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## One Environmentalist's View From Inside State Government

by Anne Taylor



After years of grass-roots lobbying campaigns launched on a dime and sustained on adrenalin, the environmental movement in North Carolina can boast of some excellent environmental laws. The work of environmental lobbyists and the actions of committed state officials and legislators have made North Carolina a forerunner in many areas of environmental protection.

North Carolina is one of the few states to have enacted a State Environmental Policy Act fashioned after the "law-of-all-environmental-laws," the National Environmental Policy Act, which gave birth to the Environmental Protection Agency. The Coastal Area Management Act has made this state a leader in coastal protection legislation. And North Carolina has an excellent Sedimentation Pollution Control Act.

Grass-roots activists fought numerous pitched battles during the late 1960s and early 1970s to gain protection of the state's air, land, and water. In 1973, a lobbying campaign resulted in the record appropriation of \$11 million for the state parks. The unprecedented funding had appeared doomed until hundreds of people, notified during a frenzied, 20-hour effort to reverse unfavorable action in a committee of the General Assembly, victoriously brought the \$11 million alive again and on its way to reality. The Committee for the New River organized every existing environmental group into a united front to protect forever the second oldest river in the world. During the peak of that debate, the auditorium of the Legislature was awash with people wearing blue and white banners proclaiming "New River Like It Is!"\*

The success of many of the lobbying efforts was due to "The Network," an elaborate system of telephone chains that covered and still cover

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the state. Lobbyists and observers in the North Carolina General Assembly orchestrated letter writing, petitions, telegrams, and those godforsaken midnight "calls to action" through the network. They produced slide shows, tapes, and other materials to educate the troops and rally them to bigger battles and greater victories. It was hard work and it required long hours. But it was fun. And from it emerged close friendships and a sense of camaraderie.

The environmentalists had an impact on the Congress as well as on the North Carolina General Assembly. National environmental organizations benefited mightily from the North Carolina grass-roots network and even from some North Carolina shenanigans that piled the halls of Congress with mailbags and jammed lawmakers' telephones with calls.\*\*

North Carolina volunteers who lobbied in the Congress did not find it easy. The complicated legislative proposals being debated required a lot of homework, and, of course, it was expensive to make calls to or visit Washington. I remember vividly the time when the Washington office of the Sierra Club offered to pay the plane fare if someone from North Carolina would visit a North Carolina congressman whose vote at a critical point in committee deliberations was considered essential to passage of the Clean Air Act. I was able to overcome my fear of plane travel only by remembering that someone was needed. My husband, left alone for the first time with our 1- and 3-year-old sons, loathes clean air to this day.

When Friends of the Earth in Washington

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\*Other laws enacted during the peak years of the environmental movement in North Carolina included the Natural and Scenic Rivers Act, the Land Policy Act, and Land Conservation Act, the Floodway Act, the Capacity Use Act, and the Oil Pollution Control Act.

\*\*North Carolina environmentalists helped ensure passage of the Clean Air Act, the Federal Water Pollution Control Act, the Safe Drinking Water Act, the Toxic Substances Control Act, the Resource Conservation Recovery Act, the Federal Insecticide, Fungicide, Rodenticide Act, the Forest Management Act, the Wilderness Act, and others.

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asked environmental organizations to hold a press conference in North Carolina on the Clean Air Act, the Conservation Council of North Carolina, the League of Women Voters, and the Sierra Club scratched up \$26.50 for the use of a room in Raleigh's Velvet Cloak and for coffee and doughnuts for the press. We contacted TV, radio, and newspapers and spent hours researching a carefully worded joint statement that the League of Women Voters was to deliver. The media turnout was overwhelming, and panic began to mount in the three intrepid spokespersons as the TV lights went on. We made a last-minute call to Friends of the Earth in Washington, more, I think, to build our confidence than to verify every word in the statement. The three of us sat down, Drew Diehl of the Conservation Council of North Carolina and I flanking our fearless leader and spokeswoman, Carol Schroeder. The first words Carol uttered were in a whisper: "I can't do it, Anne---here," and she shoved the prepared statement into my freely sweating hands. With the exception of my four-year-old son wandering on camera, the press conference appeared surprisingly professional when it was aired on the six o'clock news.

The tide of success and experience gained at the state and federal levels swept our people into activities and organizations aimed at local environmental ordinances. "The Network" swelled even further. Over the years tight bands of friendship formed among people, many of whom had never met, and some who still have not. Even to this day, when its members need it, the Network is used, although in quieter and less visible ways.

And it is quieter now---the environmental movement is less visible. We have all been asked if, or told that, the environmental movement is dead. It is not dead at all. But it has turned to the grueling task of implementation. One obvious measure of the silence of the movement is the shrinking number of well-informed environmental press reporters in North Carolina. Grass-roots leaders have scattered too. Many became legislators, council people, and interestingly enough, even bureaucrats, often to the shock or at least the skepticism of the grass-roots troops. Others simply went back to living their lives. We went on to other things or back to our neglected families to watch the world improve. Great laws had been born and powerful mechanisms were in place. But few of us thought or planned much beyond the heat of the battles or the celebrations of winning. I first realized that we could not rest on our legislative accomplishments after I naively wrote a letter to Republican Governor Jim Holshouser suggesting names for appointment to the Sedimentation Pollution Control Commission we had lobbied so hard and successfully for. The President of the League of Women Voters told me I was wasting my time

because all of my candidates were Democrats and several were even women. Later, the state passed a law stating that North Carolina's Air Quality standards could not be any stronger than the minimum federal standards, regardless of the fact that our air is uniquely fragile. Then came the state's authority to implement for the Environmental Protection Agency the National Pollution Discharge Elimination System (NPDES) permits under the Clean Water Act. We belatedly realized that the permits were no longer subject to the National Environmental Policy Act.

From 1974 to 1977, we found ourselves more on the outside than ever before while implementation of these laws began to take place in a bureaucratic maze few of us comprehended. We had not adequately planned for our involvement in the care and maintenance of the state, federal and local laws we had played so great a part in creating. Pieces are scattered among departments, divisions, units, sections and offices of government--each with its own extraordinarily narrow part to play in the enhancement of what altogether was to be environmental protection.

Boards, councils and commissions at the state level were formed for every imaginable environmental purpose.\* With a few notable exceptions however, environmentalists have not been appointed to these decision-making bodies, and they have not yet joined together to go about demanding representation. The few who have been appointed find their commitment to the total of environmental quality relegated to a small piece and kept separate and apart from the other pieces that make up the whole--the land, the water, and the air.

How we arrived at this disjointed state of affairs is not too important and may even have been unavoidable. Laws came into effect at different times with varying degrees of funding. Officials charged with authority to implement tended to interpret their roles to match their own degree of commitment. Political and special interest pressures served to set priorities. I recall an air quality standard setting hearing before the North Carolina Air Quality Council so complex that I spent well over 60 hours preparing a three-page statement against weakening existing standards. I found myself 20th in line to speak after pin-striped, wing-tipped attorneys from powerhouses such as Shell, Exxon, CP&L, Duke Power, Southern Furniture manufacturers and other conglomerates. A humbling experience shared repeatedly by many of us "en-

\*Among them were the Sedimentation Pollution Control Commission, Environmental Management Commission, Health Services Commission, Air Quality Council, Water Quality Council, the Coastal Resources Council, Marine Science Council, Land Policy Advisory Committee, Solid Waste Committee, the Trails Committee, and the 208 Policy Advisory Committee.

vironmentalists."

Being, as I am now, on the "inside," it is graphically clear that the very nature of bureaucracy perpetuates our dilemma. Only the public is in a position to raise a question about how one section, division, unit, individual, or even department of state government serves its intended purpose. Fondly referred to as "turf," no one within government dares step on another's. People mumble and grumble. But to cast the first stone, you had best be sure you have nothing, absolutely, to lose.

Great leaders with strong commitments can transcend the turfs. Some of that ability to step above narrow boundaries is emanating from Washington. President Carter, through EPA Administrator Doug Costle, has proposed uniform standards for public participation requirements in three of the federal acts, the Resource Conservation Recovery Act, the Safe Drinking Water Act, and the Clean Water Act. Interested citizens could better understand and take advantage of avenues and opportunities for participating if one approach applied to all of these laws. Final regulations for uniform public participation under the three acts were published in the February 16, 1979 *Federal Register*. They include "general provisions which require open processes of government and efforts to promote public awareness in the course of making decisions in programs and activities of the three acts."

Two other federal initiatives are before the state now in the State/EPA Agreement and Consolidated Grants Legislation. Through these two pending mechanisms, a percentage of the grants to the state under four of the six major environmental laws (the Resource Conservation Recovery, Clean Air, Clean Water, and Safe Drinking Water Acts) could be used to coordinate the administration of these laws, to place increased funds in programs to meet environmental needs unique to North Carolina, or to create new programs not now being adequately addressed in North Carolina. The possibilities are almost unlimited.

For instance, no one state agency is now capable of adequately responding to the increasing incidence of hazardous materials contamination. Whether it is PCBs, asbestos in public buildings, the mysterious tree kill in Northwest Wake County or any of the growing number of environmental insults affecting our quality of living and peace of mind, the state response is divided into the limited authorities and responsibilities of several agencies of government. Critical gaps are left open without comprehensive administration of a total state response.

If, as Thomas Jefferson believed, "people are inherently capable of making proper judgments when they are properly informed," a massive North Carolina program of effective environmental

management through public involvement and public education could be established through a consolidated grants proposal bringing the total environment as encompassed in the four federal acts into a North Carolina perspective.

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**The environmental movement is not dead. It has turned to the grueling task of implementing legislation.**

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There are many possibilities under this federal initiative, but there is also a great deal the state could do without waiting for the federal government.

Let me offer one possibility that I think is worth pondering---perhaps because of my volunteer's experience with shoestring budgets and my great faith in the power of grass-roots commitment. The Land Quality Section of the Land Resources Division of the Department of Natural Resources and Community Development has 13 people who are responsible for enforcing the Sedimentation Pollution Control Act. That is an incredibly insignificant number of people when you consider the thousands of construction projects going on each day throughout the state. Soil runs off the construction sites, and into our creeks and streams, clogging channels, causing flooding, killing fish and wildlife and increasing our water treatment costs. We now consider two alternatives: accept ineffective enforcement of that law or increase the budget of the Land Quality Section to expand its staff. One is not acceptable, and the other is astronomically expensive if manpower is ever to be adequate. Consider a third alternative. The Division of Environmental Management of NRCDC has 400 employees, many of whom are constantly out in the "field" doing air quality work or water quality work. They have no responsibility for sedimentation. But they are certainly capable of spotting violations of a state law and reporting them to those who are charged with enforcement of the Sedimentation Pollution Control Act. Should this team approach spread to the department's forest and park rangers, the wildlife and marine fisheries employees, we would have expanded our enforcement capability a hundred fold at no extra cost to taxpayers. The Land Quality Section could go about managing and administering the law of the state much more effectively by preparing for the increased reporting. If the public also becomes aware of the requirements of the Act and ways they can participate in enforcement, we begin to see ever greater possibilities of social pressure relieving the number of enforcement proceedings necessary to stem the flow of soil into once clear and living streams.

The teamwork should extend into other environmental areas as well as sedimentation pollution control. The dumping of hazardous wastes and air and water quality violations present more complex problems. But there is no reason to believe that the average engineer, biologist, botanist, and informed citizen cannot discern a problem outside of his or her particular specialty. There is no reason to believe that such individuals would hesitate to report questionable activities to the responsible state agency if they realized that by so doing they were enhancing the quality of their own lives.

It is not mawkish to describe what might result if such an approach were managed in a carefully orchestrated schedule of administration as a conservation ethic or a state stewardship. All of us, after all, whether we happen to be inside or outside of state government, are stewards of this beautiful state. As one of the six highest growth states in the highest growth region of the United States, North Carolina faces the monumental challenge of developing a healthy economy while, at the same, preserving a healthy environment.

State government could do a great deal in environmental protection with its large dollar and personnel resources. Tremendous strides have already been made in some areas by dedicated officials who are committed to improving and protecting the quality of North Carolina's economic and environmental well-being. But the role of the public should not be underestimated.

Unless citizens know the rules of the game and participate in the game, simply caring will never be enough. Since I have been on the inside, I have had my eyes opened to the power of an informed and active public. Whether it is for or against vigorous health and environmental protection, the squeaky wheel gets the grease. Strong leadership and commitment at the Cabinet level of state government is critical and an essential ingredient if staff level personnel are to avoid constant frustration in their attempts to carry out their responsibilities. But we can not let state government take the wheel and drive us to places we may not want to go, or we are just as much to blame for our final destination.

The state and federal governments have the capability and, I think, the responsibility to translate the myriad of environmental laws and programs into an environmental education and public involvement effort which will allow citizens to see the choices, the alternatives, open to them. But the rules of the game must be made clear.

If, then, we choose to leave all choices to government officials, we will have failed to carry out our responsibilities as citizens in this democracy, but we will also have made a conscious choice to do so. □