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Talk

## TRENDS AND ISSUES IN LAND USE POLICY

It seems I've been here before.

I spoke this morning about the <sup>job</sup> of the state  
resource conservationist in the <sup>total</sup> work of the Service. Now I'd  
like to illustrate the perspective in which you must consider your  
work--with some thoughts about the major issues in land use policy  
and the setting in which they are being raised.

Land-use policy discussions are going on at every level  
of government...

-- the Soil Conservation Society of America has recently  
concluded a highly successful National Land Use Policy Conference...

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Material for talk by Norman A. Berg, Associate Administrator,  
Soil Conservation Service, at a meeting of SCS State Resource  
Conservationists, Fort Worth, Tex., January 30, 1973.

-- legislation that would set some national policies and aid the states in land-use planning got heavy attention in the U.S. Congress last year and has already been re-introduced this session...

S. 268

-- State legislatures are giving conservation districts new responsibilities relating to review of development plans in urbanizing areas and technical assistance to county planning commissions. They are at work on statewide comprehensive land-use plans, or considering them.

Clearly, this is the time for SCS employees and conservation district people to speak for the unity of the countryside in all its values and uses.

It is the time to advocate the protection and development of our resources as a whole, in accordance with their capabilities and the goals of the community.

It is a time to speak for action that will meet the oncoming demands of a growing Nation.

It is a time to forestall premature and disorderly commitments of resource use.

With the help of slides, I would like to discuss some  
of the characteristics of the current land-use concerns:

LIGHTS OUT

SLIDE RUN BEGINS

1. Of all the nations on earth, the United States is among the richest in terms of its land and water resources, its beautiful countryside, its tremendously favorable and varied climate.
2. The future of the land resource is in the hands of millions of people who daily make decisions--good or bad--on how it is used *or not used!*
3. What is the ownership of our land? Well over half of it is in private hands--owned by individual farmers, ranchers, businessmen, and industry.
4. From this land comes most of the food, fiber, and timber we consume and export.
5. One third of this land is in forests.
6. One third is in pasture and range.
7. And a little less than a third is in cropland.
8. Despite an almost 200-percent increase in population, since 1900 these proportions in land use have changed very little.
9. The primary reason for this is research and agriculture-related technology. Our crop production per acre continues to exceed our increase in population.
10. America's productive capacity is so great that USDA, through a variety of programs, still encourages farmers and ranchers to withdraw, or set aside, land from producing crops presently in surplus. Approximately 60 million acres were voluntarily shifted from crops last year. - *Open in '73*

11. The second largest segment of land is under Federal management. This includes 34 percent of our total land area--759 million acres--half of it in Alaska and most of the remainder still west of the Mississippi. Of the total, 187 million acres are managed by the USDA Forest Service.
12. This includes 14.5 million acres that have been set aside as wilderness and primitive areas where timber will not be harvested.
13. Much of the Federally owned land is under multiple-use management, and one of the multiplying uses is for recreation.
14. With more spendable income, increased leisure time, and greater mobility, the demand for outdoor recreation has grown at a fantastic rate. In 1970, 128 million Americans participated in some form of outdoor recreation.
15. Land involved in recreation in some way affects 447 million acres under Federal management, 40 million acres under State control, and 3 million acres in county hands.
16. Private land also is used increasingly for recreational purposes--especially for second homes and for hunting and fishing. Most of our upland game finds its home on the privately owned farm and ranch lands. By far the majority of hunters do most or all of their hunting on private land.
17. So far, we've discussed land use on the 59 percent in private ownership--primarily farms and ranches.
18. And the 34 percent in Federal ownership.
19. In addition, about 5 percent of our land is in State and local ownership.

20. And 2 percent is Indian land.
21. For the most part, America's land is sparsely populated.
22. To find the people, we must look to the cities.
23. And primarily to our metropolitan areas.
24. Here, on 3 percent of our land, more than 70 percent of our population lives and works.
25. This includes land for transportation--super highways, railroads, and airports. Although highly visible, land for transportation takes up only 1.4 percent of our total land area. But it took up some of our prime land, irretrievably.
26. This, briefly, is how we use our land... (recap the percentages).
27. The way in which we use most of our land has been to our credit.  
You have had a big hand in that!
28. But we have used land and still use land in ways that are not to our credit. We can no longer ignore the fact that some thoughtless, unplanned, uncontrolled land use practices have been costly in terms of both economics and esthetics.
29. We still attempt to cultivate some land that is too steep and erosive.
30. We still attempt to grow (row) crops on some high-risk land of the Great Plains.
31. We needlessly burn some forest land each year.
32. We contribute to flooding problems through unwise land use practices.

33. Fifty percent of the annual flood damage still comes from small upstream watersheds where both public and private property are destroyed.
34. America has already created unsightly scars on 2 million acres of land through stripmining.
35. And the mine acid that leaches out of the spoil banks pollutes streams for miles around.
36. Solid waste is one of the by-products of our affluent society; we discard 250 million tons of it each year.
37. Two-thirds of it still goes into 40,000 open dumps, mostly in rural areas where it pollutes air, water, and land.
38. Animal waste can have a serious negative impact on our environment. Large concentrations of beef cattle--feedlots with as many as 125,000 head at a time--produce hundreds of tons of manure a day.
39. This waste not only pollutes the air, but the runoff accelerates eutrophication and can rapidly destroy streams, ponds, and lakes.
40. By volume, sediment is America's most costly water pollutant, and about half of this still comes from erosion on agricultural land.
41. The other half comes from many other sources. Thirty percent is produced by geologic erosion primarily from America's public lands. Ten percent is from forest and associated rangelands. Another ten percent is from highways, streambanks, and urbanizing areas.

42. Sediment yields on a single acre of land can skyrocket from 50 to 25,000 tons a year when land is converted from rural to urban uses--and more than one million acres a year are being converted to homes and businesses and roads and airports and reservoirs.
43. In the next 10,000 days, we will build in and around our metropolitan areas the equivalent of everything we've built since Plymouth Rock.  
( Jamestown )
44. And a staggering amount of soil will be moved in doing it. A staggering amount of needless damage can result. Not just from sediment, but also from ignorance of the land's capabilities.
45. In many instances, foundations are dug and houses built without checking whether a particular soil is suitable for that type of construction.
46. As a result houses can crack. . .
47. They slip downhill. Or avalanches can slip down on them, if houses are placed without considering that factor.
48. And lawns become open sewers when septic tanks fail to operate.
49. The costly and ugly misuse of land is distressing to more and more Americans, because soil and water and landscapes are national resources. To despoil them is to show contempt for our heritage and an inexcusable disregard for our future.



50. In many cases, the man caught in the middle of all this is the farmer or rancher. Unplanned, checkerboard development puts an economic squeeze on him that can't be ignored.
51. His land becomes a valuable commodity as suburbia encroaches on it. His taxes increase and quite often he is forced to sell or tempted to sell by inflated prices.
52. Then the speculator takes over from the cultivator.
53. Things don't have to be this way. Proper land-use planning can help protect and develop natural resources in both rural and suburban areas.
54. We know conservation practices can greatly reduce erosion and flooding on agricultural land.
55. Strip mine spoils can be reclaimed and revegetated.
56. Solid waste can be disposed of safely in properly located and managed sanitary landfills.
57. Suburban sediment can be drastically reduced by adopting the same proven practices--like this silt trap--that farmers and ranchers have used in protecting their farmland over the past 30 years.
58. And land suitability--for everything from a septic system to a towering tree--can be determined long before construction is started.

59. We can assume that more and more Americans are determined to have a high quality environment, whether it's a vista one might see only on vacation...
60. On right in town...
61. Or right at home.
62. They want a high-quality food supply, dependable and reasonably priced...
63. And that means that land-use planning must first and adequately consider the needs of a high-quality agriculture.
64. They want space and facilities for recreation...
65. They want space and habitat for wildlife...
66. And if you'll pardon a little poetry, some oppose our ditches because they want the red-carpet treatment for fishes.
67. All these needs should be considered in setting land-use policies and making land use plans. The individual and his community have everything to gain if land use is properly planned. They have a great deal to lose if it isn't.
68. The signs are encouraging that America's local governments are beginning to move on land-use planning. It's costly, it's complex, and it's too slow.
69. We can still get all our ducks in a row by working together...
70. We can make America a secure and prosperous place for all people.
71. And we in the SCS are going to <sup>continue to</sup> do our best to help accomplish just that.

LIGHTS ON

SLIDE RUN ENDS

Probably no activity has more current interest, and will give <sup>SCA</sup>(you) more future mileage, than land use planning and policy.

You and I grew up on a foundation of prudent planning for the use of each acre, of each tract of land, and applying conservation practices to protect the soil and water and property in that area.

There is now renewed interest across America in land use planning, from decisions on one farm or ranch or suburban lot all the way to national policies for guiding land use trends.

However, while busy planning we still need to <sup>help</sup> install land use and conservation treatment measures on the land, carry out wise land-use decisions, and take care of many other immediate needs of people who live on or make a living from the land. The pay-off will be in how land use plans are implemented. Obviously, land use planning is not the whole ball game -- it needs to interrelate with functional planning for transportation, water resources, power generation and transmission, recreation, and a host of other problem-oriented needs. But land-use planning can be and is a common denominator for getting people and agencies with many varied interests together.

It can be and is a common denominator for blending the land use aims of citizens in your states with national objectives for economic and population growth.

In the last session of Congress two major bills would have set forth some national land-use goals or policies and provided accelerated financial assistance to the States.

HR-7211--the Aspinall bill--died in the House Rules Committee. Its provisions were complex and wide ranging -- but basically it would have established a long term public land policy and given direction to the Federal land management agencies in carrying out their responsibilities; provided authority and procedures for managing Federal lands; authorized grants to the states for land use planning; and encouraged public involvement in decision making. The bill was intended to carry out some of the general recommendations of the Public Land Law Review Commission that studied Federal public land laws, policies, and administrative practices for six years.

Senate Bill 632--the Jackson bill--passed the Senate in September but also died when Congress adjourned. It has been re-introduced this year. <sup>S. 268</sup> It would provide a grant-in-aid program to the states for developing a process for a statewide land use planning program; provide for better coordination in planning and management of Federal lands and adjacent non-Federal lands; and provide for a study of land resources and their uses. It emphasizes protection of areas of critical environmental concern that I'll mention later.

I think it's significant to point out that these bills do not set national policy for the use of private lands, except indirectly by giving states some money for planning and some deadlines for doing certain things.

The policies would have to come from the ground up. State legislatures would have to spell out policies that would give some guidance. I should point out too that very few sanctions survived that the Federal Government could apply to states that were slow to get the planning done. If a state didn't come up with an acceptable land use <sup>process</sup> policy within five years, the Federal Government could cut off the planning money. (3)

Some state and Federal people have said that the way to assure that land use planning moves on schedule is to be able to cut off more Federal grants if the plan isn't prepared and acceptable.

The National legislation would not take more decision-making powers from local governments. Under the land use plan and policies currently being considered, only a limited acreage of lands -- less than 10 percent -- would need to be watched over by state or even multi-county governments. Decisions about the rest of our vast non-Federal American land still would be reserved to local governments and/or private enterprise.

The business of land-use planning, then, cannot be done from the U.S. or the state capitols or from the county board or city council. It must involve a partnership among all levels of government and the people they represent. Control over land use decisions should be vested where it can be effective.

So the planning assistance that <sup>Dist.</sup> you give--the liaison they you provide with state and substate planning groups--is all important.

Time permitting, I can offer some personal experience for whatever its worth and I'll finish by citing some background and raising some issues that I think need your immediate and long-range attention and concern.

In 1973 I enter life's 55th year and my 33rd of public service to Agriculture, conservation districts and America--rural and urban. Somehow I've also survived twelve interesting years in our Nation's Capital. I've had my share of key duties with fairly heavy demands and expectations. Presently I chair two land use groups. One for the Secretary of Agriculture, the other an International job with Canadians. Frankly, I observe from my background and work, that all levels of government have been in the land-use planning business for some time. Government bodies have guided the use of land through the power of land ownership, eminent domain, public financing of improvements, tax assessments, and most recently through the power of regulation -- for example, how and where to dispose of pollutants (in fact, in the case of sediment, should there even be any that pollutes water).

Elements of land use policy are now built into many laws, including those of the SCS and conservation districts, relating to conservation, development and environmental policy. It will be highly desirable that present and future land use laws, policies, and programs of all levels of government be fully complementary and coordinated and not conflicting and competing. There is no serious question of the need for National Land Use Policy. When enacted it will mandate that states more closely supervise or control some land use decisions, long the province of local government. Many state governments (if they participate) are going to have to retrieve from the counties some delegated and legal authorities for planning and zoning on land uses of "critical concern."

These "police powers" may be used increasingly because of the competing claims on resources. This goes against our long tradition of allocating private land uses in a free market system where the highest price or use gets the land.



As Dr. Norman Wengert of Colorado State University points out, "In the decade of the 70's the regulation and control of land use will be extended beyond anything we have experienced in this field to date. The signs of change are everywhere apparent -- if we will but read them. At the same time, the changes, which seem to me to be inevitable, will not occur without considerable controversy, conflict and political struggle. At the center of the controversy, on the one hand, will be the owners of rural land -- <sup>not just</sup> farmers, ranchers, <sup>but</sup> land developers and speculators -- and on the other hand a more diverse, essentially urban <sup>recreation</sup> oriented group -- environmentalist planners, and others who are responding to a need to preserve and restore outdoor landscapes and rural countryside."

Therefore, how land use policy and planning decisions will be made and at what level are among the major issues to be resolved.

The BIG issue in many states is community growth itself.

Some states are beginning to say, "we welcome you as visitors but would just as soon you decided not to stay." In many communities there is conflict over whether to "chase smokestacks" -- to invite that one more industry...extend that water and sewer hookup... improve the Main Street. But in coming years a new perspective may be needed. America will still have millions more people by the year 2000. Those people and the ones already here will want more conveniences, facilities, food and fiber, housing and jobs.

- 280M:2

So states and communities will be asked:

-- If you don't want more people, who's going to have to take them?

-- If you don't want more industries, who will have them?

-- If you don't care to save your prime agricultural lands, where will they be preserved?

A second issue is what interest do USDA and rural people have in land use planning?

Farmers and ranchers want to know if land use planning and effective control will assure that productive lands needed for agricultural use are maintained. They want to know how land use planning will affect their right to buy and sell land, and whether land-use controls would reduce or increase production costs.

USDA and rural people are interested in working with state and local governments to improve the living environment and the opportunity for jobs. Land-use planning can help identify amount and location of rural lands needed for highways, power lines, plant sitings, recreation, and other urban purposes. It can help to maintain the aesthetics of the countryside and improve the rural environment as a desirable place to live.

We also want recognition that land and water uses are highly interrelated.

A third issue in land use planning is the need for better definitions of the terms being used. A national act necessarily must be broad and general, but we still have to be talking about the same thing. For example, S-632 highlighted the need for inventorying and designating areas of "critical concern." It defined such areas as:

1. Coastal wetlands, marshes, and other land inundated by the tides;
2. Beaches and dunes;
3. Significant estuaries, shorelands, and floodplains of rivers, lakes, and streams;
4. Areas of unstable soils and high seismic activity;
5. Rare or valuable ecosystems;
- 2 6. Significant undeveloped agricultural, grazing and watershed lands;
7. Forests and related land which require land stability for continuing renewal;
8. Scenic or historic areas; and
9. Other areas that a state determines to be of critical environmental concern.

Question: Where do you draw the line in defining significant agricultural lands? Let's say that in general, Class I and Class II lands under the soil suitability system would be those best suited for regular cropland cultivation. Shall we then by Federal, state or local decree stop any and all further development of Class I and II land for other uses? It isn't necessary yet.

We have more than 330 million acres of this "prime land." It isn't realistic yet -- because the same qualities that make for excellent farmland often make for good housing, highway, or other developmental sites and with relatively low construction costs. It isn't necessarily all-inclusive -- some good land in Class VI for horticultural crops doesn't fit the Class I or II standards. But where shifting of prime agricultural land would hinder the production of a special crop, or remove desirable open space for a community, and there are reasonable alternatives to use other building sites, then those lands should be kept and protected for future agricultural use.

Finally, those who are doing the planning and those who are making the decisions are going to need facts. They are going to need help in interpreting the facts -- people need information, not just numbers.

That is precisely where conservation districts and the SCS should enter the picture in a big way. And we have. But we need to do much better. In too many communities soil surveys and interpretations are hard to get, harder to understand. Other resource data are scarce or just too voluminous -- or both. Water resource planning and the use of public lands are too often complicated business that the general public knows little about. Too many people don't know they <sup>even</sup> live in a conservation district -- or what a watershed or resource conservation and development project means to them.

Land-use planning is not a panacea or a simple answer for all local, state or national problems. For instance, historian Daniel Boorstin in his book "The Image" quotes a definition of technology by Max Frisch: "Technology...the knack of so arranging the world that we don't have to experience it."

Therefore we need to be realistic and to raise a word of caution.

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"Our expectations," says Boorstin, "are extravagant in the precise dictionary sense of the word -- going beyond the limits of reason or moderation, they may be excessive."

"When we pick up our newspaper at breakfast, we expect -- we even demand -- that it bring us momentous events since the night before. We turn on the car radio to expect 'news' to have occurred since the morning paper. In the evening we expect our house not only to shelter us, warm in winter, cool in summer, but to relax us, dignify us, -- to be a playground, a theater, and for some a bar."

"We expect new heroes every season, a literary masterpiece every month, a dramatic spectacular every week, a rare sensation every night. We expect anything and everything. The contradictory and the impossible. We expect compact cars to be spacious, luxurious cars to be economical. We expect to be rich and charitable, powerful and merciful, active and reflective, kind and competitive. We expect to eat and stay thin, to be constantly on the move and even more neighborly."

Never have people been more masters of their environment, yet never have people felt more deceived and disappointed. For never have people expected so much more than the world could offer," concludes Boorstin.

These are challenging days for all of us. Legislation that is on the way at the National and State levels will not be a barrel of shiny apples that will solve all our problems and keep us in the limelight. There may well be some serpents at the bottom of that barrel. The planning process is not going to be an easy "garden path" approach. We may also be fiscally naive -- the costs have not yet been fully appreciated.

Therefore, you need to move ahead and do all you can with the tools you have now and show more people what you can do. And that's a lot.

SCS has its Framework Plan; conservation districts have their long range "outlook" report. Both documents complement each other perfectly, in my opinion. Their rapid implementation now under way in every state and in every conservation district and in every SCS office will go a long way toward providing excellent realistic service in land-use planning or any other phase of natural resource action.



At recent land use seminars I attended I was impressed by the number of people who gave impromptu statements about the helpfulness of an SCS conservationist at the local or state office, or the helpfulness of a district or state association or state commission. People do look to us for help in solving many problems. There are more who need our services but don't know that they are available.

Many decisions including land use are still being made without our help on the alternatives available.

You need to make SCS a central source of information about many phases of natural resource conservation planning and a central source of help in meeting many community aims. The talent is there. And if you don't do it, who will?