

## **WHAT WOULD ALDO LEOPOLD SAY?: An Ambiguous Environmental Victory in the House of Representatives**

By John D. Echeverria\*

*The following slightly contrarian piece on the Conservation and Reinvestment Act, recently approved by the U.S. House of Representatives, was published May 11, 2000 in TomPaine.com.*

What would Aldo Leopold say about the legislation the House of Representatives approved this past week to fund the public acquisition of private lands for conservation purposes? His imagined response provides an illuminating perspective on the issues raised by this legislation.

The so-called Conservation and Reinvestment Act would inject one billion dollars annually into the virtually moribund federal Land and Water Conservation Fund. Another billion would go to fund a variety of acquisition and landowner "incentive" programs aimed at wildlife conservation, historic preservation, park acquisition and other conservation purposes. Yet another billion would go to a handful of states, essentially in the form of federal revenue sharing.

One of the most distinctive aspects of the legislation is that it does not simply authorize the expenditure of these funds, but creates a dedicated funding stream that would last for at least the next several decades.

Leopold, progressive forester, wildlife manager and university professor, is one of the foundational thinkers of the American environmental movement. Wallace Stegner described A Sand County Almanac, published two years after Leopold's death in 1948, as the "utterance of an American Isiah."

Leopold was preoccupied by the question of how to enlist private landowners in protecting the health of the land. The owner of a farm himself, Leopold sympathized with concerns of landowners. But he believed the conservation efforts of his day were inadequate because they appealed only to owners' "enlightened self-interest." When a landowner is called upon to forgo short-term profits, he lamented, "he today assents only with outstretched palm."

The solution, Leopold concluded, which he termed "an evolutionary possibility and an ecological necessity," was the development of a new "land ethic" that recognized owners' duties to respect the land and the resources it supports. He observed that "obligations over and above self-interest [are] taken for granted in such rural community enterprises as the betterment of roads, school, churches, and baseball teams," and he saw no reason why society should not recognize similar obligations in "bettering the behavior of water that falls on the land, or in the preserving of the beauty or diversity of the farm landscape."

How would Leopold react to legislation to dedicate several billion dollars a year for land conservation, in order to maintain open spaces, protect wildlife habitat, and preserve historic sites?

First, Leopold would undoubtedly have celebrated this public investment in conservation and the pieces of nature and history thereby preserved. He thought that "most of [the] growth in governmental conservation is proper and logical, some of it is inevitable."

At the same time, he would have cautioned that public acquisition of private lands is only a partial solution. "Let's buy land by all means," he once said, "but let's not delude ourselves into thinking that buying land is a comprehensive solution." Indeed, he thought the "fallacious doctrine that government must subsidize all conservation" would ultimately "bankrupt either the treasury, the

land, or both." Public ownership "can cover only a fraction of what needs to be done, and then only awkwardly, expensively, and with frequent clashes of interest."

At the end of the day, he thought that those concerned about the problem of maintaining the health of the land had to grapple with the reality of private land ownership. "The basic problem is to induce the private landowner to conserve on his own land, and no conceivable millions or billions for land purchase can alter that act, or the fact that so far he hasn't done it."

Finally, and extrapolating a bit from the words he actually left behind, Leopold would likely have expressed a concern about how a dedicated stream of federal funding for land purchases and other incentives would intersect with efforts to foster his new land ethic and, in turn, the overall health of the land. If society takes on the responsibility of paying certain owners to be good stewards of the land, would that undermine, rather than reinforce, the land ethic as applied to other private lands? If billions of dollars in federal funds are available to purchase the good will of some landowners why should any owner willingly shoulder the burdens of ethical behavior toward his neighbors and society as a whole?

As the bill takes the next uncertain step in the legislative process, a vote in the U.S. Senate, attention will focus on a variety of issues, including the wisdom of expanding the public land estate and where to find the money to finance this effort, even in these relatively flush times. Perhaps some thought also should be given to how this initiative affects the nation's long-term ability to conserve and wisely manage the lion's share of the land that can't and won't become public property.

As scholar Eric Freyfogle has observed, Leopold believed that "Conservation was not something a nation could buy; it was something it had to learn, slowly and painfully." The learning process, in fits and starts, apparently will continue.

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