REMARKS OF ASSISTANT SECRETARY OF THE INTERIOR JOHN A. CARVER, JR., AT THE RESOURCES PANEL OF THE WESTERN GOVERNORS' CONFERENCE, FAIRMONT HOTEL, SAN FRANCISCO CALIFORNIA, MAY 5, 1964

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FEDERAL-STATE RELATIONSHIPS-NATURAL RESOURCES MANAGEMENT

A few weeks ago, I discussed substantially the same topic we have today with a diverse group of senior federal executives, assembled in one of the Civil Service Commissions' programs of continuing education.

I must confess that I had certain difficulties in making my points to them, which I don't anticipate having here. Most of the men I met in Washington were from other agencies of the federal government, and were unaccustomed to relationships with the states based upon federal ownership and management of land and resources as neighboring landlord.

Any proprietor or land manager having such a dominating position of land ownership as 86%, as does the federal government in Nevada, or 65% as in Idaho, or 50% as in California--and about a half-and-half average in the Western States generally (leaving out Alaska, where 98% ownership skews the statistics)--can expect a certain amount of friction. When the situation is complicated, as it is, by a checkerboard pattern of ownership, and a multifarious division among various arms of the federal sovereignty, you get a situation bordering on utter frustration.

I'm speaking today of federal stewardship generally, and I hope my colleague from Agriculture--the other principal land and resource managing agency of the federal government--will forgive me for not drawing precise bureaucratic lines. You as governors, and certainly most of your citizens, are not likely to distinguish too sharply, anyway. To you, it's "we" and "they"; to the man in the street, it's "the guv'ment."

In the industrial and urban East, and in the industrial and urban parts of the West, too, the federal government's stewardship of land and resources has little immediacy. But in the Western States, and particularly in some of the Western counties, where the land ownership is four-fifths or more federal, the management and administration of the lands and the resources is felt keenly in every city and town, and in the business and governmental life of the community. It is a source of strength as well as a source of friction.

The strength and opportunity of the federal ownership of land is that the land is there, and it can contribute mightily in meeting the need for more land as land. The negative aspect, the friction and frustration, is that
the laws and procedures governing the management of the land and resources are extraordinarily complex and inhibiting. In land matters, citizen as well as sovereign state meet the federal government in a tangle of law and procedures.

Let me digress to call the roll of states, simply to list some of the federal-state type situations which have occupied my attention, and that of some of you, arising from the Interior Department's programs administered by the bureaus which I supervise. Some of these are public land problems directly, some indirectly.

Washington--I suppose no joint problem of Interior and the State of Washington approaches in complexity that related to Indian fishing rights. I am pleased to pay warm tribute to Governor Rosellini, and to an outstanding assistant attorney general on his staff, for assuming the laboring oar in a most difficult human situation. The temptation, indeed perhaps the justification, to hold the federal government totally responsible, was there. But the people involved, in addition to being Indians, are also citizens of Washington and neighbors of each other, and the opportunity to emphasize this vital fact was seized by the state. It will pay dividends, in the long run, not only in management of the fish resource, but in human relations.

Oregon--Here I would like to speak of the especially fine cooperation which exists in the management of the O&C timber resource. This resource was once in private hands, and was re vested in the United States by court action. Congress enacted a broad and generous law for sharing the benefits of its management with the counties, fixing 75% of the proceeds as the counties' share, and specifying support of local community economy and development of recreation among others as objectives of federal management. We're proud of the broad-gauge advisory board which works with us in the formulation of plans and policies for management--road plans, recreation plans, amount of cut, reforestation and the like.

California--California stumps me, for it is so much of everything. The big interest is water, and water is not my responsibility in Interior. California has 16 million acres of unappropriated, unreserved public domain federal land (out of one hundred million acres of land area, in round figures). This is a residual estate, much of it desert. There are substantial timber values, but the ownership pattern is extremely broken. This sixteen million acres is subject to agricultural entry laws, but the current and future demand is not and will not be for agriculture. The acreage sought will be for industrial plants and residential development, and public demand for recreation will grow, particularly for high density and intensive use areas. The highest order of cooperation in planning is going to be necessary, and the patterns for this are already well established.
Arizona—What I've said about California applies to the urban areas of Arizona. A major unresolved land question involves the Indians; and the existence of so much land in trust ownership for Indians brings us into close contact with Arizona officials in the area of education.

Utah—Utah has pursued diligently a program to take advantage of the various laws to indemnify the state for areas "lost" to the state when the federal patrimony was specified at statehood. This program is virtually unique to Utah, and a variety of difficulties besets Utah, simply because the atmosphere for land administration by the federal government has changed since the time when the other states were completing their selections. But we have some outstanding successes in federal-state relations to show for it, nonetheless, and I'm sure Governor Clyde will agree.

Idaho—The Department of the Interior, I think my own governor will confirm, has avoided being bureaucratic in accommodating the State's legitimate request to be assisted in replacing timber resources lost in the pool area of a federal flood control project (built by another federal agency) with timber under Interior's jurisdiction. This example of seeing our land management job as something bigger than keeping the maximum areas under our own dominion may be rare—but it is an example.

Montana—In Montana, a controversy over administration of lands organized as a state grazing district, although comprised of four-fifths of more federal land, has been compromised amicably, with the concept of state grazing districts remaining intact. This was a signal victory, on its own level involving problems akin to the settlement of the railroad strike by President Johnson.

I could go on, to Wyoming and elk management, incidental to Yellowstone and Grand Teton National Parks; to Colorado and oil shale; to New Mexico and more Indians; to Nevada and grazing fees. But I think I've laid the foundation already for some points I'd like to make.

One is that we regard ourselves as neighbors to the other land owners in the area, both the private and the public. This means, for example, that we must cooperate with Soil Conservation Districts where federal lands checkerboard the private areas.

I've frequently emphasized that we regard those who secure their livelihood from the public lands as conservationists, too. This helps in our relationships, because it makes such eminent good sense to remember that they, too, have an incentive to see that the land is properly used, that it will be there in good condition for succeeding generations.

Furthermore, where the federal manager and the private user are going in the same direction, as in the improvement of forage land, it is quite possible that improvements can be effected which could not be made if federal approp-
riations had to be relied upon, and it is further possible that many other noncommercial public benefits can be achieved. I am sure that Mr. Stamm will give you some of the insight into this relationship in the field of recreation, and I am sure that you have the same experience in your own land administration programs.

Many of our frustrations are rooted in archaic laws. We are supporting the bill, H.R. 8070, which would authorize a commission to study the laws, and the regulations and procedures under the laws, and make recommendations to the Congress for policies and laws to bring them into accord with modern needs.

A Public Land Law Review Commission can be constructive rather than reactive. The proposed commission would meld public members with legislative members, would utilize an advisory commission to speak for various user groups, and would provide for the Governor of each state to designate a representative to work closely with the commission and its staff and with the advisory council on matters pertaining to the Act.

What is needed is concentrated and systematic cataloguing of the whole subject of land laws and administration, detailed analysis and evaluation, and a consensus of experienced judgments as to the course of future policy to meet the needs of an expanding economy in our maturing society.

I hope this conference supports the Public Land Law Review Commission.

In what was an extremely vital and important speech, Secretary Stewart Udall at Albuquerque last February 6, discussed the Western public lands as aid or obstacle to progress. In this speech he reminded his listeners that the public land had meant much to the private sector of the economy, and to the states, counties and municipalities. He spoke of the federal investment, the economic impact of parks and recreation activities, the sharing of receipts, the Reclamation Fund, and the whole history of the federal government's programs to aid and assist the development of the West.

He spoke of the pattern of doing business through local irrigation districts, water conservancy boards, and the statutorily authorized district grazing boards.

He said that the prime principles of conservation historically have been that first priority in the West has been water development and conservation, which only a federal program can realize in full; that the arid climate of the West has dictated federal stewardship of much of the public domain; that monopoly is intolerable, and that the private sector--the farms, the mines, the sawmills and the ranches would be the instrumentality for the utilization and development of these resources.
Land management is central to Western economic planning—and because so much of the land is federal, we, the federal government, and you, the states, are likely to have to work with each other for a long, long time to come. We ought to do so in an atmosphere of mutual respect and mutual understanding. It is unworthy that our relationships should be tainted by name-calling and sloganeering.

Last week at Utah State University, I discussed conservation and politics, saying that conservation issues are public issues. Slogans are not substitutes for cerebration, and the field of conservation isn't open to be staked as the exclusive domain of any group. That applies to the states and federal government, as well as to the vying conservation interest groups.

We—you for the states and all the officials in the federal government—have the responsibility to make the social decisions to meet the demands of 300 million people for living space, food and fiber, and all of the other resource requirements of an almost unimaginable technology. Conservation and resources promise to become the most critical domestic political issue as we approach that social milestone. Any attempt to answer the challenge with cliches must fall—and with it our basic values, quite possibly our whole political system and our existence as a democratic society.

We face a century of intense competition for the elemental resources, land and water. Science and technology can change and multiply and stretch the limits of such resources as food and fiber and energy sources, but the land surface is inelastic, and wars have been fought and civilizations have died for lack of water. Government must enter as arbiter—and it will be unworthy of our system if the word government is dichotomized, if there is a harsh division between the State and the Federal governments on such vital matters.