

Public Lands Grazing Conflict

During the administration of President Herbert Hoover, it became clear that federal regulation of public land use was needed. Since vast portions were used for livestock grazing, the importance of range management loomed large.

John Francis Deeds, Chief of the Agricultural Division of the Geological Survey and Deputy Director of the Department's Grazing Division, advocacy was influential in bringing about the benefits of the Taylor Grazing Act.

Congressman Don B. Colton of Utah introduced a bill to create grazing districts, but the bill failed to pass the US Senate. In 1933, Edward T. Taylor, a Representative from Colorado, re-introduced the Colton bill as the Taylor bill. This bill set up the grazing bureau or service in the Department of Interior to administer the rangelands. The Grazing Service was merged with the General Land Office in 1946 to form the Bureau of Land Management

Case studies by Phillip O. Foss on the role of local grazing advisory committees established by the Taylor Grazing Act in regulating the grazing of livestock on federal public lands found that such committees were often dominated by the same ranchers and cattlemen whose activities were supposed to be regulated, raising questions as to whether grazing regulation had been "captured" by the regulated interests.

HISTORY OF PUBLIC LAND LIVESTOCK GRAZING

Changes in Public Lands Grazing Operations Associated with the Taylor Grazing Act and the Federal Land Policy and Management Act

The Western Range Before the Taylor Grazing Act

The western range livestock industry came into prominence in the decades after the Civil War because capitalization costs were minimal. All one needed was a ranch headquarters, a few cowboys, and a number of horses. Often, early ranchers had little more than a dugout for shelter and a corral for their horses, because when the range they were using was eaten off, they simply moved their herds and headquarters to a new location. The animals were left to fend for themselves and were only rounded up for branding and marketing. Other ranchers allowed their herds to graze freely on the federal lands, but moved their cattle between summer and winter ranges. Cattlemen with Midwestern traditions ranged their cattle on the federal lands during the summer, and before winter, moved their herds close to the home ranch where they could be fed hay. After the harsh winters that occurred between 1886 and 1890, this became the predominate method of ranching in the West.

Financed by speculators who were attracted to the impressive profits of the large range outfit, which had minimal capital outlay and a seemingly unlimited supply of free forage on the federal lands, livestock herds grew rapidly on the public rangelands. They were severely overcrowded and depleted by the late 1800s. (In 1870, there were 4.1 million beef cattle and 4.8 million sheep

in the 17 western states. In 1900, there were 19.6 million beef cattle and 25.1 million sheep.) As a consequence of greed and ignorance, the overtaxed, extremely exploited ranges became severely degraded and calls for gaining control of the situation from all quarters were becoming more insistent. Ranchers wanted to protect their traditional range for their assured future use.

Acquiring title to the lands under various homesteading laws was impractical, as most ranchers could acquire title to only 1,120 acres of public land using the Homestead, Preemption, Timber Culture, and Desert Land laws. This was insufficient acreage for most small ranching operations, let alone the large outfits owning thousands of cattle.

Ranchers were forced by this situation to find other means to protect their use of what they considered their customary range. One means was barbed wire. By 1880, barbed wire had become inexpensive and large ranching operations began to fence in those public lands they used. Some of the enclosures covered hundreds of thousands of acres.

Controlling water sources was another means of monopolizing public land. For most of the arid and semiarid West, water is a precious commodity and livestock must have it to survive. A stream, spring, or water hole might be the only source of water for miles. A rancher could control the range by controlling the water sources. This was often accomplished when large ranching operations would have their cowboys make fraudulent entries under the Homestead, Preemption, Desert Land, and other public land laws that embraced springs or were along water courses.

Despite the limited control the ranchers acquired by these methods, the range continued to deteriorate. Attempts by Congress during the first quarter of the new century to legislate some sort of control of the western federal lands failed. Drought and depression in the early 1930s set the stage for a renewed attempt at legislative intervention and the Taylor Grazing Act was enacted.

Changes Associated with the Taylor Grazing Act (TGA) of 1934

Following enactment of the TGA and subsequent adjudication, both livestock numbers and the ranchers who grazed livestock on public lands, were significantly reduced. Ranchers who did receive grazing permits realized increased stability in their operations, and some assurance they had a sustainable livestock operation. Additionally, a portion of the fees collected for grazing livestock on public lands was returned to the appropriate grazing district to be used for range improvements. These included improvements such as fencing to control livestock use, water developments for stockwater, and vegetation manipulations for increasing livestock forage.

With the passage of the TGA and establishment of permit requirements, much of the traditional "first come, first serve" operating methods employed by migratory sheep operations on public rangelands were eliminated. The TGA placed controls on public land grazing and established specific grazing allotments or areas of use. In some cases, this policy forced operators to make more use of private lands through purchasing or leasing private pasture. This resulted in increased overall operating costs and forced some operators to sell out. As in the case of the typical cattle operation, those sheep operators who received a grazing permit for public lands increased the stability of their operations and were able to maintain a sustainable operation. After

passage of the TGA and subsequent adjudication of the public rangelands, the number of livestock grazing public rangelands was reduced, and stabilized to a level considered by many to be sustainable relative the forage resource. However, issues associated with multiple-uses were not considered during the adjudications.

Changes Associated with Federal Land Policy and Management Act (FLPMA) of 1976

Changing social values with respect to environmental protection and conservation of natural resources, as reflected by FLPMA, have brought more scrutiny to livestock grazing practices and the level of livestock grazing on public lands. Also, just the increase in the nation's population has created more public land use conflicts as more people seek to use the public lands for a variety of purposes.

Because of these changes, livestock grazing, as a legitimate use of public lands, is increasingly competing with other legitimate uses of public lands, such as recreation, wildlife habitat, riparian management, endangered species management, mining, hunting, cultural resource protection, wilderness, and a wide variety of other uses.

There are increased expectations from the public to reverse unacceptable livestock impacts on public lands. Although not directly due to FLPMA's land use planning requirements, the administration of evolving government regulations that address threatened and endangered species, archaeological resources, cultural resources, riparian areas and wetlands, clean water, and wild horses and burros on the public lands has led to more frustrations and complications in the use of these lands by the ranching community. BLM efforts to address these issues have, in many cases, resulted in more precise grazing terms and conditions.

To comply with decreased permit flexibility usually requires the operator to implement more labor and/or capital for intensive grazing management practices. Sheep operators in many cases have also had management stipulations placed on their grazing operations to ensure healthy rangelands and attainment of multiple-use objectives. In some cases, traditional grazing or operating methods have evolved to ensure more controlled grazing practices. More intense herding or grazing practices have increased overall operating costs.

In summary, changing social values and competition for land use have required that public land management decisions achieve greater balance among sometimes conflicting resource uses. These decisions can result in reductions to livestock grazing to protect other equally legitimate resource uses and resource protections. These decisions can have a negative effect on the economics of specific livestock operators, depending on the type of decision. However, public land management decisions do not always lead to negative economic effects to livestock operators. Decisions leading to improved range conditions can also have a positive and stabilizing effect on ranch operations.