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## Moving Beyond Conflict: Private Stewardship and Conservation Partnerships

Lynn Scarlett

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A unit of Lindenwood University's  
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This publication is a more thorough discussion of the principles outlined in an October 29, 2003 presentation in Lindenwood University's *Economic Policy Lecture Series*. The lecture series is designed to engage students, faculty and off-campus guests of Lindenwood University in discussion of key economic issues of the day. These lectures are published in order to afford a variety of audiences across the nation the opportunity to benefit from the careful scholarship that undergirds these presentations.

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# Moving Beyond Conflict: Private Stewardship and Conservation Partnerships

Lynn Scarlett

## INTRODUCTION

Aldo Leopold, one of the nation's greatest leaders in the early conservation movement, had a vision of a nation of citizen stewards. He eloquently imagined that each of us in our own backyards and communities would serve as stewards of our environment. Environmental progress, he opined, ultimately resides in the actions taken by each and every one of us.

Earth Day thirty years ago turned environmental aspirations toward Washington, D.C. In the wake of several notable events—the oil spill in Santa Barbara (my backyard), the Cuyahoga River in the Cleveland area catching fire, and others—sent a wake up call that all was not right with our protection of the environment. That wake up call created a yearning for action, in particular, a demand that the federal government become more involved.

The result was an unfurling of the nation's major environmental statutes in the 1970s and 1980s – the Clean Air Act, the Clean Water Act, the Safe Drinking Water Act, the Resource Conservation and Recovery Act, the Endangered Species Act, and many others. Many of these efforts have resulted in a better environment. Our air is cleaner, our water is purer, and eagles are soaring once again.

But these statutes also resulted in high levels of conflict. Sometimes they produced unintended consequences, solving one problem while creating other problems. In some instances, these directives resulted in costs that were much higher than necessary. Once we turned to Washington, federal prescriptions were not always perfectly suited to local circumstances.

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Lynn Scarlett is Assistant Secretary for Policy, Management and Budget at the U.S. Department of the Interior.

While our environmental hopes were pinned on Washington, another movement also was developing, albeit largely unnoticed. There was an upwelling of citizen stewardship in the vein that Aldo Leopold envisioned. Individuals working alone and together, on farms and in factories, in neighborhoods and backyards began to take actions to improve their local environments. At the dawn of the 21st century, Aldo Leopold's vision is gaining momentum and holds unlimited possibilities.

At the Department of Interior, we are trying to shine a light on these local opportunities, and we are seeking cooperative ways to facilitate them. Let me give you a flavor for this trend in an effort to anchor in your minds that these are not isolated incidents but are spread across this country. They offer us an alternative upon which to build our environmental future – a foundation of cooperation rather than conflict.

## **A VIRTUAL TOUR OF ENVIRONMENTAL COOPERATION**

### **Buffalo Creek, Pennsylvania**

Join me in a “virtual tour.” We will go first to Buffalo Creek in Pennsylvania. (This is a homecoming for me because I grew up in western Pennsylvania.) Here at Buffalo Creek, we have farmers who raise beef cattle and dairy cattle. Historically, these cattle have wandered the landscape and walked through the streams at will.

Through our Fish and Wildlife Service “Partners for Fish and Wildlife Program,” farmers are now engaged in stream bank fencing. They are keeping the cattle out of the streams, allowing the trees and brush to regenerate, protecting the banks from erosion. The new vegetation also provides shade for the stream that lowers its temperature, making it more hospitable for fish and other fauna and flora. Stream bank shrubs also are hosts to ground-nesting birds whose habitats had previously vanished.

What benefits do the farmers derive from this partnership? Moving the cattle out of the streams and fencing off the stream have allowed farmers to practice some rotation grazing. These actions have reduced the bacterial count in the stream from 2500

parts per billion to 25 parts per billion. That means healthier cows – less waterborne hoof disease, and fewer spontaneous abortions during calving season resulting from waterborne diseases.

What we have at Buffalo Creek is the emergence of healthier lands and waters. The farming community is thriving because these improvements enable the farmers to rotation graze and improve their productivity.

Farmers also are planting native warm spring grasses, but not where timothy and alfalfa are normally planted. Our Fish and Wildlife agents are working with farmers to find less productive areas to plant these grasses. Now the cows have more forage and the wildlife have more habitat.

In addition, they have put vernal pools in place and built barn owl boxes, wood duck boxes and bat boxes. All of this is in partnership with the farmers and also with Pheasants Forever, a bat protection association, and Ducks Unlimited.

At Buffalo Creek we see a vision of cooperation and partnering where people are applying caring hands to the landscape. They are achieving healthy lands and waters, thriving communities, and dynamic economies.

### **Duck Trap River, Maine**

Let's now head north to the Duck Trap River in Maine. This is one of eight rivers remaining on the Atlantic coast that are hosts to Atlantic salmon. It, too, is facing erosion, loss of habitat, and encroachment of non-native plants. On this river, we have a mosaic of private and public ownership – factories, farms, cities and towns. We have people who use the adjoining lands for recreation – snow mobile enthusiasts, fishermen, hunters, and conservationists. These lands have many uses and face many challenges.

Twenty-six partners on the river have now formed the Duck Trap River Coalition. They are working together to reinstall vernal pools by converting some abandoned gravel pits. They are using new technology to put netting along the stream bank to allow new grasses to flourish to re-anchor those banks and avoid erosion.

The Coalition is working with a snow mobile association to find paths for that activity that will put the

lightest footprint on the land. It is working with farmers to put easements on some lands to prevent land fragmentation that would otherwise threaten wildlife. It also is working to make it more worthwhile for farmers to keep the land undisturbed rather than to sell it for development.

### **The Stillwater Mine In Montana**

Now let's go west to Montana and stop at a mine. The Stillwater Mine produces palladium, which is used in catalytic converters to reduce air pollution from automobiles.

The mine owners wanted to expand operations but the community was concerned about the environmental impact of expanded mining, including added traffic to and from the mine. Citizens also were concerned about the need for infrastructure – essential services for a growing population.

So the mine owners drafted a “good neighbor compact” that specifies the environmental performance of the mine—air and water emissions—across a number of potential impacts. The compact provides for funding independent community monitoring of compliance with the provisions. The mine owners also worked with the community to address traffic and other issues.

All of this was accomplished on a voluntary basis without federal intervention. Economic growth was made to harmonize with other community values through the good neighbor compact.

### **Malpai Borderlands, New Mexico**

Now let's continue on to the southwest boot heel of New Mexico and the southeast corner of Arizona. The specific destination is the Malpai Borderlands. Here we have ranches that have been in the same family for four or five generations. It's a land that experiences only a few inches of rainfall a year and is home to a number of threatened species—a type of rattlesnake and several others.

Ranchers in the Borderlands have something of a hardscrabble life; they face water challenges, erosion, and increasing threats from development. Subdivisions are beginning to move out from some of the

border towns. Ranches need wide open spaces.

As a result of all these issues, ranchers in the Malpai region got together with The Nature Conservancy, an environmental group that owns and manages many environmentally sensitive lands throughout the United States. They also worked with our department's Fish and Wildlife Service and Bureau of Land Management and others as they created the Malpai Borderlands Group. The group's goal is "to preserve and maintain the natural processes that create and protect a healthy, unfragmented landscape to support a diverse, flourishing community of human, plant, and animal life in the borderlands region."

So far, the group has developed: 1) a joint fire management plan to use controlled burns to re-establish herbaceous plant cover in order to improve wildlife habitat and livestock forage, 2) a re-seeding and good management practices programs, and 3) cooperative relationships with research and management organizations—including university, state and federal government entities.

One of the most interesting accomplishments of the Malpai Group is the creation of a 400,000-acre "grass bank," a conservation easement set aside in perpetuity for grass and prairie conservation. But this area also serves as an insurance policy for ranchers in periods of drought. The provisions of the easement allow the ranchers to move their cattle onto the grass bank when forage on their own lands becomes sparse. Again, a cooperative approach is producing healthy lands, thriving communities and a stronger economy.

### **The Applegate Partnership - Southern Oregon**

Our last stop on the virtual tour is in southwestern Oregon. The citizen stewards here have formed The Applegate Partnership. The Applegate River watershed is a forested area of about 500,000 acres that is 70 percent publicly owned. It is like many other areas of the West where former forest management practices have resulted in a tremendous buildup in undergrowth. Tree stand densities are far beyond that of the pre-settlement time.

This buildup is partly the result of the "Smokey the Bear" mindset of the 1940s and 1950s that attempted to put out any and every forest fire. Rather than al-



lowing fires to re-establish ecosystems by removing the underbrush and thinning out the tree stands, fire suppression was the order of the day.

Now there is a fuel buildup that changes the nature of wild fires. Further, invasive species like pinyon-juniper stands have run amok in these unmanaged forests. In these conditions, fires do not behave as in the past when a lightning strike might cause the fire to run down a tree and spread to and along the forest floor. Fires now can touch off the thick and dry undergrowth and travel up the stands of densely configured, sometimes diseased trees, reaching the crowns of the trees. Crown fires can burn at 2,000 degrees Fahrenheit and release the equivalent energy of an atomic bomb. These fires burn so intensely that they can virtually incinerate forests.

In 2002 in forests managed by the Department of the Interior, we saw seven million acres burn. The Rodeo-Chediski fire in southeast Arizona burned over 409,000 acres, alone. The fires in California in fall 2003 were another example. We have hundreds of thousands of acres of forest lands that are too dense, where trees infested with bark beetles have been left standing like match sticks just waiting to be touched off by fire.

When these fires burn with such intensity, they burn so hot that the land becomes baked and hardened, resistant to new growth. Water cannot move through the soil to nourish the roots of sprouting vegetation.

What does the Applegate Partnership have to do with this problem? The Partnership is made up of citizens living in a wild land-urban interface where human communities abut these forests. Citizens decided that they could not afford to be passive about this problem. They partnered together and are working with the Department of the Interior, the Forest Service, local governments, state foresters and local environmental groups to thin some of the undergrowth material out to reduce the danger of catastrophic wildfire. These actions are designed to reduce the fire threat to homes and communities and to restore fire-adapted ecosystems.

Agency collaboration with the Partnership has facilitated "landscape level" timber sales that do not involve clear cutting. Over 45 million board feet of timber sales have been offered on a selective thinning basis.

## Cooperative Projects In Missouri

Let me talk a bit about cooperative efforts in this state, Missouri. This year we worked on a conservation grant program with a private landowner who is trying to provide habitat for endangered bats. We have been providing expertise and some Cooperative Conservation grant monies. In the Ozark National Scenic Riverways, we are partnering with the Missouri Department of Conservation and the Cave Research Foundation to protect and restore bat habitat. In the Mingo National Wildlife Refuge, we are partnering with Ducks Unlimited, a Navy Seabee unit, Mingo Swamp Friends, and the Missouri Department of Conservation to restore habitat.

### THE FOUR Cs

Having finished our virtual journey it is time to reflect on what all this means. Each of these cases (and I could cite hundreds more) is an example of what Secretary of the Interior Gale Norton calls “the four Cs” – Conservation through Cooperation, Communication and Consultation. Several common features recur in these projects regardless of location.

The first of these is that partnerships are involved. Each and every one of our examples demonstrates the Aldo Leopold vision of citizen stewards working together.

Secondly, each focuses on results. They are not about paperwork, or process or prescription. They are about results. These are holistic results that take into account environmental goals, thriving communities and dynamic economies. They bring together a mosaic of objectives, understanding that human aspirations and our well being encompass a variety of things. We want healthy lands and waters but we also want to have energy to warm our homes and minerals to produce goods that make our lives comfortable and convenient. We want to be able to enjoy outdoor recreation in a variety of forms.

The Duck Trap River example involves improved conservation, yes, but also better fishing and hunting and opportunities to snow mobile, better farm economics, and so on. Different interests are working

together to make that landscape whole.

I want to move beyond discussion of partnerships *per se* to suggest that what we have in these partnerships is an “institutional discovery process.” Thirty years ago at Earth Day 1970, we looked to Washington, D.C. We were in a hurry to find solutions to oil spills and burning rivers. I remember the emotion of the time because I participated in cleaning the oil-soaked birds on the Santa Barbara beaches.

The rush to Washington put in place some policies to try to get things going quickly. But those policies tended toward prescriptions, and process –you need a permit to pass “GO.” They often tended to focus on punishment – employing a “stick” rather than a “carrot” approach to generating environmental protection.

Now 30 years later, we have a yearning and a search for how to get beyond those three “Ps” and get to cooperation. The institutional discovery process involves a search for the answers to four questions:

### **1. How do we better tap into and inspire innovation?**

In the Duck Trap River case, local innovation involved the invention of new netting for stream bank conservation, enabling native grasses to take hold and flourish. The innovation shown at the Malpai did not involve technology but, rather, a new institutional arrangement – the creation of the grass bank.

### **2. How do we tailor solutions to local circumstances, recognizing that each location has its own special characteristics?**

A Pulitzer Prize-winning poet named Wallace Stevens once wrote something along these lines: “Perhaps truth resides in a walk around the lake.” He meant those words both metaphorically and literally. In that walk around the lake, the person who farms the land or lives in a community or works in a factory has a special knowledge of that specific place. Noble laureate economist F.A. Hayek referred to this as taking account of the “circumstances of time and place.” The trick is to tap that knowledge and apply it to particular landscapes.

I met a rancher in Colorado who had a problem

because his calving season took place in winter and coyotes were killing the newborn calves. They took advantage of the snow and harsh conditions to kill the calves. His first thought was to kill the coyotes but then he came up with a different solution. He found a way to delay the calving season. The coyotes were able to find wild game at that later time and did not bother his cattle. That rancher's knowledge of his special situation led to a solution that was good for his livelihood and did not harm the coyote population. This is not a solution that we would have been likely to have thought of in Washington.

### **3. How do we use incentives to foster innovation and application to special circumstances – to increase citizen stewardship?**

By incentives, I do not necessarily mean monetary payoffs. I mean that we need to move away from the notion that we motivate human behavior by threat and punishment. We need to recognize that most human excellence comes from encouragement, from a pat on the back, from someone saying, "Good job."

This is how we facilitate cooperation. After he put the stream bank fencing up, one of the farmers at Buffalo Creek called our Fish and Wildlife Service employee saying: "I saw a yellow warbler today." Our agent was surprised because the farmer seemed to have no knowledge or interest in wild birds previously. The farmer told him it was because his recent conservation efforts had gotten him interested in birds; hence, he now had a bird book—a book that helped to reinforce this farmer's conservation efforts.

### **4. How do we get more integrated decisions?**

The old environmentalism that was spawned by Earth Day 1970 often tackled problems in a piecemeal fashion. The Endangered Species Act considered one species in isolation. Environmental statutes focused on air, or water or land pollution but did not look at them in a holistic way—statutes were not (and are not) multi-media focused.

Cooperative conservation works across a mosaic of lands and media to bring together multiple values and goals. It asks, "How can we integrate our decisions

to take multiple interests into account at the same time?”

There certainly are challenges in taking this new partnership approach to environmental protection. But first, I should issue a caveat. A wonderful novel, *Ahab's Wife*, by Sena Jeter Naslund, has the heroine saying she wished that words were like music so we could play many strands at once.

Surely many people have reservations about this cooperative approach. As I speak of cooperation, they are thinking: “but, but, but...” What if everyone doesn't want to co-operate? What about those individuals who are willing to work against the common good? These are valid points. Cooperation will not replace prescription in all cases.

Our challenge is not an “either-or” one of choosing between the old environmentalism of prescription, process and punishment and a new environmentalism of cooperation. Rather, our challenge is one of emphasis and orientation. Do we lead with partnership and a handshake or do we lead with the motivation of the stick?

Let me share with you three challenges that I see facing this more cooperative approach:

- **First, we need better metrics.** If we are going to focus on results, we need to be able to define and measure them.

After three decades of the old-style environmentalism, we still lack knowledge on just what we have accomplished. The focus was on tracking permits and monitoring compliance rather than monitoring results. We have rarely put stream gauges in the water. We are hard pressed to tell people exactly how to measure healthy forests or healthy grasslands.

Recently a non-profit research organization attempted to put together indicators of environmental health. One of its findings was that there were many gaps in knowledge about what constitutes environmental health.

Creating better metrics of environmental health was a part of the challenge facing the Stillwater Mine good neighbor compact. The mine and the community addressed this issue by including provisions for monitoring how well the agreement is meeting its objectives.

• **The second challenge is to erase the previous confrontational interactions.** When someone tells us “You must do thus and so,” our human nature is to say, “No, I won’t.” The old style of regulation unleashed “habits of debate” and deepened “chasms of conflict.”

We need to reintroduce the art of conversation, the art of mediation and negotiation. We need to be able to sit down around a table and recognize that all of us hold our natural world dear, and we all have other common interests—a desire for better job opportunities, better educational systems, improved health care, and so on.

The cooperative approach allows us to seek out solutions that further a suite of goals.

• **Finally, we need new methods of governance.** This does not necessarily mean repudiating all the structure that has been put in place. Rather, it requires seeking additional tools.

At Interior, part of what we have done is to put out new guidance on how to use the National Environmental Policy Act to emphasize consensus decision-making. Rather than our agencies simply putting out a land management plan for public lands saying, in effect, “These are the alternatives we are going to consider,” we are proposing that communities get together and work toward consensus alternatives. We are committed to look at that alternative and potentially even consider it the preferred alternative that we study and review in terms of its environmental impacts.

With regard to the Endangered Species Act, we are trying to nurture a concept begun in the previous Administration called “safe harbor.” The idea is that if landowners create an environment that is beneficial to endangered species, the federal government should not penalize them by restricting their use of the land.

Stewardship contracts are another example of an improvement in governance. With our Healthy Forests Initiative, we are trying to find a cooperative approach to deal with the dense buildup of fuel. We have 190 million acres estimated to be in unhealthy condition. The Department of the Interior and the Forest Service cannot address this problem alone. We are working with non-profit groups and private contractors to do fuel removal that meets our performance goals. These

contractors can then take that material and utilize it as biomass to produce energy or for small-diameter wood utilization products.

Why is it so important that we move in this direction? Interior manages one in every five acres in the United States. We manage 388 national parks and 542 wildlife refuges. We oversee over 9,000 dams and irrigation facilities, which provide 31 million people with drinking water and irrigate lands that produce 60 percent of the nation's vegetables. This means we touch the lives of countless Americans, and the lands that we manage have many neighbors.

To do the best job of all for the people impacted by our activities, we need to work in partnership with them. For example, this year, our new Cooperative Conservation Cost Sharing Initiative has leveraged \$13 million to award 256 grants with over 700 partners. Those partners added \$26 million to the conservation "kitty."

## CONCLUSION

I wish to conclude by mentioning another example. This story involves another Montana rancher. He told me that his wife calls him a "next year country man." This is because he says: "Next year there will be no hail. Next year it will rain in July. Next year there will be no snow in August."

I am a "next year country person," too. I am a perennial optimist. In fact, I think that "next year country" is here now. I hope I have provided enough examples that you are also more optimistic that we have begun to develop a much more productive approach to protecting and utilizing our natural environment.

Of course this is not a change that a government agency like the Department of the Interior can bring about by itself. If we are to move beyond conflict toward a more productive cooperative approach to environmental progress, we must emphasize stewardship and partnership. We need more public involvement; we need a nation of "citizen stewards."

Lynn Scarlett is Assistant Secretary of the Interior for Policy, Management, and Budget. Prior to joining the Bush Administration in July 2001, she was President of the Los Angeles-based Reason Foundation, a nonprofit current affairs research and communications organization. For 15 years, she directed Reason Public Policy Institute, the policy research division of the Foundation.



Lynn Scarlett is the author of numerous publications on incentive-based environmental policies, including, most recently a chapter in *Earth Report 2000* (McGraw-Hill). She co-authored a report, *Race to the Top: State Environmental Innovations*, which examines state environmental programs that utilize incentives, private partnerships, and local leadership.

Ms. Scarlett received her B.A. and M.A. in political science from the University of California, Santa Barbara, where she also completed her Ph.D. coursework and exams in political science and political economy.

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