The Western scene...

State rights stressed by Western governors

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Although Secretary of Interior James Watt repeatedly assured Western governors at their annual confeerence at Jackson last week he is tilted towards greater state recognition, many of the governors were not entirely convinced.

For the most part, they left it perfectly clear they are waiting to see whether the colorful if combative interior secretary will translate his words into action.

The western governors in the past remember pledges of cooperation only to find later that the federal cabinet secretaries and the presidents failed to keep them. The situation is different now, as it appears that President Reagan is viewed as more friendly to the state governors than presidents of the recent past, whether Democrats or Republicans.

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Wyoming Gov. Ed Herschler, elected the new chairman of the Western Governors' Conference and a Democrat, minced no words in outlining the state positions in a rather lengthy paper on "Federal Interference in Water Development."

Herschler, Utah Gov. Scott Matheson and Montana Gov. Ted Schwinden, both Democrats, and Alaska Gov. Jay Hammond, a Republican, were likely Watt's severest critics. They especially objected to what they felt was the interior department's free-wheeling attitude in oil and gas leasing, coal management and handling other resources which often ignore state regulations and preferences.

The governors were more than pleased when Watt announced reversal of a previous opinion and now gives states priority in water managment, except in instances saying otherwise by congressional action.

Watt emphasized he does not believe in eminent federal domain in the matter of a so-called "federal non-reserved water right."

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Herschler has come a long ways when he first took office in 1975 until the present. In his early years he appeared unsure of himself and unfamiliar with many state and federal issues. Such was not the case in the conference in his own home state at Jackson last week. He took a leading role, forcefully outlined state positions, showed no hesitiation in lauding or criticizing Watt or other federal officers on merits of the issues, and sparkled as a true down-to-earth representartive of the people.

Herschler said in his talk the federal goverment must have an affirmative national water policy, specifying one that should (1) reinforce historical state control over water, and (2) provide a clear procedural route for expeditiously and informally handling state and private appropriators' claims against overrreaching federal agencies.

He then observed there are four environmental protection laws that stand out as contiually frustrating the development of water projects needed by residents of Wyoming and other western statses. They include a section of the Federal Water Pollution Control Act, Fish and Wildlife Coordination Act, Endangered Specifies Act, and National Environmental Policy Act.

He hastened to add as Wyoming governor he is not opposed to protecting and fish and wildlife resouces but that several federal agencies have taken great liberties in interpreting the language of federal statutes as to bring about abuses that are often counter-productive and questionable.

He then called for changing federal interference to cooperation by removing federal impediments to water development, developing an affirmative National Water Policy, and adopting a reliable federal financial role in water development.

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Idaho Gov. John V. Evans compared favorably with any of the Western governors, particularly on how he handled the important rangeland seminar which brought out the varying viewpoints. He gave spokesmen for the Bureau of Land Management, livestock industry and environmentalists an opportunity to present their positions and exchange views. It was a fruitful discussion and was marked by absence of vitrolic outbursts which one could expect in discussions of emotional issues such as this.

The outstanding governors by virtue of their long service and knowledge of issues included Utah's Scott Matheson, newly elected chairman of the National Governor's Association; Nevada's Robert F.List, Western Governor's Conference chairman; Herschler, the new western conference chairman; Evans, Oregon's Victor Atiyeh, and the bewhiskered Alaska's Jay Hammond, fondly called the "grizzly bear of Alaska.

The three newcomers, Washington's John Spellman, Montana's Ted Schwinden and North Dakota Allen Olsen generally carried a low profile but more will be heard from them later. Schwinden, however, did take a leading part in discussions in which he disagreed sharply with some of Watt's policies on coal, an important product in Montana.

The erratic and temperamental California Gov. Jerry Brown, as usual, was missing. He has boycotted the western conferences except last year when it was held at the border of his state at Lake Tahoe, Nev.

One of the most outstanding governors, Richard Lamm, of Colorado, also had to understandably cancel out at the last moment because his wife was sent to the hospital with a surprise serious case of cancer; and Arizona's Bruce Babbitt, also was missing because of need to testify for his state's jurist, Sandra O'Connor, at the Senate confirmation hearing for U.S. Supreme Court justice.

Hawai's George Ariyoshi usually takes a low profile and rarely engages in discussions while New Mexico's Bruce King, known for his pronounced Texan drawl, is one of the most affable state executives on the scene. He is said to own a ranch that is so large it can't be covered in a single day car drive.

For that matter, all of the governors are common down-to-earth folks and delightful to meet—that's the reason they are governors.