

Conserving the landed gentry's tax dollars

by M. Sexton

Good Dirt: Confessions of a Conservationist

by David E. Morine

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This "memoir" of David E. Morine's years as the head of land acquisition for the Nature Conservancy (1972-87), is intended to be a warm, fuzzy, amusing little book about the trials and tribulations of acquiring vast tracts of land throughout the United States and Canada, to save them from "development" and environmental degradation, while preserving "biodiversity" and whole eco-systems, the latter concept explicitly derived from the malthusian Paul Ehrlich, author of *The Population Bomb*.

While some of Morine's anecdotes are mildly funny, the more important aspect of his stories is that they once again show that the environmentalist movement is not really about "saving" the Earth.

The Nature Conservancy and groups like it are businesses that provide tax shelters for the rich, and help preserve the way of life of those for whom *property* is considered the measure of one's socioeconomic status. The Conservancy, headquartered in Virginia, is one of the largest and best-funded environmentalist land acquisition groups in the United States. To no small degree, groups like the Nature Conservancy are philosophically related to British land trust groups, such as the National Trust. For example, the National Trust has bought up much of the English countryside's large estates, and besides government funding, helps pay for their upkeep by renting them out as movie sets, allowing strictly regulated farming (if it contributes to the "viewscape"), and through tourism.

Such groups either buy land outright, or get the government to buy it. This takes land out of *private* hands, negating private property rights. Thus, land can be held as a nature "preserve," or its *use* can be strictly controlled—forbidding such activities as farming (including cattle grazing), mineral extraction, or human habitation. Incidentally, if the land is owned by the federal government, it also goes off the tax rolls.

Many of Morine's anecdotes center on the efforts to get

some rich people to sell property to the Conservancy, or make big donations. Those contributors are indeed motivated first by a desire for a tax break, and second, to keep land from being "developed." As Morine puts it, "The Conservancy's new strategy was to use private funds as a catalyst to stimulate public funding for conservation. We had initiated a program with the federal government, but many members of our board were hesitant to bet all our chips on the Feds. The Feds were too fickle."

The Conservancy, Morine says, had to go for making deals with those who might otherwise be considered environmentalism's enemies. In one instance, he describes acquiring the Pascagoula, Miss. Wildlife Management Area by making a deal with sportsmen:

"Working with the best legal and financial minds we could find, the Conservancy devised a totally new plan. The Conservancy would make a tender offer for 75% of the company's stock, implement a tax-free dissolution of the corporation, trade the patriarch 25% of the land for his family's stock, and sell the remaining 75% of the land to the state. We would use the state's appropriation to pay back the money we had borrowed to buy the stock.

"The patriarch approved the plan. It got him his land, tax-free. . . . The younger generation and the remaining stockholders were very pleased. Not only had they done something good for the state of Mississippi, they had turned a previously dead asset into some real money."

The Virginia Coast Reserve

Morine also describes the Virginia Coast Reserve, "the Conservancy's greatest assembly" of land over 40,000 acres of barrier islands along the Atlantic coast. Failing to get federal funding, in 1984, Morine describes how the Virginia Coast Reserve got substantial new funding through a lawyer, "the principal creator and promoter of an innovative new technique of charitable giving. It was known as the 'charitable lead trust.'" The deal is to put assets, such as land, into a trust, tax-free. The lawyer is quoted: "The charity leads by getting the income during the life of the trust. When the trust expires, the assets go to the assigns. . . . Tax-free of course. It's a wonderful way to pass on money."

His description reminds this writer of the recent scandal of the Virginia Outdoors Foundation, a state agency that buys up land or acquires easements, to prevent real estate development. The foundation was recently caught selling land it had acquired at below-market prices to some of its biggest donors, who were from the Middleburg, Va. "Hunt Country" set, including members of the ultra-wealthy Mellon family. Hardly a surprise that the state Department of Natural Resources found no wrongdoing on the part of the Virginia Outdoors Foundation.

In Morine's book not all such sweet real estate deals came off, or if they did, it sometimes took a lot of finessing, and not a little brown-nosing. Morine describes an unnamed



Virginia's "Hunt Country" elite display a stuffed red fox on their picnic tables during a tailgate party at the races. The wealthy and ecologically concerned can sell vast tracts of land to the Nature Conservancy, thereby keeping it out of productive use, and avoid paying property taxes on it.

Charlottesville, Va. couple from whom the Conservancy sought a conservation easement: "The professor and his wife would get a substantial tax write-off, the university [of Virginia] could still make a bundle selling the property as a country estate, and our preserve would be protected in perpetuity." Morine lost the deal, when he showed he was afraid to get a wayward snake out of the couple's wine cellar.

In another instance, the Conservancy attempted to acquire land in Canada for a wildlife refuge that was controlled by "a group of Americans, all of whom had been born into the Social Register." Morine describes his search for the right wardrobe for visiting the owners' exclusive hunting club, claiming that the Conservancy's budget only allowed for clothes in the price range of "Attention K-Mart Shoppers." But according to *The Holes in the Ozone Scare*, by Rogelio Maduro and Ralf Schauerhammer, the Nature Conservancy has annual revenues in the range of \$254 million. One would be hard put to believe that its head of land acquisition were reduced to K-Mart scales of economy.

The rest of the story involves trying to hunt ducks from a duck blind, and only succeeding in bagging their limit with the aid of a drunken gamekeeper. But the Conservancy got the wildlife refuge.

Lest the reader think Morine (and the Conservancy) take the view that while man preserves nature, he should be also

able to enjoy it (albeit carefully), he favorably cites ecoterrorist Edward Abbey (founder of Earth First!). He also criticizes the National Park Service, but only for bureaucratic stupidity, not for mismanagement.

Relations with Washington

He saves his anger for Ronald Reagan's Interior Secretary James Watt. While praising President Richard Nixon (under whose administration the National Environmental Policy Act, which set up the Environmental Protection Agency, was passed by Congress in 1969), Morine attacks Reagan, and especially Interior Secretary Watt, as a "strong backer of the Sagebrush Rebellion, which would have turned millions of acres over to his fat-cat political cronies" instead of buying more land for the Nature Conservancy. Watt effectively snapped shut the federal purse in 1984, by refusing to allow the federal government to purchase more land for "conservation."

So Morine must be mighty pleased with the Clinton administration, whose Interior Secretary Bruce Babbitt is not only saving, at taxpayers' expense, a California coastal "ecosystem" that contains an insignificant bird, the gnatcatcher, but is also taking the first steps to lock up millions of acres of federal land, by raising grazing fees that will begin to put western livestock growers out of business for good.