

asserted: Only that which cannot be done effectively at the lowest echelon of government should become the responsibility of successively higher authorities. An analogy presents itself in the accommodation devised for the administration of justice. Except under special circumstances grievances are not brought before the purview of the U.S. Supreme Court without first seeking adjudication in the lower courts. It is submitted that if the present trend of Federal intervention with respect to pollution control continues every facet of this complex undertaking will have to be brought to Washington for decision.

Grassroots responsibility

Several guidelines for delineation of responsibility suggest themselves. With respect to promoting exercise of responsibility at the grassroots level, neither State nor Federal Governments have been distinguished in giving leadership to the establishment of watershed or regional institutions through which the solution of pollution problems might be more intimately harnessed to the interests of those upon whom the burdens and benefits should fall. Yet it is within the framework of such institutions—authorized to plan, finance, design, and operate facilities to satisfy local needs—that perhaps the greatest opportunity may lie for implementing optimum quality-control measures as well as for freeing the State and Federal regulatory agencies of detailed administrative supervision.

National policy might not only declare that instrumentalities of this kind are to be fostered, but also provide incentives for their creation and administration.

One form of such an instrumentality might find expression through an interstate compact—with broader responsibilities and powers, however, than those associated with existing compacts on water pollution. In this connection attention is invited to the compact establishing the Port of New York Authority and to the manner in which this agency is organized to perform a specialized regional service and does so on a self-liquidating project basis without making inroads on the taxing base of the signatory States or the Federal Government. Serious consideration of such a structure is desirable, even with the awareness that it brings with it political problems of what controls the electorate forfeit.

Another type of institutional arrangement—and one which is specifically adapted to a watershed or portions thereof—is a conservancy district. So far as is known the employment of such an agency in the United States for water pollution control has not been given adequate trial, although such agencies have demonstrated effectiveness in dealing with flood control and other aspects of water-resources management.

Perhaps the most sophisticated form of local-entity management of pollution control is to be found in the operation of the cooperative water boards of the Ruhr Valley of Germany. Although they are subject to the broad purview of both the state and Federal Governments these boards are otherwise independent and self-supporting institutions with a record of performance dating back in some cases for half a century.