

Chapter IX

POLITICS

Cattlemen like politics.

--A back-country Westerner

It is horrifying that we have to fight our own government to save the environment.

--Ansel Adams

Despite the evidence, many people find it impossible to believe that the same Uncle Sam who brought us Smokey the Bear, Woodsy Owl, and The Litterbug would allow America's public land to be desecrated by an elite handful of businessmen. Yet, there has always been an attitude of dedication and even subservience to the livestock industry throughout relevant segments of government. Indeed, much Western government was created by and remains composed of stockmen. Special treatment for ranchers has been institutionalized for so long that people either fail to recognize it or take it for granted.

"I didn't understand that, whatever the law says, we're not really committed as an agency [BLM] to multiple use -- we're committed to livestock grazing. Real enforcement is almost against our nature. It's not really a conscious decision -- it just comes historically out of our role as buddies to the ranchers. It's a very entrenched cultural imperative. My state director dressed like a cowboy, talked like a cowboy, thought like a cowboy, even chewed like a cowboy. He'd come through a system that had prepared him to make decisions based on the desires of the cowboys. How can we expect anything more?"

--BLM staffer, in "Discouraging Words" by Jon R. Luoma (Luoma 1986)

The government land managing agencies function as public relations fronts and apologists, concealing or rationalizing that which might harm the ranching industry. They juggle figures, sweep problems under the rug, and shrewdly promote industry causes. Excessive demands denied other commercial users often are granted freely to stockmen. Underlying it all is the knowledge that the American public will support nearly any measure that helps cowboys or increases beef production.



"Drought-stricken pasture," claims the Forest Service. (USFS)

You have to remember what the BLM is. It's a bunch of cattlemen running the public land.

--Jim Clapp, rancher, former BLM employee, founder of the Wild Horse Sanctuary in Shingletown, California (Atwood)

BLM, with more than 1/4 of its total operation geared to ranching, is often referred to as the "Bureau of Livestock Management" (sometimes the "Bureau of Livestock and Mining"). For the Forest Service logging comes first, with ranching an undisputed second. In the West, BLM has 11 state, 49 district, and 140 resource area (local) offices; every resource area is heavily grazed by livestock (BLM publications). The Forest Service has 6 regional, 98 National Forest, and 420 ranger district offices in the 11 Western states. Nearly every ranger district in every Western National Forest is managed for ranching. (USDA, FS 1988)



Symbolically, cattle graze landscape vegetation at a Forest Service Ranger District office; the cow on the left appears to be looking in a window. (Jim Brown)

The General Accounting Office reported in 1989 that the BLM "has often placed the needs of commercial interests . . . ahead of other users as well as the long-term health of the resources."

--Brad Knickerbocker, "Cattle, Mining Strain Fragile Lands" (Knickerbocker 1990)

According to Bernard Shanks in **This Land Is Your Land**, nearly 85% of BLM line managers hold degrees in range management, forestry, or agriculture. Almost all were educated in Western universities, especially land-grant colleges that collaborate closely with the livestock industry. Fewer than 2% hold degrees in wildlife management, recreation, or other broad natural resource disciplines. (Shanks 1984) Most Forest Service personnel are aligned with the timber industry, yet a surprising number have ranching backgrounds, especially in the interior West. (Reportedly, one FS range manager combines interests -- sometimes tending his cattle on "his" grazing allotment as he patrols the FS ranger district on government time.)

Higher-ups at local agency offices are especially dedicated to ranching. In personal correspondence, an anonymous BLM biologist writes with unusual candor:

Managers are mostly clones of one another who got to the top by sucking butts and not upsetting any ranchers along the way. Their main concern is staying out of trouble and making the highest grade before retirement. Somewhere along the line most of them lost any land ethic they may have had.

Let me introduce myself. I am Don Case and I am Range Staff officer for USDA Forest Service in Sierra Vista. . . . I have directly and indirectly been in the livestock industry most of my life and I feel a real need to help the industry when and wherever I can.

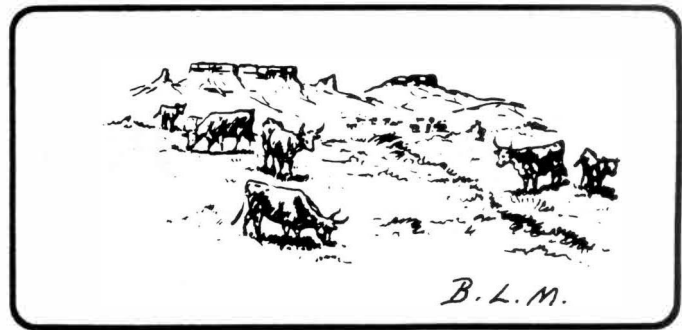
Recently, the livestock industry has had some bad publicity in the news media. Some of the reporting is true but most is fabricated and slanted to the view of the reporter. However, the person who reads this material can be persuaded that livestock grazing is a detriment to the land and total ecology. I do not think the industry is prepared to meet this kind of attack.

--Don Chase, Sierra Vista District Range Staff, Coronado National Forest, Arizona, in a 5-7-87 letter to the Cochise-Graham County Cattle Growers

It is understandable that government range managers have little desire to interfere with ranching operations. They know that their clout and share of funding depends largely on the number of AUMs and area of land grazed. The relevant government agencies have nearly as much motive to protect the status quo as do stockmen. Most have fed from the grazing industry trough, via the taxpayer, for decades. Indeed, these bureaucracies are integral parts of the ranching establishment.

November 7, 1986, at 11:30 A.M. has been established for the next permittee/Forest Service meeting. This particular meeting will be held at "The Little Outfit," Larry Robbins' ranch. It will be a pot-luck lunch as well, so bring a dish or two; a main dish and a salad or desert [sic]. Don't forget eating utensils. The Forest Service will provide drinks.

--from a typical notice for a Forest Service/permittee meeting



One group of employees, usually the range management staff, could be seen, coffee cup in hand, emulating ranchers. The signs included rodeo belt buckles, western shirts complete with a can of Copenhagen in the pocket, well-worn cowboy boots, and twangy western accents. The caricature was startling, and the similarity to the rancher impressive. However, one difference was in attitude; in the presence of an influential rancher, the BLM cowboy was deferential. The rancher was aloof and superior.

--Bernard Shanks, **This Land Is Your Land** (Shanks 1984)

To better understand, consider the typical BLM office. The building is located along the main highway in this modest rural community, where both public lands ranchers and BLM employees live out their lives together. Walk through the front door and look around. In the entry, pick from shelves of handouts explaining BLM's mission and responsibilities, promoting the virtues of ranching, warning against damaging range "improvements," giving pointers on range management, and offering various ranching assistance. On the walls, see framed BLM credos, photos of rangelands, branding irons and lassos, perhaps an elk or deer head. Wall maps detail management plans and outline grazing allotments. The hat rack in the hallway is covered mostly with cowboy hats, and most of the employees' feet with cowboy boots.

Fifteen employees occupy the building. Two specialize in range management. Eight more are involved with ranching as "management specialists": specialists in fire; wild horse and burro; soil, air, and water; recreation and visual resources; wildlife habitat; multiple-use; and wilderness. The wilderness specialist is engaged with a ranchman, who is upset because BLM won't honor his request for a new fence in the nearby Wilderness Area. One of the range managers is on the phone with another rancher, trying to straighten out the matter of his grazing fee payment being 2 months late. The soil specialist is at his desk, diligently trying to incorporate traditional grazing levels into his recommendations for the resource area management plan. Everyone in the building has learned to consider ranching interests in whatever they do. To them continued grazing at or near traditional levels is as unquestioned as the sun rising each morning.

This hypothetical BLM resource area is typical. It encompasses more than 2 million acres, 90% of which is grazed. From each of its 150 permittees it takes in an average of about \$800 in grazing fees annually, or a total of \$114,280 per year -- the average for a BLM resource area. This isn't even enough to pay the 2 range specialists salaries (\$60,000)

and the ranching portions of 8 other employees' salaries (\$60,000). (USDI, BLM 1988 and 1988a) Without ranching, funding would drop and some staff might be reduced to part time.

Range conservationists administer the grazing program on the Public Lands, in conjunction with wildlife biologists, soil scientists, hydrologists, environmental specialists, and other staff to insure that grazing use is in harmony with other resources and uses on the Public Lands.

--BLM, *Managing the Public Lands* (USDI, BLM 1987)

And there are federal agencies in place to oversee all of the public lands operations -- those agencies allow no overgrazing.

--Patty McDonald, Executive Director, Public Lands Council

Today most people think the federal lands are protected by government agencies. This is not the case. The agencies charged with protecting the public trust have a partnership with private developers. The essence of public-land management is to provide an economic subsidy to a handful of people and corporations. The public that owns the land is shortchanged.

--Bernard Shanks, *This Land Is Your Land* (Shanks 1984)

Range management is based on politics, and the ranching industry's political influence reaches down onto every grazing allotment.

--Ed Marston, Editor, *High Country News*

Under various laws and official mandates, government agencies are charged with administering proper ranching management, safeguarding the environment, and protecting the public's interests relative to public lands. That they have failed miserably should already be obvious. Nevertheless, it behooves us here to look closer. (For other studies of public ranching politics and administration, consult DeVoto 1955, Calef 1960, Foss 1960, Voigt 1976, Ferguson 1983, or Shanks 1984.)

Take BLM's 1.7-million-acre Jarbridge Resource Area in southwest Idaho, for example. It is a landscape of vast plains and awesome canyons containing outstanding existing and potential wildlife habitat. Yet, BLM's proposed resource management plan allocates 20 times more forage for cattle than wildlife. To achieve the livestock allocation, BLM now contends the plan must be amended to double livestock fences to 306 miles, triple livestock watering pipelines to 444 miles, and quadruple the number of livestock water developments. Livestock grazing would be increased 73% by altering vegetation on 300,000 acres of the Jarbridge



Plateau. Already, according to BLM itself, 42% of the resource area is in poor condition, and 29% is in exotic grass seedings which must be artificially maintained with tax money, essentially forever. Only 86 permittees ranch these 1.7 million acres (about 20,000 acres apiece).

In 1986, based on a negative staff report and overwhelming public opposition from many sectors, a BLM district manager in Idaho Falls denied the request of a few ranchers and farmers to build an "agricultural transport" road, the "Elgin-Hamer Road," through the winter range of Idaho's largest elk herd. (An existing road was less than a mile longer.) A local rancher/land baron even threatened to build fences to block the elk's migration if the road wasn't built. Finally, incensed, the ranchers went to see Interior Secretary Donald Hodel -- one of their political champions. The manager was promptly removed, and the road was built.

The Elgin-Hamer agreement required the road be closed during winter to protect elk. According to the Wildlife Management Institute, however, in January 1989 an employee of the Idaho Fish & Game Department flew over the area and saw the snowed-in road had been plowed and 1000 sheep were being trailed through, accompanied by a tractor and other vehicles. The offender turned out to be Jeff Siddoway, president of the Idaho Woolgrowers Association, maker of the aforementioned threat. He was later fined \$50.

According to Norma Ames, assistant chief of game management for the New Mexico Department of Game & Fish:

In 1973 Game & Fish proposed to extend its jurisdiction to all wildlife, not just game species. But the legislature said no because of the fear of livestock people that we would protect the coyote.

In Arizona's Prescott National Forest, 1,248,110 acres of 1,250,613 acres (99.8%) are managed for ranching, and 78% is considered to provide "full capacity" grazing. Grazing fee receipts average about \$376,000 annually, while the Forest spends several times this amount on ranching. The Forest's recent long-range management plan calls for continued grazing near traditional levels, even though the Forest's subsequent EIS stated that "The major cause of soil erosion and poor watershed conditions on the Prescott National Forest is overgrazing." The EIS also asserted that 99% of the Forest's riparian acres are in less than fair condition due to overgrazing; 46% of the Forest's range is in unsatisfactory condition; current permitted grazing use is 26,000 AUMs above the capacity of the range; planned grazing will cause lower water quality to "some riparian areas because of sedimentation and bacterial contamination from livestock grazing"; ranching will conflict with some recreational uses; and more. In other words, by the Forest Service's own admission the Prescott NF ranching plan will not comply with numerous legal mandates.

It is my decision to adopt the alternative which provides for rapid growing season rotation of cattle, moderate investment of project dollars, and a total stocking of 250 cattle yearlong [highest number of cattle of 6 alternatives]. . . . Alternative 1 [no cattle] was not selected because it eliminates livestock use on areas that are suitable for grazing [ostensibly the entire allotment!].

--From Prescott National Forest Supervisor Coy G.

Jemmett's Notification of Decision, Walnut Creek Allotment Management Plan

With every other major commercial use of public land, the decision whether or not to permit the use is made on an individual, site-specific basis. Mining, woodcutting, utility corridors, developments, commercial recreation, and even logging are all permitted only in specified areas. Not so with ranching. From its inception, it has been given "highest use" blanket approval essentially everywhere with significant livestock forage or browse -- *about 3/4 of public land*. Our government accepts ranching unquestionably as a given, a constant, a kind of bedrock, a ubiquitous land management base upon which all else is contingent. And now our government declares that traditional use mandates future use. In other words, agencies never had a solid economic or environmental basis for their ranching programs in the first place -- only tradition and continued political imperative.

"Satisfactory" is used by the Forest Service to mean the land is producing [livestock forage, mostly] at or above 40% of its biological potential.

--(USDA, USDI 1979)



Roadside fenceline, Utah BLM.

Since their creation, the agencies have consistently strived to deceive the public and Congress that range conditions and trends are far better than they actually are. In so doing, they have 2 major objectives: (1) to show that they are doing a good job, thus promoting their bureaucracies, and (2) to protect their permittees, thus their bureaucracies.

The vast bulk of range the agencies describe as being in "satisfactory" condition is producing plant biomass at *less than 50% (some of it at less than 20%)* of its pre-livestock rate. For example, by industry standards an allotment rated in 100% "excellent" condition may still be only 50% as productive as it was aboriginally.

Further, range assessments don't adequately consider wildlife, species composition, water and soil, organic litter, and many other factors. Range condition as defined by the actions of government agencies is *not* assessed environmental quality; it is little more than a measure of herbage productivity for livestock. Maitland Sharpe, Director of Environmental Affairs for the Izaak Walton League put it like this:

In talking about the condition of the range, the author likened the range surveys to the body counts of the Vietnam War. . . . Many wildlife professionals seem persuaded that range surveys have, in practice, focused narrowly on forage species, that preferred livestock forage species have typically been selected as key species while critical browse species have not been so considered, and that critical escape, nesting, birthing, or rearing cover has not been considered at all. . . . As a result, range condition surveys tend to be largely assessments of grass. (USDA, USDI 1979)

Even the US Soil Conservation Service -- a comparatively open-minded agency with an avowed "ecological approach" -- considers range with only 51%-75% climax species to be in "good" condition, with 76%-100% regarded as "excellent." "Poor" is 0%-25%, and "fair" 26%-50% (USDA, SCS 1976).

We might reasonably ask what is "fair" about an ecosystem stripped of 1/2 to 3/4 of its natural vegetation. If a loss of half of rangeland productivity since aboriginal times was factored, range with 1/8 of its original climax vegetation could be classified "fair"! Moreover, even range professionals who profess to use the "ecological" method bias their range assessments to promote ranching (as explained in Holechek's **Range Management**). The agencies further deceive with the cruel hoax that modern science and technology can be increasingly applied to progressively improve the Western range indefinitely.

I spent a summer doing a vegetation survey (as a volunteer) a few years back. My job was to find out what the dominant vegetation types and conditions were. The BLM

administers grazing permits without even knowing what is out there; it's like running a store without knowing what items you sell; and then only one volunteer could be sent to survey some 200,000 acres!!

--Todd Hoitsma, Yosemite, California, personal correspondence

All public grazing allotments are administered under management plans that ostensibly address environmental and land use concerns. However, most of these plans are basically just paper. While the agencies point to the plans as evidence of good stewardship, on-the-ground management usually bears minimal resemblance. The agencies are

authorized to alter or amend these plans for any number of reasons, but ranchers routinely appeal and overturn unwanted proposed changes, calling in their political buddies to apply pressure if need be. Agency personnel are often branded "communists" for their attempts at reform.

But even with the best of intentions, no federal, state, or county agency has personnel sufficient to properly monitor and administer ranching on the acreage under its jurisdiction. In 1985, FS had 561 range conservationists and technicians (with cutbacks there are fewer now) overseeing 9000 grazing allotments covering 103 million acres -- an average of 16 allotments and 184,000 acres each (Joyce 1989). BLM range personnel watch over an average of 392,000 acres apiece (Jones 1991). A survey revealed that few of these people spend more time on the range than in the office anyway (Joyce 1989). A federal range manager may visit an allotment only once or twice a year, and in his lifetime he may never even see much of the land under his supervision. The Nevada state BLM office, for example, says that only about 1/3 of its allotments are inventoried in a given year. State land department field inspectors, responsible for monitoring an average of more than a million acres each, may not visit individual state grazing allotments for years. Many counties and cities do no monitoring to assess environmental impacts and impose no ranching restrictions whatsoever. Just pay the fee, thank you.

Indeed, most land managing agencies so lack monitoring personnel that they must obtain much or most of their information on allotment conditions *from permittees themselves*. Under these circumstances, how can the government possibly protect the land, even if it wanted to?

Moreover, the unit productivity of public land is so low that it would take more money to hire adequate personnel and maintain agency infrastructure to administer ranching than could be recouped in grazing fees or, in many areas, even net livestock value to the public. In other words, financing sufficient monitoring and administration of public lands ranching would preclude public lands ranching economically. Even at current (under)staffing rates, grazing fee receipts barely cover range managers' salaries.

Given the number of [federal land] technicians, the size of the districts under their administration, the number of duties they are obliged to perform, the equipment at their disposal, and the prevailing views of range managers concerning the intensity of inspection that is feasible, it is easy to understand why most range inspection is superficial, haphazard, and inadequate.

--Wesley Calef, *Private Grazing and Public Lands* (Calef 1960)

Accurate scientific data for assessing range conditions and trends are likewise inadequate. Too few pertinent studies are conducted in too few locations; methods and implementation are questionable; and reports fail to consider numerous variables. Base data for determining range trends are lacking because so few useful, objective studies were conducted in the past. Ungrazed study plots are few, far too small, and affected by many unnatural influences. Thus, permitted grazing levels and ranching practices are based largely on guesswork, personal bias and, perhaps most of all, tradition. Even range wildlife professional Frederic H. Wagner, a long-time supporter of public lands ranching, seems to agree:

Since scientific measures of the structure of western ecosystems before the rise of livestock numbers do not exist, we will probably never understand fully the nature and magnitude of changes which have taken place. Even today, our efforts at measuring western vegetation are so inadequate that we will not have an accurate picture of changes in the next 50 to 100 years unless our present efforts are greatly increased. (Wagner 1978)

Inter-agency and long-term range assessments are questionable partly because BLM, FS, and SCS all use different indicators to measure range health, and their evaluating techniques keep changing. Utah State University range professor Neil West says BLM has changed its evaluation methods at least 5 times in the past 50 years (Williams 1990). Ranching interests currently have a strong lobbying effort underway, and are forcing the agencies to begin using the terms "potential natural community," "late-serial," "mid-serial," and "early-serial" to describe range conditions. However, this amounts to a change in wording only, as indicated by public lands rancher Duane Slaathaugh: "There seems to be a need to change the terminology so we are not using terms like 'unsatisfactory.'"

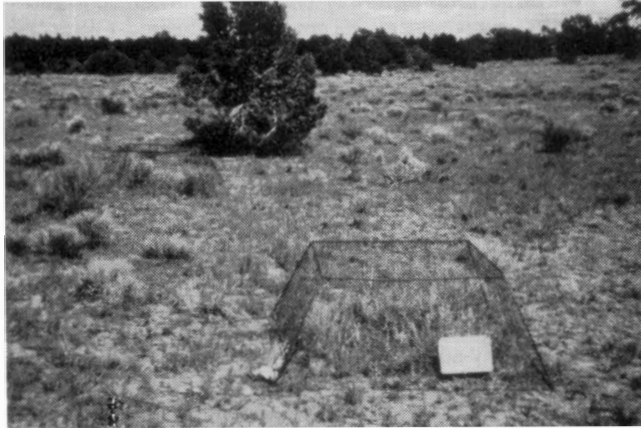
The agencies' determination of range condition in relation to carrying capacity is also inadequate and questionable. The number of livestock permitted usually is determined by visually examining the allotment, measuring and weighing sample herbage, and comparing the results against a standardized formula. The assessment allegedly reflects the allotment's current biotic state compared to its current biotic potential; the range condition, and thus the level of grazing permitted, is determined accordingly. As mentioned, the assessment does not reflect true biotic potential and is in many ways subject to error and the bias of agency personnel. Further, no method of determining carrying capacity used by government agencies adequately compensates for the many potential unforeseen variables, such as weather extremes, fire, market fluctuations, trespass, and poor livestock management. Perhaps most important, the mere use of the term "carrying capacity" denotes a presumption that any livestock grazing should occur there in the first place.

From time to time [BLM range managers] looked in and around some shrubs and identified a few of the grasses, then looked for five seconds at the area within a few yards to see whether they identified other similar grasses. From time to time they made remarks such as: "This range is in really fine shape"; "Man, there's a lot of good feed around here; there's plenty of feed"; "This range is in much better shape than when I was here ten years ago," and similar remarks.

--Wesley Calef, *Private Grazing and Public Lands* (Calef 1960)

The agencies' determination of herbage utilization is similarly flawed. Their several methods fall into 2 basic categories: visual estimates and estimates based on measuring devices. The most common is the visual survey, in which the range manager visually inspects an allotment and surmises how much herbage has been taken. Obviously, this method is highly subjective. Results are determined by the observer's memory, knowledge, skill, mood, and bias. In making an estimate, agency personnel often yield to the persistent underlying pressure to err on the side of the

permittee. Measuring tools include tiny exclosures, thrown hoops, transects, and spot checking. These generally are more accurate than visual inspection, but once again results depend greatly on human and environmental variables.

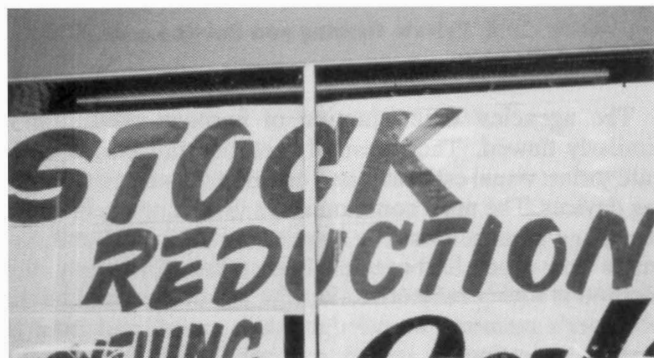


Agencies often use tiny wire exclosures such as these to determine livestock herbage utilization on allotments. Ranchers may move them during grazing seasons to make it appear as if less herbage has been taken, and they are worthless as indicators of long-term environmental changes because they are so small and are relocated from year to year. BLM land, Cane County, Utah.

Each federal grazing permit contains a "preference" for a certain number of livestock, representing the maximum number of animals the permittee may put on the allotment. However, the preference is almost always set far higher (commonly 10%-30% higher) than even what the agencies consider carrying capacity, and the actual number of animals allowed is set informally each year or season. Thus, the exact number of livestock allowed to graze an allotment varies from year to year. According to BLM specialist Joseph M. Feller:

The unrealistically high preference acts as a blank check, allowing the BLM and the permittee to agree informally each year or each season on the number of cattle that will graze the allotment.

Since the actual number [allowed] is always less than the preference, the BLM can always claim that it is "reducing" the number of cattle on the allotment in order to protect the environment. The rancher can take his choice of either complaining about the oppressive "reduction" or boasting about his magnanimity in taking a voluntary "reduction" for nature's sake. (Feller 1990)



... The single-most difficult step to take in restoring abused ranges to a high level of productivity is the first and most essential act: reduce livestock numbers.

Harold Dregne, **Desertification of Arid Lands**

To the observer, it appears that the ranchers administer the range about to suit themselves, at least so far as stocking rates are concerned. It is also my distinct impression that the district technicians think the range not just overgrazed, but so seriously overgrazed that, in view of the minor adjustments in stocking they are able to make, the situation is practically hopeless.

--Wesley Calef, **Private Grazing and Public Lands** (Calef 1960)

Under their contrived assumption that ranching is "mandated" to continue nearly everywhere it traditionally occurred, the agencies have ignored legislation, government directives, and even their own regulations to reduce livestock numbers to protect environmental quality and public interest, promoting instead taxpayer-sponsored range "improvements" to keep livestock numbers artificially high. Determined that reduced grazing is an absolute last resort, the agencies habitually promote range development to maintain traditional grazing levels, thus protecting their bureaucracies.

According to Phillip O. Foss in **Politics and Grass**:

The stockmen naturally wish to encourage range improvement, but at the same time they apparently desire minimum regulation of grazing and a low grazing fee. These objectives place the stockman in a somewhat ambivalent position: if increased appropriations are obtained for range improvement, it is likely that closer supervision of grazing will also result. Increased appropriations are also likely to produce demands for increased grazing fees. (Foss 1960)

With the agencies' cooperation, stockmen minimize this conflict to their benefit by: obtaining subsidies under the guise of various alleged non-ranching programs; securing earmarked funds returned to states from grazing fees; formulating "cooperative arrangements" between agencies and permittees; and maintaining the sympathy of agencies and the public. As evidence of the above, the modest 15% cut in agency range staff made during the Reagan and Bush years has met with general approval from permittees (Cascade H.E.C. 1989). (In contrast, BLM wildlife and fisheries staff during those years were cut 34% and 54%, respectively.) According to former BLM biologist Richard Kroger, "The top range officials in Washington lobbied to reduce the agency's budget so that the land could not be monitored."

The grazing industry is the most vocal and negative I've dealt with.

--Jim Baca, former New Mexico Commissioner of Public Lands, personal correspondence

Regardless of outward appearances, distressingly common across the ranching West is bureaucrat/rancher foul play -- string pulling, mutual back-scratching, deceit, taxpayer abuse, special treatment -- especially at local levels where affairs between ranchers and government employees rarely are exposed to public view. Public officials manipulate figures to cater to local livestock graziers, who are often

powerful political, business, church, and social figures in their communities. Violations of permit conditions, regulations, and laws are shielded from scrutiny, as are questionable special arrangements.

For example, I know of a few surreptitious cases where ranchers are living in their own homes, complete with outbuildings and other improvements, on National Forest land with Forest Service approval. The justification given by a district ranger for one of these squatters was "He's an old rancher who's been there a long time." Another rancher was allowed to build a house on National Forest land because, a ranger said, if the house was situated on his own land on the other side of a large arroyo his kids couldn't make it to the school bus stop on the few days a year the arroyo floods. Indeed, because historic boundaries were vague and early ranchers often built houses and improvements wherever they wanted to anyway, today's public lands ranchers commonly have homes, outbuildings, and irrigated pastures on public land. For example, according to the California Desert Protection League, in BLM's East Mojave National Scenic Area a public lands ranching headquarters is illegally on BLM land, yet the rancher is allowed to continue business-as-usual. Such problems are usually cleared up by purchase, lease, or trade (or official disregard); non-ranchers rarely are given such special consideration.

Even today some ranchers purposely locate illegal improvements on public land. On BLM land in Utah I have seen ranchers growing alfalfa, with water developments to irrigate the crops. In Nevada I saw an unauthorized pipeline. On many public lands I have seen unauthorized ranching roads. A federal investigation in the late 1960s revealed at least 16,000 miles of unauthorized fence had been strung on Western BLM lands.

Many welfare ranchers sell publicly owned resources from "their" allotments. In Arizona, I have seen them selling sandstone slabs and fill dirt. Many supplement their incomes by illegally cutting and selling firewood. Some sell Native American artifacts. Some peddle live cacti, herbs, and shrubs as ornamentals. (Several Arizona ranchers recently were arrested for theft and sale of publicly owned cacti, including 12' saguaros worth thousands of dollars.)

Other permittees use public lands as settings for commercial ventures such as sightseeing tours, hay rides, campouts, archaeological outings, and guided hunts. These profit-making activities often cause environmental damage, and usually permits and fees are legally required. But many stockmen feel that public ranchland is theirs to do with as they please. Several years ago a southern Arizona public lands rancher advertised an overnight outing in the nearby National Forest. The event would consist of horses, covered wagons, a large camp, and however many people bought tickets. When, at the complaint of a local resident, the permittee was informed by FS district staff that a permit was required for such commercial activity (although FS assured him it had no intention of stopping the outing), he "was surprised" and stated that he had been "organizing rides in these mountains for 7 years."

No person shall by force, threats, intimidation, or by any fencing or inclosing... prevent or obstruct... any person from peaceably entering upon... any tract of public land... or shall prevent or obstruct free passage or transit over or through

public lands.

--Federal Unlawful Inclosures Act

Some ranchmen charge access fees or hunting fees for public land to which they control access. For instance, 20 years ago Wyoming public lands sheep rancher Norman Palm and other ranchers banded together to form Elk Mountain Safari, Inc. They charged hunters \$250 per year to gain access to public lands behind a locked gate on Palm's private land. Promotional literature listed "800,000 Acres of BLM, State and Private Leases" as "resources of Elk Mountain Safari, Inc." A federal district judge recently ruled the blocked access illegal.

Norman Palm is not unusual; many public lands ranchers control access to public land by locking gates crossing their private land, thereby monopolizing the public land behind them. Some even lock gates on "their" public land allotments -- gates that legally should remain unlocked at all times.



Ostensibly to protect the environment, areas of public land sometimes are closed to the public -- but not to ranching. Coconino NF, Arizona.

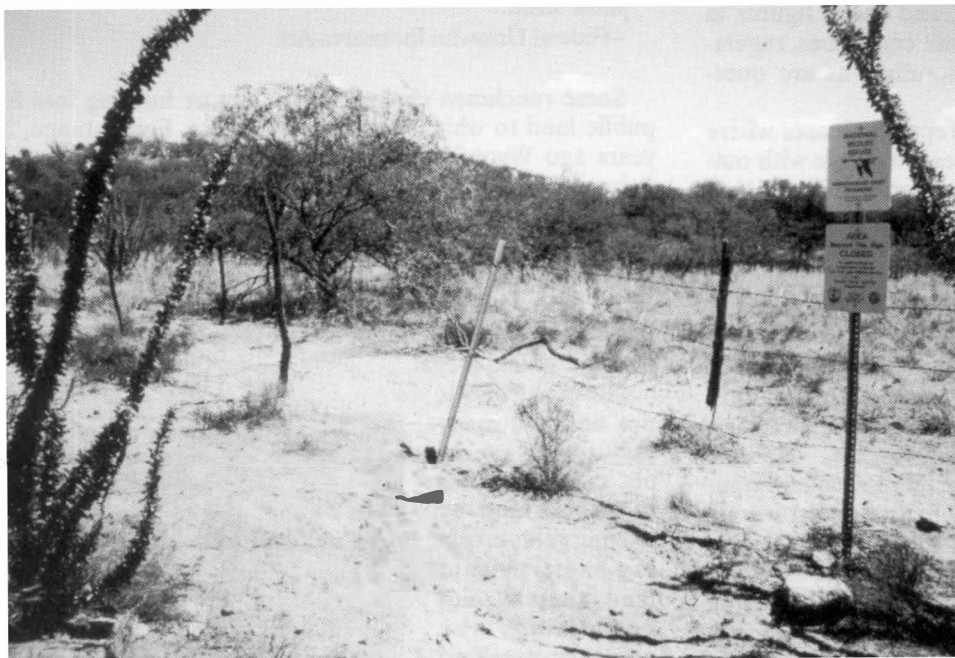
Several years ago a welfare rancher in our local area enlarged one of "his" stock tanks on "his" Arizona State grazing allotment by turning it into a sand and gravel pit. His buddies lived in campers by the excavation site for months, which is illegal. They operated a loader and drove dump trucks in and out from a busy highway only a hundred yards from and in plain view of the entire operation. The rancher came and went as work progressed.

Finally, when the pit had expanded to about 3 acres, I called the State Land Department. I was told that there were only 3 field inspectors for 9 million acres of state land and that the state could not take any action until someone officially notified the county sheriff. I did, and when the sheriff arrived at the excavation site a day later, the lawbreakers and their possessions had all mysteriously and suspiciously vanished. According to the State Land Department, such occurrences are common.

An example of subsidy abuse involves former Secretary of the Department of the Interior, William Clark. In April 1984 the environmental journal *Not Man Apart* reported that the Compound 1080 was being applied illegally on the Secretary's large California ranch by the California Department of Game & Fish to kill ground squirrels and coyotes, apparently with Clark's knowledge. Government safety procedures were being ignored, and the health of the area ecosystem was being compromised.

This spring, while floating the Rio Grande River, which forms the western border of Big Bend National Park, I counted 136 trespassing animals [cattle] along the riparian zone.

--George Wuerthner, "Counting the Real Costs of Public Lands Grazing" (Wuerthner 1989)



Six mounted rangers began the trek Monday to the Humphries Wildlife area in the Chama Valley [New Mexico] in pursuit of owners of 2,000 sheep who are occupying the land in defiance of a state agency, a spokesman said Monday. "The sheep owners cut a fence along the southwestern corner of the Humphries wildlife area and we just followed the grazing path left by the sheep," Game and Fish spokesman Jerry Maracchini said in an interview. . . . Game & Fish "won't make any arrests immediately, but will issue warnings to the lawbreakers," Maracchini said.

--8-22-89 Albuquerque Journal

Cattle on Arizona State land broke through this fence into Buenos Aires National Wildlife Refuge, leaving the vicinity of the break inside the Refuge in as poor shape as the state land in the foreground. (Steve Johnson)

Common knowledge throughout the rural West is that overstocking trespass -- running more livestock on an allotment than authorized -- is as common as not. The agencies customarily deny this, citing "official statistics" (paper livestock). However, for years I have seen overstocking and heard of it from so many rural residents, agency personnel, and even ranchers that it seems the grazer who doesn't overstock is an oddball. Reliable reports tell of ranchers stocking 2 or even 3 times as many cattle as called for on permits. Since agencies are understaffed and range personnel cannot easily count cows on 12,000 rugged acres, getting caught and penalized for overstocking is unlikely. "Understocking," or grazing fewer livestock than authorized on a permit, also occurs, though ranchers have little incentive to do this, for generally they (are supposed to) prepay for an agreed number of AUMs, regardless of how many their animals actually consume.

Another type of trespass occurs when a permittee turns livestock onto an allotment before opening date, after closing date, or during the wrong season. Many permittees do this routinely to maximize use of free public herbage, or simply because they are sloppy managers. For example, a millionaire rancher near Tucson has an agreement with Pima County to graze livestock on the Cienega Creek Natural Preserve for 4 months each spring, yet he has consistently grazed some of his animals there before and after the dates stipulated in the grazing agreement.

Yet another type of trespass occurs when a rancher turns stock onto a portion of an allotment not scheduled to be grazed at that time. He may do this because his animals have consumed too much herbage on the permitted portion, he has trespassed too many animals, a windmill in the permitted area breaks down, the trespassed area is more convenient to him, or for any of a number of other reasons.

Two other kinds of trespass involve grazing livestock on public land without a permit. One occurs when a rancher runs livestock on government land off-limits to grazing. Commonly, a permittee will allow or drive his livestock onto unauthorized BLM or National Forest land, or onto a little-visited portion of a nature reserve, recreation area, National Park or Monument, National Wildlife Refuge, state or county park -- where forage often is so abundant that the rancher cannot bear to let it "go to waste." The second type occurs when a permittee grazes stock on the allotment of another permittee. This generally is the type of trespass the government notices, for forage is "stolen" from the allotment's assigned permittee, who then raises hell with the relevant government agency.

Grazing permits stipulate the routes ranchers may use to move their stock to and from permitted grazing areas. These conditions are widely violated -- another form of livestock trespass. A traditional favorite trick of many stockmen is "trailing" their animals at a snail's pace across public land, moving them from one public or private grazing area to another, grazing them heavily as they go. Generally, permittees are not charged for trailing.

Finally, a last type of trespass occurs when a private land rancher runs livestock on public land. For example, according to Arcata, California's *Eco-News* (August 1989), cattle from adjacent private land have been intruding onto BLM's Kings Range National Conservation Area, south of Eureka on the remote northern California coast, threatening endangered species and degrading riparian areas. BLM has done little to prevent the unauthorized grazing. As another example, an unidentified source reports that officials of Shasta-Trinity National Forest, California have for years allowed private cattle on Forest land there without permit.

Now add 40 percent to the government's AUM numbers, and you will have a fairly accurate range-use figure that takes the Standard Annual Trespass (SAT) into consideration. . . . When you consider that BLM typically permits three to four times the use the range can support on a sustained-yield basis,

you will realize that adding 40 percent to this use increases the overuse to five to six times sustainability. . . . It is happening on a grand, West-wide scale. It is "traditional" and entrenched.

--Bill Davis, "Our Living Desert Is Becoming a New Sahara" (Davis 1990)

Trespass of all kinds is commonplace. Some is accidental, as when livestock come through open gates or breaks in fences, or when a few cattle are left behind when a herd is moved to another grazing area or roundup. But much -- perhaps most -- is deliberate. Most trespass goes undetected and unreported; even if reported it is nearly impossible to prove that a stockman intentionally left a gate open, made a break in a fence, or left cattle behind. Regulations require fences to be wholly intact *before* livestock are moved onto an allotment, but ranchers also often intentionally allow fences to deteriorate so their animals may trespass.

When a trespass is reported, the offending rancher can declare it "nonwillful" and thus be subject to the minimum penalty -- an assessment to pay approximately fair market value for the forage -- by claiming that someone else left the gate open, or that the trespassing animals are not his, or that his hired hand was confused as to where the allotment boundary line was located, or that his animals were in trespass only a very short while when they were first observed and he was just about to round them up and move them back onto the authorized area at that time. Documenting even nonwillful trespass on lands of mixed or checkerboarded ownership, such as is common throughout large portions of the West, is nearly impossible because usually there are no identifiable property boundaries and it is difficult to establish precise periods of trespass.

Punishment for even the most serious "willful" violations commonly is only temporary impoundment of the rancher's trespassing livestock and/or an order to pay up to double the value of the stolen forage and/or cost of the impoundment. If the violator is an especially troublesome, long-term repeat offender, he may be subject to impoundment expenses and fined about 3 times fair market value. But according to the *Federal Register*, "for violations to be considered 'repeated' it must also be determined that the violations are 'willful' (USDI, BLM 1978)." This usually is difficult, if not impossible, to prove.

As trespass charges rarely are significant, a rancher may not object to paying an assessment. If he does object, he may cause the agency grief by initiating a lengthy appeal process that may take years to resolve. Or, he may bring political or social pressures down upon the head of the official who dared implicate him in trespass transgression, thus bullying the official into reducing or dismissing the penalty.

However, when a trespass is reported agency officials often do *nothing* and patiently wait for the trespasser to remove his livestock of his own accord. The offender may be sent a warning letter or politely asked to remove his stock, and if it is done promptly the matter is forgotten. If the offense is particularly blatant or protracted, or if the permittee has a record of trespass, he may be issued a sterner warning. And if some more official notice is taken of the trespass, common practice is to make a deal with the ranchman before any official action is taken, so as to avoid

burdening the stockman or making him hostile toward the agency.

Files obtained through the Freedom of Information Act show that most penalties levied by BLM are at the lower, nonwillful rate. One agency insider contends that the extent of violations is almost always reduced (McMillan 1990).

The agencies are supposed to count livestock to prevent trespass. However, they usually don't, and when they do they rarely do so unannounced, so ranchers have advance warning to adjust numbers or hide animals accordingly. Thus, when officials of Sawtooth National Forest, Idaho, responding to reports of overstocking, held an unannounced head count during an allotment roundup in October 1989, the event was recounted by ranchers in local papers as "Gestapo tactics" by "Forest Service bullies." (The FS officials were in the company of 2 lawmen in response to reports of physical threats against them.) The ranchers are demanding a government investigation. (Marston 1990)

Trespass is so difficult to detect, hard to prove, and tough to punish that ranchers feel they have nothing to lose, and much to gain, by trespassing. Wesley Calef, in *Private Grazing and Public Lands*:

Since no one insists that they [trespass charges] are punitive, they seem to me to be a positive incitement to trespass; a rancher might conclude that it was worthwhile to gamble on getting some free forage by trespass, since the worst that could happen to him would be to pay approximately the same price for the feed that he would otherwise have to pay some private landowner. (Calef 1960)

The 1986 Congressional report, *Federal Grazing Problem: All Is Not Well on the Range*, summarizes the trespass problem:

BLM does not have an effective trespass monitoring program to detect and prevent grazing trespass, is not diligent in pursuing and resolving the trespass cases that are reported, and is not recovering all costs associated with trespass cases. Available data also raises serious questions about the effectiveness of the Forest Service program. (Com. on Govt. Oper. 1986)

The trespass situation is exacerbated by the fact that on many allotments the agencies issue annual or seasonal grazing licenses, even while the standard 10-year permits are in effect. The conditions of these special licenses commonly are set by agency range personnel and permittees who meet informally once or twice a year. They may authorize different stocking rates, use areas, grazing periods, etc. than specified on the 10-year permits. Thus, for example, livestock numbers may be increased to take advantage of wet years and reduced in drier years. However, this lack of long-term commitment to environmental safeguards, combined with year-by-year pressure from stockmen, tends to encourage range abuse rather than protection.

Early stockmen made sure that trespass and all other grazing permit violations carried no criminal charges, no matter how intentional or how much damage occurs to the environment or personal property. When cornered with evidence of permit violations so conspicuous it cannot be ignored, the agencies typically plead their innocence and good intent by citing "legal requirements," "bureaucratic directives," "Congressional mandate," and other obscure references to the ranching imperative. We would like to do something but our hands are tied, they may further insist; though in fact federal and state laws give them authority to

impound and sell livestock, revoke permits, levy fines, dictate ranching activities, and change permit conditions in response to permit violations. This last opportunity is sometimes utilized -- they change the conditions of the permit, *ex post facto*, to "eliminate" the permit violation!

Even where the agencies admit extreme abuse, they are loath to take action. According to an unknown writer:

In the winter of 1987-88, the floor of Arch Canyon [Utah] looked like a war zone. The vegetation had been cropped off to the roots and the soil pulverized. There was just one clue to tip off the visitor that the damage had not been caused by a bomb: there was cow manure everywhere. Even the BLM recognized the damage. An inspection report described the grazing as "severe," and, in response to an inquiry from this author, the area manager acknowledged that the canyon had been "overutilized" by cattle.

But... the BLM has stated its intention to renew the grazing permit for Arch Canyon for another ten years without any public input or environmental analysis.

What is necessary to cause a rancher's permit to be cancelled is indeed something to contemplate. One of the few stockmen in public lands ranching history to be barred from public land is the infamous John Jay Casey, an arrogant 73-year-old cattle baron said to possess 30,000 head and a net worth of nearly \$100 million. For 30 years Casey contemptuously violated permit stipulations and grazing regulations hundreds of times on "his" allotments in 3 states. In Montana, the Forest Service revoked his grazing privileges only after his cattle repeatedly devastated thousands of acres of range and riparian area. BLM's Susanville, California, District logged 83 trespass actions against Casey before cancelling his permits in 1979. BLM officials in northern Nevada cited him 123 times before finally yanking his permits! Even now he intentionally trespasses cattle from his adjacent private lands. In several court cases, Casey has defended himself, saying he is no worse than many other cattlemen. According to a *Sacramento Bee* article, Casey "prefers that people think of him as just another dimeless buckaroo." (Bowman 1987)

The agencies do in some instances show backbone. In perhaps its most aggressive action yet, in southern Utah, BLM recently shot and killed a group of 17 cattle because the owner had repeatedly allowed them to trespass and overgraze an area of public land closed to livestock.

A 1984-85 internal audit by the Interior Department's Inspector General revealed rampant trespass. One BLM file showed a permittee had trespassed 3 years in a row, resulting in "heavy to severe" range damage. In another, BLM personnel actually watched a grazer truck "over 100 livestock" onto a parcel where the animals clearly did not belong. Both cases were dismissed "without penalty in order to maintain a good working relationship" with the ranchers. (Baker 1986)

One retired Nevada range conservationist estimates that illegal foraging exceeds authorized AUMs by up to a third (McMillan 1990). A spot check of aerial photos by the Inspector General during the 1984-85 audit revealed 4 times as many instances of apparent trespass as BLM acknowledged. In 1987, of the thousands of unauthorized use violations committed by permittees on BLM land that year, only 323 were officially recognized. Fines levied to recoup the value of stolen forage and other expenses averaged only \$287 per offender, or a total of about \$93,000 -- far less than

what BLM spent dealing with trespass that year. (USDI, BLM 1988) (The Inspector General estimates \$1009 in administrative costs just to arrange a typical BLM lease.) However, BLM has no plans to increase fines. Meanwhile, the Forest Service acted on only 72 cases of unauthorized grazing use in 1987; half of these were for horses (USDA, FS 1988). A 1990 GAO report reaffirms that BLM trespass is rampant, that "Permittees and lessees operate essentially under an honor system with little threat of compliance of checks," and that many ranchers operate virtually unchecked (Jones 1991).

Rather, in a perverse twist of logic, the BLM insists that to fail to renew a grazing permit, or to authorize a reduced number of livestock on an allotment, would be a major action that should not be taken without the most rigorous -- and virtually unattainable -- level of scientific certainty about the precise impacts of grazing on the environment.

Combine this heavy burden of proof with the BLM's insistence that most of the range monitoring data collected in the past are flawed, throw in the BLM's self-induced lack of funds with which to collect more data -- throughout the Reagan administration the BLM successfully sought to reduce its own range management budget -- and you've got a perfect recipe to insure the cows never come home.

—Joseph M. Feller, "The Western Wing of Kafka's Castle" (Feller 1990)

The Chief, Forest Service, is authorized to revoke or suspend term grazing permits in whole or in part on all National Forest System lands and on other lands under Forest Service control:

(a) For failure to comply with any of the provisions and requirements in the grazing permit; any of the regulations of the Secretary of Agriculture on which the permit is based; or, the instructions of Forest officers issued thereunder; and,

(b) For knowingly and willfully making a false statement or representation in the permittee's grazing application, and amendments thereto.

—Section 231.6, *Regulations Governing Livestock Grazing on National Forest* . . .

The authorized officer may suspend the grazing use authorized under a grazing permit or grazing lease . . .

—Subpart 4170.1-1, [BLM] *Grazing Administration and Trespass Regulations* (USDI, BLM 1978)

The Natural Resources Defense Council has explained BLM's authority over allotments:

The Federal Range Code provides, inter alia, . . . that the district manager of each grazing district shall determine for the district and each component unit therein the proper numbers and types of livestock, the proper seasons of use and the maximum period of use during a year . . . (NRDC 1973)

The same is true the Forest Service. In other words, permit conditions, area rules, regulations, and range management programs and procedures -- and therefore subsidies -- are all supposed to be determined by the agencies. Yet, in practice they are dictated more by "grazing advisory boards" than by the public employees we hire to do that job.

The Taylor Grazing Act of 1934 provided for the establishment of BLM, area, state, and national grazing "advisory" boards. Similar Forest Service livestock "advisory" boards were established in 1950 by Section 18 of the

Granger-Thye Act. About 840 are recognized and in operation. Other state and federal stockmen boards influence grazing policy for other ranched public lands.

[Public lands rancher] *Rep. William A. (Rory) Cross has been elected to a Bureau of Land Management advisory board less than five months after his sensational trial for allegedly threatening a BLM employee with a loaded gun. A second rancher who is fighting the federal agency in court also was elected to a two-year term on the BLM's grazing advisory committee. He is Norman Palm of Elk Mountain.*

--9-4-86 *Star-Tribune*, Casper, Wyoming

Members of area "advisory" boards are elected by permittees periodically by secret ballot. All permittees in each district are allowed to vote, though statistics show that only a small percentage do. Generally, the wealthiest and most influential stockmen in each area are elected, and by law nearly all board members must be ranchers. The very low turnover rate of board members exacerbates the incredible entrenchment of these bureaucracies. "Advisory" boards are not just legally recognized by the federal government; their members are actually sworn in as federal employees and serve 3-year terms! They meet regularly, with agency personnel often in attendance.

Under the Taylor Grazing Act, "advisory" boards are given the power to "make recommendations" on "any matter which they desire . . . or on which their advice may be requested." Their expressed purpose is to serve in an "advisory" capacity in allocating grazing privileges and supervising details of administration. In practice, boards exert a dominant influence in most federal ranching matters, from removal or transferral of uncooperative agency personnel, to funnelling wildlife funds into ranching development, to expanding grazing areas. No part of federal ranching administration is barred from their influence.

Through the Range so-called "Betterment" Fund, "advisory" boards dictate how grazing fee funds returned to the states for range development will be spent. These funds -- about half of all grazing fee receipts -- are spoken of as "advisory board money." Agency district managers act as foremen to oversee distribution and use of the funds.

"Advisory" boards also hold significant legislative power. The Taylor Grazing Act and its amendments give grazing boards "recommendatory" capacity concerning federal grazing rules and regulations. In practice, "bills" are drawn up by board members, or are submitted by the legislature, and then acted upon by the boards in a legislative manner. For example, according to Gordon Griswold, president of the National Advisory Board Council (NABC) from 1940-1949:

The revised Code [Federal Range Code, which interprets the Taylor Grazing Act for application on the range] was written in its entirety by livestock men at the first [NABC] meeting in Denver. The Grazing Service even asked if we would rather they weren't there. (Foss 1960)

Federal range manuals derived from this code and many other rules, regulations, and directives established by the boards over the years still govern management of public lands ranching.

Various levels of federal administration may legally overrule "advisory" board "recommendations," but such action is almost unheard of. Few dare challenge the "advice" of "the

experts." Although called "advisory," these boards in practice decide how federal grazing lands are to be administered and range "improvement" funds expended.

In **Politics and Grass** Phillip O. Foss suggests that this system "may be a formalization and legal representation of the upper strata of a rural caste system." In a random study of a grazing "advisory" board in Oregon:

The board, when asked its advice, did not feel that it was giving advice, but that it was making a decision. It was essentially correct in this belief, because the range manager had overruled the board's "decision" only once during eight years as district range manager.

Later, Foss writes:

Do these conclusions indicate that the advisory board system is "home rule on the range?" Or do they suggest the presence of a rural caste system which decentralized administration has strengthened and crystalized? (Foss 1960)

The great majority of grazing "advisory" board members are also members (usually officers) of powerful livestock associations. In fact, the boards and livestock associations are so closely interrelated, and the views expressed by each are so similar, that one could be said to represent the other. They frequently work in league with each other and the agencies, and in many cases the associations have nearly as much "recommendatory" influence as the boards. Board meetings commonly are scheduled to coincide with those of livestock associations, and the two sometimes join together with or against the agencies to fight proposed grazing fee increases, livestock reductions, etc.

Livestock association leaders are especially influential in county and state politics and in the US Congress. Many associations are great bureaucracies in their own right. The Washington, DC-based National Cattleman's Association, for example, with 300,000 members, is heavily involved in government affairs, public relations, management, education, and marketing. The Public Lands Council, also based in Washington, DC (only 3 blocks from the White House), is a potent public lands ranching lobbying establishment.

The National Cattlemen's Association, Public Lands Council, American Farm Bureau Federation, Association of National Grasslands, National Wool Growers Association, Society for Range Management, National Inholders Association, People for the West, Multiple Use Land Alliance, National Live Stock Producers Association, Western Livestock Producers Alliance, Western States Meat Association, Agriculture Council of America, American Meat Institute, American Sheep Producers Council, American Sheep Industry Association, National Council of Farmer Cooperatives, National Farmers Union, National Live Stock and Meat Board, livestock "advisory" boards, state and local stock associations, coalitions, lobbyists, lawyers, pressure groups, grievance committees, the Cow Belles, public relations programs, advertising campaigns, press conferences, publications and promotions -- all these and more are sustained by the highly organized livestock industry. Funding comes in the form of dues, fees, grants, donations, and overtly or covertly trickles down through various government programs. The Western ranching establishment is capable of exerting political leverage or coming up with large sums of money to meet nearly any threat to its power or profit. Tanja Keogh, in *U.S. Predator Control -- a Legacy of Destruction*, offers a typical example:

Our experience in attempting to ban leghold traps in Nevada County [California] shows the strength of these "good old boys." When hearings on this issue were scheduled, our local Agricultural Commissioner's office and area Farm Bureau Federation, consisting of a handful of area ranchers, were able to mobilize the entire California Farm Bureau Federation, Cattlemen's and Woolgrower's Associations, their many well-paid lobbyists and attorneys, the entire staff from the ADC office in Sacramento, professors from large agricultural colleges, other Ag and "sportsmen's" groups, and ranchers from every surrounding county. (Keogh 1988)

Nevada ranchers have filed a lawsuit challenging a Forest Service management plan that attempts to rehabilitate lands damaged by overgrazing in the Humboldt and Toiyabe National Forest. The Nev. Cattlemen's Assoc., a group called Nevadans for a Practical Wilderness Policy and six individual ranchers say the agency unjustly blames livestock for deterioration of streambeds, wildlife habitat, soil and watersheds on public land.

--High Country News (5-6-89)

The judicial system also is heavily influenced by the ranching establishment. Not a few judges are stockmen, have ranching ties, or are smitten by the concept of the noble, heroic cowboy. For example, US Supreme Court Justice Sandra Day O'Connor's family (politicians themselves) owns the Lazy B Cattle Company, which controls ranching on 133,000 BLM acres -- the largest BLM grazing permit in Arizona.

Stockmen have, individually and through their livestock associations and legal representatives, further solidified their power over the years with thousands of administrative appeals and numerous protracted lawsuits and threatened lawsuits designed to privatize public lands ranching, and also to contest grazing fee increases, stock reductions, responsible management, and environmental legislation. Likewise, stockmen and their political consorts have repeatedly attacked and stalled investigations, hearings, and studies by the agencies and Congress. All of this has had

a decided psychological impact on agency personnel, intimidating and demoralizing them, often causing them to abandon responsible administration. Time and time again the ranching establishment has thwarted needed reforms.

We have allotments that need an 80 percent reduction in cattle. But we're told to ease up on the ranchers, since they're also facing a drought.

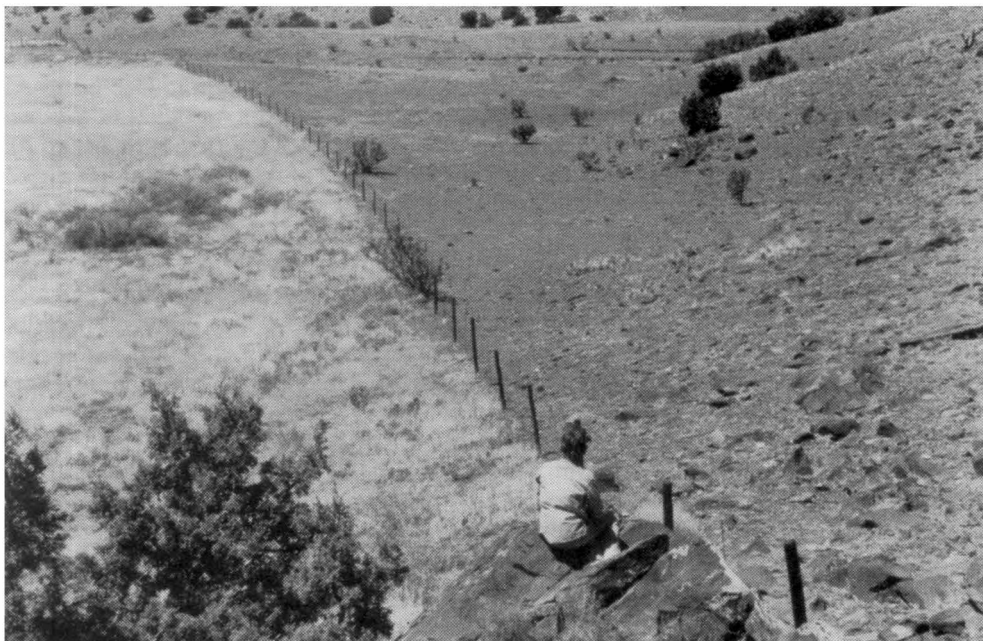
--Jim Mower, range and wildlife staff officer, Wasatch-Cache National Forest, Utah (Zaslowsky 1989)

An October 1987 BLM management study of agency fishery and wildlife biologists indicated that more than half of those responding felt they were not working at full potential. The reason most often cited was lack of management support, usually due to ranching industry pressure. They said this was evidenced by (1) failure to treat wildlife recommendations as equal to commodity interest recommendations, (2) biologist positions not seen as necessary, and (3) lack of implementation of wildlife policy, regulations, and laws. Over half of those who had left BLM said they would return if management improved, legal and regulatory policies were more consistently applied, and the multiple use principle was taken more seriously. (Culhane 1981)

The following excerpt is from the US General Accounting Office's 1988 BLM riparian restoration project report:

The livestock industry's political power and ability to influence decisions has been documented in general studies. For example, the 1987 Audubon Wildlife Report stated that the livestock industry intimidates BLM into transferring, demoting, or firing field staff who take actions that upset local interests. The study also states that the industry applies pressure to have decisions by BLM field staff overturned at upper agency levels. It concluded that such tactics not only result in the policy changes sought by the industry, but can also cause BLM personnel to be wary about making tough land management decisions. Although most of the district staff said they thought this situation had been slowly improving over the last several years, we found this attitude to exist at many of the BLM field locations we visited.

In one district, the staff told us that the district essentially is directed by headquarters and the state office to make no decisions opposed by permittees. Further, BLM is not managing the permittees; rather, permittees are managing BLM. They gave many examples to document this situation. For instance, an area manager confronted a rancher he found cutting trees without authorization in a riparian area on BLM land and demanded the rancher halt the cutting. Soon after, the area manager was told by his district manager that word of the incident had gotten back to him as a result of the rancher's political connections. The area manager was told to apologize to the permittee and deliver the wood to his ranch.



In another instance, an area manager documented numerous instances of riparian area trespass and fence-cutting by a permittee. The area manager said that when he asked the district manager to act on the matter, the district manager stated that "he would not be a martyr to riparian [sic]." Area managers and other field staff in the district told us that it is common knowledge in BLM that management had taken adverse action against staff for trying to implement formal policy.

A biologist responsible for riparian programs in a field office told us that although BLM should be able to expect compliance on riparian management issues, the opposite is often the case. . . . He stated that BLM management has not taken action on this and many other compliance problems because they fear the political power wielded by certain permittees. . . . His concerns are based on his personal knowledge of many examples of field staff who tried to implement riparian programs against the wishes of local permittees and are harassed or transferred by management as a result. (USGAO 1988)

The basic motivating factor of any BLM official is to minimize stress in their lives. And in general, they minimize stress by not offending the cattle rancher.

--Joe Feller, BLM expert (Wheeler 1990)

At a recent meeting, a Bureau of Land Management employee made a remark that I accepted at face value when it was said; but the more I thought about it, the more absurd it became.

His comment was that he could take no strong stand on abusive public grazing practices because he had to have credibility with the permittees.

"Had to have credibility with the permittees!"

--Bryan Pridgeon, Burley, Idaho, in a letter to a local newspaper

Over the years the political power of ranchers and their lenders has often resulted in the transfer, early retirement, or dismissal of many federal employees who tried to reduce cattle numbers for the protection of the land. . . . it is a rare employee who will seek grazing reductions today.

--Steve Johnson, SW Rep., Defenders of Wildlife

"I guess I didn't understand how things were supposed to work. I would 'trespass' a rancher [cite him], and right away my state director would be on the phone asking if I couldn't just take it easy on these guys.

"It finally gets to the point where you have three options, and I've seen this all over the BLM. You look for another job. Or you stick to your guns, and eventually BLM management will find another job for you -- that's what happened to me. Or you acquiesce and learn to live with it."

--A BLM range specialist in "Discouraging Words" by Jon R. Luoma (Luoma 1986)

There's an old saying in the Forest Service that if you cross a stockman, you can expect to be shipped to Siberia tomorrow.

--Jim Prunty, retired Forest Service official (Egan 1990)

From scores of conversations, telephone interviews, and letters, I have found that many agency employees believe that public lands ranching is "an economically and ecologically dubious proposition," as one Fish & Wildlife Service biologist put it. Dozens of BLM, FS, state, and other agency

professionals have confided to me that public lands ranching ravages the land, that the grazing fee and other subsidies are grossly unfair, that ranchers have excessive political and social clout. But they add quickly, "Don't quote me on that," or "This is strictly off the record." As reported in a *Los Angeles Times* article, "All but a few of the dozens of BLM employees interviewed by *The Times* spoke candidly only with the assurance that their names would not be used (Stein 1989)."

An unnamed Wyoming BLM fisheries biologist writes in personal correspondence:

After 7 1/2 years with the BLM, I see the only solution to the degradation caused by grazing is total livestock removal from our public lands. Many in the BLM, at least 15%, feel the same way but only a few are willing to sign a petition saying so. Fear of reprisal is too great for most of us.

Steve Yates writes in "Windspirit of the West":

Even on national wildlife refuges and other public lands, ranchers fight reductions in grazing allotments with fervor and political clout; federal land managers find that it is flirting with professional suicide to even suggest grazing-allotment reductions, let alone actually push for them. (Yates 1988)

In 1981 Bob Buffington, director of the Idaho BLM state office and a 26-year veteran of the agency, was replaced, demoted, and eventually ushered out of BLM altogether for speaking out against overgrazing (Stein 1989). In Nevada's Toiyabe National Forest, identified by the Forest Service as the nation's most overgrazed National Forest, plans to reduce stocking rates that often exceed 80% utilization to a more "moderate" maximum 55%-65% utilization in riparian areas have met hostile opposition and a lawsuit from ranchers. The district manager and range conservationist for the Toiyabe were transferred to other Forests shortly after the controversy began. (Forest Watch 1989)

In Idaho's Sawtooth National Forest, rampant permit violations and devastating overgrazing induced Twin Falls District Ranger Don Oman to initiate moderate reforms, including the first enforcement action against cattlemen in the history of the Sawtooth -- a modest 10% stocking reduction on an allotment for 1990. Permittees and their political and agency cronies pressured Forest superiors to force Oman to accept a transfer; his refusal created a raging battle and perhaps more publicity than any confrontation yet. Some Twin Falls District permittees have threatened Oman with harm or death, and one of the largest, Winslow Whitely, even stated in the *New York Times*:

Either Oman is gone or he's going to have an accident. Myself and every other one of the permit holders would cut his throat if we could get him alone.

Asked if he was making a specific threat on the life of the district ranger, Whitely replied,

Yes, it's intentional. If they don't move him out of this district, we will. (Egan 1990)

Oman, himself raised on a Montana ranch, says that he has "been contacted by a number of people" in the Forest Service who are facing similar situations. (Williams 1991, Marston 1991)

In southwest New Mexico's Gila National Forest, ranchmen recently prevailed upon the Catron County Commission to make certain grazing cuts a violation of civil rights. Forest Service officials can be fined \$10,000 and

jailed for up to 10 years if they order a grazing reduction that is judged as being not related to permit violations, damage to resources, or drought-caused resource loss. (Jones 1991a)

Ranchers have always intimidated "uncooperative" agency personnel with warnings of political, economic, and social reprisal, browbeating, harassment, pounding on desks, threatening violence and, at times, physical assault. Some claim that this type of behavior is slowly decreasing. Perhaps, as expressed by *High Country News* editor Ed Marston, "the livestock industry no longer automatically gets its way." Still, oft-heard in the rural West is "These ranchers around here pretty much get what they want." Dennis Curtis of BLM's Arizona Strip District in St. George, Utah, said it plainly: "We can't tell ranchers what to do with their own allotment."

BLM land management policy is the product of 52 years of agency history. During the first 40 years of the BLM's history, the livestock industry was effectively the agency's sole constituency, exerting virtually unchecked influence on BLM grazing policy. . . . Over the past dozen years, the legal context for BLM range management has changed. [emphasis added]

--Anadromous Fish Law Memo, Lewis & Clark School of Law (Blum 1986)

In 1978, at the urging of the ranching establishment, the so-called "Public Rangelands Improvement Act" (PRIA) was passed. In addition to setting aside hundreds of millions of dollars for future ranching development, PRIA in Section 8 specified an "experimental" "cooperative management agreement" (CMA) program that essentially would transfer many BLM and FS land management responsibilities to grazing permittees, initially setting up "experimental stewardship programs." The little-known law required that the BLM and Forest Service draw up grazing allotment plans in "consultation, cooperation, and coordination" with stockmen. In other words, the law allowed the fox to guard the hen house.

In 1985, a federal district court (*Natural Resources Defense Council v. Hodel*) ruled the cooperative management program illegal and held that Congress had ordered BLM -- not private stockmen -- to administer ranching on public domain, "apparently because after years of rancher dominance of range decisions, it found substantial evidence of rangeland deterioration." Despite the ruling, BLM management basically remains controlled by permittees, while the Forest Service in its 1986 annual report stated, "Emphasis on permittees assuming more responsibility for livestock grazing management activities will be continued, which includes the maintenance and implementation of allotment management plans."

In reports on experimental stewardship, federal agencies have done their best to conceal mismanagement and environmental damage. For example, in its 1985 "Experimental Stewardship Program, Report to Congress," BLM and FS almost pompously proclaim tremendous improvements in range condition for each of 16 experimental stewardship program areas detailed in the booklet. In the grand finale -- an 18 page rundown of each individual program -- not a discouraging word is heard, nor is there any mention of the millions of tax dollars used to implement these programs.

Yet, buried near the middle of the booklet are facts hard to ignore: Only 6 (all ranchers) of 53 respondents to a public review draft on the program stated they thought range conditions on the stewardship areas had improved since the program's inception, and by a margin of 31% to 11% respondents didn't think the stewardship program was successful. Most of the remaining respondents clearly opposed the stewardship program, though the agencies' booklet tried to make it seem as if they didn't. (USDI, BLM and USDA, US 1985)

One of the strongest indications of the trend toward increased permittee control surfaced in May 1987 when BLM published a proposed rulemaking document in the *Federal Register*. The amendments were designed to prohibit livestock reductions and guarantee ranching priority over all other legally recognized multiple uses. They called for elimination of the current legal requirement (currently on the books, anyway) that livestock use must not exceed an area's carrying capacity. Further, by requiring that ranching-enhancing range developments be tried first, they relegated reduction of livestock numbers to protect other resources to a last resort action.

The proposed rules likewise deleted legal requirements that allotment management plans allocate forage among wildlife, watersheds, and other non-consumptive uses as well as livestock. They gave BLM discretion not to modify grazing permits, even if permits are in violation of land use plans. The proposed amendments resurrected the "cooperative management agreement" program, called for BLM give to up its authority to cancel grazing permits of ranchers who consistently violate federal or state environmental laws, and proposed that the penalty for grazing trespass be reduced even further. All this from BLM, not stockmen!

Numerous concerned groups and individuals protested, and the proposed rule changes have been shelved for the time being. But this was the third time these types of amendments had been proposed by BLM in 5 years.

What next? How about stockmen owning exclusive rights to water sources on public land -- even to the exclusion of wildlife? In 1981 BLM reversed its longstanding policy of filing for water rights on public rangeland, instead allowing grazing permittees (and nobody else) to file for and obtain water rights on public land in their own names. Before this, since 1926 development of public water sources by private individuals was allowed only through special use permit or cooperative agreement with BLM, which in effect permitted BLM to control the use of water. (Com. on Govt. Oper. 1986)

Former Secretary of the Interior James Watt changed all this by supporting measures which eventually were issued as an official BLM policy directive in 1981 by BLM Director Burford. The changes allowed permittees to become co-holders of water rights on public land, even when the water supply had been developed with federal funds. Two years later Burford went further and announced an updated policy allowing permittees exclusive rights to some water sources. As stated in *Federal Grazing Program: All Is Not Well on the Range*:

Where once it was presumed no one could monopolize the water, now BLM officials can decide on a case by case basis whether it is all right for a private individual to be given water

rights on public land which were previously reserved for public use. The BLM is now assisting private individuals in filing for such water rights. (Com. on Govt. Oper. 1986)

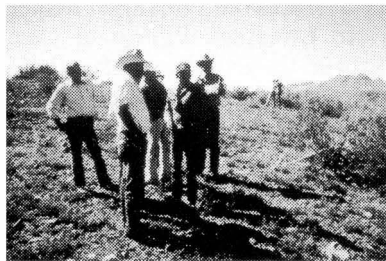
A House Appropriations committee investigative staff report noted that this policy allows "permittees to have exclusive rights to this water in perpetuity, even if they were to sell off their base property and give up their grazing permit."

Western state laws already prohibited any person except a local rancher from staying or camping within a specified distance (generally 500' to 1/4 mile) of a water source for livestock.

This is not just a fight over cows and sheep. It's a fight over who controls public land.

--Rose Strickland, "Taking the Bull by the Horns" (Strickland 1990)

Basically, ranchers and agency personnel -- not the public -- decide how our public lands are managed and developed -- for ranching. (Paul Hirt)



The Endangered Species Act is the villain behind all this [predator reintroduction]. We were asleep at the switch when it was passed. We saw nothing wrong with saving the whooping crane. But the list now is ridiculous. Who cares about a piping plover or a snail darter?

--Joe Helle, Environmental Director, National Sheep Growers Association

Legislation intended to promote public lands ranching is worded, or *interpreted*, so as to seem to "mandate" universal intensive livestock grazing. Concurrently, laws enacted to protect the public and environment generally are so vaguely worded as to be malleable in the hands of the biased land management agencies whose job it is to interpret and enforce them. Utilizing this legislation to bring about even small changes in ranching administration is extremely difficult.

For hypothetical example, how could one *prove* under the Clean Water Act that grazing by 17 cattle in the upper reaches of an east-central California creek made 4 downstream hikers who drank from it sick? The Clean Water Act requires every federal agency with jurisdiction over any property or facility to comply with all substantive and procedural federal, state, and local water pollution laws regarding control and abatement. In other words, BLM and FS are supposed to follow all water pollution laws at all levels of government, including the Safe Drinking Water Act. The Clean Water Act defines pollution as "the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water." Livestock have obviously altered the chemical, physical, and biological integrity of surface waters throughout the West; even many federal studies acknowledge this. Yet the law is sufficiently vague so that the government is not held accountable.

Amendments to the Clean Water Act established in 1987 (Section 319) address "nonpoint" pollution (widespread pollution from multiple sources) and provided requirements and authorized resources for states to deal with the problem. Though ranching often is cited as the main source on nonpoint pollution on public land, little substantive reduction in ranching-caused water pollution has been accomplished through the Clean Water Act.

The Granger-Thye Act of 1950 gave the Secretary of Agriculture authority to issue grazing permits for up to 10 years. It also emphasized that "That nothing herein shall be construed as limiting or restricting any right, title, or interest of the United States in any land or resources." In other words, ranchers are not allowed to privatize grazing permits or public resources. Yet, for all practical purposes, they have been doing just that.

The Independent Agencies Appropriation Act of 1952 calls for federal land user fees to be "self-sustaining, uniform, and fair and equitable to the public and user." Yet numerous government reports show that the federal grazing fee is far below fair market value, that BLM and Forest Service range programs are nowhere near self-sustaining, that other users pay far more than do ranchers for the privilege of using public lands relative to the "resources" they use and the product or service they offer, and that ranching significantly detracts from other commercial and non-commercial uses of public lands.

Similarly, the federal government's "Bureau of Budget Circular A-25" of 1959 calls for users to pay "fair market value" for commercial use of federal land.

I had long suspected that "multiple" use was a semantics for making cattlemen, sheepmen, lumbermen, and miners the main beneficiaries. After they gutted and ruined the forests, then the rest of us could use them -- to find campsites among stumps, to look for fish in waters heavy with silt from erosion, to search for game on ridges pounded to dust by sheep.

--Supreme Court Justice William O. Douglas

We used to basically "rubber-stamp" our grazing permits. Now we take a closer look. And the more we learn about grazing impacts, the harder it seems to be to manage our rangelands to protect all the various resources out there.

--Inyo National Forest, California, employee (Inner Voice 1991)

True multiple use in the West occurred 200 and more years ago.

--Anonymous

The Multiple Use and Sustained Yield Act of 1960 directs federal agencies to manage federal lands for the multiple purposes of outdoor recreation and wilderness, wildlife and fish habitat, range, timber, land and water, and human and community development, rather than for a single use. The government expounds a lot on multiple-use -- big, fine words -- but only hollow rhetoric when government action (or lack thereof) gives priority to dominant-use ranching throughout most of the public lands West.

Two court decisions, *LaRue v. Udall* (US Court of Appeals for the District of Columbia Circuit, 1963) and *United States v. Fuller* (US Supreme Court, 1973), established that a federal grazing permit does not create a "vested interest," and that

the government may, for adequate reason, revoke a grazing permit without compensation to the permittee. Subsequently, however, the agencies have found adequate reason to revoke permits in only a handful of the most extreme cases.

The Wilderness Act of 1964 provided for the establishment and protection of Wilderness Areas. Federal agencies acknowledge that many Wilderness Areas are suffering from ranching damage, yet most ranching there continues at or near traditional levels.

According to the Forest Service, the National Historic Preservation Act of 1966 directs federal agencies "to identify and protect significant cultural resource properties" from "land-disturbing activities." Nothing has disturbed public land so much as ranching, yet to my knowledge the impact on cultural resources from millions of trampling livestock has never been legally questioned, while that from range development has been only rarely, and then with disillusioning results.

Section 101(b) of the National Environmental Policy Act (NEPA) of 1969 requires the federal government "to use all practical means" to "fulfill the responsibilities of each generation as trustees of the environment for succeeding generations," to "attain the widest range of uses of the environment without degradation," and to "preserve important . . . natural aspects of our national heritage." Big, fine words again, yet, according to range advocate Stuart Croghan, "The only effect the NEPA process had on the BLM and Forest Service is that now it costs the taxpayer 10 times as much for the same land abuse."

Federal agencies can write all the Environmental Impact Statements in the world. But cows will jump over the moon before they kick them off our public lands.

--Bill Marlett, Oregon Natural Desert Association

The Council on Environmental Quality, created pursuant to NEPA, has been issued guidelines on the preparation of Environmental Impact Statements (EISs). They require that impact statements be prepared even where federal actions are "localized in impact . . . if there is potential that the environment may be significantly affected." From this language, nearly every federal grazing allotment should be subject to an impact statement.

However, BLM refused to prepare grazing EISs until a 1974 lawsuit (*Natural Resources Defense Council v. Morton*) determined that BLM's ranching program is a "major federal action significantly affecting the quality of the human environment" and therefore subject to NEPA requirements. It ordered BLM to prepare EISs assessing "the specific environmental effects" of "particular permits or groups of permits" issued in each BLM district, including "the detailed analysis of local geographic conditions necessary for the decision-maker to determine what course of action is appropriate under the circumstances." As ordered, BLM has been producing grazing EISs, but these have been consistently superficial and designed to protect ranching interests. Apparently the federal government does not consider ranching impact "significant" regardless of the damage.

The renewal [of the Endangered Species Act in 1988] also ends a four-year struggle with several senators, including several from the West, who have attempted to block the act. The Western senators wanted the act to include provisions for hunting threatened species that wander onto [private] ranchlands [25% of the West].

--High Country News

The Endangered Species Act (ESA) of 1973 is a conservation milestone. It directs federal agencies to ensure that their actions do not jeopardize Threatened and Endangered species, and requires that they help bring about their recovery. As detailed earlier, many Threatened and Endangered species continue to decline under ranching impacts. Yet ranching on most federal land continues, mostly unchallenged and at or near traditional levels. The ranching establishment currently is lobbying strongly to weaken or overturn the Endangered Species Act.

In *Livestock Pillage of Our Western Public Lands*, Edwin G. Dimick relates that, in response to the Endangered Species Act, the Eastern Oregon BLM in the late 1970s hired a botanist to go through the motions of determining which area species were in danger and why. The resulting report was never released to the public; Dimick suggests that it may have revealed ranching-incriminating evidence. (Dimick 1990)

The Forest and Rangeland Renewable Resources Planning Act of 1974 requires the Secretary of Agriculture to develop, implement, and revise land and resource management plans for the National Forests to provide for multiple use and sustained yield. Yet, ranching pressures continue to deplete resources faster than they regenerate, and other public lands uses continue to be impaired.

The National Forest Management Act (NFMA) of 1976 restated the Multiple Use Act's mandates and specifically provided that federal land use plans prepared under NFMA must "include coordination of outdoor recreation, timber, watershed, wildlife and fish, and wilderness." The Act additionally requires the "identification of the suitability of lands for resource management" -- not blanket use wherever a use is possible, as is the case with federal lands ranching. "Suitability" is defined as "the appropriateness of applying certain resource management practices to a particular area of land, as determined by an analysis of the economic and environmental consequences and the alternative uses foregone." The federal government itself has established that much of federal lands ranching is inappropriate, i.e., economically unjustified, environmentally destructive, and/or that it conflicts significantly with other uses. NFMA regulations contain numerous other provisions which if followed verbatim would greatly curtail National Forest ranching. Yet, Uncle Sam refuses to adhere to his own mandates when it comes to cowboys. (PNFF 1987)

Before 1976 federal land management was governed by a hodgepodge of some 3000 land laws, often outdated and sometimes contradictory. The Federal Land Policy and Management Act of 1976 (FLPMA) largely overrode earlier laws and mandated responsible stewardship. It ordered federal agencies to develop land use plans "in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water

resource, and archaeological values . . . [and] that will provide food and habitat for fish and wildlife and domestic animals." The act also mandated "multiple use and sustained yield" and insisted that the nation receive fair market value for lands and resources.

Yet, FLPMA amounts to little more than an admission that the public range continues in poor condition, and that heavy subsidization must continue in order to maintain conventional levels of ranching. FLPMA has done little to improve the range. For example, overwhelming scientific evidence indicates that overgrazing continues to cause widespread and accelerated soil erosion and riparian degradation on BLM land. The US General Accounting Office, the investigative arm of Congress, conducted 11 studies of the BLM from 1986-89 and in early 1989 summarized their findings in testimony before Congress:

For substantive progress to be made, we believe there will have to be a fundamental change in the approach of the agency responsible for day to day management of the public lands. For this to occur, BLM will have to abandon its historical identification with the interests of livestock permittees and other commercial interests. In its stead, BLM and Interior management will have to demonstrate the institutional will to effectively implement the principles of multiple-use and sustained-yield as mandated by FLPMA. Business-as-usual simply will not do if the Congress' expectations as set forth in FLPMA are to be realized.

When I worked as a botanist for the BLM in the 1980s, one of my assignments was to inventory BLM lands for areas with outstanding biological, geological, and archaeological attributes and make recommendations to protect these sites as ACECs. After I submitted my first recommendation, I was called into my supervisor's office . . . I had to redraw my boundaries to exclude all areas that were being grazed or could potentially be grazed, or risk rejection of the entire area.

--George Wuerthner, "How the West Was Eaten" (Wuerthner 1991)

As a result of *NRDC v. Morton*, Congress ordered BLM to prepare environmental impact statements for the land under its administration. By most accounts, BLM has failed miserably. Subsequently, FLPMA required the Secretary of the Interior to "develop and revise land use plans for all public lands based on multiple use sustained yield principles, giving priority to designation and protection of areas of critical environmental concern (ACEC)." According to a review by the Natural Resources Defense Council (NRDC), within 12 years only 2% of 332 million acres in Alaska and 12 Western states had been designated ACECs. NRDC states:

We found that the "ACEC" program has not resulted in enhanced protection for these important areas," and, moreover, that BLM has avoided designating ACEC's in areas impacted by livestock grazing. . . . It appears to us that [BLM] has not designated sites threatened by livestock in order to avoid upsetting its powerful grazing constituency.

FLPMA also reiterated the agencies' own existing regulations requiring public participation in land management decisions. FLPMA required public input in "all decisions that may have significant impact on federal lands." Again, ranching has more impact on federal lands than any other use, yet typically the agencies trivialize its influence,

interpret these mandates as to preclude public participation, proceed without requesting public input, infinitely delay acting upon public input until interested parties give up (a favorite trick), or simply disregard what opposing public input they receive (thank you for your letter; we'll add it to our files, etc.).

The Soil and Water Resources Conservation Act of 1977 "provides for the conservation, protection, and enhancement of the Nation's soil, water, and related resources for sustained use" (USDI, BLM 1988). Public lands ranching has obviously depleted "the nation's soil, water, and related resources" (USDA, SCS 1981 and others). As usual, legalities are ignored as the agencies cater to stockmen.

The Public Rangelands Improvement Act (PRIA) of 1978 declared that the goal of range management "shall be to improve the range conditions of the rangelands . . ." Yet, according to specialists, "The PRIA defined 'range improvement' so broadly as to be virtually meaningless."

PRIA established "multiple use councils," ostensibly to ensure diverse input from all public lands users. But, according to Jon R. Luoma in "Discouraging Words," a 1984 study by the NRDC showed

that the environmentalist representative in the Salmon, Idaho, district was a drive-in theater owner nominated by the local Farm Bureau. In the Boise district, the "environmentalist" was a woman who had opposed establishment of a BLM protection zone for portions of the Snake River Canyon for one of the greatest concentrations of raptors in the world. In Lakeview, Oregon, the "public at large" representative was a rancher and chairman of the county Republican party. On seven of the fifty councils, ranchers were the wildlife representatives. On ten of them, ranchers were the "elected officials." On nine, ranchers represented the "public at large." On seven they represented environmental interests, on two non-renewable-resource interests, and on another two, transportation interests. (Luoma 1986)

Stipulations in BLM grazing rules and regulations prohibit graziers from "violating any Federal or State laws or regulations concerning conservation or protection of natural and cultural resources or the environment including, but not limited to, those relating to air and water quality, protection of fish and wildlife, plants, and the use of chemical toxicants" (USDI, BLM 1978). Stockmen violate such laws not only frequently but blatantly, yet BLM and other agencies seldom take enforcement action.

Even the Taylor Grazing Act of 1934 directs the Secretary of the Interior "to preserve the land and its resources from destruction or unnecessary injury . . ." (USDI, BLM 1976) In recent major actions Congress mandated that environmental values be protected, even if BLM must sacrifice "the greatest economic return or the greatest [livestock] unit output." In 1978 Congress directed BLM to see that "multiple use" prevailed. To what end?

In 1984 Congress directed BLM to collect subleasing profits and return them to the US Treasury. Thirteen months later, the agency responded by issuing new regulations defining "subleasing" so narrowly that hardly any money has been captured. (Com. on Govt. Oper. 1986)

In 1985 Congressman Jim Weaver introduced a House bill that would have ordered BLM and FS to protect and restore ranched land under their supervision, as well as to implement a modified market value fee system and abolish grazing "advisory" boards. It was quickly quashed.

If the intent of the various environmental and public land laws was rigorously enforced, 75% of public lands ranching would be shut down.

--Rose Stickland, vice chair, Sierra Club Public Lands Committee

In recent decades, Congress has passed more than 40 laws protecting environmental quality. Many of these and scores of other laws, regulations, directives, ordinances, and court decisions (see Glustrom 1991) are intended to guarantee public participation in land use planning, fair market value for sale or lease of public resources, true multiple use, sustained yield, and environmental health. The government has at its fingertips overwhelming evidence of ranching's harmful impacts. Yet in practice, with powerful stockmen and the pro-ranching agency, judicial, and political systems deciding how they should be interpreted, enforced, or ignored, there has been little progress in any of these areas with regards to ranching.



(Julie Rechin)

Historic users of public lands have long considered the land their own. Although they have never been successful in having title or rights to the land recognized by the federal government, ranchers have enjoyed considerable success in having federal policy tailored to meet their needs and to protect their access.

--from *Federal Lands* by Sally K. Fairfax and Carolyn E. Yale

Federal ownership or control of land is a form of communism.

--Wyoming Representative Frank Barrett, leader of grazing industry public land grab attempt in 1946

From the beginning, stockmen have been successful in resisting the agencies' modest attempts to enforce regulations and reduce livestock numbers. However, in the 1970s

conservation groups won a number of court cases and Congressional battles which, *at least in theory*, would have forced the agencies to crack down on abuses.

The "Sagebrush Rebellion" was the industry's counterattack -- a bold attempt to break the agencies once and for all. It began in 1979 when the stockmen- and miner-dominated Nevada state legislature seized 49 million acres of BLM land (70% of the state) and passed an act claiming state ownership. Other western states with powerful public-lands-exploiting establishments soon followed suit -- Utah, Arizona, New Mexico, and Wyoming passed similar acts within a year. Western newspapers and television took up the cry of this "new," "revolutionary" force. In late 1979 Utah's Senator Orrin Hatch introduced a bill that would have transferred title of 200 million acres of BLM and Forest Service land west of the 100th meridian to 13 western states -- and through cheap sale eventually mostly to *ranchers'* ownership.

In early 1980 rancher Ronald Reagan declared, "I am one who supports the Sagebrush Rebellion. Count me in as a

rebel." After becoming President he brought many of the Sagebrush Rebels to Washington and allowed them to set up a command post inside the Interior Department. The ring-leader of the group was Joseph Coors, the Colorado millionaire beer king and rabid anti-environmentalist. Shortly thereafter, so many of Coors' followers were appointed to administration positions that they became known as Reagan's "Colorado Mafia." The infamous James Watt was named Interior Secretary when Reagan's first choice, wealthy Wyoming Governor Clifford Hansen, withdrew after learning he would have to divest himself of BLM grazing permits. Appointed to head EPA was extreme anti-government-regulation advocate and lawyer Anne Gorsuch. And made

BLM Director was none other than a leader of the Sagebrush Rebellion's fight to destroy the BLM, Robert "Hereford" Burford. (Gorsuch and Burford were close, so close they later married.)

In the past, if a BLM director wanted to let the grazing interests tell him how to make decisions, he had to bother with a telephone call. Burford doesn't have to do that. He just has to ask himself.

--Johanna Wald, senior attorney, Natural Resources Defense Council

Burford is widely considered the most anti-conservation Director ever to head BLM. One of unbelievably many millionaire BLM ranchers, well-known as a trespasser of livestock, he held grazing permits to 32,000 BLM acres

when nominated Director. Unlike Clifford Hansen, through complicated and sleazy legal acrobatics Burford "rearranged" his involvement in public lands ranching to avoid conflict of interest charges. The Ethics Office didn't buy it, however, and wrote, "The arrangements contemplated [by Burford] appear to leave him in retention of interests." Burford cited a special loophole in the ethics law, and the next day Interior Secretary James Watt (a ranching zealot and close personal friend), granted him a waiver. (Miller 1983)

While Director, Burford maintained direct ownership of 25% of title to 9600 acres, including the base property for BLM grazing permits, while transferring the permits to his sons. Burford explained, "The legal vehicle of two partnerships is being used to allow me to retain interest in the deeded land as an investment for future retirement." Burford signed a statement declaring "I hereby recuse myself while serving as Director of the Bureau of Land Management from making any decisions which directly affect grazing permits which I now own." Subsequent evidence strongly suggests that Burford did indeed make many decisions that benefited him regarding his sons' grazing leases and his ownership of property. (Miller 1983)

Meanwhile, "Burford's" largest parcel of public land, the Little Salt Creek Allotment near Grand Junction, Colorado, was and still is overrun with scraggly brush and cheatgrass, heavily eroded, and nearly devoid of native grass, as it has been for decades. An old livestock enclosure on the allotment contains thriving stands of lush perennial grasses. Attempts by a new BLM recruit and a few others at the local BLM office to improve the condition of the Little Salt Creek and other allotments in the area by reducing grazing pressure ended when political strings were pulled.

With Watt, Gorsuch, Burford, and their brethren at the helm, 20 years of environmental progress (relatively speaking) in the United States quickly came to a halt. As stated in "What *Really* Happened at EPA" in July 1983 *Reader's Digest*, "When Watt, Burford, and Gorsuch arrived in Washington, they knew precisely what the President wanted them to do: deregulate the environment." (Miller 1983)

And that they did. First, they staffed top levels of their agencies with ranching industry and other big business lawyers, lobbyists, public relations professionals, and such -- the very same people who had been fighting so hard against the environmental protections they were now supposed to enforce. Second, they used Reagan's budget-cutting programs as an excuse to further deregulate. Burford, in order to give fellow ranchers more power over public lands, used budget cuts to reduce the number of employees in BLM's Range Management Division and to prevent effective enforcement of grazing regulations. The effort was largely successful. In fact, James Watt was so pleased with Burford's crippling of the BLM that he proclaimed victory for the Sagebrush Rebels and stated he had become "a rebel without a cause."

Back to Hatch's bill: Though the Sagebrush Rebellion was promoted by many powerful stockmen and politicians from "the ranching states," the "rebellion" never had the widespread support claimed by its supporters. Even Arizona Governor Bruce Babbitt -- whose family holds grazing permits to much public land in the state -- called it "a land grab in thin disguise." Senator Hatch's bill, and

similar others, never reached the floor in Congress. However, the power play accomplished stockmen's main goal -- not taking outright ownership of federal lands so much as knocking down the already submissive BLM and Forest Service even further, thus enabling the industry to reap the benefits of ownership without the responsibilities. The process is delicately explained in the range textbook **Range Management**:

Provided that grazing privileges are maintained and grazing fees are kept reasonable it is advantageous to most ranchers for these lands to remain in federal ownership. Taxes, costs of maintaining physical structures (fences, corrals, water developments, roads), and interest in land purchase money would make grazing uneconomical for most ranchers if they were forced to buy federal grazing lands. (Holechek 1989)

Even so, some 1 million acres of federally owned Western land have passed into state hands since the Sagebrush Rebellion put the pressure on.

A book was written during the Sagebrush Rebellion period expressly for the purpose of urging that BLM and FS rangelands be transferred to stockmen. **Locking Up the Range** was sponsored by Pacific Institute, a flowery-sounding, "independent, tax-exempt, research and educational" front for ranchers and other public land exploiters. The book "documents" that the federal government has "locked up" as public land hundreds of millions of acres of Western range that rightfully belong to stockmen.

The Sagebrush Rebellion is only the latest in a long string of public-land-grab attempts by the ranching establishment designed to periodically "put the agencies in their place," if not actually take the land (thus putting the agencies *out of business!*). The first came soon after gentleman rancher Teddy Roosevelt created federal forest reserves in 1891. Stockmen wanted control of the reserve lands "returned" to the states (where it never was), and thus eventually to them.

Another rebellion came during the 1920s when Western ranchers and their Congressmen, bolstered by support from President Hoover, once again tried to convince the Congress and public that the states -- thus, ultimately *ranchers* -- could better manage 200 million acres of public land than the federal government. This campaign fell apart over disagreements about methods of land transfer. Stockmen also didn't want to pay a suggested \$1 per acre minimum to buy the land. (Shanks 1984)

In the mid-1940s Congressional bills introduced by Nevada Senator Pat McCarran, Wyoming Representative Frank Barrett, and Wyoming Senator E.V. Robertson (the latter a wealthy public lands rancher) would have transferred title to the vast bulk of Western federal land, including large portions of National Parks and Monuments -- *as well as rights to timber, oil, minerals, hydroelectric power and other resources thereon* -- to public lands graziers, either directly through cheap sale or indirectly via the states. The American National Livestock Association and National Woolgrowers Association formally agreed that this Texas-plus-California-sized public acreage should be offered for sale at 10 cents per acre, with ranchers having first right of purchase to the lands they held permits to graze (nearly all of it). Under increasing public protest, the schemes did not result in changes in land ownership, but they did eliminate any naive ideas the Forest Service and Grazing Service might have had about responsible management. (DeVoto

1955) Another uprising in the 1950s punished the agencies for their attempts at more responsible administration and forced them to toe the line.

Likewise, the recent Sagebrush Rebellion was successful in that the Forest Service soon backed off from many of its ranching reforms and the Bureau of Livestock Management became even more subservient. Following the "rebellion," the \$2.36/AUM grazing fee dropped each year for 4 years in a row, eventually hitting \$1.35/AUM, where it stayed for the next 3 years. Jay Wilson, executive vice-president of the California Wool Growers Association, sums it up succinctly, saying BLM responded to the Sagebrush Rebellion in a "positive" manner (Hartshorn 1988). Wildlife advocate Dan Dagget concurs: "They think the Sagebrush Rebellion is over and they won. No one's going to tell them what to do on their ranch [allotment]."



DK Ranch -- the private land -- is actually 3 miles down the road, which runs through National Forest the entire way and provides access to a hundred other residents.

As long as our civilization is essentially one of property, of fences, of exclusiveness, it will be mocked by delusions.

--Ralph Waldo Emerson

For more than a century, federal political establishments have remained consistently and heavily supportive of public lands ranching. The Reagan administration admittedly was more biased than most, but the Bush administration thus far has proven little different. Symbolically, on his first visit to China President Bush gave the Chinese Prime Minister a pair of cowboy boots embossed with US and Chinese flags. More recently, on his highly publicized visit to Washington, newly elected Russian President Boris Yeltsin was compelled to don for the media a large, white cowboy hat. Senate Minority Leader Bob Dole explained the gift to Yeltsin: "It's for big people and . . . for great leaders."

I asked him [BLM Director Cy Jamison] when the overgrazing on public lands will stop. He said there was no overgrazing on public lands -- at least on paper. Every allotment is within its carrying capacity.

--Sports Editor Pete Cowgill, 3-30-90 *Arizona Daily Star*

To replace rancher Bob Burford as BLM Director, George Bush appointed Cy Jamison, a country boy from the "little cowboy town" of Ryegate, Montana, a former BLM employee, and for 10 months liaison to the White House for James Watt. At the time of his appointment Jamison was an aide to ultra right-wing Republican Montana Representative Ron Marlenee (who now sits on the Interior National Parks and Public Lands Subcommittee). Both are staunch defenders of public lands ranching. Jamison is "a good choice" says Patty McDonald, Public Lands Director for the National Cattleman's Association. "We have worked with Cy on a lot of things." 'Nuff said.

Bush's nominee to oversee the Forest Service and Soil Conservation Service as Assistant Secretary of Agriculture was James Cason, ranching advocate and former Watt deputy. However, Congress rejected Cason's appointment due to mounting public opposition. The continuing Chief of the Forest Service, F. Dale Robertson, recently showed his true colors when before a conference of ranching interests he told the assembled that together they should adopt a strategy of ignoring those calling for reform of public lands ranching and expand their efforts to "increase the producers' [ranchers'] credibility." More recently, President Bush nominated Indiana hog farmer James Moseley to fill the post.

The new US Fish & Wildlife Service Director, John Turner -- a former state senator who owns a ranch in Jackson Hole, Wyoming -- is said to be a concerned wildlife advocate, though it remains to be seen if he will lower livestock from the top of the rangeland totem pole any more than his predecessors did. So far Turner seems to be doing his best to sweep ranching problems under the carpet. Bush's choice for Park Service Director was James Ridenour, a friend of Vice President Dan Quayle and whom many conservationists castigate as another James Watt. A 4-30-89 *Los Angeles Times* article states that "Although his 'mind is open,' Ridenour expressed sensitivity to the concerns of ranchers." Also appointed by Bush were Manual Lujan as Interior Secretary and Constance Harriman as Assistant Secretary for Fish, Wildlife, & Parks. Both are ranching advocates and were vocal supporters of James Watt while he was Interior Secretary.

Given public indifference, a built-in place in government infrastructure, and more or less permanent control of relevant federal, state, and local political systems, the ranching industry bureaucracy undoubtedly is one of the most impervious and enduring of any.

Phillip O. Foss, in *Politics and Grass*, summarizes his findings on stockmen's political influence:

As compared with the total population, western stockmen are few in number, but in range states they rank high in wealth, prestige, and influence. Not only are they influential in state politics but they also carry considerable weight in Congress, especially the Senate. There are few groups of comparable size, if any, which are as politically powerful as are the western stockmen. (Foss 1960)

In her book, *God's Dog*, wild horse expert Hope Ryden describes ranchers as, "unquestionably the best-organized political force in the West. Considering that they represent a rather small fraction of the total Western population, it is surprising to what extent they control state capitols, run state conventions, and send representatives to Washington."

Indeed, federal grazing permittees represent about 0.037% (or 1 out of 2727) of the population in the West and 0.0088% (or 1 out of 11,363) of all American citizens (Com. on Govt. Oper. 1986, US Dept. of Com. 1986). Writer/ecologist George Wuerthner considers Arizona:

The state has only 3,792 livestock producers, and of these only 1,323 graze livestock on federal lands. Yet these 1,323 exercise more control over the federal lands in Arizona than do Arizona's other 3.3 million residents. (Wuerthner 1989)

High Country News publisher Bob Marston (who supports the concept of public lands ranching) states, "In practice, a rancher's political influence is roughly one hundred times greater than that of a non-rancher in the West." A conservative estimate.

The 1981 book by Paul J. Culhane, **Public Lands Politics**, though obviously intended to be a resource for commercial exploiters of public lands, indicates the extent to which ranchers influence rural politics. In 1973 Culhane conducted research in random BLM and FS administrative units in 3 geographic regions of the West. The research involved interviews with local agency officials and key interest group leaders, questionnaires sent to group leaders, and the collection of documents. From the results, Culhane extrapolates:

The largest single category of groups was the rancher-grazing associations, with over one-quarter of all participants. When BLM advisory board members, all of whom are ranchers, are included, the importance of the livestock industry in the three regions is evident.

In fact, Culhane's statistics showed that the livestock industry had almost 2 1/2 times as many participants as any other interest group involved in local level public lands management politics (though they comprised only a small fraction of public land users). Culhane summarizes:

Stockmen constitute the largest single category of participants in local public lands politics. They have ties to professional community [sic] (including agency professionals) through SRM [Society for Range Management]. Many local government officials in the three regions, including a number of town mayors and most county commissioners, were stockmen; almost all the irrigation groups, and many of the conservation and RC&D [Resource Conservation and Development] districts, were led by or primarily served stockmen. Finally, stockmen were the primary constituency or customer group for all the local government officials, local businessmen, and realtors in the sample, irrespective of formal affiliations with the livestock industry. (Culhane 1981)

An article in *Oregon Ike* (a publication of the Izaak Walton League) states:

The number of stock allowed has been determined more often by the political influence of the rancher or corporation; the strength or laxity of the officials in charge; the influence of the local advisory board; its importance to the county tax structure; and the influence of the local banker.

According to Phillip Foss:

The principal decision-makers of the federal grazing activity include the advisory board members, leaders of stockmen's associations, a small number of congressmen, and some members of the federal grazing bureaucracy. (Foss 1960)

Ronald Reagan described the late Secretary [of Commerce, Malcolm Baldrige, who died in a rodeo accident in July 1987]

as direct and unpretentious. He told of how Baldrige had ordered his staff to interrupt him for only two types of phone calls. "I was one," the President said, "and any cowboy who rang up was the other."

--Time magazine



Stockmen, their "advisory" boards and associations meet regularly at ranches, with agency staff, private range pros, and/or politicians (who are often ranchers themselves) in attendance. Thick slabs of beef and calculated cowboy camaraderie assure public lands ranchers of preferential treatment. (BLM)

With 17 western states holding 34 seats in the Senate, there will always be enough votes to guarantee that the livestock industry's interests are not overlooked.

--Sava Malachowski, "Bloody Shame" (Malachowski 1987)

I don't think, in the final analysis, Congress has the guts to raise the [grazing] fees or radically restructure the [federal lands ranching] system.

--Gerald Hillier, Manager, California Desert District, BLM

The Western ranching establishment profoundly affects the US Congress. Many senators and representatives obtain most of their information on federal range policy from "advisory" boards, stockmen's associations, and stockmen themselves. These are no mere lobbyists; many Congresspersons consider them *the* experts and their recommendations to be imperatives. Combined with the many professional lobbyists they hire, they exert overwhelming influence.

Many Congressmen themselves are involved in public lands ranching. For example, powerful former Senator Paul Laxalt -- one of Ronald Reagan's closest friends, his 1980 campaign manager, and former Republican National Chairman -- is a northern Nevada public lands sheep rancher. Representative Joe Skeen, a southern New Mexico public lands sheep rancher, sits on the all-important House Appropriations Committee. Senate minority whip Alan Simpson is a Wyoming public lands rancher from an influential ranching family. The families of Representatives Robert Smith of Oregon, Larry Craig of Idaho, and Jim Kolbe of Arizona hold public lands grazing permits. Many others are mentioned in this book.

Most federal legislators, those in the East especially, admire the fabled, heroic Western rancher and thus provide fertile ground for ranching industry misinformation and

misrepresentation. For example, livestock associations often fly in (allegedly) poverty-stricken-but-courageous-and-patriotic-to-the-end, small-time ranchers to Washington and parade them before Congressional sessions and committee meetings, especially during appropriations time. Already ranching-enamored and under pressure, politicians are moved, and subsidy approval usually is forthcoming.

Moreover, as political scientists have noted, the Congressional committee system -- *not the general Congress* -- is this country's actual decisionmaking body. Committees may be further specialized into subcommittees, which are in essence specialized mini-legislatures. Most actual legislative process occurs at these levels. Because of the specialized nature of subcommittees, few other than the lawmakers involved in the issue at hand participate in them. This is especially so with public lands ranching -- a seemingly obscure "Western" issue in which few Eastern Representatives or Senators have much knowledge or interest. They defer participation to those they perceive as "experts" -- in this case those close to the livestock industry in the West. According to the 5-23-89 *Los Angeles Times*, "This leaves BLM in the domain of lawmakers elected in rural western constituencies where cattlemen and miners usually are among the wealthiest, most influential, and politically active citizens" (Stein 1989).



COWBOY HALL OF FAME INDUCTS REAGAN

Oklahoma City (AP)

A beaming Ronald Reagan was inducted into the National Cowboy Hall of Fame yesterday, and he said Hollywood almost kept him from receiving the honor.

The former president became a member of the Museum's Hall of Great Westerners -- an honor bestowed on those ranging from pioneers to presidents to cattlemen.

--7-23-89 *Arizona Daily Star*



In other words, the *actual* Congress that formulates legislation and dictates administration of federal ranching is composed of small groups of Congressmen from the Western "range states." Most have strong ranching ties. Many are "owned" by the grazing industry and can always be counted on to vote in its favor, or are themselves public lands ranchers. Add to this continuing contributions by livestock interests to political campaigns and political action committees. Even some US presidents were ranchers or owned ranches, including Reagan, LBJ, and Teddy Roosevelt. Is it any wonder our federal government does not tamper with the status quo?

The New Mexico Senate March 13 easily confirmed former New Mexico Cattle Growers president Bob Jones to the state Game and Fish Commission. . . . With ranchers packing the Senate gallery, the Senate Rules Committee voted 7-1 after a four-hour March 12 hearing to recommend that Jones be confirmed. The full Senate concurred the next day, voting 30-3 without debate.

--*High Country News* (3-30-87)

The ranching industry's power at the state, county, and local levels is even more overwhelming. Many governors have been ranchers or came from ranching families, recently including: New Mexico's Bruce King and Gary Corruthers; Arizona's Bruce Babbitt; Wyoming's Edgar Herschler, Stan Hathoway, and Clifford Hansen; Colorado's Roy Romer; Montana's Ted Schwinden; Idaho's Cecil Andrus and John Evans, and California's hobby rancher Ronald Reagan. The ranching establishment likewise includes a great many (far too many to begin to list here individually) state legislators, state board and commission members, county supervisors, county board members, game & fish officials (*most* Western game & fish commissioners have ranching backgrounds), sheriffs, judges, small town mayors, and other state, county, and local officials.



(Unknown)

The influence of this political octopus is so extensive throughout every relevant sector of government that some say the industry has its own "special private government." According to Phillip Foss, "The special private government attaches itself to most of the trappings and authority of the general public government and very likely the public assumes that it is in fact an integral part of the general public government" (Foss 1960).

Because of all this, rural areas of the West are said to be "overrepresented" (proportionately) in state legislatures and the US Senate. If elected and appointed in proportion to their small numbers, ranchers would comprise less than 1% of Western local, county, state, and federal politicians representing rural areas, while public lands ranchers would

comprise 1 among hundreds of these officials. Only 3% of Wyoming's residents are employed in all agriculture, yet they -- mostly ranchers -- make up 30% of the state's legislators. (Duncan 1987) About 1% of Montana's 1 million residents are ranchers, yet stockmen compose approximately 1/3 of politicians in the state.

Though no study I am aware of has documented figures, it seems likely that 1/5 to 1/3 of all politicians in or representing the rural West are ranchers, with probably most being public lands ranchers. Rural Westerners in most areas *expect* many, or even most, of their political representatives to be ranchers. It isn't unusual to have one's county supervisor, state representative and governor, Congressional representative, and Senator all be stockmen. And most non-rancher politicians are from ranching families or are associated with influential ranchers.

Probably only the real estate business rivals politics as a stronghold of ranching interests. Again, is it any wonder that public lands ranching continues unhampered?

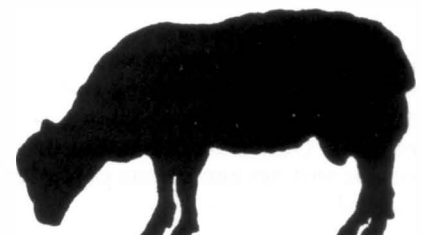
Welfare ranchers learned an important political lesson long ago. They learned that a loud mouth overrides any amount of scientific evidence in the eyes of a politician.

--Stuart Croghan, public lands advocate

Public lands ranching has long been a political octopus, its tentacles reaching into every policy-making body that might control exploitation of the land -- state governments, Congress, and federal agencies.

--Jon R, Luoma, "Discouraging Words" (Luoma 1986)

(1) Ranchers and their private supporters, (2) land managing agencies, (3) "advisory" boards, (4) stockmen's associations, and (5) politicians and political structures -- each of these by themselves is a powerful public ranching bureaucracy. The close collaboration between all 5 forms a seemingly invincible combination greater than the sum of its component parts. It is difficult to comprehend the subtle-yet-immense political power exerted by the ranching establishment over the rural West. Thus, the effort to end public lands ranching is also a struggle for political justice.



Publications and Public Relations



Government ranching-related publications.

Be ye not deceived.
--Holy Bible

Visit any large Western university library and you will find aisles lined with hundreds of publications, government and private, geared toward ranching. The periodicals room contains a dozen different livestock journals, magazines, and newsletters. And, of course, you can pick from *thousands* of fictional and "non-fiction" Westerns -- romanticized tales of cowboys and ranchers in the Old and New West. The authors of this literature are well paid and appreciated for their work.

At this same library you will find many publications on public land use, environment, science, politics, special interests, and even ranching that discuss uncomplimentary aspects of Western ranching, some suggesting modest reforms. Only a small handful do so in detail, and only 3 sizable writings encompass public lands ranching as a whole (see bibliography).

Put simply, it is not financially, politically, or socially advantageous to produce literature confronting the ranching imperative. And few people are inclined or able to spend months or years of their life on a major work almost guaranteed to make enemies and produce little or no income. The same holds true for audio, video, and other forms of communication. Consequently, most of what we see, read, and hear is heavily biased to favor public lands ranching. That's what sells, pays, and garners social esteem.

Various federal, state, and county agencies put out an incredible number and variety of livestock-oriented leaflets, folders, papers, pamphlets, periodicals, bulletins, brochures, booklets, and books. Nearly all of these publications are available to stockmen "free of charge" -- that is, courtesy of the taxpayer.

Their authors understand the unwritten rules and guidelines designed to protect the ranching industry and the agencies' self-serving involvement in it. Most of this literature is loaded with hollow rhetoric, misrepresentation, and outright falsehoods, along with plentiful breast-beating bullshit.

When the word "overgrazing" is found at all in government publications, it is almost always in the *past* tense. "Multiple use" is used nearly as a synonym for livestock ranching. The words "livestock" or "range management" in a sentence are commonly accompanied by words like "benefit wildlife" or "protect watersheds." Public lands ranching is a "developing science" with glorious potential. By semi-official

decree, the word "desertification" is no longer used by the federal government in relation to the Western range. Public lands ranchers are now "producers" -- a word with only positive connotations. Ranching developments have been called "range improvements" for decades, and now the agencies have even taken to calling them "range accomplishments." And so forth. (Send for USDA's *Livestock Grazing Successes on Public Range* -- USDA 1989 in bibliography.)



1989-90 Accomplishment Report Los Padres National Forest

The stockmen seem to hope that by improved public relations methods they may be able to secure additional appropriations for range improvement without losing their present autonomy in the grazing districts and without raising their grazing fees.

--Phillip O. Foss, *Politics and Grass* (Foss 1960)



These 2 photos are taken from the Forest Service pamphlet *Livestock Grazing Successes on Public Range*. The top photo portrays a barren and degraded riparian area; the bottom photo shows the same scene 10 years later as mostly greenery. We are told that this was accomplished through improved grazing management "with no reduction in livestock numbers." A close look at the top photo, however, reveals *patches of snow* at upper left (indicating that the photo was taken in winter, when vegetation would be barren of foliage), and that much of the woody vegetation had recently been cut as well. This propaganda piece is found in every BLM and Forest Service office in the West. The Public Lands Council helped produce the handout, but contributed only a token \$500 to its cost. (USFS)



Produced in partnership by:

The Forest Service, Bureau of Land Management,
and Public Lands Council

Photos and graphics in government publications portray what the ranching establishment wants us to see -- luxuriant, grass-filled meadows grazed by fat, healthy cattle and sheep, before and after shots of the most successful range restoration projects, the best grass seedings at their height of productivity, wild animals drinking from stock tanks,

ranchers and range managers smiling and shaking hands, and romantic scenes of cattle round-ups and windmills silhouetted against sunsets. These are not selected randomly, but are carefully chosen or created to showcase ranching and its government bureaucracies in the best possible light. In these times of increasingly professional, more effective manipulation of public opinion, the agencies consciously avoid portraying embarrassing situations. For instance, in a recent conversation with BLM's Public Affairs office in Washington, DC, in response to a request for photos of BLM overgrazing an official told me, "We used to get a lot of overgrazing photos [from state and local BLM offices] in the 50s and 60s, but no one sends us the overgrazing photos anymore."

While some government productions (such as the "Operation Respect" pamphlet portrayed on the following page) are comically amateur, most read more like professionally produced insurance company promotion pamphlets or travel agency brochures. Like Pepsi Cola, Merrill-Lynch, and IT&T, government agencies have become public relations specialists. They know what drives the American public, what it wants, what it fears, how to influence opinion and minimize opposition. For instance, 27 Montana Forest Service staffers recently completed 2-week marketing courses at Montana State University because, according to one, "our credibility with the public is suspect."

Livestock Grazing

ON PUBLIC LANDS



The cover of a BLM pamphlet depicts a domestic sheep posed in noble fashion on a mountain top, *a la* bighorn.



Shortly after these Brahman cattle were released onto this very lightly grazed, well-grassed Texas range, SCS took publicity photos. (SCS, USDA)

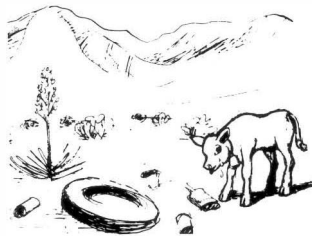
I would have liked here to examine the contents of various publications, but space does not allow. Suffice it to say that it behooves the prudent reader to read between the lines.

The ranching industry itself also keeps the public and the politicians snowed with a plethora of TV spots, radio commercials, billboard messages, and print ads (as if these media aren't already saturated with cowboy worship). For the 20th anniversary of Earth Day, the National Cattlemen's Association and Beef Promotion and Research Board ran a full-page ad in *The New York Times* proclaiming in large, bold letters **EVERY DAY IS EARTH DAY FOR AMERICAN CATTLEMEN** and claiming all sorts of related environmental benefits to the Western range.



NEW MEXICO

The New Mexico Cow-Belles and their ranching families, the Bureau of Land Management, USDA Forest Service, New Mexico Department of Game & Fish, and the New Mexico State Land Office join together to ask you to be our good neighbor.



EVERY DAY IS EARTH DAY FOR AMERICAN CATTLEMEN

The American cattleman is still hard at work out there. We're out West, down South, up North, back East and in the Midwestern heartland. Sometimes we wear a 10-gallon hat with a suit and tie... ride a pickup truck instead of a horse. We've even traded our dusty ledger books for computers. But some things haven't changed — we still do business on a handshake. And we still work hard to care for the land that is our livelihood and our future.

Cattlemen own or manage more land in this country than any other industry. We raise our cattle primarily on the hundreds of millions of acres of U.S. land unsuitable for crop production. But that land produces renewable resources like grass and forage. We use those resources, as well as feedgrains and harvested roughage not edible by humans, to produce a healthy, nutritious food for humankind. We are stewards of the thermocyclic cycle of sun to grass to cattle to human food.

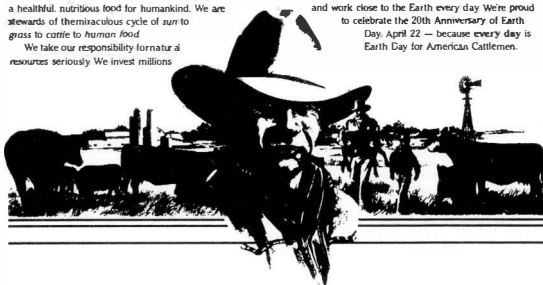
We take our responsibility for natural resources seriously. We invest millions

of our own dollars every year to maintain and improve the land and water we use. It's an investment in food for the 21st century... and an investment in future generations of cattlemen.

In the process of raising cattle, we also help Mother Nature. Cattle grazing helps strengthen and replenish vegetation — it's a lot like mowing your lawn.

Wildlife also benefits from our care of natural resources. Cattle grazing keeps plant life fresh and succulent, providing a healthy habitat for the many species of wildlife which share our lands. And when nature isn't kind — when there are blizzards, windstorms, fire or drought — we help minimize nature's damage.

Cattlemen are partners with the land — we live and work close to the Earth every day. We're proud to celebrate the 20th Anniversary of Earth Day, April 22 — because every day is Earth Day for American Cattlemen.



National Cattlemen's Association

The Beef Promotion and Research Board



The industry sponsors promotional presentations and exhibits at public schools, as well as at civic and private functions. It endears the public to ranching with productions at fairs, parades, holiday celebrations, and other special events. To further increase its palatability, the industry has begun placing women in high-profile, public relations positions. It holds press conferences in which these women stand before the cameras with baby lambs in their arms, asking for more predator "control."

A recent TV news broadcast included a story on how last summer's high rainfall had finally relieved hard-pressed local ranchers from relentless drought. A couple of particularly scruffily dressed cowboys were shown driving some cows out onto the open range, while the reporter explained the tough times they'd been having for so long before the rains. You couldn't help but pity these poor, hard-working fellows and wish them the... but hey... what's that name again? I know him; he's no destitute, dusty cowpoke, but an extravagant, multi-millionaire grazer -- powerful, arrogant, a trespasser of livestock and builder of unauthorized ranching developments on public land. The public will eat it up!

How many newscasts misrepresenting wealthy public lands ranchers as dusty, downtrodden cowpokes have I seen recently? Or staged photos of little boys with oversized cowboy hats on horseback alongside their rancher daddies in newspapers and magazines? Or TV commercials with 3-year-old cow-babies swinging lassos?

And as if all this weren't enough, every time someone dares use their First Amendment rights to express their opposition to public lands ranching, the industry immediately sounds the alarm and activates its highly organized defamation and misinformation network. The unfortunate individual is soon cowering under a barrage of disparaging letters, telegrams, and phone calls from rancher good guys and their loyal supporters throughout the West.

White Papers on Grazing Available

The Public Lands Council has completed the first phase of the program to educate policy makers to the importance of grazing on public lands. The "White Papers" were distributed to all [National Cattlemen's Association] Board Members attending the Washington, D.C. Board Meeting. . . . To help distribute the White Papers, [California Cattlemen's Association] Officers delivered and discussed the document with Congressional representatives and Congressional staff in every California office during the NCA Board Meeting.

--from the California Cattlemen's Association newsletter

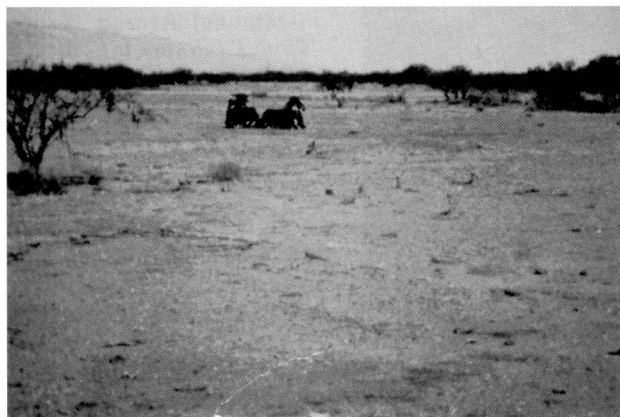
The beef quality grade "USDA Good" was renamed "USDA Select" to present a more positive image for this grade of beef The decision to change the name was made in response to a petition from the Public Voice for Food and Health Policy, supported by other consumer and health organizations, as well as the National Cattlemen's Association and the American Meat Institute.

--Report of the Secretary of Agriculture, 1987

Other Public Ranchlands

Although comprising 85% of all grazed government land (excluding Indian reservations), BLM and Forest Service holdings are just 2 of the many kinds of public ranchlands in the US. Various other agencies administer government land for stockmen's benefit.

We thought
you'd like
to see
this



(Bob Dixon)

U. S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Washington D.C. 20240

An ad we might see . . .
If there was truth in advertising.

● Wilderness

As an apologist for the ranching community, I believed that we environmentalists only had to explain "wilderness" to ranchers. Then we could unite to combat the common threat from mining, dam construction and summer-home subdividers. But I was absolutely wrong.

--Randy Morris, Committee for Idaho's High Desert

Wilderness Areas are administered by 4 parent federal land managing agencies -- Forest Service, BLM, National Park Service, and US Fish & Wildlife Service -- under authority of the Wilderness Act of 1964 and FLPMA of 1976. Thus far, about 28 million acres, less than 4% of the 11 Western states, has been officially designated Wilderness. In the lower 48, about 32 million acres, or under 2%, is Wilderness. (USDI, GS 1987, US Dept. of Com. 1986) For every acre of Wilderness in the Lower 48 at least 2 other acres are under asphalt or concrete (Shanks 1984). Still, approximately 10% of the contiguous 48 states remains "wild," as defined by Section 2(c) of the 1964 Wilderness Act (Foreman 1989).

Unfortunately, this remaining relatively wild land is falling quickly to exploitation, including ranching. According to Howie Wolke in *The Big Outside*, wilderness on US public land is disappearing at the rate of at least 2 million acres per year. Outside Alaska, few places in the US are more than 10 miles from a *constructed* road, and no place is more than 21 miles. (Foreman 1989)

The National Wilderness Preservation System is this country's remaining wildest country -- a last refuge for wildlife and human interaction with Nature (see Driver 1985 for a thorough discussion of Wilderness significance). Yet, essentially it amounts to little more than a collection of the areas least desirable for human occupation and exploitation -- inaccessible areas, rocks and ice, steep mountainsides, rugged canyonlands and badlands, barren deserts, and swamps. Conversely, the most productive, level, accessible lands were taken as private property, mostly by ranchers and farmers, and are now the most abused. In short, public lands are the leftovers and Wilderness is the leftovers of the leftovers.

Cattlemen from Cochise and Graham counties have persuaded Rep. Morris K. Udall, D-Ariz. ["the environmental congressman"], to back down on his proposal to add 55,000 acres to the Galiuro wilderness northwest of Willcox. . . . Udall called the proposal "unwise" and added, "I recognize the importance of the cattle industry in Southern Arizona and I will not suggest passing a bill which would put obstacles in the way of a healthy cattle industry."

--Tucson magazine (9-1-77)

The Wilderness Act of 1964 was written and legitimized largely under supervision of the ranching industry; opposition from powerful stockmen might otherwise have killed it. To gain the industry's support, wilderness advocates had to settle on the following language in the enabling legislation:

Section 4(d)(4)(2) . . . the grazing of livestock where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

Subsequently, regulations generally have not been considered "reasonable" if they conflict with ranching interests.

In other words, ranching has continued basically unhampered in most areas even after designated Wilderness. In fact, roughly half of Western Wildernesses are ranched; most of the remainder are essentially unbranchable. And, as with nearly all public lands, trespass grazing in Wildernesses is rampant; especially since their remoteness makes detection unlikely.

The Wilderness Act also contains language allowing predator "control," even from helicopters, and the construction and maintenance of water developments, fencing, and all other range developments deemed necessary for the continuance of ranching at traditional levels. Regulations allow ranchers to maintain and in some cases construct ranching developments with heavy equipment, leaving many roads cherry-stemmed into Wildernesses. The Act also mandates continued possession of base properties; therefore many Wildernesses contain private ranchlands in, or cherry-stemmed into, their boundaries, and access to them -- with pickups, bulldozers, and whatever -- is assured. (Some ranchers have profited handsomely by selling excess adjacent private lands at inflated prices for addition to Wilderness Areas.)

The main effect the Wilderness Act had on ranching was in prohibiting the use of motorized equipment within Wilderness, except as above and for "emergency purposes." Supplying feed to starving livestock, pumping water to thirsty animals, and rescuing endangered animals have been interpreted as emergencies, and some ranchers are known to drive into Wildernesses despite the law. However, the ban on motorized vehicles has had minimal impact on most ranching operations in these areas because most Wilderness is inaccessible to vehicles in the first place. Even so, many

permittees vehemently oppose Wilderness ostensibly because ranching is not practical without the use of motorized vehicles.

... in some circumstances, the presence of livestock may even add to the wilderness experience.

--M. Rupert Cutler, Assistant Secretary of Agriculture for Conservation, Research, and Education (USDA, USDI, CEQ 1979)

Each Spring I pack up my gear and, with my burro, head for the trails. ... The map's [of Marble Mountain Wilderness, California] legend showed that pasturing my animal while visiting these sensitive meadows "might cause permanent damage," so we carried feed. But upon arriving I found the meadows and surrounding forest permeated with cow dung. Every water source for miles was contaminated by the cows, which defecate and urinate as they wallow in the water through the heat of the day.

There were but few wildflowers in this area -- mostly poisonous species -- yet wildflowers were abundant and luxurious on the ungrazed ridge I found. ...

--Bill Lewinson, Hyampom, California, in a letter to a local newspaper

I have recently returned from a backpacking trip to the Carson-Iceberg "Wilderness" Area, along the Pacific Crest Trail, south of Ebbetts Pass. ... crawling with cattle ... wherever I went ... there they were. ... This is no Wilderness, but a Ranch.

--David Loeb, San Francisco, California, in a letter to the Toiyabe National Forest Supervisor

I have recently returned from an extended wilderness trip to southern Utah ... incredible amount of overgrazing ... During my two months of exploring Utah I did not find any canyon or Wilderness Area where cattle were not or had not been present.

--Michael Areson, Santa Cruz, California, in a letter to Utah federal agencies

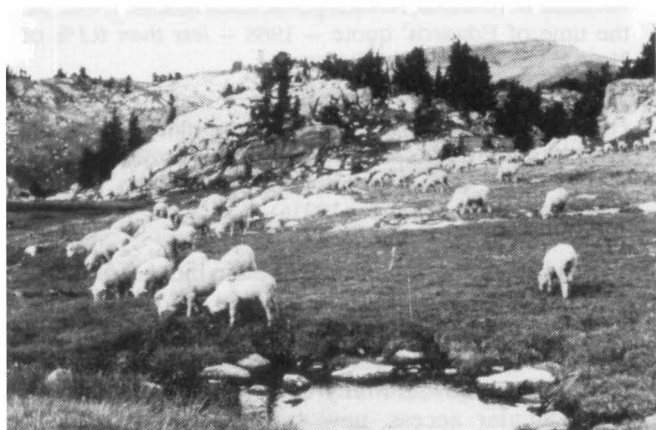


Cattle overgrazing an aspen-fir forest in Gros Ventre Wilderness, Wyoming. According to writer/ecologist George Wuerthner, in Wilderness "Livestock grazing causes far more environmental damage than all human recreation use combined." (George Wuerthner)

Aside from commercial guide services, ranching is the only permitted permanent commercial general use of designated Wilderness Areas. In most of the areas where it occurs, ranching has degraded Wilderness and the Wilderness experience far more than any other factor -- in many areas more than all other human influences combined.

For instance, in the alpine Big Blue Wilderness of southwest Colorado, thousands of sheep graze through the summer, even above 13,000' elevation. The shepherds camp there for months at a time, as only stockmen are allowed to do. You can hear them shooting at

coyotes and other "varmints" most nights, their shots booming out like cannons through the crisp, clear, high-mountain air.irate hikers and backpackers have renamed the area "The Big Blue Barnyard."



Sheep grazing alpine meadows in Absaroka-Beartooth Wilderness, Wyoming. (George Wuerthner)

In much of America's first Wilderness Area, the Gila in southwest New Mexico, cattle grazing is so severe that the groundcover has been reduced to bare dirt. We lived in this area for a few years, only half a mile from the Wilderness boundary. In extensive foot travel in the immediate area, I found little difference in ranching impact between the designated Wilderness and the adjacent National Forest. During one walk, I discovered miles of new fence. A wide swath of trees and brush had been cleared, scores of trees had been cut for fence material, others were girdled with barbed wire, and waste materials were scattered about.

In northern Utah's Mount Naomi Wilderness, helicopters skim along the tree tops as gunners blast away at coyotes, as they have done legally for 15 years. In Arizona's



Rutted cattle trails, Trinity Alps Wilderness, California. (Bill Lewinson)

rugged Superstition Wilderness east of Phoenix, cattle ravage what few riparian areas remain. In Northern California's Trinity Alps and Marble Mountain Wildernesses Areas, summer herds of cattle turn verdant glacial meadows into closely cropped, trampled quagmires. In most of Southern California's dozen scattered coastal range Wildernesses, ranching degrades what is left of California condor wild habitat. In many northern Rocky Mountain Wilderness Areas, sheep and cattle

ranching harms high mountain meadows, competes with native wildlife, and destroys predators, including the wolf and grizzly. With unintentional ambiguity, Jerry Holechek relates in **Range Management**:

Because of esthetics and its fragility, large tracts of alpine tundra have been turned into wilderness areas. Presently, this area is grazed primarily by sheep that are herded. (Holechek 1989)

... that particular allotment is called the Bull Springs Allotment [in central Arizona's Mazatzal Wilderness]. A total of 160 cattle graze yearlong on approximately 32,000 acres. ... We will in developing our management plan address these [riparian destruction] issues and try to solve them within the guidelines that Congress has set for us concerning development of ranges found within Wilderness Areas. Hopefully we will solve some of these problems associated with cattle on this allotment without having to build too many new fences which in turn can be offensive to some wilderness users.

--Stephen L. Gunzel, District Ranger, Tonto National Forest, personal correspondence

Ranching industry pressure usually is an important consideration in creating Wilderness Areas. Rather than protecting whole ecosystems, many Wilderness boundaries simply include "worthless" areas and exclude the more productive ranching areas. If not for opposition from permittees, the 90,000-acre Paria Canyon-Vermillion Cliffs BLM Wilderness Area on the central Utah-Arizona border could easily have contained the 100,000-acre Paria Plateau instead of only the rugged canyons and cliffs surrounding it. NPS's Craters of the Moon Wilderness Area in central Idaho might have encompassed large portions of the surrounding Snake River Plain, which is largely undeveloped and has no commercial use other than ranching. The boundaries of Arizona's Coconino National Forest's Wet Beaver, West Clear Creek, and Fossil Springs Wilderness Areas conform almost perfectly to the rims of deep, steep-walled canyons so as not to include any upland grazing areas; and, as with many Wildernesses, their boundary lines were carefully drawn to exclude heavily grazed riparian bottomlands. A million-acre Wilderness could probably be established in southwest Wyoming's Red Desert and southwest Idaho/southeast Oregon/northern Nevada's Owyhee country, among many other ranching areas. Dave Foreman writes in **The Big Outside** that "Vast areas of the Great Basin and Southwest could be designated Wilderness were it not for the livestock industry" (Foreman 1989).

With support from non-ranchers, the BLM has recommended several Wilderness Areas for the Owyhee; but bowing to pressure from local ranchers, almost all proposed areas include only the bottoms and sides of the major river canyons cutting through the plateau, leaving the flatlands out of BLM recommendations.

--George Wuerthner, "The Owyhee Mountains, Range Abuse and its Ecological Effects" (Wuerthner 1986)

Wilderness Study Areas (WSAs) are large undeveloped areas of public land being considered for Wilderness. If found suitable, they are added to the National Wilderness Preservation System; if not, they are released to "multiple use" -- chiefly commercial exploitation. Their suitability is

determined by the federal agencies after study of their natural characteristics and input from the public and commercial interests. In practice, Congress passes Wilderness legislation based largely on agency recommendations.

The hundreds of WSAs in the West encompass many millions of acres. Most are ranched, many heavily, and industry resistance has prevented and will prevent many from being designated Wilderness. *Tens of millions* of additional acres did not qualify for WSA status because ranching development spoiled their wild character.

Some ranchers intentionally blade roads into WSAs so they won't qualify for Wilderness. In southern Utah's Capitol Reef National Park, BLM is building new range developments with motorized vehicles in an area recommended for Wilderness. Charlie Watson, director of the National Public Lands Task Force, reports on ranching degradation in the glaciated, high-mountain Blue Lake WSA in northwest Nevada:

Staring photographic evidence was brought back this summer, by an expedition headed by Prof. Ross Smith (Univ. of Nevada/Reno), showing that (1) Blue Lakes basin had myriad new "cow trails" over fragile slopes, (2) that Outlaw and Hollywood Meadows had been "trashed" by overgrazing cows, and (3) that vital Leonard Creek Lake's entire shoreline had been reduced to a mud wallow.

What about environmental extremists who want to steal your grazing land out from under you and lock it up as wilderness . . . or a national park . . . or riparian area?

--from Idaho Cattle Association promotion letter

On the whole, ranchers have been the most vehement, persistent, and (along with the timber industry) powerful opponents of Western Wilderness. For instance, 6 Nevada permittees currently are suing the Forest Service, saying that plans for the Toiyabe and Humboldt National Forests call for too much Wilderness. The Idaho Cattle Association has a "formal policy of opposing all additional Wilderness," and fights bitterly any attempt to protect Idaho public lands as Wilderness. In October 1984, the Western states Farm Bureaus, Cattlemen's Associations, and the National Wool Growers Associations met in Salt Lake City. Here are excerpts from a statement on Wilderness adopted by the delegates:

- Any wilderness legislation adopted by Congress should include . . . language that specifically authorizes timely use of motorized-mechanized equipment in wilderness areas to allow graziers and the management agency to care for livestock, range improvements, fences and to control predators.
- Exclude wild and scenic rivers.
- Provide for increased grazing allocations whenever range conditions allow such increases.
- Provide control of noxious weeds, insects and diseases where they pose a threat to adjacent lands.
- In a good-faith effort, we will continue to work vigorously to modify these restrictions, and to minimize additional wilderness areas . . .

The selection of wilderness is a necessary part of proper range use, but the selection must be made by reasonable, practical criteria, not by blind emotion, like a child running through a toy store with his father's credit card.

--Jeanne W. Edwards, Nevada public lands rancher [Note: At the time of Edwards' quote -- 1988 -- less than 0.1% of Nevada was designated Wilderness.]

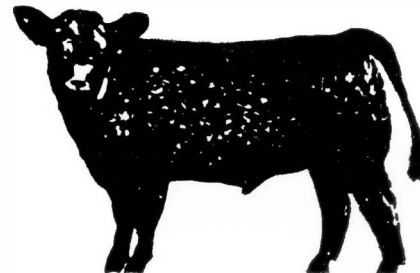
I don't think there is integrity to wilderness without addressing livestock grazing. It's antithetical to what wilderness is.

--Andy Kerr, Conservation Director, Oregon Natural Resources Council (Durbin 1991a)

Public lands ranchers often complain bitterly of how "the government is locking up all the land in Wilderness Areas." They grumble about Wilderness restrictions, some declaring with facetious machismo, "We'll end up having to put diapers on our cows." Many currently are clamoring for more vehicular access, new range developments, even stocking increases in Wilderness.

Meanwhile, this group grazes 73% of all publicly owned land (41% of the West) and is subsidized with 2 billion tax and private dollars annually, continues ranching much of the 4% of the West now called Wilderness, degrades this land more than anyone, and is one of the main reasons America is forced to protect natural areas as Wilderness in the first place.

Range expert Randy Morris writes, ". . . what sort of wilderness do you have when the dominant ungulate of the ecosystem is the range cow?" A Wilderness Area with ranching is not a true wilderness.



A coalition of seven Oregon environmental groups has unveiled a proposal to designate 6 million acres in Eastern Oregon managed by the Bureau of Land Management as wilderness, national parks, preserves, monuments, and wildlife refuges. . . . The main sticking point in the [proposed Oregon High Desert Protection Act] appears to be its suggestion that livestock grazing be phased out over a 10-year period on all federal lands designated as wilderness, preserves, national wildlife refuges, or wild and scenic river corridors.

--Kathie Durbin, "High Desert Wilderness Plan Offered" (Durbin 1991a)

Stockmen have also more than any other group blocked potential scenic and natural areas, state parks, Wild and Scenic Rivers, National Parks and Monuments, and other protective designation. And since (to maximize use of forage and browse) the West's thousands of base properties are strategically dispersed throughout the West, stockmen,

by arguing for the "sanctity" of private property, have had great leverage to extinguish plans for protected areas. Similarly, as legal owners of 25% of the West, stockmen are the strongest voice against public acquisition of private land for environmental protection. And, if not for historic dubious acquisition by stockmen, many private lands in the West would now be public.

If public lands ranching was terminated and all ranching roads were closed, probably an additional 1/3 or more of Western public land (more than 100 million of over 300 million acres) could qualify for Wilderness designation. For example, roughly half of Nevada is public land significantly impacted only by ranching and, if not for ranchers' stranglehold, most of this could be designated Wilderness.

If private ranching in the West was ended, another 150 million or so acres, including many of the West's best riparian areas, could eventually be restored. In all, ending ranching could probably free about 1/3 of the West to become designated or de facto wilderness! Doing so would reduce US beef production by only about 10%, and only minimally affect other human use in that area.

Cessation of grazing on private land outside the 11 Western states could free an additional 200 million or so acres. Eastern pasture could then grow back into forest or grassland wildlife habitat; parts of it could be used for more efficient food production. Additionally, if all US livestock feed production were replaced by plant food production for humans, *more than 40% of US cropland* -- roughly 170 million acres -- could be restored to environmental health, with no reduction in US food supply. In other words, about 370 million acres of the most fertile land in the US could be released from food production -- *with no loss of food or jobs*. That is, the same number of workers could grow an equivalent amount of food on vastly less land. (Robbins 1987 and US Dept. of Com. 1986)

Approximately half of the former tallgrass prairie of the Midwest could be turned into immense Wildernesses or National Parks and restocked with native wildlife. Large portions of California's Central Valley could be returned (eventually) to its native vegetation, elk, pronghorn, fish, reptiles, insects, waterfowl, badgers, foxes, and grizzlies. Half of Utah's irrigated riparian bottomland could grow cottonwoods, willows, grasses, flowers, and other wildlife, rather than alfalfa, clover, and livestock grains.

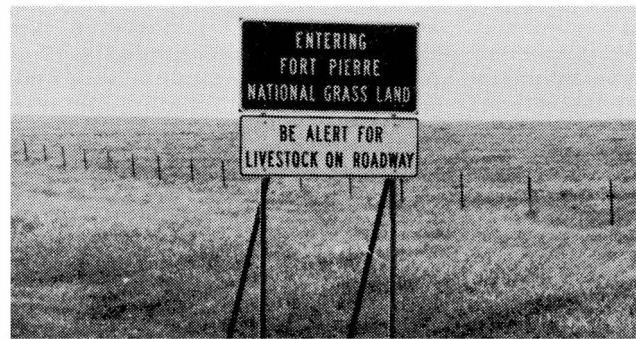
In all, replacing livestock food production (including cropland used to grow livestock feed) with plant food production for humans conceivably could free about 620 million acres, or 33% of the US outside Alaska, for other use, or non-use, or Wilderness, again, with no reduction in US food supply. Not a likely scenario, admittedly, but *the potential is there, and the means are available*.

Throughout the West, public lands ranchers are the most vocal and militant lobby against environmental protection and wilderness designation.

--Dave Foreman, leading Wilderness expert, co-author of *The Big Outside* (Foreman 1989)



● National Grassland



When many years ago I first heard those words, they brought to mind vast open spaces where buffalo roamed free amid tall grasses blowing in the Midwestern breeze. I fantasized wildflowers in abundance, huge prairie dog towns, few roads and fewer fences. I envisioned National Grasslands as the grassland version of National Parks.

When I first visited a National Grassland, I couldn't figure out where it was. Where the map indicated National Grassland seemed no different than the rest of the overgrazed prairie we had been driving through. They are National Grasslands in name only, for they closely resemble the overgrazed, overmanaged, intensively fenced and developed private land around them. A more appropriate name would be Special Federal Ranchlands.

National Grasslands are administered by the US Forest Service, and are largely Dust Bowl lands "rescued" by USDA and added to the USFS System in 1954. Nineteen NG's cover 3.8 million acres, mostly on the Great Plains; well over a million acres are in the 11 Western states. Most National Grasslands are a confused patchwork of federal, private, and state lands, making administration and enforcement of permit conditions and grazing regulations difficult.

Moreover, administration, permit issuance, and recordkeeping on National Grasslands are all formulated by grazing associations; they sign "agreements" with the Forest Service, which has "oversight" responsibilities. In essence, National Grassland permittees are even more self-regulating than BLM and FS permittees, though no less heavily subsidized.

National Grasslands never had an established grazing fee; each grazing association pays a different fee. In 1987, 1479 NG permittees paid from \$0.46-\$2.74/AUM. Through the Conservation Practices outlined by Title III of the Bankhead-Jones Farm Tenant Act of 1937, National Grasslands permittees are allowed to deduct the claimed value of their contributions to range developments and even administration from their grazing fees. (Tittman 1984) The situation invites corruption, taxpayer ripoff, and land abuse.

The grasslands are rich and varied ecosystems. But when all the average tourists see is miles of grazed land with miles of cows and cowpies, they think -- how boring! . . . We get sick and tired of driving all over the National Grasslands and the thing we see most of is cows and cowpies!

--Mr. & Mrs. C.J. Bishop, Littleton, Colorado, in a letter to the Forest Service

● National Wildlife Refuge



Cattle grazing in Red Rock Lakes National Wildlife Refuge, Montana. (George Wuerthner)

National Wildlife Refuges (NWRs), administered by the US Fish & Wildlife Service (FWS), are the only federal lands in the US where wildlife has officially been given higher priority than recreational and commercial activities. Federal law states that no recreational or commercial use shall be permitted on these lands unless the Secretary of the Interior determines that these activities are compatible with the primary purposes for which Refuges are established. Though most are basically waterfowl refuges (commonly known as "duck factories"), NWRs are nonetheless the most important system of wildlife reserves in the US.

Still, 156 of the 368 NWRs in the 17 Western states and the Pacific Islands allow commercial livestock grazing and/or haying (Mollison 1989). A report from a comprehensive study conducted by Cornell graduate student Beverly I. Strassmann reveals that in 1986 about 1400 permittees grazed cattle on 2,432,300 acres and harvested hay (sometimes using irrigation) on almost 30,000 acres, mostly in the West (see Strassmann 1983 and 1983a). About 70% of this acreage was in 3 states -- Montana, Nevada, and Oregon. Additionally, during drought years FWS sometimes opens ungrazed Refuges or portions of Refuges to "emergency haying" for livestock.

Though ranched lands represent only a small portion of the 88 million acres in the National Wildlife Refuge System, *they comprise 77% of all Refuge land that can be used for ranching*. The remaining ranchable land is protected by constraints of laws like the Endangered Species Act or by economics. Strassmann reports that total AUMs grazed in 1980 were 374,849, or 41% more than reported by FWS. (Strassmann 1983)

As you may have guessed, many Refuges have ranching problems. At Sheldon NWR in Nevada, a portion being grazed produced 72% fewer pronghorn fawns than when cattle were excluded. At Bosque del Apache NWR, New Mexico, crane populations nearly tripled after cattle were removed from most of the Refuge. At Red Rock Lake NWR in Montana, the leading cause of moose calf mortality is entanglement on livestock fences.

Predator "control" occurs, often covertly, on some Refuges. More than 800 coyotes have been killed, ostensibly to benefit wildlife, in the past few years at Malheur NWR in Oregon; the Refuge plans to continue predator "control" for at least another 5 years. Hunting and trapping, often by or for the ranching industry, is encouraged on 256 out of 435 NWRs in the US. On some Refuges, native hay meadows are flood-irrigated to increase livestock forage, often flooding nests and nesting areas. Hay mowing machinery kills many birds and other wildlife; the animals often crouch and remain motionless when the mower approaches. Haying also decreases the long-term productivity of Refuges by repeatedly removing organic biomass. Ranching activities spread alfalfa and other exotic plant species which compete with native vegetation and harm native animals. Livestock diseases and parasites are transmitted to Refuge wildlife. Other documented ranching detriments to NWRs are too numerous to mention here, but many are detailed elsewhere in this book. Even though probably most Refuge managers are ranching advocates, a recent GAO report states that more than 60% of the managers of Refuges grazed by livestock consider ranching a major problem.



Refuge scam: Ranchers farm crops, most of which go to livestock. Riparian bottomland is transformed into crop monocultures that benefit only a few (mostly hunting) species. Stockmen pay little or nothing. Here at Bosque del Apache NWR in central New Mexico, 1400 acres are farmed by local ranchers.

Almost any excuse is used to expand or continue livestock grazing. For example, on my refuge, my range con would like to allow cows to graze wet meadows down to stubble to provide goose browse -- even though we have only a dozen geese on the whole refuge. Never mind that an ungrazed meadow is far more valuable to most of the refuge's wildlife.

--Rock Lakes NWR manager Barry Reiswig (Wuerthner 1991)

Strassmann's report documents extensive environmental damage, including overgrazing of riparian habitats, wildlife mortality due to collisions with fences, and mowing of migratory bird habitat during breeding season. It states that a few wildlife species may benefit from grazing management, but most do not. Those that do "could be served equally well or better by prescribed burning." The report concludes that livestock grazing and haying, as currently

implemented "does more harm than good," and notes that "This conclusion is strengthened when one considers that for the majority of wildlife species there are no data indicating that even controlled grazing can be beneficial, while numerous studies report that grazing adversely affects these species."



Grazing at Fish Springs NWR, Utah, eliminates cover for ducks and other nesting waterfowl. (George Wuerthner)

Refuge grazing fees are figured on a Refuge-by-Refuge basis. FWS doesn't keep track of all figures, but Strassmann found they averaged about \$4.44/AUM in 1980 -- roughly half of fair market value at the time. She also found that Refuges chose permittees overwhelmingly by tradition, lottery, or negotiated sale rather than truly competitive bid.

According to the results of a questionnaire sent out by Strassmann, National Wildlife Refuge managers reported spending \$919,740 to administer cattle grazing and haying in FY 1980. According to FWS, Refuge grazing (@\$4.44/AUM) and haying permits in 1980 brought the federal government \$973,431. So, superficially it appears FWS broke even on its ranching program. But this is not the case. Nineteen percent of Refuge managers refused to answer the survey question on expenditures. The costs of degraded wildlife habitat and restoration efforts were not counted, nor were related general administrative costs. And, as always, numerous other significant indirect and obscure costs were not included in reported figures. For example, ranching roads on NWRs are not financed by ranching funds; FWS spends thousands of dollars annually to feed elk on Wildlife Refuges so they won't compete with livestock in nearby areas; and NWRs must pay to fence out livestock from adjacent public lands. It is safe to assume that National Wildlife Refuges lose well over \$1 million annually to public lands ranching.

Refuge managers have wide discretion for issuing permits, setting permit conditions, and managing ranching activities. However, stockmen's inordinate influence over the

management of many NWRs is apparent. For example, Hart Mountain National Antelope Refuge in southeast Oregon allots 7 times more herbage to cattle than to pronghorn. At many Refuges, livestock matters consume more than a third of Refuge funds and staff time. Sheldon NWR in Northeast Nevada and several others spend *most* funding and staff time on ranching. In order to protect their jobs, managers and staff understandably tend to portray their ranching programs in a favorable light. Strassmann's report sums it up well, stating that "refuge programs primarily accommodate the economic needs of permittees rather than the ecological needs of wildlife."

Nearly all of the refuge funding goes toward managing cattle owned by eight permittees. What little is spent on wildlife is mostly damage control. It's not making things better for wildlife, unless you call mitigating livestock making things better. While I have people to build and maintain fences, stock ponds, water pipelines, and other developments for the permittees and a range conservationist to oversee the grazing program, I don't even have one biologist on my staff

-- and this is supposed to be a wildlife refuge!

--Barry Reiswig (Wuerthner 1991)

There has been a general trend toward reducing livestock numbers and use on NWRs in recent years, largely as a result of lawsuits and Congressional actions. Nevertheless, FWS plans future livestock *increases*. For example, a 1983 memorandum from FWS Director Robert Jantzen stated that "Refuges with potential for increasing grazing activity should immediately initiate plans for increasing grazing in accordance with guidelines outlined in the Refuge Manual." Ranchers and managers at many NWRs, including Malheur, one of the largest ranched NWRs, are pressuring for more livestock.

Ranching is not only the greatest detriment to Western National Wildlife Refuges but also the foremost hindrance to the creation of new NWRs. For example, the Animas Mountains in extreme southwest New Mexico are a "biological melting pot" of even greater potential, where wolves, jaguars, thick-billed parrots, and much more could re-establish, and where 22 Endangered species currently live. A private 321,000 acre ranch encompasses most of the mountain range and adjacent valleys. During the late 1980s plans by FWS to purchase 200,000 acres of the Gray Ranch and establish the Animas National Wildlife Refuge met hostile opposition from nearly all local ranchers, even though, according to FWS, *livestock grazing would continue unhampered as a "wildlife management tool."* Said one, "The

federal government has no business owning land." Scoffed another, "You don't hire cowboys. You hire left-over hippies." And, according to Denny Gentry of the New Mexico Cattle Growers Association, "We're opposed to any purchase of private land by a government entity unless an equal amount is put back into private [ranchers'] ownership." (2-7-88 *The New Mexican*) Answering the ranchers' wishes, Secretary of the Interior Manuel Lujan, Jr., a former New Mexico congressman, and then-New Mexico Governor Garrey Carruthers, a public lands rancher, helped block State Senator Jeff Bingaman's proposal to appropriate funds to buy the ranch. (Current Governor Bruce King is likewise a wealthy public lands rancher opposed to the proposed Refuge.)

In January 1990 The Nature Conservancy closed a deal to buy the entire 321,000 acre ranch for \$18 million in what is thought to be the largest private land acquisition in "conservation" history. The Nature Conservancy's idea was to eventually transfer title to most of it to FWS for the Wildlife Refuge. However, to try to gain area ranchers' approval for the Refuge, both The Nature Conservancy and FWS have pledged to lease the vast bulk of the "refuge" for livestock grazing and said that they have no plans to reintroduce wolves. Indeed, there is speculation that pressure from local ranchers will force a livestock increase on the land, and that the ranchers will never allow it to become a National Wildlife Refuge. Currently 15,000 head of cattle roam the ranch, and -- despite reports that it is in "excellent" condition -- much of the ranch is in fair or poor condition after a century of overgrazing. (Wolf 1990) Late word has it that a group of surrounding ranchers have threatened to chain off all roads leading into "the ranch."



● National Park Service

Grazing on park land is permitted where authorized by law or permitted for a term of years as a condition of land acquisition.

Grazing and raising of livestock is also permitted in historic zones where desirable to perpetuate and interpret the historic scene.

--National Park Service Guideline NPS-53, Special Park Uses

America's National Parks are world famous for their beauty and grandeur. Since the late 1800s Congress has been setting aside these lands as the most unique and impressive examples of untrammelled Nature in this country. Today they comprise the most extraordinary system of natural preserves on Earth.

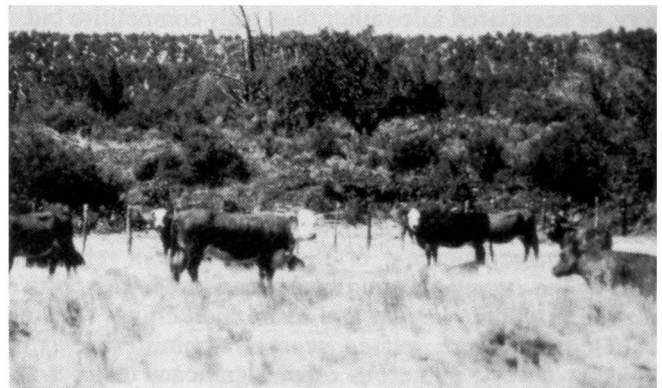
Naturally most Americans think their National Parks and Monuments are protected from commercial exploitation. And generally they are, outside of certain heavily visited locations where concessionaires are permitted to operate

stores, gas stations, lodges, and other services deemed necessary for tourists. However, ranching is once again the glaring exception. A little history:

As with FS, BLM, state, and other public lands, most lands in the West chosen for the National Park Service (NPS) system were open to ranching before such designation. More so than any other group, the stockmen holding permits to graze these lands and owning strategic inholdings influenced their ultimate fate.

In some cases, the federal government was able with generous offers to buy out grazing permits, base properties, and/or private ranchlands or make special deals with stockmen to establish ranching-free Parks. Many ranchers increased their wealth and power as a result; some left the livestock business, others expanded their ranching operations elsewhere.

In many instances, however, stockmen (supported by their political representatives) refused to relinquish "their" grazing permits to proposed Park lands, even though usually most of their forage and browse needs were met by other lands. They used their substantial influence to force the government into special agreements that allowed them to continue ranching the new Park lands, either in perpetuity or for a period of years. Consequently, some Parks (Sequoia, for example) have over the years paid off ranchers and phased out ranching, while others (Great Basin, for example) plan to continue ranching indefinitely. Currently, a bill to expand Craters of the Moon National Monument in southern Idaho and turn it into a National Park contains language mandating continued livestock grazing at near-traditional levels. A proposal by the Hell's Canyon Preservation Council to turn Hell's Canyon National Recreation Area into a National Park is shackled with wording designed to continue ranching indefinitely. New Mexico's newly designated El Mapais National Monument also plans to continue ranching.



Cattle in El Mapais National Monument, northwest New Mexico. (Dale Turner)

Some stockmen owning base properties and/or other ranchland within proposed Park boundaries required that as a condition of acquiring these private lands the government allow them to continue traditional ranching in the new Parks. Others refused to yield their private lands, and as a consequence some Parks, such as Zion and Black Canyon of the Gunnison, still contain private ranches within their borders.

Some ranchers even convinced the government to allow them to maintain ranching operations in new Parks under guise of "preserving the historic Old West" for the benefit of tourists; Pipe Springs NM in northern Arizona is a disgraceful example. These and some other NPS units actively promote ranching. However, ranching in many Parks proceeds only under the ardent objections of Park supervisors and staff.

In the 11 Western states the National Park Service currently administers 23 National Parks, 47 National Monuments, 11 National Recreation Areas, and 17 National Memorials, Historic Sites, Historic Parks, Battlefield Parks, Seashores, and such. These 98 NPS units cover about 17 million acres, or 2.3%, of the West. Somewhat less than 3 million acres of this land is open to commercial ranching, including 7 National Parks, 7 National Monuments, 5 National Recreation Areas, and 7 National Memorials, etc. Many NPS units outside the West also allow ranching -- even Haleakala National Park in Hawaii.

Livestock production on NPS lands, which is by far mostly cattle ranching, is administered by the National Park Service or, in several cases, adjacent federal land management agencies. Ranching impact generally is less severe than for any other public or private ranchland category in the West. However, some NPS units have serious problems and in most units historic ranching damage lingers (Yosemite, Canyonlands, and Petrified Forest, for example). Some NPS and even some non-NPS ranchers are granted permission to trail livestock across NPS lands.



Sawtooth National Recreation Area, central Idaho.

Most NPS stockmen pay the same micro-fee charged other federal permittees under the PRIA formula. As with BLM and FS permittees, the government sponsors nearly all of their range developments and guarantees construction and maintenance of any range "improvements" deemed necessary for continued ranching. NPS reports indicate that NPS spends *millions* of tax dollars each year on or because of ranching -- at least several times what it takes in from grazing fees. Many of these reports complain of fiscal waste on ranching management, personnel tied up with ranching matters, overgrazing and structural damages to Parks, as well as cattle in campgrounds, visitor centers, picnic, recreation, and other tourist areas.

... there is no authorized cattle grazing in the park ... There are inholdings of private land and many acres of private and public land along Zion's boundaries where grazing is permitted. Maintaining fence along the boundary is a large task. Although we have a very good fence crew, it needs to be bigger to completely exclude cattle. We also badly need additional managers to patrol for cattle trespass and other violations.

--Harold L. Grafe, Superintendent, Zion National Park, Utah, in a 8-18-89 letter

Rivaling and perhaps surpassing permitted ranching as a problem on National Park Service lands is trespass grazing. The Parks' relatively lush vegetation is a magnet for hungry livestock, which commonly break through fences or come through open gates, perhaps with a little help from their owners. Ranchlands border nearly all Parks in the West, and the thousands of miles of protective fences in often rugged terrain are difficult and expensive for NPS to maintain. Thus, the job descriptions of many NPS employees, even in "ungrazed" Parks, include patrolling for trespassing livestock; closing gates; chasing cattle, sheep, and horses out of tourist areas and off Park land; rounding up, moving, and caring for trespass animals; repairing developments and mitigating environmental impacts; dealing with permittees; and building and mending fences.

Most Western Parks report problems from trespass livestock. A 1986 project statement by Kings Canyon National Park in California, for example, states that impacts from trespassing cattle include "trampling of wetlands, conversion of grass to feces, formation of cattle trails, extra erosion, fecal deposition in streams, and destruction of sedges" The statement requests "\$300,000 for the first year and \$20,000/yr thereafter for increased patrol and fence maintenance." A similar Organ Pipe Cactus National Monument (Arizona) statement requests \$195,000 for fencing, patrol and other management due to "serious" trespass problems "which could multiply manifold" if protective measures are not taken. At world-famous Grand Canyon National Park, officials state that trespass grazing has caused changes in soil, native wildlife, and vegetation; they likewise request more protective fencing. In northwest California's Redwood National Park, 117 cattle and horses were reported to have trespassed 1170 acres in 1984 (the latest figures available); recently \$22,000 was expended there to modify 4 miles of the boundary fence because elk were dying on it.

Roughly *half* of all Western National Parks are trespassed more or less regularly by livestock from adjacent public and private lands, or from NPS allotments themselves. The



A down gate and deteriorating fence on the south boundary of Grand Canyon National Park, Arizona.

Rocky Mountain Region of NPS reports in its *Summary of Livestock Grazing for 1987* that livestock trespassed 11 of its 14 grazed units and ate 8% as much herbage as permitted animals. However, as with other federal lands, officially recorded amounts probably represent only a small fraction of actual trespass. I have several times witnessed trespassing cattle or sheep which were undiscovered, ignored, or chased out of Parks without official recognition.

Wyoming's U.S. Senator Clifford Hansen held, in the Tetons, the largest grazing permit in all the Park Service -- for 569 cattle. The permit had originated as trespass grazing in clear violation of federal law years before. The record was clear -- the Park Service would have to enforce its own laws and regulations and cancel Hansen's permit and others like it. . . . The chief ranger was a tall, experienced man who carefully read my memorandum before he called me into his office. He clapped a fatherly hand on my shoulder and looked both concerned and sympathetic. "Young man," he said, "I don't care what you find in those records; as long as Cliff Hansen sits on the Senate Interior Committee, we ain't going to fuck with his cows."

--Bernard Shanks, *This Land Is Your Land* (Shanks 1984)

Let's examine the ranching situation on several NPS units:

In Wyoming's Grand Teton National Park, 24,000 acres are grazed by 1600 cattle owned by 8 permittees. Most of this is in the beautiful, grassy, and profitable Snake River Valley; political string pulling secured continued ranching here. Park visitors are encouraged to view the overgrazing cattle, fences and other range developments as part of the natural scenery.

Southern Utah's Zion National Park is world famous as a land of spectacular, steep-walled canyons and colorful rock formations. Though none of the Park is legally grazed, Zion hosts a private cattle ranch within its boundaries and provides it with guaranteed access. One adjacent permittee drives herds of cattle through a portion of the Park each spring. Reports show that in 1987 200 trespassing cattle grazed 1200 AUMs on 5400 Park acres, upsetting fragile riparian corridors and desert ecology. Herds of sheep also trespass Zion's verdant high country, but little of this is officially recognized or challenged. Other than visitor use and related development, ranching is Zion's most serious threat.

Throughout the grazing season, we assisted permittees with livestock management on the Park as often as possible. This fostered good working relations with the permittees.

--Resource Management Plan Updates, 1989, Great Basin National Park

The recently created, largely overgrazed Great Basin National Park in east-central Nevada would have encompassed hundreds of thousands of acres of basin and range if it were meant to truly represent the basin and range province. Under pressure from stockmen the proposed Park's size was reduced until all that remained was 77,100 acres -- *all in the steep mountains*, which are of course the least livestock-productive rangeland. Thus, Great Basin National Park contains no basin! Language in the Park bill -- without which the bill probably would not have been passed

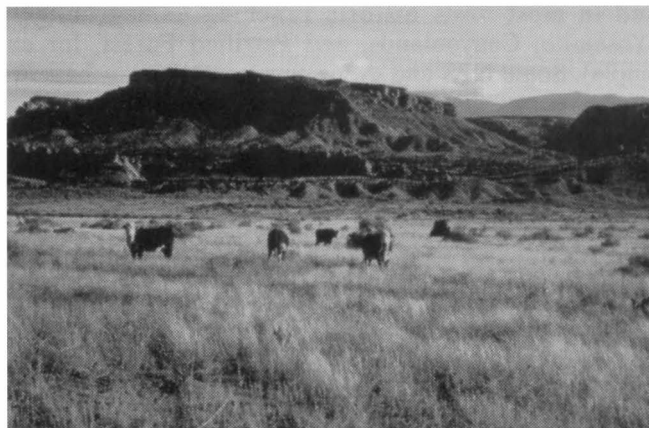
-- allows grazing to continue at more or less pre-existing levels indefinitely. A Park brochure assures tourists that "cattle grazing [is] an integral part of the Great Basin scene." It fails to say that visitors will see hundreds of cattle en route to the Park and will hardly wish to see more, especially in the campgrounds, where they now graze. On the sides of the Park's 13,000' Wheeler Peak, you may (as I have) find cattle above 10,000'.

Big Bend National Park in southwest Texas is a designated World Biosphere Reserve. Historic ranching there was so destructive that even now, several decades after ranching was banned, much of the Park bears little resemblance to pre-livestock times. And though most of the Park is making a gradual recovery, trespassing livestock, mainly from Mexico, so heavily degrade the Rio Grande canyon that in many areas riparian systems are trashed and cottonwood regeneration is virtually non-existent. (Wuerthner 1989)

Even Channel Islands National Park off the Southern California coast has livestock problems. Ranching there is scheduled to be phased out over the next decade; however, officials report that, largely from past and present overgrazing, all the islands have high rates of soil erosion. Other problems include vegetation destruction, disturbance of archaeological sites and loss of artifacts, trail damage, and sloughing of sea cliffs.



Cattle-caused gully erosion, Big Bend NP. (George Wuerthner)



Cattle in Capitol Reef National Park, Utah. (George Wuerthner)

Until a few years ago, 1800 to 2500 cattle grazed more than 145,000 acres between October and May in southern Utah's fantastic Capitol Reef National Park. A century of grazing had stripped off native vegetation, caused serious soil erosion, dried up springs and creeks, severely harmed the few remaining riparian areas, destroyed most of the

cryptogamic layer, and helped extirpate bighorn sheep and other wildlife. Cattle and numerous ranching developments disturbed Park visitors and degraded the fragile desert scenery.

When the Park was created from Capitol Reef National Monument and surrounding public lands in 1971, the 30-some existing permittees agreed to phase out grazing by 1982. However, that year Utah Senator Jake Garn and other ranching-advocate politicians introduced legislation to extend grazing in the Park for the lifetimes of the permittees and their heirs. Congress compromised by extending grazing until 1994. The Park Supervisor recently attempted to buy-out the permits, but the politicians pushed through a provision extending grazing for permittees who don't want to sell; it will extend ranching for their lifetimes and even for those of sons and daughters living in 1971. Today, negotiations and generous pay-offs have induced most stockmen to sell "their" permits, but several permittees still ranch the Park. (Zuni Reincarnation 1986 and Sierra Club publications)

Ranching in northwest Colorado's 200,000-acre Dinosaur National Monument has also been reduced in recent years, from about 120,000 acres on 22 allotments to about 80,000 acres on 11 allotments. A phase-out program similar to Capitol Reef's allows permittee family members to retain grazing privileges for their lifetimes, or to cash them in. And like Capitol Reef -- though ranching in the Monument is waning -- its legacy will remain for decades or centuries: grasslands converted to sage and bare dirt, devastated wildlife (bighorns, for example, were extirpated mostly due to ranching by the early 1950s), depleted soil and waters, ravaged riparian areas, increased flooding (which damages the Monument's dinosaur fossil beds), and many road cuts and sacrifice areas.

Black Canyon of the Gunnison National Monument in west-central Colorado encompasses a 20-mile portion of the rugged Gunnison River gorge and some rangeland above it. Several permittees run nearly 1000 cattle on about 7000 acres (the remainder is inaccessible or dominated by cliffs). The owner of one ranch inholding has threatened to bulldoze an access road, clear brush, build stock ponds and ranch structures, harvest Christmas trees, and generally create as big an eyesore as possible unless the Park Service makes a lucrative offer for a scenic easement on his 600 acres and allows him to retain actual title. Another Monument rancher recently was paid a generous \$2.1 million for his 4200-acre ranch inholding and given grazing privileges within the monument for 20 years.

Glen Canyon National Recreation Area spreads across 1.25 million acres in southeast Utah. Its infamous Glen Canyon Dam entombs some of the most wonderful river canyons on Earth under the dead waters of "Lake" Powell. Nearly 1 million fragile, arid to semi-arid NRA acres are included in 38 grazing allotments that supported only 554 cattle in 1987/88 (about 1800 acres per animal). Most of the remaining 1/4 million acres is under water. Several government agencies presently are conducting tax-sponsored studies for a management plan for long-term livestock grazing on Glen Canyon NRA.

The 1.5-million-acre Lake Mead National Recreation Area of southernmost Nevada, northwest Arizona, and southwest Utah is host to the largest National Park Service

ranching operation of all -- about 1.1 million acres. Aside from the Colorado River and "Lake" Mead itself, the entire NRA is low-elevation, hot, arid, and sparsely vegetated. An Eastern livestock producer might think of turning cattle out on this burning desert as a cruel joke. But the joke is once again on the public and its land, as well as the livestock. BLM resource area offices in Nevada, Arizona, and Utah provide ranching administration and assistance on the NRA for 20 permittees and their cattle. The huge bovines trample and erode the fragile desert soil, crush the cryptogams, and consume the scant greenery. They congregate around the area's few water sources and along the "Lake" Mead and Colorado River shorelines, where they invade campgrounds and foul beaches. *We* pay to fence them out of the locations popular with tourists and a few of the most environmentally sensitive areas. Aside from the usual seasonal grazing, in much of Lake Mead NRA stockmen are allowed to bring in their cattle whenever wet weather produces a "surplus" of forage or browse -- what is termed "ephemeral grazing." Hundreds of miles of ranching roads degrade the area and provide for vastly increased human impact.



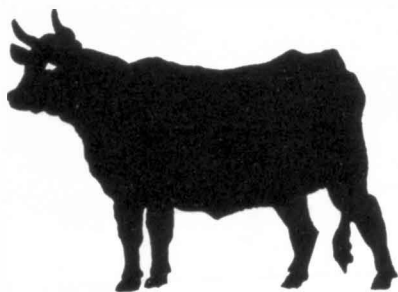
This gate has 2 locks -- one for the Park Service and one for the rancher. Three allotments cover most of the 5000-acre Coronado National Memorial in southeast Arizona. Staff complain of overgrazing, fiscal waste, and cattle disturbing picnic areas, the visitor center, trails, residences, and a maintenance yard.



A water development and corral for cattle in Coronado National Monument.

Point Reyes National Seashore north of San Francisco is largely a livestock operation. Eighteen permittees graze beef cattle, dairy cows, and sheep on about 25,000 acres, and cultivate an additional 2000 acres for oats and rye -- together, roughly 40% of the Seashore. This includes the most sensitive portion of the Seashore, with 23 rare plant species and 4 animal species targeted for protection (due partly to ranching impacts). Ranching roads, fences, outbuildings, and resident ranch headquarters mar recreational use, and harm and preclude wildlife. Overgrazing strips native vegetation, spreads "pest" species such as thistle and poison hemlock, and increases flooding. Herbicides, pesticides, and livestock wastes pollute fresh and salt water. These influences, and increased soil erosion calculated at 110,000 tons annually, threaten the health of the Drakes and Limantour Estuaries, the last 2 estuaries on the California coast in a semi-natural state. NPS currently is throwing hundreds of thousands of tax dollars at the problem, rather than simply halting livestock operations.

Several miles south, just across the bridge from San Francisco, commercial cattle and horses graze more than 2000 acres of Golden Gate NRA.



Through the years ranchmen have been foremost among those working to prevent establishment of new National Parks. In some cases they halted them altogether, and often they were able to limit their size. At present, in California's Mojave Desert a half-dozen permittees are fighting tooth-and-nail to prevent the transformation of BLM's East Mojave Scenic Area into Mojave National Park. The ranchers graze only about 3000 cattle on the arid 1.6 million acre expanse -- *roughly 1 cow per square mile* -- but their opposition is a formidable barrier to Park designation. On the 210 million acres in the Midwest that were once tallgrass prairie, there are no National Parks or Monuments, and less than 3% of original grassland remains (though in degraded condition). Ranchers there have thus far beat back serious attempts to establish a Tallgrass Prairie National Park, first in Kansas and then in Oklahoma.

And of course, many potential Parks will never be realized because stockmen own outright about 1/4 of the rural West, including many locations that might otherwise have become Parks.

Nearly every NPS unit where ranching has been banned shows significant recovery: Grand Canyon, Petrified Forest, Rocky Mountain, Yellowstone, Yosemite, Sequoia/Kings Canyon, Canyonlands, Arches, Bryce, Natural Bridges, Wupatki, Devils Tower, and many more. In 1978-79 livestock were removed from Organ Pipe National Monument in southwest Arizona. Previously most of the expansive 500-

square-mile Monument was desolate due to decades of ranching abuse. Today, even this arid desert is relatively verdant. (Schultz 1971 and Warren 1987)

Where grazing is permitted and its continuation is not in the best interest of public use or maintenance of the park ecosystem, it will be eliminated . . .

--National Park Service Guideline NPS-53, Special Park Uses



Wupatki National Monument in northern Arizona is beginning to recover from a century of ranching.



Recovery from ranching in Arches National Park, Utah. (George Wuerthner)

● Military and other federal

The United States Army, Navy, Air Force, Marines, Coast Guard, Corps of Engineers, Bureau of Reclamation, Department of Energy, Agricultural Research Service, Department of Transportation, and other federal entities also lease lands for livestock ranching -- roughly 2-3 million acres altogether. On the whole ranching administration on these lands is conducted more responsibly than on most government lands, and ranching's impact here generally is less harmful.

Grazing fees charged for most of these federal lands are determined largely by competitive bid and average roughly \$4-\$10/AUM -- usually about 1/3 to 3/4 fair market value in the local area. But bidding here rarely is truly competitive; as with all public ranchlands, traditional permittees enjoy many covert favors and special arrangements that help them retain control. Newcomers are discouraged and thwarted in various ways.

The US Army's expansive Fort Hunter-Liggett is nestled in the beautiful hills and valleys just inland from the central California coast. Prime annual grassland/oak woodland, about 110,000 of its 165,000 acres are open to ranching from November through June. Competitive bidding for 4 leases is administered by the US Army Corps of Engineers, while on-the-ground administration is conducted by the Army, which employs a full-time range conservationist. Competitive bids recently have averaged about \$6-\$7/AUM, but in the past reached as high as \$18/AUM. A sergeant at Hunter-Liggett refers to the lessees as "a few big shots" who "control all grazing."

Three other nearby central California coast military reservations also lease ranching via similar competitive bid and administration. About 10,000 acres at the Army's Fort Ord are open to sheep ranching, as are portions of Vandenberg Air Force Base. Cattle ranching is supervised by the Corps of Engineers on 20,000 acres of Camp Roberts, a former Army base now leased to the state for National Guard use. And, 2 sheep ranchers graze 31,000 acres of California's south coast Marine Corps Camp Pendleton, while cattlemen ranch the adjacent Fallbrook Naval Weapons Station and even the Seal Beach NWS in the midst of Orange County's metropolitan expanse.

Under BLM administration and grazing fees, one permittee ranches 35,000 acres of Nellis Air Force Base in southern Nevada, in addition to "his" 300,000 BLM acres. Ranching on the US Department of Energy's Hanford Reservation in Washington is administered by the Washington Department of Natural Resources. In 1988, about 50,000 acres here were divided between 4 lessees, while the remaining 300,000 acres were used as a buffer zone for DOE's radioactive activities. Lessees pay \$4.65/AUM -- less than half fair market value. A few miles west, the US Army administers 6 ranching leases on 194,000 acres of the 264,000-acre Yakima Firing Range. Competitive bid fees for cattle and sheep grazing there average \$5.62/AUM.

Perhaps the most widely publicized example of superior public lands ranching administration is the US Army's 271,000-acre McGregor Range in southern New Mexico. Grazing fees on the Range's 15 grazing units are determined by competitive bid and average about \$7/AUM, while the

fee on adjacent BLM land was, of course, only \$1.81/AUM in 1990. Additionally, BLM, which administers ranching on the McGregor Range, annually sets minimum bids which ostensibly finance all administrative costs (the falseness of this claim is detailed elsewhere). Further, the Army controls access and assumes no responsibility for safety or damages, while BLM allows no subleasing, maintains "only" wells and pipelines, retains ownership of all permanent structural "improvements," requires prompt and full bid payments, monitors cattle movement on and off the range, and enforces (relatively speaking) strict penalties for violations. Interestingly, even with the "high" fee and all these restrictions, there is no lack of prospective graziers. Range condition on the McGregor Range, though not excellent, is much better than on comparable surrounding land. (Johnson 1987)

● State

Nothing in history suggests that the states are adequate to protect their own resources, or even want to, or suggests that cattlemen and sheepmen are capable of regulating themselves even for their own benefit, still less the public's.

--Bernard DeVoto, *The Easy Chair* (DeVoto 1955)

As Western states were added to the United States in the 1800s, they were granted land, primarily as compensation for loss of sovereignty to the federal government (to placate the states and minimize their opposition to federal annexation). Texas, essentially an independent nation before statehood, had much greater leverage and was able to transfer almost all of its land from federal to state and eventually to private ownership. Thus, today 98% of Texas is privately owned, mostly by ranchers, and almost universally overgrazed.

Originally, land grants to the Western states constituted about 5% of their area; the states received the 16th and 36th sections of each township, except Utah and New Mexico which each received 4 sections. Nevada, which received the smallest grant area, got just under 3 million acres, or an area about the size of Connecticut, while New Mexico received the largest, a 10-million-acre portion (twice the size of Massachusetts). As the years passed, ownership patterns changed. Some states sold holdings for revenue. Some bought or traded land for various reasons. Today, some states own more than originally and some less; all except Nevada retain about 2 million acres or more.

Most state land was established for the purpose of supporting education, including state colleges, while smaller land grants were provided for state institutions, internal improvements, and other purposes. Typically, Western states passed laws around the turn of the century requiring state lands to be used to return the highest possible revenue to state school systems. Subsequently, they have developed a wide variety of revenue-gainers and administrative procedures. State lands are leased for logging, mining, farming, rights-of-way, billboards, movie-making, recreation, and many other commercial purposes -- and, of course, most of all for ranching. All imaginable forms of natural resources are sold from state land. And each year thousands of acres of Western state land are sold outright, usually to the highest bidder.

In their economic self-interest, the Western states have interpreted their school trust laws as strict mandates to -- above all else -- generate **maximum profit** from state lands. Consequently, states have shown little inclination to protect land under their administration from reckless exploitation, and state lands generally are the most abused of all government lands in the West. Had the Sagebrush Rebellion been successful in its avowed goal of transferring federal lands to the states, it would have made the longstanding ranching disaster on these lands even worse.

State land leased for grazing purposes (nearly all) carries no stipulations concerning the number of livestock to be grazed, season of use, or length of grazing period. These matters are entirely within the discretion of the lessee.

--Wesley Calef, **Private Grazing and Public Lands** (Calef 1960)

In telephone interviews with officials of various Western state agencies (*a hellish ordeal!!!*), the great majority of the 60 or so contacted -- even range managers -- told me they had no idea how much of their land was ranched, how many AUMs were consumed, what grazing fee was charged, how much tax was spent, or even how much land was under their jurisdiction! For example, of the 60 only 1 (in California) could tell me how much land was owned by the state. Some officials were reluctant to share what little information they had; others were openly hostile (Washington and Colorado particularly). This is understandable when you consider that many state officials are ranchers or tied to the ranching industry. Yet, despite all the ignorance and resistance, I was able to compile the following:

The 11 Western states presently own approximately 46 million acres -- roughly 6% of the West. About 36 million acres, or nearly 80%, is used for livestock ranching.

STATE-OWNED LANDS RANCHING

(1989 telephone interviews and USDA 1989)

STATE	TOTAL ACRES (Millions, approx.)	GRAZED ACRES* (Millions, approx.)	\$/AUM (1988) (State land departments only)	FEE DETERMINATION
ARIZONA	9.7	8.8	\$1.19	FORMULA
CALIFORNIA	1.9	0.1	\$1.35	SAME AS FEDERAL
COLORADO	3.3	3.0	\$4.00	BOARD SET
IDAHO	2.6	2.1	\$3.27	BIDS AND BOARD SET
MONTANA	5.6	4.1	\$2.59	FORMULA
NEVADA	0.3	0.1	\$4.00 (Rougherage, various agencies)	VARIES
NEW MEXICO	9.5	8.9	\$2.59 (Average)	FORMULA
OREGON	1.8	0.7	\$2.50	BOARD SET
UTAH	3.8	3.4	\$1.54	SAME AS FEDERAL
WASHINGTON	3.7	1.2	\$4.20	VARIES
WYOMING	3.8	3.6	\$1.65	FORMULA
TOTAL	46.0	36.0	\$2.26 (weighted average)	—————

* Includes state departments of land, wildlife, parks & recreation, and other large state land administrators, but not state departments of highways, forestry, and corrections, state universities, and other state entities administering smaller areas, totaling perhaps 2 to 3 million acres.

State land departments administer more than 90% of all state land and state lands ranching. In 1988 they charged a weighted average fee of \$2.26/AUM -- about 30% higher than the federal fee, but less than 1/4 fair market value. As with federal fees, state land department fees are consistently low and generally vary little from year to year.

State departments of wildlife, parks & recreation, and occasionally others also administer significant amounts of Western state land. These agencies usually charge \$6 to \$12 per AUM, sometimes more, as one official told me "making one wonder why state land departments and the federal government are not doing the same." Lesser amounts of state land -- totaling perhaps 2-3 million acres -- are administered by state departments of forestry, highways, agriculture, corrections, state military, state universities, and other state entities. Some of these lands are leased for ranching, usually for most of fair market value.

The figures I was able to obtain indicate that in 1988 the 11 Western states sold approximately 7 million AUMs on 36 million acres for roughly \$15 million. This represents roughly 1/3 of the AUM use and fee return of Western federal land.

Interestingly, though states have a supposed mandate to maximize income from state land, raising grazing fees to near fair market value seems out of the question due to ranchers' clout. So the states partially compensate by allowing extremely heavy stocking under the assumption that more livestock = more fee revenue. Nevertheless, because state ranching produces such a tiny percentage of livestock, yields so little revenue compared to total expenditures, and degrades the environment and competes with other land uses, terminating state lands ranching would greatly benefit the economies of Western states.

State lands ranching is unbelievably diverse and confused. Ownership patterns often are a mosaic or checkerboard. Each state has its own regulations and administration procedures, and numerous state agencies sell ranching under an array of long and short-term leases and permits, rental agreements, and other legal arrangements, mostly stipulated lease agreements. Regulations and lease conditions are scarce and enforcement is lax or nonexistent. For example, in Arizona restrictions are few and the state "monitors" ranching mainly by mailing lessees questionnaires.

Though state land administrators often pretend otherwise, state grazing leases are renewed virtually automatically. Wesley Calef notes in *Private Grazing and Public Lands* that "Only unusual circumstances will cause a state land administrative agency to refuse a lease renewal requested by the lessee (and the lessee almost invariably does want it renewed)" (Calef 1960).

Consequently, ranchers utilize state land -- even more than federal -- like private property, likewise without having to purchase property or pay property taxes. According to Chuck Griffith, Northern Rocky Mountains state regional executive for the National Wildlife Federation:

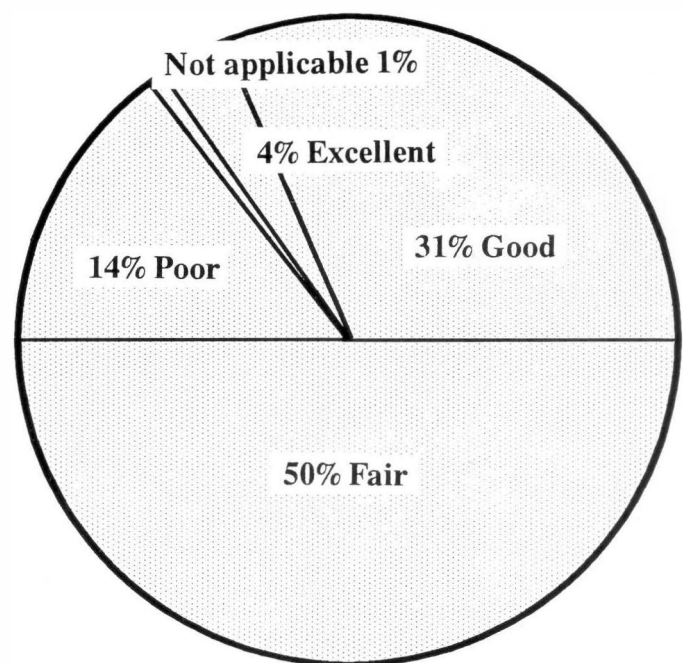
Since these school lands were first established, the average grazing permittee has considered them "his," not unlike the attitude of the federal grazing permit holders. Such grazing leases are treated by banks and other lending agencies as tangible, privately owned assets.

One Washington private lands rancher told me he was

amazed to hear a neighbor say that their ranch was "handed down" through the family for generations. He knew that "their ranch" consisted almost entirely of a few thousand acres of Washington State land.

Technically, most state lands are off-limits to people without commercial permits or special permission. But in practice state land generally is administered as public domain in New Mexico, Arizona, Oregon, Washington, Idaho, Utah, and Nevada. However, stockmen exercise *de facto* control over much of this land with warning signs, fences, locked gates, threats, and physical assaults.

The other Western states more actively prohibit public access, though widespread enforcement is impractical due to the huge areas involved and to insufficient personnel. Some states give ranchmen the power to control access to the state land they ranch. For example, Montana's state land department traditionally has allowed grazing lease holders to control access; much of the state land there is posted and the public is literally locked out. Recent legislation in Colorado gives lessees complete access control. The Utah state wildlife agency attempted unsuccessfully to draft a similar bill in 1987. In Wyoming the state education department director has recently reinterpreted the law to prevent ranchers from denying access to hunters and anglers, though they may deny it to backpackers, rockhounds, and other "recreationists." In most states where public use is permitted, if you wish to obtain a permit to use state land for camping or some other purpose, the state land department will first "check with" the local ranching lessee.



CONDITION OF STATE-OWNED RANGLAND

(34 million acres, 1982. Source: USDA, Second RCA Appraisal, July-August, 1987)

(Essentially, at least 64% of state rangeland is functioning at less than half of its potential.)

Various state parks, state-operated regional parks, and state land trusts are ranches, often as a condition of their establishment. Many of these lands are purchased and set aside for the expressed purpose of preserving their natural character for the enjoyment and use of the people. Others are acquired with the intent of protecting Threatened or Endangered species, outstanding scenery, or some other natural attribute. Livestock grazing detracts from their original purpose, sometimes resulting in heated conflicts between graziers, other users, and administrators. Here are excerpts from a letter by John O'Donnell, one of the directors of California's East Bay Regional Park District:

The East Bay Regional Park District is comprised of 65,000 acres of land We intend to buy 20,000 more . . . 55% of our acreage is leased to cattle ranchers. . . . When I drive one of my constituents along our property line and ask them if they've ever been on the land, their answer is always the same; they look at the barbed wire and the herd of cattle and say no, that's private land. . . . I would rather see Tule elk or pronghorn on the land. . . . The Park District even has it's own Rangeland Manager, but we do not have a wildlife manager.



State ranchland in west-central New Mexico. By far most vegetation ends at fence.

In Arizona, less than 1000 ranchers graze livestock on 8.8 of the state's 9.7 million acres -- 12% of the state. They produce less than 1/1000 of US livestock. The Arizona State Land Department brings in an average of about \$1 million per year from these lessees, yet the various governments spend many times this amount on or because of state lands ranching. (In contrast, the state lottery nets \$120 million/yr.) The current 1990 fee is "way up" from years past -- to \$1.40/AUM, or less than 1/5 what private herbage goes for in the state. Grazing fee income accounts for roughly 1% of state land revenue. According to Extension Service Range Specialist Don Floyd, stocking rates on state land are the highest of any public lands category in Arizona -- about 9 cattle per square mile. Overstocking and trespassing are customary. Accordingly, most Arizona state land is tremendously overgrazed.

In Oregon, only 43 lessees graze 536,000 acres -- more than 75% of Oregon's state ranchland -- and altogether less than 200 lessees graze 700,000 acres. At \$2.50/AUM, they contribute only a few hundred thousand dollars a year to state school funding, while expending far more state funds under various programs.

Washington's less than 200 lessees control most of the state's 1.2 million acres of ranchland. At \$4.50/AUM, its grazing fee is the highest of any Western state. Yet, in 1988 from all lessees Washington collected only \$582,120 -- about 0.3% of the state's total \$193 million state trust land revenue. At least \$2-\$3 million of its \$32 million state lands budget is expended on ranching, for fire management, insect and disease control, riparian restoration, roads, maintenance and supplies, range personnel, general administration, and more. (WA St. Dept. of Nat. Res. 1988 and 1989)

In Montana, 4.1 of 5.6 million acres of state land are leased to ranchers for \$2.59/AUM. Like most state land, most of Montana's ranchland has suffered greatly from overgrazing and range development. Additionally, the state

has tentative plans to sell large portions of its land to wealthy ranchers. In response, the Montana Coalition for Appropriate Management of State Land sued the Montana State Land Department for mismanagement, failure to actively implement the existing multiple use law, and to discourage sale of state land.

New Mexico's state land is among the most devastated anywhere, mostly by ranching. Stockmen there run livestock on more state land than in any other state -- 8.9 of 9.5 million acres, or 12% of the state. Their average \$2.59/AUM grazing fee provides only about 2% of the Land Office's annual revenue. In 1985, in a bold move to increase state school revenue, State Lands Commissioner Jim Baca attempted to raise the fee to near fair market

value. His plan was promptly crushed by the ranching establishment; a Santa Fe district judge threw out the proposed fees, saying in effect that grazing fees should be based on how much ranchers say they are able to pay, not on what the ranching is actually worth.

Most of the Great Plains states conduct ranching on state lands, causing similar environmental and economic problems. For example, on a large state-land ranch in Texas, 22 lawyers, owners of the base property, are known to have each received about \$50,000 in subsidies in 1987.

Even Hawaii, about 1/3 of which has been cleared of tropical and sub-tropical forest and is now pasture, leases livestock grazing on state land. Ranching there is dominated by big-time stockmen. Ranchers on the Big Island currently are battling state biologists and environmentalists over the fate of the nearly extinct 'alala, or Hawaiian crow. Experts

agree that the 'alala's only hope for survival is for state biologists to capture the few remaining wild birds and add them to the 10 already in a captive breeding program. The state had planned to do just that, but backed out when the owners of the McCandless Ranch, who hold a grazing lease for the state land where the birds live, refused to allow researchers or biologists into the area. Some speculate that the owners don't want scientists on the ranch because they might find other Endangered species, a situation which might result in the government curtailing ranching operations. Experts say that destruction of food sources and habitat by livestock grazing and forest cutting for ranching, timber, and development have decimated the 'alala.

The 36 million acres of ranched Western state land are of great environmental importance and potential. Yet as a whole they are the most severely overgrazed public lands, monopolized by a small number of powerful stockmen who don't produce enough livestock to begin to justify ranching them. To my knowledge, there has not been one serious, comprehensive study of the utilization and administration of state lands with regards to ranching. In sum, the secretive, often-corrupt state lands ranching industry is an even bigger rip-off than the federal.



State land behind this sign is treated essentially as private property.

regulated; consequently, these lands are often badly abused. Some cities also own large parcels of land far removed from their geographic locations, often for the purpose of procuring or protecting watersheds. The City of Los Angeles, for example, owns hundreds of thousands of overgrazed acres hundreds of miles north in the Owens Valley for water purposes (ironically, it could create more water by ending ranching there). The City of Scottsdale, Arizona, owns a large ranch in Mojave County, more than 100 miles away. Happily, the Scottsdale City Council recently voted to end sheep grazing on the ranch to prevent the possible transmission of life-threatening diseases to bighorn sheep in the area.

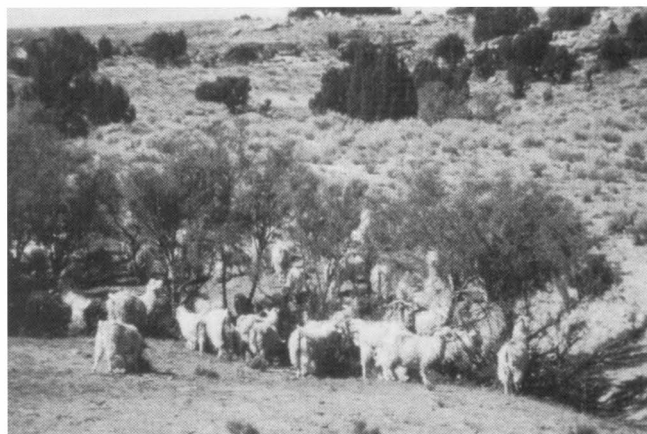
● Other

And some quasi-governmental bodies administer ranchlands -- various commissions, directorates, land trustees, and other semi-official entities. Ranching arrangements on these lands vary greatly.

● Indian Reservation

Indian reservations, supervised by the Interior Department's Bureau of Indian Affairs as "federal trust" lands, are not public land except to Native Americans. They encompass roughly 55 million acres in the US, 44 million in the West. About 40 million acres are grazed by livestock, perhaps 35 million in the 11 Western states -- nearly all that can be.

One-fourth of reservation livestock are owned by non-Native Americans under joint agreement between the Bureau of Indian Affairs and Native Americans. Most of the remainder of reservation grazing is controlled by a relatively small number of influential Native Americans, similar to the US public lands ranching establishment. Of course, many poor Native Americans do own a few cattle, sheep, goats, and/or horses for meat, milk, wool, transportation, and/or "tradition," but the commonly held notion that profits from reservation livestock are shared equitably among all is false, and most land damage is caused by commercial animals.



Goats eat nearly anything; they have stripped the foreground bare and the lower branches from the bushes. Navajo Reservation, AZ, between Tuo-noz-poz and Tus-naz-eye. (Katie Lee)

● County

Western counties also own millions of acres as public parks, nature reserves, flood control and watershed protection areas, and so on. Many of these lands, larger parcels especially, are ranched under a wide variety of arrangements, often as a result of contract stipulations when the land was sold by ranchers to counties. Grazing fees generally are substantially higher than for federal land, though still well below fair market value. Ranching damage here is also extensive, though usually not so bad as on state lands. Land use conflicts are common.

● City

Many Western cities own surprisingly large amounts of undeveloped land in outlying areas, some of which are leased for livestock grazing. Ranching here usually is loosely

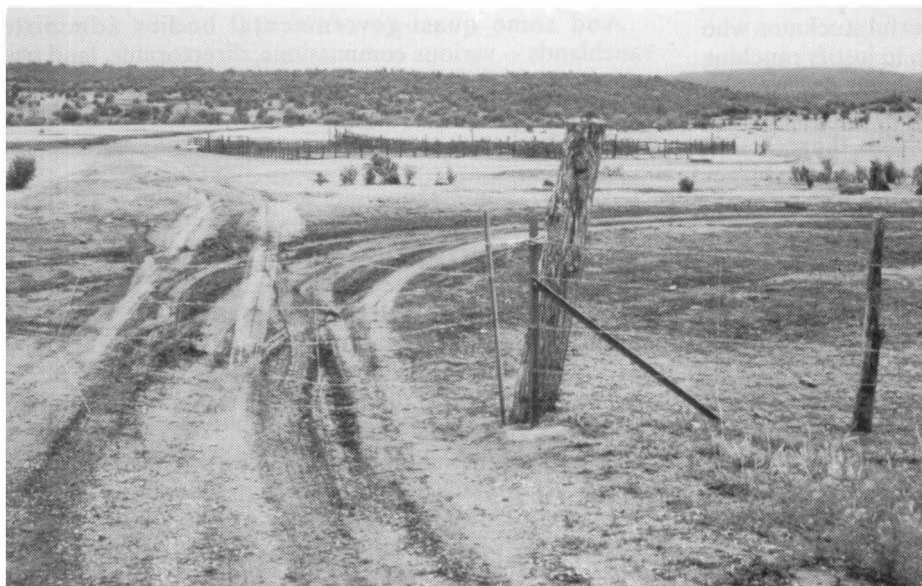
The Bureau of Indian Affairs is notoriously corrupt, as are many tribal councils and chairmen (former Navajo Chairmen Peter McDonald, for example, who was recently convicted and jailed on conspiracy and fraud charges, including those related to the purchase of a 491,432-acre ranch). Consequently, on most reservations influential stockmen maintain much power and receive special favors and obscure subsidization.

About 10 per cent of the Papagos [Indians, Arizona] own 90 per cent of the cattle. These local sheiks and politicians call the shots and maintain the status quo. Even drought is to their benefit, since it tends to weed out some of the smaller operators.

--Arizona Daily Star



According to the photographer, this winter range exhibits "drastic abuse" from livestock. Wind River Indian Reservation, Wyoming. (George Robbins photo, Jackson, WY.)



Fort Apache Indian Reservation, Arizona.



Sheep and goat grazing on the Navajo Indian Reservation, Arizona.

Ranching impact on most Indian reservations is severe, and has virtually ruined the environmental health of many. For instance, in **Desertification in the United States** David Sheridan identifies the 15-million-acre Navajo Reservation in northeast Arizona as one of the 3 areas of severe desertification in North America -- a "badly eroded land base with little of its natural grasses and low shrubs intact and vigorous" (Sheridan 1981). The Navajo are perhaps the most livestock-dependent tribe in North America. Also among the most degraded reservations are the Hopi, Apache, Papago, and Hualapai in Arizona (all almost entirely grazed, which along with the Navajo encompass 1/4 of the state), Fort Hall in Idaho, Crow in Montana, and Yakima in Oregon. Combinations of cattle, sheep, goats, and horses on some reservations, such as the Navajo, are especially destructive. Much reservation land formerly serving many uses and providing natural resources is now practically worthless for anything but grazing livestock, if even that.

Though ranching has ravaged their reservations perhaps as thoroughly as all their other land uses combined, few Native Americans would consider abandoning their supposed "traditional means of livelihood." Those with longer memories recall that Spanish and Euro-American conquerors introduced them to cattle and sheep to help pacify ("civilize") them and settle them onto reservations. They understand that their ancestors gradually lost their natural relationship with the Earth

as their domestic animals gutted the land that once provided them with physical and spiritual fulfillment.



● Private



FIG. 1.2. PRIVATELY OWNED PASTURE OTHER THAN CROPLAND AND WOODLAND.

The widespread overgrazing of private lands in Texas, and throughout the West, is as disturbing to me as the overgrazing of public lands.

--David D. Diamond, M.S. in botany, Ph.D in Range Science, Austin, Texas

Finally, while 41% of the West is public ranchland, an additional 25% is private ranchland. (Including Indian reservations, 70% of the West is commercially ranchled.) Nearly 40% of the West is privately owned, and 62%, or about 184 of 295 million acres, of this land is used for grazing livestock. Most of the remaining 38% is used for private residences and businesses in cities and towns; therefore, private land is even more dedicated to ranching than is public.

Indeed, it is truly amazing how much of our private property we Americans devote to 4-legged grazers. Visit a typical rural Western settlement. Most people who own several to several hundred acres have fenced the boundaries and turned them into barren pastures with cattle, sheep, goats, and equines. Non-grazed land is restricted to fenced homes and yards, businesses, and vacant lots. Out on the open private range, almost the only ungrazed land is that which *cannot* be grazed.



Each dot represents 50,000 acres of non-federal ranchland in fair or poor condition: 1982.

(Source: National Resources Inventory, SCS, USDA)

Not having even the scant protection provided by government supervision, many private lands are wrecked by ranching. An SCS appraisal of the 1982 National Resources Inventory data indicates that 71% of non-federal ranchland in the West is being "inadequately managed," mostly as pertaining to livestock numbers and duration of grazing (Atwood 1990). Conversely, lack of government influence allows some ranchers to practice lighter stocking and more benign ranching management. On the whole, however, private ranchlands are probably in worse condition than are public lands; percentage-wise, more private range is accessible to livestock, is more highly developed for ranching, and has been ranchled longer. The 1975 BLM survey report concluded that about 68% of private rangeland was in fair or poor condition (Ferguson 1983). This seems to indicate that the ranching industry is managing the land it gained ownership of as poorly as the public land it is permitted to

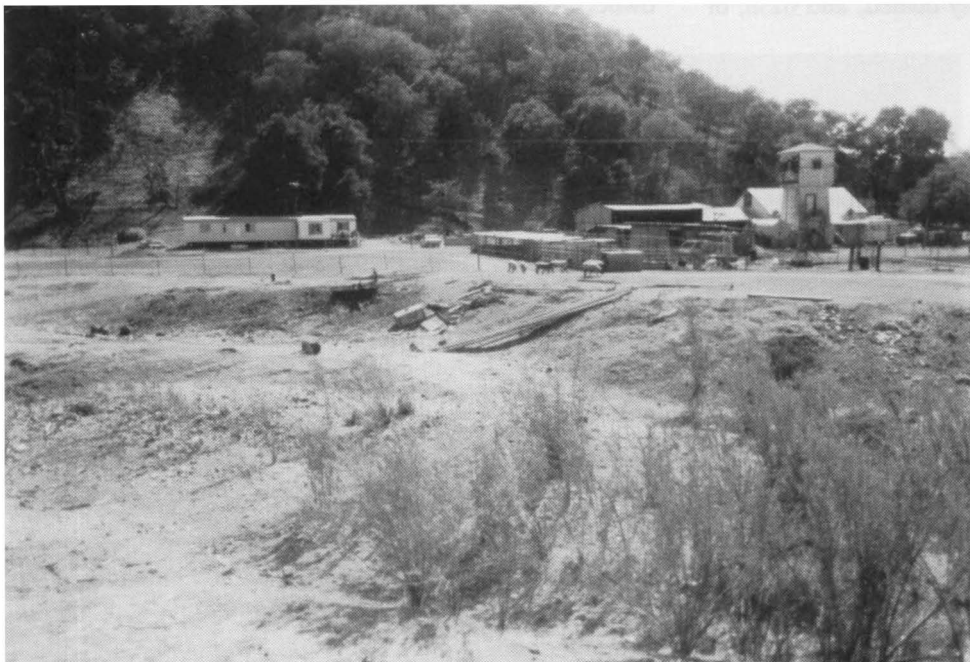


Private range in California.

ranch. SCS (under)estimates about the same percentage of private rangeland in "unsatisfactory" condition as does BLM (under)estimate for its rangeland. In 1987 SCS reported the condition of private range in the contiguous US as 4% excellent, 31% good, 47% fair, and 17% poor, with range conditions stable on 69% of this land, improving on 16% and declining on 15% (Willard 1990). In other words, nearly 2/3 of private range -- more than 270 million acres -- is functioning at less than half its potential, and about as much of private range is declining as improving.



Private ranchland. As always, note the fenceline contrast.



Perhaps most of the 30,000 or so Western public lands ranching privately owned base properties are located in or near riparian areas, most of which consequently have been severely degraded.

In *Livestock Grazing and the Livestock Industry*, Frederic H. Wagner estimates that cattle numbers in the West are now at an all-time high, that forage demand for western livestock today is at an alltime high, and notes that "it seems possible that they [private rangelands] are experiencing some of the heaviest pressures they have received in the history of the West" (Wagner 1978). Even so, in the 1989 USFS publication, *An Analysis of the Range Forage Situation in the United States: 1989-2040*, Linda A. Joyce concludes, ". . . the supply of forage from private lands in 2040 is projected to increase by 52% over the 1985 levels" (Joyce 1989).

Because, aside from farmland, private ranchland generally is the most productive land in the rural West, it often *appears* (even to range professionals) to be in better condition than it actually is, especially compared to the relatively rugged, dry, barren, public rangeland. The more productive private ranchland should support more wildlife than public ranchland does, and in some cases, such as pronghorn in Wyoming, it does. Yet, throughout most of the West more wildlife survives on public land where it is afforded a higher degree of protection from ranching and attrition from ranchers and others.

California's private ranchland is the worst. Even SCS, which generally is protective of ranching, says that 46% of the state's non-federal rangeland is in *poor* condition -- producing (primarily for livestock) at 0%-25% of its present potential; Idaho is second with 29% (USDA, SCS 1981). This is largely a reflection of California's overall longer history of ranching; early Spanish settlers began overgrazing its lush grasses in the 1600s. Additionally, although California rangeland receives less summer precipitation than any other state's, ranchers nevertheless often graze it through summer. According to a major interagency study of California's San Joaquin Valley, of the 4 million acres of grazing land there, 3.2 million, or 80%, "have problems."



Demarcating his private ranching domain, a Utah stockman has spray-painted "THIS IS PRIVATE PROPERTY NO TRESSPASSING [sic]" on a rock face directly over an Anasazi pictograph. (*Kelly Cranston*)

Worth special mention here are the Western "railroad lands." To speed colonization of the West, the federal government very early on encouraged construction and westward extension of railroads by means of large land grants. These grants initially totalled more than 94 million acres, consisting of alternate sections extending in a checkerboard pattern 10 to 40 miles on each side of the right-of-way.

Because checkerboarded railroad sections alternate with sections of BLM, FS, state, and/or other private lands, stockmen usually exercise de facto control of ranching on these lands as well. In this way stockmen have been able to block up huge tracts of public and private land. Many ranchers consider and manage these parcels, especially state and BLM lands, as their own. Because these lands usually are unsurveyed and unmarked, administration is difficult and the public and government generally defer control to stockmen.

Over the years most railroad lands were purchased by stockmen. Today, less than 20 million acres are still held by the railroads, and most of these are leased to stockmen. Railroad lease agreements generally don't restrict the number of livestock, period of use, etc., so these lands are among the most overgrazed in the West. Due to past and present ranching abuse, some are so wasted that they are considered virtually worthless even by ranchers.

