
Improve the Environment ...
Leave it to the States ... and
the People

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LINDENWOOD

Economic Policy Lecture

Series 8

October 2005

ISEE

Institute for
Study of Economics
and the Environment

A Unit of Lindenwood University's
Center for the Study of American
Culture and Values

This publication is a more thorough discussion of the principles outlined in an April 20, 2005 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 them.

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Becky Norton Dunlop

INTRODUCTION

My talk is divided into three main sections. I first want to describe five principles that guided my actions as Secretary of Natural Resources for the Commonwealth of Virginia from 1994 through 1998. Then, I will offer some updated principles for an “American Conservation Ethic.” Finally, I will discuss some of the current environmental issues we face and how some of these principles are being, or could be, applied.

In Virginia, in 1993, a young man named George Allen was elected Governor of the Commonwealth in what was an upset victory, defeating a popular incumbent Attorney General. Allen had run as a Jeffersonian. He had served in the House of Delegates and held the seat that had once been held by Thomas Jefferson and he agreed with the ideas and principles of Jefferson. He laid out a pretty clear vision of where he wanted to take the state in a number of policy areas.

His vision was to reassert economic growth in Virginia, reinvigorating a state whose economy had been stagnant for four years. He wanted to generate economic growth and activity so that more Virginians who wanted to work could have jobs, incomes could be increased, and family security could benefit. He also made it clear that he valued the natural resources of the Commonwealth but not at the expense of people, their property, and their jobs.

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The George Allen who was elected governor of the Commonwealth was the son of the famous football coach George Allen. Governor Allen had learned from a great coach how to put together a good game plan, execute it, and bring home the victory. It was my good fortune that he selected me to serve as Secretary of Natural Resources and manage the environmental portfolio for the Commonwealth of Virginia.

My approach to this task was based on deeply held beliefs. I was then, and am now, a philosophical conservative. Friedrich Hayek, Adam Smith, George Washington, Thomas Jefferson, these are among the people that I have looked to in developing my philosophical underpinnings. I also have a Christian worldview; I have a strong belief that we have a responsibility on this earth to be stewards of a creation created by God. Furthermore, I am “results-oriented” and I believe that environmental policy should be based on sound science. In short, I care about our natural surroundings and I have great respect and affection for people.

FIVE GUIDING PRINCIPLES FOR MANAGING NATURAL RESOURCES AT THE STATE LEVEL

Early in my term in office, I gave a major speech because I wanted all the people in the Commonwealth to know the principles that would guide me and my agencies for the four years that we would be in office. The following five principles proved to be quite effective:

- People are our most important natural resource.
- Personnel are policy.
- Economic growth and environmental improvements are mutually dependent.
- Natural resources are inherently dynamic and resilient and respond to sound conservation practices.
- Excessive federal mandates and regulations are injurious to the environment.

Principle Number 1: “People are our most important natural resource.”

Why should we care about environmental improvements? In essence, we care about the environment because we care about people and their health.

Much to my surprise, this proved to be a controversial proposition. It actually is the dividing line in the environmental debate. If you think people are important, valuable, and precious, you are on one side of the debate. If, on the other hand, you think people are a blight on the planet, you are on the other side. It's a very clear divide. Human ingenuity, the natural resourcefulness of people, was the basis for our policies in the Allen Administration.

President Ronald Reagan once said that if everyone just lived by the golden rule -- do unto others, as you would have others do unto you -- we wouldn't need all these laws and regulations. That's pretty good environmental policy. If I don't want others to pollute my air, water and property, then I ought not to pollute their space, either.

Principle Number 2: “Personnel are policy.”

When I said in a speech that “personnel are policy,” a couple of bureaucrats looked at each other and seemed to say with their looks, “Is she going to fire us all?” What I intended to communicate was that our Administration was looking for people to work *with* us who were problem solvers; who had a “can-do” attitude.

I said repeatedly that we were going to make use of all the diverse talents that we had in the Commonwealth. We sent the message throughout our bureaucracies that we wanted public servants to serve the people: To help citizens understand environmental laws, and how to come into compliance with the laws so that our environment would benefit. We did not want state employees to be engaged in “gotcha politics.”

Furthermore, we were going to work with people at all levels of government -- the federal government, other state agencies, and local government. I met with more wastewater operators (aka sewage treatment plant managers) than I ever thought existed. These

people are on the front lines of environmental protection for our water supply. For the most part, they are local government employees.

I said that we also were going to look to academia. We were going to find scientists who taught in Virginia's colleges and universities who could help ensure that we based our public policy on the best science available to us. We also engaged high school and junior high school science teachers all over the Commonwealth to involve their students in water quality testing. We often provided them with the test kits. We told them, "If you can teach your students to test the water quality in your local creek, the state will not have to send a state employee out to do it; and you will know exactly what the water quality is in your local section of the stream."

Finally, I made it clear that we would look for people in the private sector to help us with natural resource issues. There are many people in the NGO community (non-governmental organizations) who care about the environment and want to improve it. We certainly wanted to include them, but we also wanted to include people in businesses in Virginia who cared deeply about the condition of the air, water, land and the wildlife of the Commonwealth.

We involved students, scouting organizations, and private conservation groups like Quail Unlimited, The Wild Turkey Federation, Virginia Deer Hunters, and The Elk Foundation (they wanted to bring elk to Virginia). Rotary and Kiwanis Clubs, Junior Achievement, and a host of other service organizations took part. Just as Alexis de Tocqueville talked about in *Democracy in America*,¹ these groups formed because they had a common purpose and they wanted to work together to improve their community. When we said, "Personnel is policy," we were talking about including all of the people in Virginia that cared about the quality and condition of our environment in setting policy for the state.

Principle Number Three: "Economic growth and environmental improvements are mutually dependent."

You don't get environmental improvements if you don't have economic growth. But if you have eco-

conomic growth, you can be pretty sure you are going to have environmental improvement. If property rights are protected, responsibilities are clearly spelled out, and marketplace incentives are taken advantage of, environmental improvements will be maximized.

During my four years in office in Virginia, we visited with developers and promoters of new technologies. We saw these technologies demonstrated, and we applied hundreds of ideas based on new technology -- new ways of thinking about dealing with environmental challenges. When we learned about new ways to tackle environmental problems, we promoted them to the ends of the earth.

Principle Number Four: “Natural resources are inherently dynamic and resilient, and respond to sound conservation practices.”

Some people talk about “preserving the environment” as if the natural realm is static. How many of you have ever seen a tree or a bush that looked the same for days in a row? Natural resources are constantly changing; furthermore, they are not inherently diminishing.

The resurgence of the Chesapeake Bay is one of the great natural resource stories that we like to talk about in Virginia. The Bay borders Virginia and Maryland, and is truly a jewel. It is impacted by Washington D.C, and even Pennsylvania, West Virginia and New York.

In the 1980s, the Chesapeake Bay was degrading because it was a classic example of the “Tragedy of the Commons.”² When something belongs to everybody it doesn’t belong to anybody and, therefore, nobody takes responsibility for it. Because the Chesapeake Bay was everybody’s “jewel”, nobody took care of it. No one focused on his or her individual stewardship responsibilities.

Fortunately, early in the 1980s, under the leadership of the Environmental Protection Agency, representatives of all of the entities that contributed to the Chesapeake Bay came together to form a Bay Commission. In essence, jurisdictions or major pollution sources said, “We will take upon ourselves specific responsibilities in our own states to do things that improve the water that flows into the Chesapeake Bay.”

Over the course of time, the quality and condition of the Chesapeake Bay improved. It demonstrated its resiliency.

Something comparable to this has happened in nearly every region of the country. It has happened in the Great Lakes. I suspect there are also comparable examples in the Missouri and Mississippi River watersheds. Natural resources are dynamic and resilient and responsive to sound conservation management.

Wildlife and forests also exhibit this inherent resiliency. In the early days of the Virginia Commonwealth, the vast majority of its trees were cut down. They were logged for fuel, for roads and bridges, and to build houses. The Commonwealth was essentially denuded. Today, if you fly over the Virginia countryside, you can hardly believe that happened. We have robust healthy forests covering much of the state.

Bluebirds and wild turkeys that were once driven to the brink of extinction now flourish. In both instances a little group of people formed a private organization to save these beloved creatures. The Bluebird Society members³ built, or had built, bluebird boxes with entry holes big enough for the bluebirds but not big enough for predators. As they put up these boxes on trees and fence posts across the state, the bluebird population rebounded. It did not take a government law or regulation; it took caring stewards of the environment.

The resurgence of wild turkeys is due, in large measure, to The Wild Turkey Federation⁴. This private organization works all over this country to promote wild turkey habitat. Why does it do this? Because the only way you can be sure you are going to get a turkey when you go hunting is if you have a robust wild turkey population.

Principle Number 5: “Excessive federal mandates and regulations are injurious to the environment.”

This principle came into play my first day in office. The EPA had dictated to Virginia that it would have to put “test-only” garages for automobile emissions testing in place in northern Virginia. Previously, drivers could take their cars to service stations to have their emissions tested. If the car failed the test, the garage

could make the needed repairs on the spot.

Now EPA was saying, "That's not good enough because service station owners can't be trusted." That's what they told me. They wanted Virginia to build separate garages and require 1.2 million of its citizens to have their auto emissions tested there. If they failed the test, then the owners would have to drive across northern Virginia in their polluting cars to a garage that could fix the problem. Then the owner would have to drive all the way back to the testing facility and have the car retested. If it failed again, she would have to repeat this process. If repairs exceeded a certain amount, then the owner no longer needed to attempt to fix the problem, her car could just continue to pollute. Now how stupid is that?

Governor George Allen said, "We are not going to do this. This is not good for the environment and it's not good for the people. We need to put laws in place that are logical, and that will work for the people as well as the environment."

We agreed that federal law required us to ratchet up the emissions testing because we had an air quality problem, but we wanted our service stations to be able to put the equipment in their own garages and do the testing there. The EPA said, "No."

Well this battle went on, for some time. We had press conferences and negotiating meetings. Our United States Senators even brought us together up on Capitol Hill to see if we could work it out. But we just were very stubborn about our desire to solve this problem Virginia's way. Finally, the EPA said, "Either you do it our way or we are going to cut off you highway money."

What happens if you cut off highway money? You get more traffic congestion and congestion causes more air pollution. So here we were with an air pollution problem. EPA was imposing a bad program on the state and then they said if we didn't accept their bad program they were going to cut off our highway money, producing more congestion and more air pollution.

We fought and fought, until EPA had an epiphany as a result of the 1994 congressional election. Within a month of the Republicans winning a majority in the House of Representatives, we had a call from EPA Administrator Carol Browner's office saying that we

could do our own emissions testing program. Air quality in Northern Virginia improved and we moved into an “attainment status” – the air quality in Northern Virginia improved measurably.

Our stewardship of Virginia’s natural resources proved to be successful employing these principles and so did George Allen’s economic agenda. These experiences provided the basis for the book that I wrote, *Clearing the Air: How the People of Virginia Improved the Air and Water Despite the EPA*⁵.

I got the name for the book from the title of a feature article in the *Richmond Times Dispatch*. The article reported on the results of a scientific study of environmental trends in the Commonwealth of Virginia. The study showed that the environment had been degrading until 1994 and then it began improving.

I say in the book, and I repeat, that the Allen Administration cannot, and does not, take all the credit for the environmental improvements that happened starting in 1994. But radical environmentalists assert that, if you have economic growth, you will degrade the environment. We had record economic growth and the environment actually improved. In short, the five principles I outlined do work.

Principles for an “American Conservation Ethic.”

I would like to add five new principles to the original five that I developed as Secretary of Natural Resources in Virginia. These propositions are important to understand and ponder as we face new environmental challenges. They provide a basis for what I term an “American Conservation Ethic⁶.”

“Our efforts to control and remediate pollution should achieve real environmental benefits.”

It certainly seems logical that we should expect a cleaner environment as a result of government efforts. It is surprising, however, how much money flows through the EPA, the Interior Department, the Corps of Engineers, and the Department of Energy that does more to maintain the bureaucracy than to improve the environment. The point is that the American people have a right to know how their tax dollars are spent

and how these expenditures improve the environment.

I told my state employees who had plans for how to spend tax money or their time on environmental projects that I wanted to know in black and white just how much that activity was going to reduce the negative impacts of pollution on air quality, water quality, or the land. I wanted to be able to talk about *measurable* results, not just meetings attended.

The result of emphasizing real benefits was fewer meetings attended and more specific plans with measurable outcomes -- how farmers in valley W with X number of acres on the creek bank would see a reduction of Y pollutants to the creek if we planted Z number and types of trees or grasses and how much the water quality of the creek would improve. All the people we were dealing with, employees and citizens, understood that we wanted to use tax monies in ways that produced real environmental improvements.

“The learning curve is green.”

“The learning curve is green” is shorthand for saying we are getting much better at using technology to locate, extract and use natural resources. Take a tree for instance. Lumber mills used to remove the bark and a good portion of the tree with it and simply dispose of it as waste. Sawdust would be left in piles or possibly burned.

Now every scrap of that tree is used. If it's not used in a long piece of lumber, it's used in plywood or laminate or it's chipped and then glued together to make particleboard. Even sawdust has become a resource that is incorporated into products. The learning curve is green.

The aluminum beverage can is another example of better resource utilization thanks to better technology. Thirty years ago, an empty soda can was difficult to dent by squeezing it. But the old tin can was replaced by aluminum -- and less and less aluminum over the years. Now you could not only crush it, you actually could rip it in two.

Free market pressures to reduce costs drove can makers to develop better use of mineral resources. Technology and market forces reduce waste --- the learning curve is green.

Farmers today get a much greater yield on each acre of land even with lower inputs of fertilizer. They do a better job of figuring out how *little* fertilizer can be put on the land to have a maximum yield. This reduces the farmer's costs and reduces possible water quality damage from fertilizer run off.

Improving agricultural yields also means that there is more land left over for wildlife. You don't have to cut down so many trees to grow more crops. The highest valued use of erosion-sensitive lands becomes forest land rather than farmland when better suited plots yield more crops.

“Natural resources should be managed on a site- and situation-specific basis.”

Every corner of Virginia is different. We have mountains, valleys, rivers, and seashores. In every part of America we have different situations and we should not have Washington D.C decreeing a one-size-fits-all mandate for environmental policy. We need to be devolving the management of our resources to the lowest level possible to be certain that solutions are focused on site- and situation-specific circumstances.

“Science should be employed as a tool to guide public policy.”

Who could disagree with the principle of using the best science to guide public policy? It is great fun to make speeches about this but there are many environmental policies in this country that are not based on science.

If you hold public office as I did, there are times that you are sitting in your office to discuss an issue and two scientists will come in that have differing scientific evidence and viewpoints. Elected officials, like Governor George Allen and his agent Becky Norton Dunlop, for example, have the responsibility to make a decision about public policy based on one of these scientific arguments. In other words, public officials should not listen to scientists and then make a decision that ignores the best science. Unfortunately during the 1990s, EPA did too much of that.

“Environmental policies which emanate from liberty are the most successful.”

We have environmental challenges in the United States of America and I might not think what they do in Washington D.C is always the best approach. I might prefer that decision-making be done in Missouri or Virginia. In totalitarian countries, however, I couldn't even express my views.

In totalitarian countries like the old Soviet Union, they had constitutional provisions that said pollution was unlawful. But the communist party controlled the government, which issued the permits, and controlled the industries that received the permits. They controlled the enforcement of their environmental statutes, as well. As a result, the most polluted spots in the world are in the old Soviet Union. We don't know the extent of environmental problems in China today because their government is secretive about such information.

In a free society, we can talk about our problems; we can identify our problems; and we can debate our problems. We also have very bright people who are always trying to think about how to solve our problems. Furthermore, in a private enterprise economy, problem-solving companies and individuals are rewarded in a tangible way for their solutions.

Continuing Challenges and New Approaches

Changes at Federal Agencies

What are some of the environmental challenges that we are looking at today and what do we see happening in Washington D.C.? One of the good things is that the EPA has devolved more authority to the states on environmental issues. They have recognized the fact that there is no “race to the bottom” of the environmental barrel in the states. In every state, people want to have clean air and clean water. So EPA has turned over increasing amounts of authority to state officials.

There is another side to the devolution coin, however. Oftentimes, EPA is simply making state officials administrative agents of the federal government. The job of state environmental officials is to look out for

their own citizens, to improve the quality of the environment for their particular state or locality. You don't want them to become the agent of some other entity which has a point of view with which they disagree.

So there are two sides to that coin of sending more "responsibility to the states." We need to keep working to make certain that Congress takes action to return not only more enforcement responsibility but also more program authority to the states.

Another positive development is that we have a Secretary of Interior who is very committed to citizen stewardship, as is the President of the United States. Secretary of Interior Gale Norton travels from one end of the country to the other looking for people who are doing very positive things for the environment. She then raises their stories to a high profile so others can learn by example.

There also is a new emphasis at the federal level on ways to facilitate states working together. For example, the Corps of Engineers is attempting to promote cooperation on water flows in the Missouri River. Businesses use the Missouri River; wildlife depends on the Missouri; and recreationalists use the river. Not surprisingly, these various uses sometimes conflict.

Lakes in North Dakota and South Dakota were built to prevent flooding and to control water flow in the Missouri River. Well, what happens when you build a nice lake? People build houses around the lake and they want to go waterskiing and fishing. When you lower the lake's level to maintain river levels for barge traffic in the summer, homeowners and businesses tied to tourism at these impoundments become unhappy and complain to their elected representatives. So the Corps of Engineers tackled the Missouri river master plan and for the first time in many years brought all of these parties together to come up with an agreement on how to manage the water in the river and that is a very good thing for the federal government to do.

The Corps is attempting a similar meeting of the minds in Florida with respect to the Everglades. They are trying to work with the state and with local communities to devise pieces of the plan for each community so that people can participate in the restoration

of the river system that contributes to the Everglades. When the federal government is facilitating and providing good science and good analysis that is much better than engaging in mandates.

Legislative Improvements

What can Congress do to more effectively deal with some of the remaining environmental challenges? To begin with, Congress needs to turn even more authority over to the states as they begin revising the Endangered Species Act, the Clean Water Act, and the Clean Air Act. Congressmen and women should look for ways to give states incentives to be excellent and wise managers of our natural resources.

One particular piece of legislation of note could improve America's access to its own oil resources – Seacor⁷. The idea of Seacor is to give coastal states the authority to approve off-shore drilling out to the 200-mile limit, which is the point where America has control of the ocean and ocean bottom. There are enough oil and gas resources in that area of the United States to make America energy independent. We have improved and sophisticated ways of extracting oil and gas from environmentally sensitive areas in cost-effective ways.

The goal of this legislation is to pass on royalties from oil and gas production to the states to be invested in environmental improvements. It could pay the bill for the Everglades restoration plan, for example. Of course, a portion of the revenue generated needs to come to inland states, as well, because off-shore resources within the 200 mile limit belong to all Americans.

Seacor is an innovative way of thinking. It uses the best new technologies available today. It ensures that the states are overseeing the exploration so they can be satisfied that it is being done in a manner that is compatible with the desires of their citizens. A portion of the value of the extracted resources then can be used to improve the environment of each state as its representatives see fit.

In closing, I would like to mention a report that the American Enterprise Institute and the Pacific Research Institute publish annually, *The Index of Leading Environmental Indicators*⁸. The most recent Index

was released in late April 2005. The report catalogues continuing improvements in environmental quality in the United States of America. If you take the time to look it over, you will be impressed with the progress shown. Hopefully, you also will be inspired to do more to make certain that America continues to enjoy economic growth and environmental improvements.

The United States leads the rest of the world economically and environmentally. We offer opportunities for the rest of the world. We have demonstrated that a wealthier society is a healthier society -- a society that is good for the environment and good for the people. We should be upbeat but we should also look for ways to continue this record of economic growth and environmental improvement. In my view, this can best be accomplished by leaving environmental policy to the states and to the people.

NOTES

- 1 Democracy in America by Alexis de Tocqueville, Volume II, Second Book, Chapter V, Section 2
- 2 The Tragedy of the Commons, Garrett Hardin, ISBN 093577615X
- 3 The North American Bluebird Society was formed by many of those caring and concerned volunteers who were among the citizens who helped to save the bluebird. www.nabluebirdsociety.org
- 4 www.nwtf.org
- 5 Available from The Heritage Foundation, www.heritage.org
- 6 See www.nwi.org for the American Conservation Ethic
- 7 Seacor is an acronym for State Enhanced Authority for Coastal and Offshore Resources Act of 2005. The concept was written up as draft legislation but was not pursued in this Congress because of the contentious effort to achieve an Energy bill that could be passed by both Houses of Congress and signed into law.
- 8 www.aei.org and www.pacificresearch.org

Becky Norton Dunlop serves on the senior management team of The Heritage Foundation. As the Vice President for External Relations, she is responsible for departments engaged in strategic outreach and communication. Ms. Dunlop oversees relations with international, state and local government officials, business leaders and public policy experts.



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