

ECOS Chief Strives for “Efficient” Alignment of State, Federal Roles

Donald S. Welsh, who is the new executive director of the Environmental Council of the States, came out of retirement to take the job. Usually, folks who do that have some sort of inspiration, and indeed that’s the case here. In an interview, Welsh told us that he was impressed with the association of state environmental commissioners when he served as a deputy secretary of the Pennsylvania Department of Environmental Protection and as an EPA regional administrator during the George W. Bush administration. What appealed to him most were both the ECOS mission and the people who are carrying it out.

The press release announcing his appointment states that Welsh will be “instrumental in helping member states develop consensus while preserving states’ diversity in environmental policy.” In our interview, we ask first off how he planned to achieve this ambitious goal. Welsh allows that ECOS represents both very liberal and very conservative states, which presents a serious challenge.

He observes that in the past ECOS spent “a fair amount of time trying to reach consensus,” and it can be “futile for members to try to convince each other when politics and policies are dictated” by their states. But the “real center” of ECOS’s work is in sharing success stories and lessons learned. This outreach can thus enable a state to “capitalize on the pioneering work of another state.”

Furthermore, according to Welsh, the mechanisms by which federal and state governments deliver environmental protection involve “many common challenges” shared by both liberal Democratic and conservative Republican states. He emphasizes that

ECOS plays an important role in related “process improvements” and in trying to ensure that “resources are put to the most efficient use.”

To this end, a new ECOS project asks states to report on 14 measures of program performance, in an effort to develop more robust ways of measuring success that avoid bean counting and the “ensuing arguments over what the numbers mean.” He points out, however, that new technologies such as sensor drones and big data management may bring the ability to report measures in ways that are not as burdensome but effectively “tell the story of what is happening in the environment.”

Welsh also wants to address cooperative federalism, which can be “misunderstood as a tug of war over who should be the leader,” but “rightly understood it is an effort to align the work of the federal and state governments so they are both pulling on the same side of rope to move environmental protection

“Cooperative federalism is not a tug of war over who should be the leader”

forward.” In fact, when asked what he would most like to achieve, Welsh offers that he wants to institutionalize the realignment of roles in a way that provides states with a permanent seat at the table, thereby ensuring that EPA and the states do in the end “pull the rope together.”

He asserts that in the past it was as if “states were crying in the wilderness” about the problem of overlapping efforts. Welsh describes past concerns about “phantom delegation,” whereby EPA continued to run a program even after it was delegated. Welsh points to considerable progress in addressing states’ concerns today. He notes as a for instance that their agencies are now consulted on EPA’s proposed regulatory changes to national program guidance.



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We asked which environmental challenges are front and center for ECOS members. First, Welsh points to per- and poly-fluoroalkyl substances and notes that ECOS hosts a working group on risk characterization that addresses these and other emerging contaminants of concern. He says the biggest challenge is talking to the public: risk communication and the need for consistent interpretations of the science. Second, Welsh names nonpoint source water pollution as a continuing challenge for states because, rather than working mainly with a few large national companies, states must work with a wide array of stakeholders, which is much more resource intensive.

Finally, we ask about the status of state environmental budgets. Although ECOS no longer conducts a comprehensive analysis, Welsh was unequivocal: “Everybody is under budget pressure at the state and federal level.” ECOS has weighed in on cuts to State and Tribal Assistance Grants. Recent federal budgets have restored funding going to states, but Welsh acknowledges that they are still concerned.

In closing, Welsh identifies what may be a key to his organization’s ability to develop a membership-driven agenda in this partisan era. He points out that a strength over the years has been the involvement of the secretaries and commissioners themselves, rather than only their staff, in setting ECOS priorities.