

## **“ENLIBRA”—BALANCE & STEWARDSHIP**

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You won't find the word "Enlibra" anywhere. At least not anywhere official, like Webster's Dictionary.

Utah Gov. Mike Leavitt and Oregon Gov. John Kitzhaber simply got together and made up the word, a combination of Latin words they say succinctly defines their environmental policy of "balance and stewardship." Enlibra is not a process, they maintain; it is a set of principles. It comes with catchy slogans, like "national standards, neighborhood solutions." It is focused on negotiation and resolution, rather than interminable conflict.

But when all is said and done, it still comes back to that nonexistent word.

"In my soul-searching to articulate my own environmental policy, one thing that became clear to me was that environmental problems are fought out by selecting emotional symbols on either extreme," Leavitt said.

"But there were no symbols for the middle. No symbols for balance. And since the environmental debate revolved around symbols, we needed a symbol for balance and good stewardship. So I proposed we create a symbol, and the symbol would be a word meaning balance and stewardship."

As simplistic as that sounds, Enlibra has caught the fancy of state and local governments across the West that have been increasingly frustrated with their inability to resolve a litany of environmental disputes ranging from restoring salmon runs in the Pacific Northwest to wolf reintroductions in Wyoming, Idaho and Montana to wilderness designations in Utah.

Western governors, as well as a plethora of county commissioners and representatives of environmental organizations, will meet in Phoenix in early December to discuss Enlibra. Leavitt is hoping state and local governments will use the summit to formally adopt Enlibra as their own official environmental policy.

"My grandest hope is Enlibra will become part of the lexicon of American environmental discussion," Leavitt said. "But it will flower only if it becomes a shared doctrine among the people of the United States. The vast majority of people, 80 percent or 85 percent, just want balanced stewardship. They are not engaged in the details of polarized debates."

Federal partnerships

The genesis of Enlibra is not something new. Rather it is rooted in 25 years of frustration over federal environmental policy. Not only has that policy been elusively defined by Washington over the years, but federal bureaucrats have applied laws and regulations inconsistently.

Yet if Enlibra is to work, the governors say it must embrace those same federal partners. There is simply no way the states can ignore the Endangered Species Act or the Clean Air Act or the Clean Water Act or the litany of other federal laws and regulations.

But who is better to implement the national standards, a federal bureaucrat in Washington, D.C., or local governments more familiar with local situations? Not surprisingly, the authors of Enlibra prefer the latter, and they can cite a growing number of cases where local implementation of national policy has proven more effective than a blanket one-solution-fits-all approach.

Take the Clean Air Act. In theory, the Environmental Protection Agency sets the clean air standards and the states, and in some cases counties, come up with their own plan to reach those

standards.

In southern Utah, the development of a management plan for the Grand Staircase-Escalante National Monument involves a collaboration between state experts working hand-in-glove with federal officials to come up with a plan that enhances local economies but still meets federal mandates to protect the environment there.

In Utah, application of the Enlibra doctrine, proponents believe, could eventually lead to resolution of longstanding disputes involving wild and scenic river designations, the Atlas mill tailings, Legacy Highway, national park expansions and endangered species recovery.

Maybe even wilderness, although Leavitt predicts he will long have retired from public service by the time that debate is resolved.

Officially, Enlibra is not the doctrine of federal officials charged with managing public lands and protecting the environment. Those managers contacted by the Deseret News had read the Enlibra policy statement, and most liked it as a preferred alternative to litigation over environmental disputes.

But until a formal declaration of support comes from Washington, the current bureaucracy is not likely to change.

Secretary of the Interior Bruce Babbitt, who oversees most public lands in Utah, sees no reason why Enlibra couldn't be official federal doctrine. Babbitt himself is the author of several initiatives that have brought together diverse and competing groups to the bargaining table in an effort to resolve long-standing conflicts.

"It makes real sense to me," Babbitt said. "If we are going to get past this era of confrontation and move into a time of collaboration, then it has to have impetus and motion coming from both sides."

Babbitt also likes the fact Enlibra is coming from Leavitt, a conservative Republican, and Kitzhaber, a liberal Democrat. Both are respected in Washington, D.C., as innovative thinkers.

"Anything coming from those two has to be taken seriously, and I know I am taking it seriously," Babbitt said. "It is a sound concept."

Not that there isn't also a healthy dose of caution coming out of Washington. Babbitt admits Enlibra could become a mechanism to weaken federal environmental laws by handing over implementation to local governments.

"This kind of collaboration has its risks, but it also has its rewards," Babbitt said. "It can be a pathway toward the watering down of environmental laws, but it can also be a pathway for the more effective implementation of environmental protection. It can go either way."

It all comes down to trust, or the lack thereof. Babbitt insists his agency is willing to trust the states, although that may be more rooted in his respect for Leavitt and Kitzhaber. That trust was galvanized through his negotiations with Leavitt over the recent land exchange involving School Trust Lands in Utah and with Kitzhaber over salmon and forest issues in Oregon.

Leavitt is also expressing a willingness to trust the federal government - something that may seem anathema to some rural county commissioners who have traditionally viewed bureaucrats as Satan's minions.

"My experience is that lack of trust is at the heart of most environmental disputes," Leavitt said. "It's why people choose emotional symbols and defend them. (If Enlibra is to work), we must find small pieces of success and build on them. Trust is developed, not legislated or appropriated or allocated."

Surprisingly, Leavitt sees wilderness as a perfect place to start building trust. He wants to take the various maps of proposed wilderness - those from government entities, those from

environmentalists - and find areas where there is substantial agreement.

“We find one piece we all agree on, designate it wilderness and build upon the trust generated from that one success and we make the commitment we will come back and address every area of the state,” Leavitt said. “Incremental wilderness is all about collaboration, not polarization.”

Skepticism abounds

It is no secret Utah conservationists don't like the idea of incremental wilderness, and they are more than a little suspicious of Enlibra.

“It is all flowery, feel-good language about how everyone will work well together to deal with environmental issues. And that's fine in theory,” said Mike Matz, executive director of the Southern Utah Wilderness Alliance. “It would be nice to see that practiced now, but that is not the track record in Utah.”

For example, Matz noted the state is trying to “put the screws” to the Army Corps of Engineers over the Legacy Highway and they are challenging the federal government over air quality standards.

“Time and time again, the state has not lived up to the lofty rhetoric of Enlibra,” he said. “It is a platitudinous crock.”

Lawson LeGate with the Utah Chapter of the Sierra Club is somewhat less cynical, noting there should be local involvement in the environmental management decisions affecting their lives and livelihoods.

But LeGate also wonders about the state's motives behind Enlibra. Like Matz, he points at a long track record of state actions that would seem to contradict the spirit of collaboration and negotiation. For example, the Legislature passed a law that no state environmental law could be more restrictive than the federal law.

“It's hard to negotiate if the state starts from the context that local solutions are limited,” he said. “We agree bright minds should come together to find solutions. But we must not start with the caveat that negotiation is the only way to reach a solution. The bottom line is that when we have environmental problems that need to be solved, we should take whatever steps necessary to solve those problems.”

Bill Hedden, the Utah representative of the Grand Canyon Trust, has the same concerns, but he believes the bigger issue is about building trust between conservation groups and state government. And in that regard, the perennially contentious wilderness issue is probably not a wise place to start, he said.

“Conservationists are understandably nervous Enlibra will be used to get around environmental laws,” he said. “But my experience has been you can make a lot more progress and come up with good creative ways of solving these things if thoughtful people sit down together.”

Economic motives

Trust may be a hard pill for warring factions to swallow, especially given a century of distrust between those who seek to preserve the environment and those that want to harvest its natural resources.

Charles Wilkinson, a professor of law at the University of Colorado and author of books on Western land and environmental policy, sees Enlibra as an outgrowth of a changing political landscape in the West where development of natural resources are increasingly coming into conflict with a rapidly expanding urban population.

The debate has evolved beyond whether or not to extract minerals or harvest timber or drill for oil. Now, environmental policy must grapple with conflicts between recreationists and those who

make their living on that land, between wildlife preservationists and sportsmen, between wilderness advocates and local governments clinging to traditional economies.

In effect, Enlibra is an outgrowth of the classic rural vs. urban debate. Rather than reject local interests in favor of an urban majority, Enlibra is based on the premise of bringing environmental and rural extremes into the middle by offering all parties - they are called stakeholders in this debate - a place at the negotiation table.

That negotiation is the stated intent of Enlibra is tacit acknowledgment that change is inevitable.

The move to a more moderate environmental policy in the West, Wilkinson said, is a natural evolution of "consensus-based resolution" concepts that have been discussed for years. Enlibra raises it above mere theoretical discussions to formal policy that, if implemented, could change the face of Western land management and environmental philosophy for decades to come.

"I see it as a movement toward common sense and what works best to solve problems," he said. "What the governors are ultimately doing is taking a significant ongoing process that has begun to mature over the last decade and given their stamp of approval."

Enlibra will have its detractors, Wilkinson predicted, and justifiably so. He is disconcerted by what he sees as a basic attitude among Western governors that support for endangered species or wilderness is extreme when, in fact, both issues are near and dear to the hearts of most Americans.

And people should be cautious about economic motivations behind Enlibra. "As a general matter, industry would like to push decisions to state and local levels, and Western governors are likely responding to business interests, at least in part," he said.

On the other side, conservation groups have an economic interest in perpetuating conflict. The more conflict over various environmental issues, the more funds are raised to perpetuate the organization's agenda.

When you consider all the advantages and risks, Wilkinson believes Enlibra is "a generally desirable direction . . . one that could create resolution that makes for truer, long-lasting results."

Give it whatever name you want, the true measure of its effectiveness will be the results, he said.

In a word

It's not the first time government leaders, seeking to muster support for political causes, have invented a word to define their movement. Remember Perestroika? It didn't mean anything either until Soviet reformers used it to define a move to a free-market economy.

Using the Perestroika model, Leavitt and Kitzhaber decided to make up a word, assign it meaning and create from it a symbol that would "give voice to the principles we see as a shared environmental doctrine," Leavitt said.

Putting together a couple of Latin words in a high-stakes environmental Scrabble game is one thing. Getting people to embrace the word, if they can even remember it, is another.

"I hope the word doesn't stick," Wilkinson said. "It sounds like a germ."

Leavitt and Kitzhaber hope it spreads.

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Additional Information

In principle . . .

The Western Governor's Association, meeting Thursday through Saturday in Phoenix to discuss Enlibra, has already adopted formal policies defining their environmental doctrine. All of the policies come equipped with catchy slogans and plenty of intent. They include:

- "National standards, neighborhood solutions," which is based on the premise that states should have the option of developing and implementing plans to meet federal environmental standards. Those plans should accommodate local ecological, economic, social and political differences but with federal funding and technical assistance to assure the plan meets national standards.

- "Collaboration, not polarization," which is a rejection of existing "command and control, enforcement-based programs" that have polarized various interests. Collaborative approaches, according to the statement, result in greater public satisfaction, broader public participation and more productive working relationships among private and public entities.

- "Reward results, not programs," which is based on the belief that government actions should be focused on results rather than "just complying with programs." Instead, federal and state government should reward innovative, non-traditional strategies for environmental compliance.

- "Science for facts, process for priorities," which is a rejection of "competing science" approaches now used to bolster different sides in environmental disputes. Instead, Enlibra advocates "using credible, independent scientists."

- "Markets before mandates," which advocates "market-based approaches and economic incentives that send appropriate price signals to polluters" that would thereby lead to quicker compliance with enforcement actions to force compliance, arguing that enforcement rewards litigation and delay, cripples incentives for technological innovation and increases costs.

- "Change a heart, change a nation," which emphasizes the role of state, federal and local governments in educating their citizenry about environmental responsibility and individual stewardship. Furthermore, government should reward those who meet their stewardship responsibilities rather than imposing additional restrictions on their activities.

- "Recognition of benefits and costs," which states that environmental policies and programs should take into consideration social, legal, economic and political factors and that they must identify strategies for addressing the costs of those policies and programs.

- "Solutions transcend political boundaries," which emphasizes that environmental problems are not bounded by government jurisdictions but are defined by local and regional geography. Different federal management agencies would thereby implement identical environmental policies, and in some cases that policy would extend to problems that transcend state boundaries.