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Reviewing Environment Laws

A BETTER BALANCE between the growing demand for energy by the American public and the obstacles being raised by environmental protectionists must be reached immediately. The responsibility rests on Congress.

The ruling that under present law the Alaskan pipeline cannot be constructed, handed down last Friday by the United States Court of Appeals in the District of Columbia, is just one more indication of the need for an urgent reconsideration of environmental impact laws.

In the case of the Alaskan pipeline, which is desperately needed to supply just a small part of this nation's spiraling energy demand, it was an even older law, the antiquated 1920 Mineral Leasing Act, which was used to block construction. But it was done in the name of environmental protection, with no heed to the effect on the American economy, jobs, transportation, heating and so on.

WE ARE WITNESSING similar delays to important and necessary projects in every direction. Right here in Memphis, a small group of environmentalists has stymied completion of the city's east-west expressway, deaf to the needs and wishes of the majority.

The ridiculous lengths which can be reached have been demonstrated by a group which has gone to court to object to removing part of a grassy median strip in the right-of-way on Jackson for creation of left-turn lanes.

There was a costly and useless delay in starting work on the Tennessee-Tombigbee Waterway, a project of vital importance to the economic development of this region.

The entire Los Angeles area is under a federal environmental edict which threatens to bring its auto-oriented society to a grinding halt, throttling the citizenry more effectively than even the LA smog.

Permits for new electric generating plants across the country are being held up. Drilling for new oil and natural gas supplies off the shores of Louisiana, Texas, Florida and California is being prevented. Access to surface coal, a cheap and plentiful source of power for heat and electricity, is being impeded. The use of supertankers and the deep ports to handle them are being fought, despite the fact that America's requirement for imported petroleum is expected to rise from the 14.7 million barrels consumed daily in 1970 to 30.2 million barrels a day in 1985.

WHAT IT ADDS up to is this: If the 1970 Environmental Protection Act and the Clean Air Act are enforced strictly, and if environmentalists are encouraged to load the courts with litigation

— as they have been encouraged to do by people like Senators Philip Hart (D-Mich.) and George McGovern (D-S.D.) — much of the machinery that runs this country is going to come to a head-jarring stop.

All Americans are aware of the need for far greater environmental protection than we had in the record growth period since World War II. But that cannot be the sole guide to the enlightened exploitation and use of our resources and the fulfillment of our national goals.

There must be an intelligent balance.

LAST APRIL, testifying before the House Interior and Insular Affairs Committee, Secretary of Interior Rogers Morton observed that there was a lot of conflicting advice on energy and environmental needs. Everybody wants cheap, plentiful power from secure, reliable sources, he said, "But don't drill offshore of my coastline, don't build any pipelines across my land, don't strip mine any coal, don't build any refineries or storage facilities in my area, abolish the oil import program but don't move oil in by tanker for this might pollute our waters." Morton concluded, "The decision-maker must recognize that any particular course of action may have extremely detrimental reactions in other areas."

Passage of our new environmental laws was treated in a nonpartisan way in Congress. The politics of the situation was such that it was suicidal to oppose the strict laws. But the overpowering shape of those laws is already evident in the actions of overzealous protectionists.

Therefore Congress, again without partisanship, had better reconsider — and fast.

First, it should amend the 1920 law under which the federal appeals court has blocked building of the Alaskan pipeline. The need for that fuel is immediate. If we began construction of the pipeline today, it would be 1974 before oil would begin to move to market, and 1979 before natural gas would be available. Every delay is costing the nation dearly.

Second, Congress must review the whole range of adverse effects which environmental legislation is having on life in America.

THE DESIRE to preserve and to clean up is admirable, but it is shallow in purpose if it results in denying to Americans the goods, services and conveniences which make up the high living standards all Americans seek. Realistic rewriting and refining of both the environmental laws and the deadlines for compliance should be among the highest priorities in the 1973 session of the 93rd Congress.

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