

WHAT A LAND USE PLAN SHOULD BE FROM A RURAL VIEWPOINT

I confess to a degree of frustration as I attempted to put into words the rural viewpoint on land use.

It is true that rural people view land use issues from a different background than those who live and work in cities. And it would be useful to examine a few of the reasons for this a little later, if time permits.

However, it seems to me that the rural viewpoint is very similar to the urban viewpoint--or to any other viewpoint in this country today. If there is one thing the recent land use controversies have shown, it is that land use does not present a distinctively "urban" or a distinctively "rural" problem. This is one country, and any land-use problem that afflicts the Nation must be dealt with in both rural and urban areas.

No matter what our individual life styles may be, we should all want what is best for the country as a whole, as well as for our own particular area.

Material for talk by Norman A. Berg, Associate Administrator, Soil Conservation Service, at a panel discussion of the annual meeting of the American Society for Public Administration, Chicago, Illinois, April 4, 1975.

I support one Nation--not just a disparate collection of urban boroughs and rural settlements--in my limited efforts to interpret concerns of ~~the people~~ for their lands.

As you know, land use planning is historically an urban growth management tool. It had its roots in the 1920's, as city planners in New York City and other densely populated areas attempted to cope with the growing conflicts among citizens as a result of unguided land use decisions. One early goal was to keep a slaughterhouse separate from a neighborhood of fine homes. Location of the slaughterhouse as proposed would have resulted in lower property values for homes in that area--in effect, a "taking" of property value from the homeowners by the slaughterhouse owner. In cities and towns today, this is still one basis for land use planning and control.

Gradually, a zoning tool emerged. Areas were identified and located according to the dominant land use--residential, commercial, industrial, and so forth. That's all well and good where much of the development is already in place. An area of homes is likely to remain residential for some time, and zoning it as such causes little difficulty.

New problems crop up, however, when open agricultural land is involved. Who can look at good farmland near a city and say with certainty that it should be houses, or businesses, or factories in 20 years?

Furthermore, farmers, ranchers, and foresters have by necessity thrived on hard work and self-reliance. They have learned how to make daily decisions in a high risk way of life. And they don't want to abandon this initiative to some government agency.

They are wary for other reasons as well. As we noted, much of past land use planning originated in cities, and many farmers have observed these efforts first hand. In fact, one out of every 6 farmers is located in a Standard Metropolitan Statistical Area. These people have seen the local planning process result in decisions affecting the value of their land, and perhaps even their ability to stay in business. Often, agricultural values have been lost in the scramble among developers to make the fastest buck possible and in the inability of growing communities to keep on planning and providing community services that keep pace with rapidly changing demands.

And often, too, the farmer has had little--if any--voice in the decisionmaking process. He has been a spectator--not a participant.

This experience has made rural people look twice at any "plan-drawing" that appears to place rigid guidelines on an uncertain future. They view with suspicion any plan or decisionmaking process that has a potential for greatly affecting their land without providing a mechanism for protecting their interest.

There may be some very good reasons why it should, and the ultimate design of the city might be greatly enhanced if it were, but there are good reasons why it may never happen. Economic conditions change, people's desires change, and opportunities arise that can't be foreseen. Fulfilling the plan's goals may require hundreds--even thousands--of private decisions about investments, sales, developments, and even life styles.

Growth management and land use controls can attempt to guide these decisions, but certainly can't dictate them. If too many people think the original plan is no longer valid, it will either be ignored or changed.

Farmers, ranchers, and foresters understand this problem. As individuals, many have been planning the use and management of land for a long time. They know that planning is needed--that a good agriculturist doesn't bend with every breeze. They have planned cropping systems, conservation systems, and management systems of all sorts. But they also understand that the most useful plan is the one that is most flexible--the one that gives them realistic options and that allows them to react to new conditions, make new decisions, seize new opportunities, and avoid new hazards. They are cynical of the ability to fix a firm "plan" for the future and never depart from it. So to the extent that new land use planning programs are described as efforts to draw new maps, or make fancier plans, rural people are often skeptical.

Does this mean they oppose necessary land use regulation and management? Perhaps not.

In the past, rural people have led the way in designing community decisionmaking programs such as those that conserve and help develop land resources. Rural people are still guiding community investment decisions that influence land and water use.

Many other land use decisions, however, are being made without rural interests at heart. These decisions might involve anything from private profitmaking opportunities to greater efficiency in city operations. But more and more farmers are becoming concerned with them. If the outcome of a particular decisionmaking process is going to affect vital rural interests, then larger numbers of rural people are going to be demanding access to that process.

Many of the new land use programs springing up in the States recognize this. And very few of them propose new map-drawing or plan-making for the sake of a document. Most concentrate on outlining new decisionmaking processes that involve both local and State governments.

Where these State programs have been designed to give fair consideration to agricultural and forestry interests, to provide the opportunity for rural people to have access to the decision-making process, and to carefully balance the public interest with private rights, they have enjoyed the support of rural people.

That fact is obvious in many of the States enacting such laws. Where the rural population of such States is significant, these kinds of laws could not have been passed without rural support. So we feel that rural people are supporting some new types of land management programs.

This brings us to the current concern with national land use legislation. What is the situation with regard to the rural viewpoint? Obviously, the first factor is that if rural people are suspicious of "plans" drawn up in their town or county, they are even more suspicious of "plans" drawn up at their State capitol, and they are totally turned off by the idea of "plans" drawn up by some bureaucrat in Washington! They simply will not tolerate the idea of a Federal agency dictating how their private land can or cannot be used.

Many rural interests today vigorously oppose national land use bills on the basis that it means Federal control and Federal "plans" for private land. Other rural groups, however, have recognized that the current proposals do not encourage additional "planning" as much as they encourage new land management programs specifically designed to include landowners, users, and the general public in the decisionmaking process. Current proposals do not establish Federal land controls over private land. Instead, they encourage State and local arrangements to make land use decisions and commit the Federal Government to respect those decisions when Federal investments affecting land use are being considered.

With this mixed attitude of rural constituents, an option for the Department of Agriculture and for rural organizations would have been simply to oppose any land use bill. However, the Department is concerned with the well being of American agriculture and forestry, both now and in the future, so this course was not viable. It seems reasonably certain that some type of national land use legislation will be enacted. Whether or not it will be this year, I'll leave to others to guess. But whenever it comes, it must--in our opinion--be responsive to certain needs.

Federal interest in land use is substantial in at least four ways: (1) The Federal Government is the largest land holder in the country. (2) Many Federal programs--regarding energy, transportation, public works, housing programs, and so forth--have varying impacts on how private land is used. (3) Federal programs are frequently used to bail local people out of earlier bad land use decisions when floods or earthquakes occur, homes slide downhill, or other problems arise. (4) Federal interest in land use is now heightened by the need for strong state and local programs that help in meeting important national objectives in energy development and food and fiber production.

Of course, these four areas of Federal involvement are of concern to both urban and rural people. The Department of Agriculture, though, is particularly concerned with the interest of rural people and with how well currently proposed legislation would meet rural needs.

Statements by Secretary Butz

On March 12, Secretary of Agriculture Butz voiced the Department's concern in a letter to the White House, with a copy to the Secretary of the Interior. "It is still evident that there is no simple solution to this complex problem," Secretary Butz wrote, "and that any Administration proposal must attempt to unite rather than divide the many forces involved."

The Secretary noted that the "Department is generally in favor of the concept of federal incentives to improve state and local land management and decision-making."

At the same time, he pointed to the lack of a Federal organization to handle land use problems on a national level. "Coordination of existing federal programs apparently could not create the needed implementation capability at state and local levels," he said. "We still must devise an institutional structure at the federal level to encourage more rational, consistent federal actions and programs that influence land-use throughout the country."

Such a federal structure should not be difficult to develop. Secretary Butz noted that the Department of the Interior had circulated an issue paper that proposes using the Domestic Council as a high-level policy coordination mechanism, with an interagency advisory board that would serve as a forum for evaluating policy issues requiring Council resolution.

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This, Secretary Butz said, creates a unique opportunity for the Administration to propose an institutional arrangement designed to prescribe effectively the proper role of several key agencies now having significant land-use programs and actions pertinent to state and local governments.

Most federal agencies agree that the fundamental principle to be maintained in any land use bill is that one department should not determine the overriding national interest in land-use policies, decisions, or investments. These determinations must be made in the Office of the President.

The Secretary also took note of efforts to tie land-use legislation directly to the current energy situation and the need for abundant food production, as well as other economic and social realities. These efforts, the Secretary said, demand a continuing institutional ability to define short- and long-range priorities of national interest. "Environmental protection strategies have dominated past discussions about land-use legislation," he pointed out. "The time has come for a broader perspective, bringing together the view of the entire Administration."

Testimony before House Environment Subcommittee

On March 17 and 18, I joined Interior spokesmen and Assistant Secretary of Agriculture Robert W. Long in testifying before the House Subcommittee on Energy and the Environment of the Interior and Insular Affairs Committee.

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The President had pledged to avoid new programs requiring additional Federal spending, except for energy. This pledge required that Administration support for national land use legislation be postponed. The decision also recognized that States are adopting their own laws and that present programs in Coastal Zone management and HUD grants need further analysis and trial. So in our presentations before the Subcommittee, we recommend against enactment of HR 3510, the "Land Use and Resource Conservation Act of 1975," at this time.

Assistant Secretary Long told the Subcommittee that Federal land use legislation should assure that rural interest have an equal voice in land use planning processes developed in the States. "One issue of particular concern," he noted, "is the continued conversion of prime food and fiber producing lands to other uses." The Department plans a seminar later this summer on the retention of prime lands for agricultural use.

Secretary Morton said that, during the next two months, Interior's Office of Land Use and Water Planning would develop recommendations for coordinating Federal activities under existing authority. This would encourage States to take the initiative in land use planning. The Secretary added that disputes in Congress and the Administration concerning jurisdiction over a Federal land use program need to be resolved before legislation is enacted. He said he would "reactivate discussion in the Domestic Council so that we can come up with a concept that will be supported by all agencies."

Secretary Morton's testimony drew predictable responses from the Subcommittee. Chairman Udall (D.-Ariz.) said he was "appalled and disappointed" by the Administration's "latest in a long list of zigs and zags on this issue." Rep. Sam Steiger (R.-Ariz.) said the decision was sound because "hidden costs" behind the proposed \$50 million first-year authorization level represent a burden to the economy. "Mo" Udall remarked that we had probably been "ambushed" on our way to Capitol Hill. And he predicted that Congress would send the President a land use bill anyway.

Coastal Zone Management Program

The most effective land use planning decisions result from programs and processes that have been carefully developed and tested. Testing a concept is the only sure-fire way to know whether or not it will work. Several ongoing programs are currently providing good testing grounds, and one of these is the Coastal Zone Management Program, administered by the Department of Commerce. This program provides grants to states to develop management programs for the narrow strip of land along both seacoasts, the Gulf of Mexico, and the Great Lakes. It is important because the programs, planning requirements and review processes developed could well be models for statewide land use programs as they emerge.

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Assistance from USDA

USDA recognized the need for better programs and processes in land use planning in Secretary's Memorandum 1827, issued almost two years ago, outlining the Department's policy on land use. It states, among other things, that the Department will:

- * Adapt present programs to help enhance and preserve prime agricultural, range, and forest lands;
- * Promote and help influence the management of rural lands to assure adequate sources of high-quality water;
- * Help protect rare and endangered plant and animal species and their ecological systems, as well as historic, cultural, scientific, and natural systems;
- * Help conserve and develop significant waterfowl habitat;
- * Intensify conservation work on lands returned to cultivation in the current push for higher production;
- * Work to get wider understanding of how USDA programs and responsibilities aid good land use;
- * Cooperate fully with other Departments in settling land use policies and leadership, and coordinate agency efforts at state and local levels;
- * Get timely information and assistance to decision-makers everywhere, and strengthen our data-gathering capability; and
- * Help reclaim surface-mined land.

From the time it was conceived, USDA has been a people-oriented as well as a land-oriented department.

The Department is a source of resource facts second to none in the land-use field:

- * Soil surveys and interpretations
- * River basin studies
- * Watershed surveys and investigations, flood hazard studies
- * Forest and rangeland inventories
- * Snow surveys and water supply forecasts
- * Every conceivable sort of agricultural statistic
- * Conservation Needs Inventory
- * Aerial photographs and maps
- * Information on rural housing and water supplies
- * and many more.

We in the Department of Agriculture continually sample rural opinion on land-use issues. In addition to organized groups that represent rural interests, USDA has field offices in every county of this country. These field people spend full time working with rural people, town people, planning commissions, local governments, special interest groups and others.

The feedback we get from out in the country is that land use is a problem--that current methods of making decisions that impact land are not adequate--that drawing more plans isn't the total answer--and that any new program for guiding land use must include all interests. Rural people want local control of local issues, but see the need for a limited State role on the larger questions that extend beyond local boundaries. They do not want the Federal government telling them what they should and shouldn't do. They wish the "Feds" would cooperate and consult with them before making major public works decisions that can swamp local plans and objectives.

Those may be narrow, parochial, rural views, but we don't think so. We think they are very realistic. Farmers, ranchers, and foresters survive on their ability to make daily decisions and commitments that reflect an understanding of land and how it must be used to provide income and preserved to provide for future use and value. They may not always be sophisticated in the latest language of the land use planner, but they understand this land of ours, and that understanding is not lost on this issue.

So rural people have a definite contribution to make in the land-use planning process, and we strongly urge that they participate in it. In fact, we would urge anyone concerned to take part in such deliberations. This is as necessary in sensible urban planning as it is in maintaining a viable agricultural economy.

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The urban and rural aspects of land use planning make it truly a national issue. And this should be sufficient to sustain continued interest in national legislation.