

The Turn Around

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It was out of desperation that the Owyhee Cattlemen's Association was formed in 1878 to aid in retrieving livestock scattered during the Bannock Indian War. A hundred and one years later in 1979 the association organized an action committee to head off another threat. The threat was a result of the Owyhee Environmental Impact Statement which came when the National Resource Defense Council (NRDC) won its lawsuit against the Bureau of Land Management (BLM) in 1976. It was by chance that the range inventory, a prelude to the Environmental Impact Statement, was taken during the drought of 1977. The result was predictable and massive reductions were proposed that would have eliminated most of the permittees from their public land use.

I feel this was a very important time in our history and have recorded it in this paper. It tells of the times and how a bad situation was turned into one that promotes conservation and understanding between users of the Public Land.

The Owyhee Cattlemen's Association, after many years of facing accusations, finally took note of its adversaries' methods and turned things around. The deciding factors were the court-ordered Environmental Impact Statements (EIS) of 1976 brought on by the National Resource Defense Council law suit against the Bureau of Land Management coupled with the Wilderness Act of 1964 and its off shoot, the Roadless Wilderness Act of 1976. If these highly charged issues were allowed to go unchallenged, the livestock permittee would be forced off the public lands, with no recourse but feeble protests. The EIS Inventory taken by the BLM during the summer of 1977 to show the range condition was the last straw. The inventory, to prove or indicate the true carrying capacity of the range, was taken during the worst recorded drought on record and threatened to be the death warrant for our industry.

We came from the special hearings in Boise on 25-26 September 1979 with the knowledge that we had to organize. All the years came crashing down on me as I drove home. I thought about my Uncle Bill Hanley and his problems around the turn of the century in Harney County, Oregon. Of my Father and Grandfather Hanley giving up their Forest permits in 1928. I thought of my Grandfather McEwen who served faithfully on the Vale District Grazing Advisory Board for 30 years and of my father, who had been in the forefront of "The Battle of Soldier Creek." He and his neighbors challenged the BLM over an inventory on the Soldier Creek Unit and the settlement prompted funding of the Vale Project. Now here I was faced with the possibility of going out of business because our permit, that had been cut 55 percent 13 years earlier, was scheduled for an additional 20 percent plus reduction. All in all, the value of our ranch had dropped by 50 percent or better that day. What could I do? I thought about the last stand of Paiute Chief Egan in a rocky draw west of

Burns, Oregon, and Chief Joseph's stand in the frozen Montana mountains. Perhaps romantic, but I felt I was fighting for a way of life just as they had. Most of all honor was at stake. I didn't want my children to think I had given up without a fight.

Several days later I received a letter from Leon Church, Owyhee County Extension Agent and Secretary of the Owyhee Cattlemen's Association, stating that an emergency meeting was scheduled at Murphy, Idaho, on 5 October. It was an emotionally charged meeting with everybody waiting for a course to be set. Some people thought we should take it easy and not destroy the working relationship it had taken so many years to build with the BLM. Don McKay of Jordan Valley pulled his hat down and blurted out, "No, by God, we've given all we can! No more cuts!" The cuts Don referred to were given years earlier to start range management in the Owyhees. In the late 50's and early 60's Congress discussed the formation of five range rehabilitation projects in the West. Don had gone to Washington, D.C., in 1961 with other members of the Vale District Advisory Board to present their case to Congress. Their efforts resulted in getting the funding for the Vale Project. Money for the other projects was not funded. For the most part available funds for the Owyhees, across the line in Idaho were sent elsewhere. This resulted because the National Defense Council sued BLM over its management of the public lands and singled out Black Mountain and Juniper Mountain in the Owyhees as examples of abuse. While the law suit was going on, funding was held up. When the NRDC won, the court ordered BLM to prepare EIS's on all land under its management used for grazing. Until the EIS's were completed, range improvement projects still could not be conducted. Don McKay's statement served as the base for the cattlemen to organize an action committee. A motto was developed upon Don's comment, and we set out to turn things around. Our motto was, "WE WANT MANAGEMENT, NOT CUTS AND WE MEAN IT."

We decided that our efforts would best be spent challenging BLM's 1977 inventory and planned to meet every Monday night at the County Extension Office at Marsing, Idaho, to discuss our actions. At the first meeting we decided to assess the Owyhee Permittees 10 cents per AUM (Animal Unit Month). (We received all we asked for and more.) One rancher reached into his pocket and brought out a hand full of buttons that he had made with "THE CAN DO COWBOYS" printed on them. We pinned them on and were ready for the business at hand.

The Wilderness issue was our first concern since it was on us and had to be responded to immediately. We felt that the key Administration and technical people favored the wilderness issue and decided to initiate a different approach. We did this by holding our own wilderness hearing in Marsing on

7 November 1979. At the hearing we received over 100 testimonies, all of which were opposed to the roadless wilderness proposals. Then we called a press conference at the Cattlemen's Center in Boise and presented our findings to the BLM District Manager.

Next we prepared our response to the 1977 Inventory-based BLM Management Frame Work Plan. We assigned each member a topic and likewise presented the resulting document to the BLM. In it we promoted the use of a monitoring system that was based on the actual use made of grazing land which in turn would be used to show the range trend. We then suggested that reductions or increases be made over a 5-year period, with a minimum of 10 percent the first year up or down. The next adjustment would be two years later and the final one at the end of the fifth year. By promoting monitoring and a 5-year phase-in of reductions or increases, we reduced the effect of the reductions based on the 1977 inventory. We tried our proposal on the BLM, and they told us if they went along with it they would get sued by the environmentalists. We proposed starting interim management with the 1980 grazing season, featuring the procedure suggested. That would give us 2 years of monitoring before the EIS's were completed and hopefully head off any reductions when the Allotment Management Plans were put into effect for the grazing season of 1982. The BLM agreed to this.

While working on the Management Frame Work Plan it became obvious that we would have to make an economic study to support the value of the area's livestock industry. The University of Idaho organized a study which showed that the value of livestock grazing in the Owyhees was considerably more important to the economy than shown in earlier studies.

Over the 7th and 8th of February 1980 a special Mid-Course EIS Corrections meeting was held in Salt Lake City, Utah, by the BLM. The theme of the meeting was cooperation and consultation between the user groups and BLM managers charged with conducting the studies. At the meeting it was obvious the livestock people had done their homework and the environmentalists had not. The Salt Lake City meeting was the turning point and we left feeling more than capable of standing up against our adversaries.

Back home we continued to file appeals in an attempt to stall the wilderness process. The Idaho Cattlemen's Association joined with us and the appeals were extended to all Idaho BLM Wilderness Areas. We had many letters and other documents to file but never missed a deadline. During the week I often had to work every night and would call other members and tell them what I had written and get their comments. Then we would send copies of our material to the Congressional delegations of Oregon, Utah, Nevada, and Idaho besides the agency people involved.

In the meantime, while we worked on the wilderness issue, we worked on the BLM in completing a 6th Alternative to BLM's proposed action in the Owyhee EIS. We decided to make the Gusman Allotment the model for future allotment management plans once the EIS's were completed. This plan was a coordinated effort of the state Fish and Game, State Land Board, Soil Conservation Services, BLM and the Permittee. We added another element to the plan, the historical information on the ranch itself. This was designed to

show the human side of the plan — a vital element overlooked in the past. It was decided that for the plan to be successful it had to be a voluntary process. If the rancher didn't want to work with other interests, that was his choice, but at least he had an alternative. The alternative boiled down to "The advice and counseling of other professionals in making a plan that would hopefully forestall problems that led to the NRDC law suit in the first place."

Things were going too smooth and we knew sooner or later someone would question what we were doing. It came during a special meeting in Marsing to vote on the official response to the BLM's EIS. We had been moving very fast and those of us involved knew that this was our only chance to head off litigation with BLM and still present a plan which we could work with. In the 6th Alternative, with BLM's cooperation, we had turned the ruinous 1977 inventory into a basis to build from, which was based on cooperative ranch plans and close monitoring by managers including the rancher. This plan had to be passed. As chairman I explained it. A motion was made for acceptance and it was seconded. I asked for the question and it passed. We just made the deadline but it was not a time to rejoice. We knew there would be hard feelings because none of the ranchers trusted the BLM. Entering into a cooperative agreement process smacked of a sell-out. We took the risk of knowing problems would arise but something had to be done and the old way of confrontation wasn't it. I don't remember who said it but the statement was made that, "In a law suit even if you win you lose because they are usually settled with a compromise."

The next morning I and others started getting telephone calls. Most were disgusted. The Boise District BLM Advisory Board decided to call an emergency meeting to settle it. We met in Jordan Valley before a group of approximately 100 of our members. While we were answering questions a petition was being circulated asking for our removal from the Action Committee and a repudiation of the 6th Alternative. However, by the time the meeting was over, we had convinced the others and they gave us a vote of confidence, apologized for the petition, and asked me to tear it up.

The Owyhee County Commissioners in their County zoning plan worked with us to write an alternative to BLM Wilderness. The plan was allowed by the Organic Act that allows counties to zone Federal land within their borders. The zoning cannot be forced upon the Federal Government but public hearings must be held if it proposes changes. We worked with the Commissioners to zone the canyon bottoms as unique areas. The 5,000 acre requirement for minimum size was dropped and all the terminology changed to prevent any confusion that would make someone believe these lands were wilderness. They were not but they were given protection in our alternative from indiscriminate use of vehicles. (The original purpose of the Roadless Wilderness Act.)

Forrest Fretwell and I were invited to attend a Society of Range Management meeting in Sun Valley, where we explained Coordinated Planning and the features of the 6th Alternative. Not long after that, Action Committee members went to McDermitt, Nevada, and helped local ranchers prepare protests on BLM Wilderness in their area. Later some of us explained the 6th Alternative and Wilderness Protest and appeal process to the Harney County Cattlemen's Associa-

tion at Burns, Oregon. We spoke to area chamber of commerce groups and found them eager to help because the economy was clearly on their minds.

While we were trying to protect ourselves a new controversy was brewing and picking up momentum fast. This time it was a western phenomenon with bipartisan support and called in the media, "The Sagebrush Rebellion." Nevada is 87 percent Federally owned and the Government would not part with land for expansion of its cities, most notable being Las Vegas. This put tremendous pressure on private land, if available, causing a false real estate market. The Nevada Legislature passed a Sagebrush Rebellion bill asking that the Federal land be turned over to the State. They asked that the Constitution of the United States be upheld and exclude lands needed by the Government for vital services.

Their argument was:

Why can the Eastern States hold most of their land in private ownership and the West not when it was the intent of the founding fathers that all new states coming into the Union after the original 13 be admitted on equal footing?

The Constitution provides that unappropriated land (land not yet passed into private ownership at the time of statehood) be held by the Federal Government in trust until it was disposed of. Nevada reasoned that the time had arrived to close out the trust and other Western States agreed.

Secretary of Interior Andrus and Idaho Senator Frank Church joined with other opponents of the Sagebrush Rebellion. Clearly alarmed, they began an often heated campaign against it. They argued that the Organic Act of 1976 overrode the intent of the Constitution by stating the land would remain in Federal ownership. Our opponents, who had long harrassed us, found themselves answering questions for a change and we used the Sagebrush Rebellion to turn the process around with factual information.

On 31 July 1980, a tour was conducted of the controversial wilderness study areas proposed on Juniper Mountain. It was explained that dense stands of brush and juniper created the present wilderness qualities. The brush and trees constituted a biological desert but without them there would be no wilderness qualities. . . especially solitude. It was pointed out that if the brush and trees were allowed to encroach wildfire would sweep the area and possibly harm the soil. The Wilderness Representative was asked how he felt about using mechanical means to control brush. It was agreed that something had to be done and that the land needed management before it could be classified. The result of the tour was that the Owyhee Cattlemen and the Wilderness Society wrote a joint letter to the BLM requesting management of the lands as a priority and emphasized using mechanical equipment, which was against wilderness doctrine. A major breakthrough and a start. ●

The Future of Ranching and Range Management in Alberta, Canada

Stan Wilson

Note: The author is a rancher from Lethbridge, Alberta, Canada. This paper was presented at the International Mountain Section, Society for Range Management, winter meeting in Lethbridge, Alberta, Canada on 1 November 1985.

This paper is not only applicable to Canadians but to anyone interested in the use and management of rangeland. Rancher problems and suggested solutions discussed by Mr. Wilson should be of interest to all segments of SRM membership.

Range management could be described as balancing nature's budget. If we extract more nutrients from land than are being replaced, that land will become incapable of producing the type of forage and plants that are desirable for livestock production. There is a natural law that prohibits continual deficit budgeting of grassland, with the penalty for ignoring that law being bankruptcy in productivity. The Minister of Finance should be a member of the Society for Range Management, because that law applies to the total wealth of the country, which is based on our natural resources.

For the most part, the proper management of grassland on commercial livestock operations has been understood, but

there are a number of factors beyond the control of grass users that have interfered with the application of that knowledge. Rapidly increasing costs, combined with static or lower prices for cattle, have compelled ranchers to maximize production in order to meet short-term obligations, at the expense of long-term conservation of the basic resource. This problem is merely a reflection of the economic problems of the country, as well as most of the world. It has been compounded by several years of drought, programs to encourage retention of breeding stock, as well as the lack of permanent policies dealing with weather related emergencies. The result has been severely damaged grassland on the southern prairies. The prescription for treatment of the problem is the same as for the common cold—plenty of liquids and rest.

Mother Nature can provide the liquids, but policies and legislation that is unrelated to range management discourage cattlemen from reducing their herds so that the land can recover. The major disincentive is the refusal of the federal government to recognize the hardships created by taxing forced sale of livestock. The certainty of a high percentage of