

# Land Use Debated

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## U.S. Encroaching on Private Rights?

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Regardless of denials by proponents, the objective of land use planning legislation pending in Congress is to establish federal guidelines over all urban, industrial and agricultural land, using federal subsidy money to compel states to follow them.

Two years ago, the Environmental Protection Agency (EPA) concluded a statement on land use with this sentence: "If the president's bill—or any similar bill—

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should pass, we will have an essentially complete package of air, water and land acts which, once fully implemented, can ensure that our life-giving environs will be safe for posterity." Substitute "controls" for "acts" and you may grasp the true meaning of the statement.

In December, 1974, the Connecticut Conservation Association recommended that the state acquire development rights on agricultural lands with revenues from a tax on real estate transfers. Development rights refer to the power to decide the purposes for which land may be used. Other states have them.

Last week, the Connecticut view was cited in a report to the President and the Council on Environmental Quality by a Citizens Advisory Committee on Environmental Quality. It emphasized the Connecticut program, which states that "the development rights should be held forever by the state unless relinquished by mutual approval of the owner, a town referendum and the state authority."

In Russia, China and other countries under authoritarian forms of government, the state (meaning the national government) owns or controls the right to determine what land shall be used for and who may be granted the right to use it.

The Citizens Committee says that the United States has no policy or plans designed to preserve agricultural land, so the committee "believes we must develop a national land use ethic." It opines that an important component of such an ethic should be preservation and "wise use" of agricultural land.

Among sponsors of land use legislation in Congress are Rep. Morris K. Udall, D-Ariz., Rep. Alan Steelman, R-Tex., and Sen. Henry Jackson, D-Wash., In discussing his bill, Udall said "The bill does set forth procedural criteria which a participating state must follow in developing its land use program, but it does not require a 'plan' by any state." Sounds like double-talk.

The bill provides subsidies to state land use planning agencies organized so that they meet approval of federal bureaus. Proponents argue that land use planning would be left to the states, but with scores of examples of how federal agencies force compliance with their regulations by cutting off funds or other duress, only the naive would believe that local control would survive.

It is not land use planning and conservation of our natural and agricultural resources that is being debated. For over half a century, farmers and ranchers have diligently applied soil and water conservation to their lands. Municipalities, many counties and some states have set up land use plans, with local people and their elected of-

ficials determining the course of action.

Land use planning and conservation can be good things, if they consider local problems and preferences, and if they respect individual property rights, part of our American heritage.

In this drive to centralize authority for land use in a state agency, which would be subservient to guidelines set by a federal bureau, supporters are saying that Washington can do a better job of land management than those who own the land, or better than local government can do.

This attitude has been expressed so many times that it sounds like they mean it. For example, the "Forty-Fifth American Assembly," held at Columbia University, last year started its report on "Land Use in America" with this sentence:

"The decision-making process in American land use that has served the past will not serve the present and future." In its recommendations, it urged that the federal tax system "be subordinated in favor of other more direct land-use policy tools."

Recently, the U.S. Army Corps of Engineers requested expansion of its jurisdiction to include control of all lakes, farm ponds, rivers, streams, irrigation ditches and marshes.

Add to this an appeal by Russell E. Train, administrator of EPA, for "an international coast guard or similar capability" to enforce water purity regulations, and you may get the idea that the bureaucrats want to take complete control of it all.

Is this what the free people of America want?