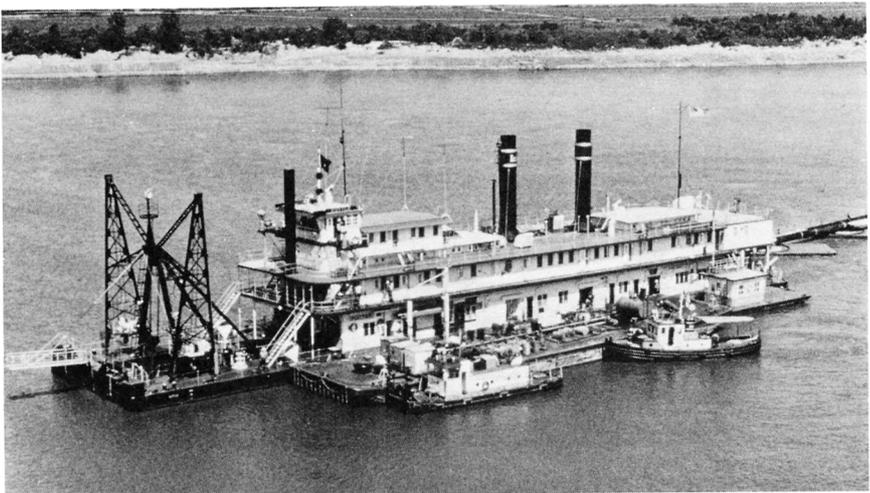


Chapter IV

THE THIRD YEAR: NEW CONCERNS AND RESPONSIBILITIES

By the summer of 1972, the Board was becoming increasingly involved with subjects other than environmental impact statements and project planning. General Clarke had in fact encouraged the Board to investigate such diverse areas as urban studies, dredging, and deep port construction.¹ Tentative steps in this direction had already been taken, but with the meeting at Williamsburg, Virginia, 11-12 October 1972, the EAB indicated its readiness to go in new directions. Departing significantly from earlier themes, this session was devoted mainly to dredging and coastal research activities. The Corps also briefed the Board on its efforts to cope with the Hurricane Agnes disaster.



The Dredge *Potter*, one of the Corps of Engineers dredge boats doing work on the Mississippi River.

In regard to dredging, Caldwell and Clement opposed the current way of paying for the disposal of polluted spoil. The cost was borne by the Corps' maintenance budget rather than by the polluters through effluent taxes or a "no-discharge" policy. Clement felt that the failure of local interests to pay full cost precluded properly balancing social and economic costs, while Caldwell observed tangentially that the issue of disposal site selection was part of the larger problem of developing good land use planning at the state and local levels. The Corps could not be blamed for poor local planning.²

Colonel Ernest D. Peixotto, Director of the Waterways Experiment Station (WES), outlined the current status of the Dredged Material Research Program, which had been authorized by Congress in the 1970 Rivers and Harbors Act. The principal goal of the program was to assess the environmental impact of dredging and dredged material disposal operations and then to find suitable remedies. The challenge was enormous since half of the 500 million cubic yards of dredged material disposed of annually in the United States was polluted. The total cost of the four-year program was estimated at \$30 million. It was an ambitious project, and Colonel Werner invited the Board to monitor the study as it progressed.³

At its February 1973 meeting the EAB again returned to its favorite subject, environmental impact statements. The session was the first devoted largely to a discussion of one geographical area, the Atchafalaya Basin in Louisiana. The Atchafalaya problems were among the most difficult facing the Corps. The issues centered—and still did seven years later—on the need to provide navigation and flood control while protecting valuable wildlife areas. Demands made by sportsmen and regional interest groups complicated the question. In addition, a significant number of environmentalists believed that any attempt to deepen the Atchafalaya was doomed to failure because of heavy siltation.



Building levees along the Atchafalaya River.

A draft environmental impact statement on the Atchafalaya had been circulated in February 1972. Reflecting the new spirit of cooperation, copies of the draft were distributed to various environmental groups. To the Corps' distress, both the Audubon Society and the National Wildlife Federation objected strenuously. The New Orleans chapter of the Audubon Society opposed the project partly because channeling the Atchafalaya would support Morgan City interests at the expense of others, including New Orleans. "We do not doubt that this juggling of the regional economy will be convenient to the oil industry," the local Audubon director wrote, hinting at collusion

between the Corps and petroleum interests.⁴ Furthermore, the National Wildlife Federation found the draft "so inadequate that it denies the right of the Federation and others to make meaningful comments."⁵ Ironically, this conclusion followed four pages of comments.

During the New Orleans meeting, the Board was given a land and air tour of the Atchafalaya. Then members gathered to analyze the problem and listen to Corps presentations. Clement immediately expressed his agreement with those who thought that the project was at best a holding action. Nature, as he put it, would silt up the basin eventually. Colonel Hunt, the New Orleans District Engineer and Clement's former antagonist in the Public Affairs Office, agreed with the Chairman that the backwater areas were valuable and productive. He emphasized that an effort was being made to protect these areas. Gilliam suggested that "channelization" was a bad word, full of negative connotations. By way of highlighting Gilliam's remark, General Clarke averred that some organizations oppose any channelization. Toward the end of the meeting, attention was directed to the Cache Basin in Northeastern Arkansas (Memphis District), another area where plans for straightening, digging, and enlarging (approximately 154 miles of Cache River and 77 miles of Bayou DeView) had run into intense opposition from environmentalists because of the threat to fish and wildlife.⁶

General Clarke's last appearance before the Environmental Advisory Board was at the meeting in Washington, D.C., on 15-16 May 1973. In a morning session closed to the public, he reflected on his years with the Board. Bemoaning the amount of paperwork required by the National Environmental Policy Act, Clarke suggested that the environmental improvements which had resulted were probably not worth the effort it took to achieve them. On the other hand, Clarke felt that the Board had been worthwhile. It had sensitized the Corps to environmental concerns and "helped the Corps establish a fair degree of credibility in the environmental area." Caldwell, in response, noted two reasons why NEPA required excessive paperwork. First, the act required public access to environmental impact statements. Second, the "courts have complicated the process resulting in an above average amount of litigation."⁷

In the afternoon program Colonel Werner explained the four basic elements of the Corps' environmental program:

1. Reorienting Corps thinking and education
2. Increasing Corps expertise—bringing skilled people on board
3. Publishing procedures, policy, and guidance
4. Conducting research and emphasizing public participation

The ensuing review focused on environmental impact statements. Werner stressed that the Council on Environmental Quality looked upon these statements as decision documents, and the council's guidelines emphasized this view. Richard H. Macomber of the Board of Engineers for Rivers and Harbors (BERH) reported on an analysis of 855 Corps impact statements, of which 208 had had their status changed: 144 projects modified, 17 projects

dropped, 43 projects delayed, and 4 negative reports. Macomber also identified three major problems in dealing with the impact statements. The first problem involved consultants, who were poorly selected, often went beyond the scope of their contract, and whose work was insufficiently checked. Second, funding for the development of impact statements was not always provided at the right time. Finally, there was not enough coordination with the Environmental Protection Agency (EPA) and the Fish and Wildlife Service.⁸

During the afternoon session on the next day, a discussion occurred on "What direction should the EAB take in the future?" Clement, who had indicated his desire to retire from the Board, pointedly asked if the Board should continue at all. Some members had earlier suggested that the entire Board should submit their resignations to make it easier for the new Chief of Engineers, Lieutenant General William C. Gribble, Jr., to decide the Board's future. However, OCE rejected this suggestion because such a mass resignation might be misinterpreted. Clement also had suggested that the EAB probe deeper into individual projects to see how the members might help in a constructive way, not, as Stoddard had wished, as an adversary designed to keep the Corps "honest." At the EAB meeting, however, Caldwell countered with a recommendation to concentrate more on policy than on technical issues.⁹

Major General John W. Morris, Director of Civil Works, OCE, proposed that the EAB support the Corps in helping the states to develop comprehensive water plans. Also the Board could analyze the floodplain management program. Clarke advised the members to examine Corps solutions to major national problems. As far as the Board's composition and method of operation were concerned, the Chairman proposed stronger representation from the various environmental groups, while Caldwell suggested that the Board publish an independent annual report.¹⁰

One subject which was not discussed thoroughly, but was on Harold Gilliam's mind, was the publication of a document that would consolidate and publicize the Corps' environmental policies. In a letter to Clarke on 5 January 1973, Gilliam had inquired about the status of this project, which had been previously recommended by the Board and accepted by the Corps.¹¹ On 10 April, Colonel Werner and Gilliam met in San Francisco to discuss the document. They decided that it should be written for the public, free of jargon and packaged in an attractive format.¹² Shortly after the May EAB meeting, Clarke approved the awarding of a contract to the well-known nature writer Charlton Ogburn to write an environmental brochure.¹³ For the next two years, Gilliam and Lieutenant Colonel John Wall, Werner's replacement, worked together to monitor Ogburn's progress.¹⁴

With the retirement of General Clarke, the relationship between the EAB and the Chief of Engineers entered a new phase. Although succeeding Chiefs shared Clarke's interest in cooperating with the EAB, they did not continue his efforts to maintain a direct dialogue. Without question the amount of time Clarke had spent communicating with Board members had



Lieutenant General William C. Gribble
Chief of Engineers
1973-1976

taxed his ability to deal with other significant items. Therefore, once Clarke left, the Director of Civil Works and his Assistant for Environmental Programs became the major liaisons between the Corps and the Board. Still, it should be emphasized that the difference was of degree, not of kind. Generals Gribble and Morris willingly communicated with Board members whenever necessary.

In the interim between Clarke's retirement and Gribble's appearance at OCE, General Morris, as Director of Civil Works, assumed the responsibility of working with the Board. In the middle of May 1973, he asked his staff to review two options available to the EAB in the future. One was to address specific items of work which the Corps expected to perform in the future. The other was to consider "roles and missions which the Corps of Engineers might undertake in the near and long term."¹⁵ Included in the first option were such projects as the Tennessee-Tombigbee, Red River, Trinity, modernization of the Ohio River, deepening of various harbors, and hydroelectric projects on the Columbia and Missouri rivers. Future projects which, according to Morris, probably would be undertaken were improvements on the Illinois Waterway, pollution control in Lake Erie, and the extension of navigation to Wichita, Kansas. More uncertain were plans for channeling the Missouri River, managing urban wastewater, and solving regional water supply problems.¹⁶

The experience and background of EAB members obviously helped determine which issues the Board could profitably address. With the resignations of Caldwell and Pough in the summer, the majority of charter members had left; and careful attention was given to finding suitable replacements. In response to Morris' May paper, Irwin Reisler, Chief of the Civil Works



The Clarence Cutoff on the Red River Waterway.

Planning Division, recommended that the Board be “composed of specialists who will be actively involved in assisting the Chief of Engineers on special items of work. Such a Board should be more technically than generally oriented to evaluate social, environmental, economical, and engineering aspects of major projects.”¹⁷ Specifically, he recommended that the person replacing Caldwell have similar capabilities; however, Pough’s replacement should be an environmental engineer. Colonel William G. Kratz, resident member of the BERH, was thinking in more political terms when he suggested that the new appointments come from geographical areas not yet represented on the EAB, that is, the South, Southwest, Missouri River Basin, and Columbia River Basin.¹⁸

Kratz was particularly enthusiastic about Dr. Clarence Cottam, Director of the Rob and Bessie Welder Wildlife Foundation in Sinton, Texas. According to Colonel Kratz, Cottam was “one of the most respected *senior* biologists in the nation” and the “father” of the 1946 Fish and Wildlife Coordination Act.¹⁹ General Gribble accepted the recommendation. Along with Cottam, Dorn Charles McGrath, Jr., was named to the Board. McGrath was Chairman of Regional Planning at George Washington University, Washington, D.C. He had lectured on environmental matters to academic and nonacademic groups around the country.²⁰ To everyone’s satisfaction, Clement agreed to stay on as Chairman of the Board for a while longer.

Morris worked with Clement during the summer to improve the Board’s responsiveness to Corps concerns. They agreed that EAB meetings should focus on selected programs. Morris was enthusiastic about making floodplain management the theme of the next meeting, and General Gribble concurred.²¹ Along with the two new appointments, the coordinated efforts of Clement and Morris insured an easy transition as the EAB met the new Chief of Engineers for the first time in November.