative committees of the House and Senate interested in water resources planning;

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the Acting Director, Office of Management and Budget; the Director, Water Resources Council; and the chairmen of the six river basin commissions.

Sincerely yours,

A handwritten signature in cursive script that reads "Henry Eschwege". The signature is written in black ink and is positioned above the typed name and title.

Henry Eschwege
Director