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**THE VIRGINIA ENVIRONMENTAL ENDOWMENT:
PAST AND FUTURE**

By Michael J. Flannery

The following are excerpts from two interviews conducted by the Environmental Practice News: The first, with Judge Robert R. Merhige, Jr., U.S. District Court for the Eastern District of Virginia; the second, with Gerald P. McCarthy, Executive Director of the Virginia Environmental Endowment (Endowment). The interviews highlight the creation, function, and future role of the Endowment. The Endowment funded four William and Mary law students in environmental public interest jobs this past summer.

The Endowment's main purpose is to improve the quality of the environment in Virginia. By making grants to projects representing both public and private commitment, the Endowment promotes responsible solutions to environmental problems. Better public understanding of environmental issues at the regional, state and local issues are another focus of the Endowment. By working with the public and private sector, the Endowment has revitalized the interest in and the solutions for environmental problems.

"I have no sympathy for people who pollute."

The EPN conducted Judge Merhige's interview in his chambers at the United States District Court building in Richmond, Virginia.

Environmental Practice News (EPN): How did the idea for the Endowment come about?

Judge Merhige: The Endowment came about, as I recall, as a consequence of a 152 to 158 count indictment against Allied Chemical for violating environmental laws; the indictment came about because of the dumping of kepone into the James River. Allied Chemical pled nolo contendere. I assessed the highest fine I could impose, the maximum that the law would allow, for each one of the counts. The total fine amounted to in excess of 13.5 million dollars. At about the same time, class action lawsuits were beginning to be filed by fisherman whose livelihood was allegedly destroyed because of the kepone. I said from the bench that I wanted to figure out a way, if there was one, to keep the money we were collecting by fine for the benefit of the people who had been immediately hurt, meaning the people of Virginia, instead of sending it to the general fund up in Washington. It was their river.

I brought the lawyers in and told them of my thoughts. It gets sticky from this point on because I have no clear recollection whether the idea of Allied putting up eight million dollars for the purpose of the Endowment came from me or whether because of my initial discussions, one of the lawyers for the parties may have suggested it.

I didn't make any promises to induce Allied's lawyers. I said that if Allied would fund a trust that could be inured for the benefit of the environment, particularly in Virginia, while I couldn't promise, I would certainly consider a reduction in fine.

EPN: A government lawyer involved in the case suggested that Allied's contribution of the 8 million dollars was a crapshoot.

Judge Merhige: It really was. I had made up my mind that I wasn't going to make any such commitment. I thought it would be inappropriate. I also wanted to find out more about the company. I ultimately reduced the fine by slightly more than eight million dollars, but Allied didn't know whether that would happen or not.

Allied's lawyers conferred with me a number of times on the formation of the trust. I had certain rules. Any funds that came into the trust would not in any way reduce whatever responsibility Allied had to the state of Virginia. I was not going to let Allied make a charitable contribution for which they got credit on the other aspects of the case. I just was not going to do that. I wanted to be sure that didn't happen. Whatever funds went into this trust were not to be used to reduce Allied's responsibility to the state of Virginia, pursuant to the state's claim.

A charter was drafted which provided for the appointment of trustees by me. The parties didn't name a specific court, they named me. No one who had any association with Allied could get on the board. I was really trying to be very, very careful that none of the money could be utilized to relieve Allied from any other responsibility that they might have had. I put the United States attorney on the board of trustees because I thought he was familiar enough with the case so that he would be alert to anything like that. I then looked for people who were interested in the environment. I wanted to get some business people on there and I thought we ought to have a banker. I also put a physicist on the board.

The board has stayed fairly intact. We haven't had very many vacancies, and now the board members serve a term of years. So long as the ones that are there remain as vitally interested as they are, I see no reason to change them, unless they want to get off. The board members spend a lot of time working and they don't get compensated. For a long time when they were first organized, they would just brown bag their lunches. That's how conscientious they were about seeing that the money was used properly.

I think the Endowment has done some good. I've been trying to spread the word, so to speak. I have had some inquiries from many judges around the country, asking me about this particular case, and we chat about it. There was another case in West Virginia in which the court, through the auspices of the United States attorney, agreed that if the company [FMC Corporation] guilty of the pollution would contribute one million dollars to the Endowment, that contribution would be taken into consideration. The company did contribute the money and it is earmarked by the trust to be used in the Ohio and Kanawha River valleys.

EPN: Has the Endowment lived up to your expectations? Has the Endowment done what you hoped it would do?

Judge Merhige: Yes. I don't know if I would have done exactly what they have done, but I have been especially careful not to inject myself in it in any way whatsoever. I think, all in all, they have done an exceptional job. There may be one or two programs that people might be a little bit critical of, but generally I think they've done a great job. I think they were very fortunate to get Gerry McCarthy. He's obviously a leader in this field and is known all over the country. And he's obviously dedicated to his work.

EPN: Do you find that, amongst the judges you've spoken to and the lawyers you come in contact with, there is an environmental consciousness? Are there enough people out there that care?

Judge Merhige: No. The answer is a flat no. There may be enough people who care, so maybe it should be a qualified no, but what we need are people who care enough to do something about it. We get in our cars and we see all the pollution in the air and we say "Oh, that's terrible." What we really need is to get on the phone and call the company or the local authorities and say "Do something about it. I'm not going to put up with it." We don't have enough of those people, that's for sure.

Our's is a different kind of society. There are certain things that people do that are unquestionably wrong yet they continue to do it because it's not illegal. I can think of one in particular, but I don't want to get on a soap box about it. I don't happen to do it. I used to, but I stopped.

EPN: Smoking?

Judge Merhige: Well, there's an example. The fact is, apparently, there's so much money make out of it that there's not enough gumption, not enough fire in the belly of enough of the legislators to do something about it. It affects people's livelihood, but

that's one of our problems. The old dollar bill has gotten in the way of our doing what I think we ought to do.

I think we're ingenious enough so that we could do away with all the pollution. Even if it had an economic effect, which it undoubtedly would, we're ingenious enough to make up the difference somewhere along the line, in some other way. I know we'd make it up in human terms. People might live longer and enjoy life more, from a physical standpoint. We might have more attractive tourist areas. There are all kinds of things that might happen.

EPN: You've had discussions with other judges on the federal level. Are entities like the Endowment going to become more commonplace?

Judge Merhige: I would hope that the opportunities would depreciate. If people don't do anything wrong, then that suits me. I don't know the answer, but I have no sympathy for people who pollute.

"I believe that individuals do make a difference"

The EPN conducted the interview with Mr. McCarthy at the Virginia Environmental Endowment offices in the James Center in Richmond, Virginia.

EPN: What are the most pressing problems confronting the Endowment here in Virginia and in the region?

McCarthy: It just so happens that I'm thinking a lot about that these days because the Endowment, since day one, has had a certain number of priority issues that it has chosen to focus on. Our focus on toxic substances and water quality has been a good one and continues to be a good one. Our focus on conflict resolution and building institutions to resolve conflicts constructively and creatively has been one of our biggest successes.

The business of focusing on the Chesapeake Bay and land use related matters is of more recent vintage, over the last five years or so. Likewise, while not officially a priority, we find that we are doing more with our environmental education programs because, as G.K. Chesterton was alleged to have said, talking about something quite different, "The trouble with Christianity is not that it's been tried and found wanting, but that it's never really been tried." You might say the same for an environmental ethic or land use ethic.

We've gotten a lot of people interested. Every single poll since 1970 shows very strong, and lately even stronger support, for environmental issues as a national priority. Yet when it comes to practice, though laws are passed at the national level and to some

degree at the state level, where the rubber meets the road, if you will, is at the local level. The people who are volunteers for planning commissions, boards of supervisors, city councils, and zoning boards at the local level are ultimately shaping the landscape of Virginia for the rest of our lives.

To this point, the local officials have been seen by many environmentalists as the enemy, which is a silly characterization. They are no more the enemy than anyone else is. What they really need is help. They've had mandates thrust upon them, but they don't get any technical expertise, and they especially don't get any money. Mandate without money is malarkey.

Most of our work is done with that idea in mind. We grant approximately a million dollars per year for various projects, most of which (850-900 thousand) is distributed in Virginia, with the rest going to West Virginia and Kentucky. Not every grant we make is going to help local officials do a better job but we've got several things underway or just getting started or that I hope to be developing soon, that will be aimed at recognizing the facts of life. All the federal and state laws in the world are only the beginning. They are not the end. They are necessary, but they are not sufficient. Sufficiency requires a bottom up approach rather than a top down approach. It requires building grass roots organizations who can inform their elected representatives.

For example, in recent years, we've put an emphasis on helping these "friends of rivers" groups that are beginning to sprout up all over the state. In the northern Shenendoah, around Fredricksburg and the Rappahannock, over the length of the James River (up, down, lower, middle), there are all kinds of groups. These are all volunteer organizations, who have figured out that the only way that they are going to see anything done about the condition of their river or their environment is to take some responsibility for it themselves.

We launched a program with the Izaak Walton League of America last year that was a pilot program to start a "Save Our Streams" program in northern Virginia. They've got close to 160 different segments of streams adopted in the first year alone. We'll be going state-wide with the program in the coming year. This is a very exciting project because it's an all volunteer effort.

The Izaak Walton League also trains people how to do stream sampling, where to send the information, and what to do if the information turns out to be less than desirable. The water control board for the state is very supportive of this because in many places around the state, they only take one little sample of one little part of a river or stream once a month. That's almost useless. You can't tell anything from that limited data. On the other hand, if you get literally hundreds and hundreds of volunteers all over the state taking stream samples every single

week and sending that information on to the board, your going to get a much clearer picture of water quality in the state.

We're working on this project very strongly. And it's certainly going to be helpful to local officials because all of these "friends of rivers" groups go to planning commission meetings and to supervisors meetings. They stand up and their voices are heard. We had one group up in the north fork of the Shenendoah that in January of 1988 had six or eight members. By April of 1989, they had over five hundred members and they were really becoming a constructive force in their communities. Five hundred people, all of whom vote, can make a difference.

Obviously, the long range goal is to get people to vote the way they answer public opinion polls. We're doing all we can to bring about the vision of a state, a country, and ultimately a world, although we focus on Virginia because, if everyone does their part, everything else will take care of itself. Our scope is limited to Virginia and the Chesapeake Bay region, along with the states of Kentucky and West Virginia and to some degree Ohio. If we can get people to buy into the environmental ethic over the course of their lifetime, then they might start acting in a responsible way, taking responsibility for the condition of their environment and not sloughing it off on the Environmental Defense Fund or the Natural Resources Defense Council or even the Environmental Law Society at the College of William and Mary, Marshall-Wythe School of Law. Everybody's got to get involved sooner or later. They have to start practicing what they preach and believe. They have to start believing sooner or later. Our long range goal is to bring about a society where that is, in fact, the case, where committing environmental violations is just as offensive to the vast majority of citizens as any other violation of the criminal law.

That's another facet of this. Environmental pollution has only lately become a matter for criminal law. Civil suits have been the norm to this point, but more and more judges and legislators are looking at criminal sanctions. When that starts to happen, maybe environmental law will get the respect in the community that it deserves, like laws against breaking and entering or shooting someone.

Environmental pollution is a violent act and what's taking place on this planet is violence of the most extreme sort. Thousands of species that we don't even know about are being wiped out. Vast portions of the tropical rain forests throughout Central and South America are being absolutely decimated at a rate that will stagger you. Since many of the species who spend part of the year in North America spend the rest of the year in South America, people in Virginia ought to be concerned about that. And since that decimation has an affect on the global warming situation and

green house effect, it is going to affect us. What goes on in South America does matter in Virginia.

What we can do here about this destruction is a variety of things that I hope we'll be able to define more precisely in the months to come. At the very least, we ought to know about it. Second, we ought to start acting responsibly. There's a campaign that's just started to plant one hundred million trees in this country over the next three years. While that's a drop in the bucket compared to the number of trees that already exist in this country, it's still a hundred million more than we have now. If you can do that around the globe, you can make a real dent in this business of global warming. Trees are wonderful absorbers of the gases that are causing this.

We need to work on delivering electric power more efficiently. Do you realize that if you put in a hundred units into a power plant to turn it over and get it running you only get about thirty-five out when you throw the light switch? The loss of energy just in making power and transmitting it is horrendous. It's just an abomination. To a certain degree, there are laws of physics that limit what you can do. On the other hand, there are people all over this country and the world working on superconducting materials that would operate at room temperature. If that ever comes to pass, a lot of the energy problems disappear virtually overnight. So much of what causes the loss of efficiency is the heat that is generated in the process of making energy and delivering it. Superconducting materials are basically zero heat loss materials. If you eliminate the heat loss, you improve the efficiency. If you improve the efficiency, you have to build far fewer power plants and burn much less fuel. All of that is related.

We have, to sum up, many concerns: toxics and water quality, mediation and conflict resolution, local assistance, Chesapeake Bay related matters, especially land use, and environmental education. Over the next few months we are going to be reassessing all of that. By next spring, we'll have a new focus. I don't know how much we'll really change, because some of these things are clearly going to remain important. Other issues may come about, either in addition to our current areas of focus, or in place of a couple of them.

EPN: In light of the rash of oil spills we've seen this summer, in Alaska, Delaware, and Texas, is the Endowment concerned with the possibility of similar accidents occurring in Virginia waterways? Is anything being done to prevent such spills?

McCarthy: Certainly, we're concerned about it. But we're a private, charitable, grant-making organization. We're not a regulatory agency of government. Therefore, our concern is that

the government insist that anyone operating an oil tanker or anything related to the oil business in Virginia or in the Chesapeake Bay, where there is considerable oil tanker traffic, be prepared to deal with accidents. As sure as the sun is going to come up tomorrow morning, there is going to be another accident in the Chesapeake Bay. We've already had some in the past and there's bound to be more. If the oil spill contingency planning is similar to that in Alaska, where they know they've got a major oil operation going on, then we've got to have a better one. The state of Virginia is currently developing a plan that is supposed to be ready by the end of 1989. The Chesapeake Bay Foundation, which is a group that we have supported generously for some years now, is holding the state's feet to the fire to make sure that they do come up with a plan.

EPN: Are lawyers today educated well enough on environmental issues? Are they sensitive enough to environmental concerns? What plans, if any, does the Endowment have toward raising the consciousness of the legal community?

McCarthy: Lawyers are educated a lot better that they used to be. For example, back in 1977 or 1978, when the Endowment was just getting under way, one of the first grants we make was to the Marshall-Wythe School of Law to establish and build up an environmental law section of the law library, which at that point probably consisted of a magazine subscription or two. Since that grant has ended, I have not kept pace with whether the school has indeed maintained that collection, but by 1978 or 1979 it probably had the best environmental law library in the state.

Also, at that point in time, environmental law was not the hot field of law that it has since become. Just about everyone you talk to in the legal business will tell you that one of the most rapidly growing fields of law for the future is environmental law. That's for a lot of different reasons, but mainly it has to do with the fact that public consciousness and legislation are much better off then they were fifty years ago. Most of that practice will be in the private sector, either for law firms or for private corporations. One hopes that the function of the law and the lawyers will be to keep these people out of trouble, to prevent them from making screwups in the first place, rather than spending all the time and money it takes to clean up these messes afterwards.

A very important part of environmental law is the preventive nature of it. If you get into a situation where as a lawyer you are representing a client in a clean up case, your cause is hopeless. The best you can hope for, it seems to me, is to keep the chief executives out of jail. That's why it's very important to take a preventive approach to environmental activities on the part of any client you may have in the future.

I'm not worried about the future of law students who go into environmental law. I think there will be plenty of jobs for them and I think that they'll have very interesting and successful careers. The non-profit side concerns me a little bit. We've done some work on that over the past couple of years, to encourage law students to take a look at non-profit environmental groups through a summer internship. I don't know what the long term outlook for that program is. The problem with non-profit environmental practice is that even the largest national environmental group would still be considered a small business by Fortune 500 standards. The fact is there are not many jobs at the National Wildlife Federation, the Natural Resources Defense Council, the Environmental Defense Fund, the Nation Audobon Society, the Sierra Club, or any of the rest of them. All of them put together wouldn't make the Fortune 1000 list in terms of assets. It is still a small business and therefore there are not many opportunities.

The opportunities that do exist tend to occur after you have a few years of practice under your belt, rather than right out of school, unless you want to volunteer, which of course is always welcome. If you want to practice environmental law for an environmental group, they can afford to be fairly choosy about who they hire. Usually, they want someone with experience. I think the main thrust of environmental law opportunities in the future will be in the private sector. I hope that there will be a certain amount of pro bono activity to help advance, in a constructive way, the environmental law.

In sum, I think there is a bright future for environmental law. We've certainly done our part. We've established the Robert R. Merhige, Jr. Center at the University of Richmond's law school. We've established the Virginia Journal of Natural Resources Law at Virginia's law school. We established a scholarship at Washington & Lee's law school. And we've had the environmental law fellowships for the past two years, with all the law students in the state participating. So we have done our best to raise the consciousness of law students and, to some degree, practicing lawyers to this emerging field. We're of the opinion now that the field has emerged enough that it doesn't need any more philanthropic help to make it go. I think it's going to go very far on its own from here on out because there will be enough of a demand for it.

EPN: As a result of the 1977 Allied Chemical litigation, the Endowment received eight million dollars, and as a result of the 1981 FMC Corporation litigation, you received another one million dollars. Has the Endowment benefited from any suits other than these two?

McCarthy: Just a couple of months ago, the Bethlehem Steel case, where NRDC and Chesapeake Bay Foundation sued Bethlehem Steel,

was settled for a total of 1.5 million dollars. As a result of all the negotiations that went on, it was decided that the parties wanted some money to come to an experienced grant-making organization in the environmental field. A couple of months ago the court ordered that Bethlehem Steel send us approximately one hundred and ninety three thousand dollars, to expand our work in the Chesapeake Bay region. So there have been three cases so far from which the Endowment has received money. The first case set the precedent; it had never happened before and it hasn't happened very much since.

Now, however, more courts are looking at the idea of offsetting or mitigating compensation. The Exxon Valdez case is one example. When that case is all settled, I'm fairly sure that, at the very least, you'll see Exxon be responsible not only for cleaning up the mess, but also paying some sort of compensation to the State of Alaska or to the fisherman, in addition to any fines they may eventually have to pay. Whether an Alaskan environmental trust will be set up remains to be seen. I know people are talking about it because a couple of them have called me to ask advice about how the Endowment came into being.

I see it all the time now. Judges are saying, more and more, "You harmed a resource, or you harmed a community, or you harmed a family so you've got to pay some compensation over and above the fine." The common practice has not gone to the next step, which is to set up some thing like the Endowment, which is a longer term, conscious attempt to do something constructive for the general welfare of the citizens of a particular place or region with respect to environmental issues. We're still very much alone in that regard. It would be great if judges all over the country started sending us money so we could expand our work all over the country but we don't consider it ethical to promote that by going around and talking to the judges. But if someone wants to send us money for that purpose, we're certainly willing to listen to them.

EPN: What are some good examples, here in Virginia, of cleanup and environmental restoration projects in which the Endowment has taken an active role?

McCarthy: We don't do restoration projects. That's the government's responsibility or a company's responsibility, whoever created the mess in the first place. Our emphasis is preventive. We believe it's a lot cheaper and a lot more effective, in the short run and in the long run, to prevent pollution. In fact, prevention of pollution is an idea that's finally taking hold in at least one part of the state government, the Department of Waste Management. It has adopted a whole hierarchy of waste management priorities, beginning with prevention (i.e. reduction of the generation of waste in the first place), followed by recycling, reuse, conservation and finally digging a whole in the ground and burying it. Our approach has always been that and we try to fund

projects that have such a guiding philosophy. I think it's fair to say that we believe the whole notion of permission of pollution versus prevention of pollution.

The notion of permission of pollution is a step over no control at all, but if the nineteenth century was characterized by just complete fouling of the air and water with discharges, the twentieth century can be characterized by the notion of permission of pollution, or the regulatory approach, developed especially when the lawyers got involved in 1970. Permission of pollution is characteristic of the whole century. If you want to pollute something, or to be more precise, if you want to discharge something, into the air, water or onto the land, you go to the government and you get permission to do that. They call it a permit. In Virginia, it's called the Virginia Pollution Discharge Elimination System Permit Program. That's for water. The air board issues an air permit and Waste Management issues waste permits.

If you stop and think about it, what's happening here is that the government is giving permission for people to discharge obnoxious and, in many cases, cancer causing substances into the environment. That's a little bit nutty. Why should people or corporations be permitted to discharge anything into the environment that will cause pollution and health hazards? But in fact, our whole regulatory scheme is based on precisely that philosophy - permission to pollute.

What more and more people are coming to is the notion of prevention of pollution. Don't generate it in the first place. In fact, the Chesapeake Bay program, which is a joint project of the federal government and the states of Maryland, Virginia, and Pennsylvania and the District of Columbia, adopted for its toxics control strategy earlier this year the goal of zero toxic discharges into the Chesapeake Bay and its tributaries by the year 2000. That's very ambitious, and it is a drastic change of mindset and philosophy from the approach that has governed and still governs, which is permitting polluting discharges.

The government, in issuing permits, supposedly sets limits beyond which is pollution, up to which is not pollution. That's a very, very hard line to define. The easiest thing to do, conceptually, and maybe the hardest thing to do practically will be to not create the waste in the first place and aim for zero discharge.

Last July, when the first toxics release inventory information was compiled, everyone who manufactures or discharges toxic substances in this country had to submit a list of what and how much they were discharging to the EPA and to the various states. The Monsanto Company learned that they were discharging 374 million pounds of toxic chemicals into the air or water every year, world

wide, from their plants. It took them about a second to figure out how crazy that was because that waste is money out the door, out the window, and up the stack. That waste doesn't come from nowhere. It comes from the expenditures that Monsanto makes to acquire the raw materials in order to manufacture their products in these plants. If their processes are so inefficient that they're sending 374 million pounds of junk out the stack or pipe, that means that they're losing money. If they could cut that waste down, they've improved their efficiency, thus saving more product for the use it was intended for and therefore making more money.

Every time you eliminate waste you save money in two ways: you save money from not creating the waste in the first place and you save money from not having to clean up the waste in the second place, which can be very expensive. Monsanto's board of directors adopted a ninety percent waste reduction goal by 1992. Government didn't have to tell them to do that, their own common sense helped them figure it out. I think more and more companies will come to that realization once they start seeing some of these numbers. This was the first time that the board of directors ever saw numbers like that, and they were astounded, not only because of what it might be doing to the environment, but because of what it was doing to their bottom line. It's just crazy.

Nobody had to tell Monsanto to reform. And I hope nobody will have to tell a lot of corporations to reform. It just makes good, bottom line sense. The stockholders, once they start getting hold of these discharge numbers, will probably be writing the board members and saying, "What are you wasting so much for? I want a better dividend. And you're not going to give me a better dividend if you continue throwing money out pipes."

I think many of the marketplace realities will help bring about the pollution prevention approach because ultimately that's where it has to work. If it doesn't work in the marketplace, it isn't going to work in this country at all. We are a market oriented economy, thank God for it, and I don't see any signs of that changing. But the market can be very efficient. Not always, but it can be in this case because, just as Monsanto found out, they were wasting money, losing profits and therefore not doing as well as they could be. It was in their own self-interest to cut their emissions. If companies won't reform by their own good sense, then over the next decade you're probably going to see regulatory agencies becoming more prevention oriented rather than permission operating.

EPN: Do you see the Endowment being around for a long time to come?

McCarthy: No. We started with eight million dollars, we got another million dollars several years later, and then another one hundred ninety three thousand after that. We've spent, on grants

and programs, eleven or twelve million and we still have about sixteen million in the bank. It would be nice to say that things have moved along to the point where there is no purpose to be served by the Endowment's continued existence, but at least for the next little while, we see plenty of opportunities to do some good. I expect we'll be here for a little while longer, but not necessarily in perpetuity.

EPN: If more money from lawsuits is not forthcoming, is there another source of funding for the Endowment? Do private citizens make contributions?

McCarthy: No, we don't raise money at all, we just give it away. The size of our endowment has grown from eight million to sixteen million dollars, plus we've spent another eleven or twelve along the way. We've turned over the original money three times already. And of the money we've spent, we've required matching funds in virtually every instance. That original eight million has so far done the work of at least twenty two or maybe twenty four million dollars worth of effort. And we still have sixteen million left.

It's been a very efficient operation, financially. When you're efficient, then you can be effective. Our effectiveness has shown up in a variety of ways, large and small, over the years of our existence, not so much because we do such great things, but because we fund some really terrific people doing great things.

EPN: The Endowment now focuses mainly on water quality and toxics. Will the Endowment become involved in projects concerning air quality, the ozone layer and more global topics in the future?

McCarthy: That is one of the things I'm going to be thinking about over the next several months. There's an old saw, first uttered by the late Renee Dubos, who was one of the greatest environmentalists of this century, which states, "Think globally, but act locally." That idea wasn't viewed with a great deal of respect in the many years Dubos was around to talk about it. Most of the national environmental groups in this country thought that anything beyond the D.C. beltway was, like Dublin in the old days, "beyond the pale." If you were beyond the pale, you were therefore uncivilized, not knowledgeable, and basically in "hicksville," as it were.

In fact, many people have known for years that many important events happen out in the various states and localities. For twelve years, the Endowment has been practicing "Think global, but act local." There is very little we can do to affect the worldwide discharge of carbon dioxide and other noxious gases that create some of the global problems we have. But there's much that can be done in particular places, whether it's planting trees, tending a garden, or not putting down excess fertilizer or whether its funding groups like the Chesapeake Bay Foundation or the

Environmental Defense Fund, who keep a watchful eye on the activities of industrial and municipal dischargers and also the government. There's a lot that can be done.

There are plenty of books and pamphlets around that tell individuals what they can do. I guess I have to believe it's better to light a candle than to curse the darkness. I really do believe that individuals do make a difference. Nothing happens by a committee sitting around talking. Things happen when someone makes something happen. Our whole grant-making effort, when you cut away all the priorities and everything else, comes down to a constant search for individuals who can make a difference. When we make grants to an institution, we're really making grants to support a particular individual whom we are convinced is going to make a difference. Most of the time, that's how it's worked out.