The Environment: A Down to Earth Approach June 29, 1998

[A speech reduced to writing by Utah Gov. Michael O. Leavitt Submitted to the Western Governors' Association in conjunction with the Plenary Session on the Shared Environmental Doctrine.]

I was eight-years-old when I first laid eyes on the Grand Canyon. My mother had entered a radio station's essay contest in which she described what a canyon visit would mean to our family, and she won. So one hot summer day, we climbed aboard a yellow park service bus and set off on an adventure that would leave a lasting impression.
We got there about twilight, and I will never forget the sight. The 200-mile expanse that falls away in front of you. The ancient walls awash in purple, crimson and hues of gold, with the shadows slowly deepening as if the sun was reluctant to say goodnight. I froze in the summer heat, overwhelmed by the grandeur of a place mimicked nowhere else on Earth.

Thirty-six years later, I stood at nearly the same spot. But this time, I was governor of Utah. This time, there was haze where that magnificent vista had once been so clear. And this time, I was there with fellow members of a new commission charged with rescuing that view.

Love of the land comes easy when the lands are as beautiful, vast and dramatic as the lands of the West. I know them well, from travel and from toil. They are immortal, we are fleeting. Yet it is humanity that has dominion. We are stewards of the land, air, water and animals, if only for a time.

At the heart of my environmental policy are two words: balance and stewardship. Parents love and care for their children and are entrusted with their well-being, but they do not own them. So it is with nature. We have the responsibility to decide what is best for the environment and to act with balance and accountability.

Experience has taught me there are three basic questions underlying nearly every environmental issue. And there are eight common-sense principles that can help guide us toward solutions. First, however, we have to break through the emotion and symbolism that now strangle environmental debate in this country.

One day recently in Salt Lake City, I saw two cars alongside each other at an intersection. One had a bumper sticker that read, "Earth First ... We'll Mine The Other Planets Later." The other said: "Save The Earth ... Kill Yourself." Someplace between those two lies the reality of the environmental debate.

When only the extremes are represented, the parties cling immovably to their positions, producing either gridlock or an extreme policy if one side or the other musters political power. Neither one is a satisfactory outcome.

The missing element is balance and stewardship, framed within the three main questions that define nearly all environmental issues: What matters? Who pays? Who decides?

What matters? Juxtapose the question with the Endangered Species Act, which provides federal protection for any species or subspecies of plant or animal that may be threatened.

The premise is popular with Americans, who believe the act is needed to protect bears, eagles and whales. But it also is used to list microscopic subspecies and to accomplish purposes other than protection of animals. So what matters -- people, plants or animals? How do we establish boundaries to this law?

I support a national effort to preserve selected species, but our current law provides such broad grants of protection and has such limited flexibility it is unmanageable. Do animal rights have precedence over plant rights? Vertebrate rights over invertebrate rights? Mammals over fish? Is it just as objectionable to kill a rare species of ant as to kill a polar bear? Can we take antibiotics as soon as we feel sick, or do the bacteria have a right to due process? 1

There is no method in the law of resolving these disputes, and the political and economic ramifications are virtually without limit and resolution.

Who pays? Is it balanced to force a small town that needs an upgraded water system to spend an additional $10 million because the U.S. Fish and Wildlife Service thinks a small fish is threatened? If the fish is a national priority, shouldn't all the people of the United States -- the federal government -- fund the extra cost?

Who decides? Should a private citizen in one part of the United States be able to overrule local building ordinances and private property rights, or should an agreement between the federal government and the states define how best to preserve an endangered species?

Those are the key questions that impact most debate, and not just among those usually found on opposing sides.

So how do we go about answering them and resolving problems?
In the West, I believe we do it through greater collaboration, innovation and economic incentives, with federal agencies as participants, not taskmasters, and with the people most involved - those who live, work and play on the lands involved - playing a more enhanced role.

The eight principles guiding such a policy are straightforward:
* National standards/ Neighborhood Strategies
* Collaboration, not polarization
* Reward results, not process
* Science for facts, process for priorities
* Markets before mandates
* Recognition of benefits and costs
* Solutions transcend political boundaries
* Change a heart; change a nation

Back to the Grand Canyon and the haze. In 1990, Congress amended the Clean Air Act to require that the vistas over the canyon be cleared. But federal lawmakers were persuaded to try something unique.

Rather than initiate immediate Environmental Protection Agency mandates, the federal government created the Grand Canyon Visibility Transport Commission, a task force of governors, leaders of Indian nations and representatives from the private sector. The federal government gave the go-ahead to come up with a plan. And if we couldn't do it, they would. The commission was the group that I stood with that day on the canyon rim and resolved to clean up the view.

Grand Canyon pollution is caused by many sources: emissions, dust, smoke from wood-burning stoves, industrial plants, among others. It is carried to the region by winds from California, Arizona, Nevada and Mexico. States to the north - Utah, Idaho and Colorado - occasionally contribute pollution. But most of the time, it is their clean air that blows south and sweeps away the haze.

Arguments ensued as we set about devising a plan. One state maintained that to get a small reduction in pollution from a power plant, it would cost hundreds of millions of dollars each year and dramatically increase the cost of electricity within that state. Was it fair, the state argued, for its citizens to pay the cost when cars in California were the real problem?

Not true, the Californians countered, producing scientists to buttress their view. The pollution comes from Mexico. The northern states weighed in. They did not want to sacrifice future jobs just to create enough clean air to blow away the exhaust from California, Mexico and the power plants.

Every state was committed to clean the air over the Grand Canyon. Every one of those governors had experienced something like I had, standing there as a child in awe. The economic debate was fierce. Every regulation, every requirement, every conceivable plan was equated to jobs, dollars and competitive advantage.

Then the largest single source of canyon pollution was identified. Not cars in California or power plants in Arizona, but wildfires set intentionally by the U.S. government to reduce the build-up of old, dead forests.

I an not disputing the science of setting fires to improve the health of the forest. But I am saying we are down to a question of what matters? Is it biomass or clean air? Who decides? Congress, EPA, states, environmental groups, industries? Who pays? Obviously, the governor of California is in a bind when a citizen asks why power bills will go up and backyard barbecues must be restricted so that a ranger in Arizona can set the forest on fire.

Those are tough questions. They are dilemmas. And if the federal government had not said to those groups of states, "You need to clean this up. Figure out a plan or we will," it

never would have happened. This is a telling example of how both governments ought to work. The national government should establish standards. Local governments figure out how best to meet them. There should be penalties, but not prescriptions.

In 1996, the commission agreed on a plan. It was tough and it was innovative. Everybody had to do their part. That plan became the impetus for the environmental doctrine the Western Governors Association adopted this year, and its tenets likely will be incorporated into the new haze rules under review by the EPA.

We are westerners. We know these lands. We know the people who live on them, and we know what will work:

National standards-neighborhood strategies - Assign Responsibilities at the right level. The federal government is responsible for setting environmental standards for national efforts. These standards should be developed in consultation with the states and in the form of scientifically justified outcomes. National standards for delegated programs should not include prescriptive measures on how they are to be met. States should have the option of developing plans to meet those standards and ensuring that the standards are met.

Planning at the state level is preferable because it allows for greater consideration of ecological, economic, social and political differences that exist across the nation. A state can tailor its plans to meet local conditions and priorities, thereby ensuring broad community support and ownership of the plans. States can also work together to address conditions and issues that cross their boundaries.

It is appropriate for the federal government to provide funds and technical assistance within the context of a state plan to achieve national standards. In the event that states do not want to develop their own plans. the federal government should become more actively involved in meeting the standards.

Collaboration, Not Polarization - Use Collaborative Processes to Break Down Barriers and Find Solutions. The old model of command and control, enforcement based programs is reaching the point of diminishing returns. It now frequently leads to highly polarized constituencies that force traditional actions by governmental authorities without first determining if they are the most effective ways to protect environmental values. Successful environmental policy implementation is best accomplished through balanced, open and inclusive approaches at the ground level, where interested public and private stakeholders work together to formulate critical issue statements and develop locally based solutions to those issues. Collaborative approaches often result in greater satisfaction with outcomes, broader public support, and lasting productive working relationships among parties.

Additionally, collaborative mechanisms may save costs when compared with traditional means of policy development, and can lessen the chance that an involved party will dispute a final result. To be successful however, and given the often local nature of

collaborative processes, private and public interests must provide resources to support these efforts.

Reward Results, Not Programs - Move to a Performance-Based System. Everyone wants a clean and safe environment. This will best be achieved when government actions are focused on outcomes, not programs, and when innovative approaches to achieving desired outcomes are rewarded. Federal and state policies should encourage "outside the box" thinking in the development of strategies to achieve desired outcomes. Solving problems rather than just complying with programs should be rewarded.

Science For Facts, Process for Priorities - Separate Subjective Choices from Objective Data Gathering. Competing interests usually point to the science supporting their view. It is best to try to reach agreement on the underlying facts surrounding the environmental question at hand before trying to frame the choices to be made. Using credible, independent scientists can help in this process and can reduce the problem of "competing science" but it may not eliminate it. There comes a time in the collaborative process when the interested stakeholders must evaluate the scientific evidence on which there may be disagreement and make difficult policy decisions.

Markets Before Mandates - Replace Command and Control with Economic Incentives Whenever Appropriate. While states and most industries within the states want to protect the environment and achieve desired environmental outcomes at the lowest cost to society, many federal programs require the use of specific technologies and processes to achieve these outcomes. Reliance on the threat of enforcement action to force compliance with technology or process requirements may result in adequate environmental protection.

Such prescriptive approaches, however, reward litigation and delay; cripple incentives for technological innovation; increase animosity between government, industry and the public; and increase the cost of environmental protection. Market-based approaches and economic incentives which send appropriate price signals to polluters would result in more efficient and cost-effective results and may lead to quicker compliance.

Recognition of Benefits and Costs - Make Sure Environmental Decisions are Fully Informed. The implementation of environmental policies and programs should be guided by an assessment of the costs and benefits of different options and a determination of the feasibility of implementing the options. The assessment of the feasibility of implementing options should consider the social, legal, economic, and political factors and identify a viable strategy for addressing the major costs.

Solutions Transcend Political Boundaries - Use Appropriate Geographic Boundaries for Environmental Problems. Many of the environmental challenges in the West span political and agency boundaries. Challenges may be circumscribed by specific trans-boundary water or air sheds, and their solutions may better be defined by the geography of certain markets or biologic factors rather than by the geography of a single political

jurisdiction. Recognizing these factors, voluntary interstate strategies as well as other partnerships may be an important tool in the future.

Change A Heart, Change A Nation - Environmental Understanding is Crucial.
Governments at all levels can develop policies, programs and procedures for protecting the environment. Yet the success of these policies ultimately depends on the daily choices of our citizens. Beginning with the nation's youth, people need to understand their relationship with the environment. They need to understand the importance of sustaining and enhancing their surroundings for themselves and future generations.
If we are able to achieve a healthy environment, it will be because citizens understand that a healthy environment is critical to the social and economic health of the nation. Government has a role in educating people about stewardship of natural resources. One important way for government to promote individual responsibility is by rewarding those who meet their stewardship responsibilities, rather than imposing additional restrictions on their activities.

We have got to move forward with these principles, because there are other vistas that need to be cleaned and other challenges we are going to have to meet. We are on to something big - bigger than the Grand Canyon and bigger than our homelands in the West. We are on to cooperation, not compulsion, a way to exceed incentives, not just beat a system.

We can not only change the way the air looks, but change the way our people act in the 21st Century. I am willing to work toward that. Because I believe it. Because it's a worthwhile goal and because of the memories that linger from a Grand Canyon visit by an 8-year-old boy.

1 The ideas in this paragraph of the speech originated with others. At the time of writing, the source was not identifiable for attribution.