



They're Fixing to Steal Your Land

BY TED TRUEBLOOD

I've been hunting and fishing on your land for years—and I've never asked permission. You may not have thought of it before, but if you're an American citizen you own somewhere around 2½ acres of land. We all do. There are roughly 600 million acres of public land in the United States, chiefly in national forests and range land, and it belongs to all of us. Most of it is managed by the United States Forest Service or the Bureau of Land Management.

This, I emphasize, is public land. We can wander on it at will to hunt, fish, camp, or enjoy its freedom in countless other ways. It produces fish, game, timber, minerals, including oil, gas, and coal, grazing for domestic livestock; and its watersheds provide most of the precious water upon which the Western economy depends.

It is the land still held by the Federal Government after trying for 100 years to transfer it into private ownership. Now, under the Federal Land Policy and Management Act of 1976, it is to be retained and managed for *continued on next page*

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the greatest public good. This irks those who would like to mine, graze, log and subdivide the public lands without restriction -- without thought of the future or regard for the rest of us.

Their greed has touched off a new attempt to steal the public lands. It has an innocent-sounding name, "The Sagebrush Rebellion," which somehow conveys the feeling that poor, put-upon people are revolting against the abuses of an overbearing federal government. Don't be fooled. What the promoters of the Sagebrush Rebellion want is your land, and they want it for little or nothing, too.

They've already fooled a lot of people. Last fall Newsweek devoted eight pages and the cover to a poorly researched story. Quoting various natural resource users and the politicians who toady to them, the article dwelt at length on the sad plight of the West and blamed it on the administration of the public lands.

But a lot of Westerners realize that they benefit from continued public management of the public lands, and the continued availability of those lands for camping, hunting, fishing and other uses. It is some of the commercial users of the public lands who are pushing the "rebellion," not Western sportsmen and others who are the most numerous users of the land.

Actually, the commercial users have been well treated on the public lands. The federal government subsidizes the loggers by building roads that cost more than the return from the timber that's hauled over them. It subsidizes stockmen by allowing them to pay less for grazing the public lands than they would pay for grazing comparable private land in the same areas. The miners are free to do virtually anything they please under the archaic Mining Law of 1872. There would be little irrigated land but for the federal government. It even pays counties "in lieu" money to make up for taxes that might have been collected if the land were privately owned.

Not all of the commercial users are buying the Sagebrush Rebellion. Some livestock operators realize they could lose their grazing privileges if public land is converted to private ownership.

In addition, the public-land states get half the money from mineral leasing on Federal land, 25 percent of all national forest receipts, 25 percent of BLM grazing receipts, and a substantial highway subsidy.

But that's not enough. Last July the Nevada Legislature passed a bill transferring title of the public lands within her borders from the federal government to the state of Nevada. A joke? It seemed so at first, but the clowns weren't joking. They started the Sagebrush Rebellion, and you'd better be alert to its dangers. It's not the first attempted land grab, but it may be the most dangerous.

Of course, only Congress or agencies authorized by it can transfer title from the United States to a state or local government. But the Sagebrush Rebellion, by its very name, has a strong appeal to the simplistic; and the something-for-nothing hopefuls are flocking to its banner like ants to a picnic. And a lot of politicians see it as a golden opportunity.

Senator Orrin Hatch, of Utah, introduced a bill in the United States Senate that would transfer title of most BLM and Forest Service land to the states. Congressman Steve Symms, of Idaho, said last fall he was preparing similar legislation for introduction in the House. Various state officials throughout the West are getting their names in headlines by dancing to the same tune.

I suppose Senator Hatch and Congressman Symms think they're leading a

We Own The Public Lands



Despite the demands of the Sagebrushers to "return" the public lands to the states, the states never did own them. The United States acquired them through treaty or purchase from France, Great Britain, Mexico, Russia, and the Republic of Texas. Much was given away, primarily to the states, the homesteaders, and the railroads. But the United States still owns more than 600 million acres that are managed for multiple use by the Bureau of Land Management and the Forest Service.

new crusade. But maybe not. Maybe they do know their history and simply think the time is ripe for another try at stealing the public's land. After all, more than thirty years have passed since the last attempt failed.

In 1946, Senator E. V. Robertson, of Wyoming, introduced a bill that would have transferred to the Western states virtually all public lands, both forest and range land, including the minerals in them. (At the time Senator Robertson owned a sheep and cattle ranch and held a grazing permit for 2,400 sheep in the Shoshone National Forest.)

Bills with a similar objective were introduced by Senator Pat McCarran, of Nevada, Congressman Frank A. Barrett, of Wyoming, and perhaps others. But Senator Robertson's bill was outstanding. It brazenly provided for a commission in each state to supervise the transfer of this land to private ownership, and it even specified that holders of grazing permits were to be given first chance to buy the land they used -- at an absurdly low price.

The great land grab of the 1940's, the biggest attempted steal of publicly owned resources to that date was first reported by Bernard DeVoto in his "Easy Chair" department of *Harpers Magazine* for January 1947. He told about a meeting of the American National Livestock Association (cattle) and the National Woolgrowers Association (sheep) in Salt Lake City the previous August. At that meeting the delegates voted to secure legislation turning all of the public lands over, first, to the states and eventually to private ownership.

Following DeVoto's scoop, many other writers turned the spotlight of national publicity on the proposed steal.

National conservation organizations got into the fight. In the July 1948 issue of *Harpers DeVoto* wrote:

"This premature publicity stopped the program in its tracks. Public opinion in the West was so instantly outraged, so many organizations began to protest, so many western newspapers lined up in opposition that the program had to be -- temporarily -- abandoned."

DeVoto saw clearly. The future is now. The Sagebrush Rebellion is the instrument that, its backers hope, will succeed where an earlier effort failed.

What are the public lands and how did they get that way? There are eleven so-called public-land states -- Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington. Acreage owned by the Federal Government (you and me) ranges from a low of 29 percent in Washington to 87 percent in Nevada.

Part of Montana, Wyoming, and Colorado were included in the Louisiana Purchase from France in 1803. All of Washington, Oregon, Idaho, and western Montana were acquired through the Oregon Compromise with Great Britain in 1846. The cession from Mexico in 1848 gave the United States title to 334,479,360 acres in California, Nevada, Arizona, Utah, New Mexico, Colorado, and Wyoming. We bought 78,842,880 acres from the Republic of Texas in 1850. The Gadsden Purchase from Mexico in 1853 added 18,961,920 acres. We bought Alaska, all 362,516,480 acres of it, from Russia in 1867. The Public Domain once totaled nearly two billion acres!

So all of the land in the public-land states and Alaska once belonged to the United States. For about 100 years the government followed a policy of dispos-

ing of this land as rapidly as possible. The public lands that are left are the lands nobody wanted during this century of conversion to private ownership.

Of the remainder, *our land*, the Bureau of Land Management of the Department of the Interior administers 471,420,276 acres and the Forest Service of the Department of Agriculture, 160,243,743. They are the largest land stewards and the prime targets in the Sagebrush Rebellion, as they were in the attempted land grab of a third of a century ago. Other Federal agencies, of which the National Park Service with 19 million acres and the Fish and Wildlife Service with 24 million acres in National Wildlife Refuges control the most, administer smaller amounts.

At various times the Federal Government made large grants of land to the Western states. Under the Carey Act it gave them up to a million acres each, and when they joined the Union it gave them the school lands, sections 16 and 36 of each township. (The public-land states were laid out in townships of 36 square miles, each of which is called a section.) There were many other grants to the states; the total to all of them, east and west, was 328,424,871 acres.

Yet the popular war cry of thirty-four years ago was: "Return the public lands to the states." It's the same today and as dishonest now as it was then.

The states never did own any of the remaining public lands.

Idaho's other Senator, Frank Church, the only friend of conservation in the state's Congressional delegation, told Whittom: "The cost of managing the federal lands is prohibitive. In Idaho alone," he said, "the Forest Service last year spent \$50 million more to manage these lands than the revenue they brought in."

(The Forest Service spent more than \$80 million to manage some 20 million acres of national forest in Idaho; receipts were a little under \$30 million. The Bureau of Land Management, with 12 million acres of public land in Idaho, spent \$13 million and took in \$6 million.)

In the eyes of the natural resource users, state ownership is better than Federal ownership. They control most Western legislatures. They can't control the Congress of the United States. But state ownership wasn't the ultimate goal of the first attempted land grab and it isn't the ultimate goal now. The states aren't financially capable of managing the public lands nor would they be legally able to manage them for multiple use as does the Federal Government. The Newsletter of the Idaho Environmental Council for last September explained this stumbling block:

"A basic difficulty with state ownership is that almost all constitutions of the western states require that state lands 'shall be managed for their maximum economic value.' This requirement almost prohibits multiple use management....Wilderness, watershed, wildlife, recreation, and hunting are, at best, nearly illegal uses of state lands.

"Maximum economic value often means selling state lands to private individuals and corporations. In Idaho thousands of acres of state land have moved into farmland, mines, and subdivisions this way. Since most of the federal land in Idaho does not make a clear economic profit for the government, the state undoubtedly would put millions of acres of mountain and range land on the auction block if it gained title...

"Steve Symms, Orrin Hatch, and other ultraconservative politicians claim to be enemies of what they call 'land lock-ups'.

There is no lock-up more complete than a 'no trespassing' sign on private land."

There you have it.

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On The Desert...



In The Mountains



Most of Idaho's Big Game Inhabits The Public Lands

Wildlife habitat is recognized as an important use in management of the public land by the Forest Service and the BLM. But the Idaho constitution requires most state land to be managed for maximum economic return. This means that, in case of conflict, wildlife loses. The same constitutional provision applies to land which might be transferred to the state. If the Sagebrush Rebellion succeeds, wildlife would lose.

**We can go anywhere on our public lands.
If they become private we'll lose that freedom.**



**Many kinds of wildlife
use our public lands**



**Idaho can't afford to
manage the public lands**

In 1979, the Forest Service spent more than \$80 million to manage some 20 million acres in Idaho; receipts were under \$30 million. The BLM, with 12 million acres of public land, spent \$13 million and took in \$6 million.

Yes, I want to help save our public lands

\$10 Family or Individual

Name _____

\$3 Student

Address _____

\$50 Contributor

City _____

Zip _____

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