

One Final Solution to the Permit Problem

By Lona Tankersley Burkhart

Over the years, the BLM and Forest Service decimation of grazing rights has moved slowly Northward. It began close to the population centers of Southern California and steadily crept North, like a cancerous growth that could not be stopped. At times it ceased growing for periods, but it never receded. In looking at a world globe of the 1930's and 1940's and comparing that globe with a map of the world today, you can see the spread of communism in the countries of the world today. Most of these countries are suffering immeasurably worse than they were under the leadership that they were "liberated" from, although, admittedly, some of them were not of the best. However, communism was NOT an improvement. Yet the fanatical fractions in numerous third world countries are holding them up as examples to be followed. The specter of other communist governments rising to power is inevitable. The facts of what happens under the communist system does not play a part in determining the outcome.

The fact of the reversal in countries where it is such a dismal failure doesn't deter the appeal to revolutionaries in many of the third world countries today. And I am afraid that our country does not have any Mikhail Gorbachev to reverse the trend that I am attempting to highlight here.

If you look at maps of the counties and states of our Southwest in a corresponding time frame, you will see a great depreciation in the number of ranches and livestock, that is not directly related to the increase of development. I am talking about the loss of grazing rights on public lands. Both studies are terrifying, but it is also convincing. It is a record of an accomplished fact. It may not be right, it may not be fair, and to the people involved it can be devastating.

I, personally, have witnessed this as a participating rancher. I was raised on a large acreage ranch in the California desert that is now mostly in a wilderness study or wilderness recreation area. Although our grazing leases were extensive, we owned thousands of acres we purchased from the railroads. But the land was checkerboarded and when the permits were canceled, the ranches were useless.

The situation was somewhat like the wild horse act. The publicity was extensive on one rancher, who in a series of dry years, had let some old cows get in desperate shape, and photos of these cows around a water-hole, led to the declaring of thousands of acres unfit for grazing. Some of the private land has somehow been acquired by the Federal government. The BLM and the public made the decisions of grazing, and the knowledgeable people were not involved. Now public campgrounds stand on land on waterholes I helped my father scrape

out with a horse and fresno in the thirties. Circumstances were that we had sold out a few years prior to the takeover.

I moved North to the Owens Valley area of California, and in the twenty years of ranching there, I do not think there ever was a year there were not cuts, either in time, or numbers, or both. Each year you fought it with reason, and reason had no influence on the decision. I remember one year, in learning I had a 30 day cut the week before I was to turn out on the Forest Service, I asked why, and was told the fall before the grazing man had seen the poor deer having to eat the fallen leaves from the oak trees at Tub Springs. The fact the deer were eating acorns, and that fall we had some of the fattest deer I'd ever seen, was way beyond him.

I held two permits in that area with both the F.S. and the BLM. One in the Sierra Mts. and a combined permit across the valley in the Inyo Mts., that totaled four townships. The cuts most drastic were in the Sierra's, because of the intense pressure from the L.A. area for hunting and fishing. It became so they didn't want cows to even water in the creeks, and then on the slopes going down to the creeks. The reason for all this was the cows made a mess. The numbers had gotten so low, that even the government men couldn't claim overgrazing, so it was pollution. The camper could wash their dirty diaper and clean their fish in the creeks, but a cow couldn't even walk across them. But I'm sure a lot of you folks reading this in the more Northern states are learning about their reasoning. They cut you a mile, and you might get back an inch, for a while, but soon the profitability of the permits becomes questionable or non-existent. As the older ranchers move out of the area, or die off, the practices are accepted.

For the many years I lived and ranched in Owens Valley, my husband and I owned and operated a pack outfit into the Sequoia-Kings Canyon National Parks during the summer months. We met and packed people in from all over the United States and the world. In discussing the public lands with these people, I found that they honestly believed the Louis Lamour - John Wayne version of the cowman. They see him riding into the sunset, (in a high lope), on the backs of the taxpaying public, and that he is abusing the land beyond reclamation.

I was chairman of about the last section 15 grazing board and it encompassed the largest area. We tried everything that was in the regulations and was legal according to the BLM statutes. We even had some pretty decent BLM personal that were really trying to help us. But you just can't win. The offices of the Forest Service Headquarters, (Inyo Natl.) were in two rooms when I first moved there, and I think there was three or four people there in the office. Now they are in a multi-storied building that covers a city block, and still they have maintenance and etc. offices another places. And look at the regional offices of the BLM in Portland. They are downtown in one of the spendiest

buildings in the city. The district offices are plenty big enough to run the regions if they would eliminate most of the staff that makes work for each other. Its their own little kingdom, and its not so little. I would not hesitate to guess that there are more employees in the BLM and Forest Service than there are ranchers, and maybe even cows. There is an endless supply. We are outgunned and outnumbered.

The thing that is so hard to understand, is that in fighting this bureaucratic encroachment, reason and right and wrong don't enter into it. Common sense has no bearing on the outcome. It is inconceivable to some of us, that something so clearly right cannot be.

We, the ranchers have paid for this land, with our blood, sweat and tears, and with love. The price was high, but we, and those who come before us, paid the price gladly. We have the deeds to the land etched in our hearts, but we never got them recorded at the courthouse, and so we have already, or will in the future lose this land that for generations has been a part of us.



The hard fact is, the public lands are just that. They are held in legal ownership by the general public. They belong to the people of the United States, and they are the ones footing the bill to have them administrated, regardless of how wasteful and unreasonable that administration is. We, the American public, have voted into power the people who have perpetrated the bureaucracy, and when we have had certain administrations that have tried to implement cuts in that bureaucracy, we have consistently hobbled their efforts, with the Alan Cranstans and the Kennedys and the Udalls.

The reasonable solutions to the problems we as a nation face, such as the suggestions in the Grace Report, and we, as ranchers face that were addressed in the Public Lands Review, (of which I was a member), have been completely ignored. We have had reasonable solutions, and as a nation we will not act on them. When I first moved into Nevada, I talked to some ranchers in that area. They felt the BLM and F.S. understood grazing was necessary to the economy, and that the wild horses were the problem. I think one problem is people tend to believe what they want to believe. I was classified as a radical woman why didn't really know what she was talking about. Now they know what I was trying to tell them. Its your neighbor one day and you the next. Sort of like what the Nazis did to the Jews.

When the movement was afoot in 1978-80 to make the government give the lands back to the states, it was the last hope for a just solution. It also was a part of the constitution. However, it was doomed from the start because of the power of groups like the Sierra Club. The intent of the founding fathers was that all states were to be EQUAL. But we must be the playground for the rest of the nation. When I first came to Oregon, I tried to rally some support, even among the ranchers here, there was little interest.

There is one solution, and I believe it's the only solution that can possibly be implemented that could at least bring the rancher some enumeration for generations of dedication to the land. If it is not already too late. I presented it to members of the cattlemen's associations, but it was ignored several years ago. This solution is highly unpalatable to anyone raised to think the land belongs to those of us whose families settled it, and made it our homes for generations. It has basis in the fact the homesteaders were given the land for living on it, and the railroads were given many hundreds of thousands of acres for building the railroads. The ranchers have used and settled the land. And in the basic grazing laws.

The solution would be a bill that would force the government to buy out any permits it cancels, and to buy the permits as the ranchers voluntarily sell them out. At a fair market value. The permits would be purchased by the government and retired into a land bank, to be used for recreation purposes until such time as the welfare of the nation required them to be put back into production. The private lands of the ranchers could be kept if the rancher desired, or sold to private parties, or to the government at the owners option. There would have to be built in safeguards to prevent the forced sale to the government of private parcels. This would keep the deeded ground on the tax roles, and should increase the value of the deeded ground.

One reaction will be from ranchers is that if the permits are retired, people will no longer afford to eat beef. Facts do not bear this out. Cattle numbers do

not bear this out per state. The large permit states do not produce the cattle numbers we think they do. It should put cattle in a price range for profit and in line with other products. Of course this is not going to solve the major problem agriculture has with over production, but it might help a little. They are going to force the rancher off regardless, an inch at a time.

Any lands retired in this program would serve the taxpayer as he would get some tax relief, as some of the set-aside program land should go into grazing, and the cultivated land would move up the ladder in sort of a domino effect. The land should be withdrawn if necessary, in a manner which would put it in private hands so that the government does not get involved in farming itself. And the counties should get a subsidy to reimburse them for fire and police protection on the public lands.