

Part 2: Working Towards A Solution

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In Part 1 (found on pages 10), we introduced the private ranchland and national forest interface, provided a historical context for the interface, and introduced ecosystem management as the potential vehicle for working towards the radical center for “win-win-win” solutions. Following in Part 2, we explore the present state of the interface more fully and discuss potential solutions for maintaining wildlife habitat and open space in the urban interface.

The interface between private ranchlands and national forests are characterized by three primary factors: 1) increased densities of people, 2) increased economic activities, which depend on public lands, and 3) significant changes in ecological conditions.

Increasing societal affluence with the booming economy since World War II has made lands adjacent to the national forests evermore attractive and feasible for development. Not only is the interface ripe for human occupancy, it is also ripe for development of commercial activities such as ski-areas, airports, resorts, dude ranches etc.

However, these trends in population density with subdivisions and associated development on the private ranchland portion of the interface can have significant ecological consequences. Plants, wildlife, water, soil, fire, and wind do not recognize political boundaries. Changes in plant communities and wildlife habitat caused by roads, traffic, introduction of nonnative plants and animals, and loss of deer and elk habitat and their associated predators have become some of the most pressing conservation concerns in those areas.

These alterations threaten ecological integrity and function of adjacent national forests, which are commonly at higher elevations, where deer and elk spend spring, summer, and fall. When snow lies deep in the winter, deer and elk are forced to lower elevation private

lands to winter. Maintaining ranches adjacent to the national forests is one way to insure that the landscape that now wonderfully support migratory deer and elk does not fragment and is why the maintenance of viable farms and ranches that provides wildlife habitat and open space across boundaries is so critical.

Sweetening The Pot—Incentives to Private Landowners

Providing public access to wildlife on private land, regardless of the purpose, is another mechanism that results in wildlife financially benefiting private landowners. Some examples of this benefit have included state payments for wildlife damage, direct leasing of hunting privileges in a free market atmosphere, and payments from the state for accepting some number of hunters – which is a hybrid system where the landowner is issued “tags” and the number of hunters are chosen by the state.

Approaches differ dramatically from state to state. For example, Texas hunters and landowners negotiate in essentially a free market situation. Conversely, in Wyoming, a suggestion that landowners be issued a limited number tags where they could select the hunter (i.e., individuals willing to pay for a guided hunt) in return for accepting a number of hunters to be chosen by the state set off a firestorm of controversy. This brawl was, and is, laced with overtones of class warfare.

Because ownership of resident wildlife resides with the states, individual states have the right to choose different approaches to achieve the desired goal of allowing landowners to profit from the presence of wildlife. Acceptable mechanisms are evolving on a state-by-state basis. Continuing adaptations can be expected as the results of the ongoing state-by-state experiments emerge.

The definition of success will be adequate compensation for landowners to assure attention to wildlife welfare coupled with hunter acceptance of the mechanism for achieving that end. The aim is a “win-win-win” outcome in which wildlife prospers, landowners have incentive to care for wildlife, and hunters have quarry to pursue and a place to hunt.

Keys To The Puzzle

The keys to such matters are, as always, money (or some reasonable facsimile thereof), cooperation, open minds, and willingness to follow a new and different path. With money in hand, the officials who show up to deal with the problem have a number of options. They could offer to pay for actual “damages.” Or, they could offer a business deal for the rancher to feed some number of deer and elk on an annual basis. Or, they could offer to construct facilities to eliminate or reduce deer and elk damage to, or consumption of, winter feed for livestock. Or, they could provide feed and arrange for volunteers (or employees) to handle feeding chores. Numerous arrangements are possible to fit each unique set of circumstances – both fiscal and operational.

But, where does the money, willingness to cooperate, open minds, and flexibility come from? They can arise from frustration with failure. They can arise from the fear of results from interacting decisions made by others far removed from the consequences of those decisions. They can emanate from concern for community, friends and acquaintances, self and family, and – for some – the land itself. They can derive from conviction that the increasingly narrow path being followed is not producing desirable nor equitable outcomes. And, finally, they can spring forth from rage at, and fear of, a “system” that is increasing viewed as impersonal, distant, unreason-

ably controlling, inflexible, and insensitive to local customs and mores.

One of the best sources of money is, and has always been, those who profit most from a particular course of action. In our discussion of the problems and opportunities associated with deer and elk welfare and ranch survival along the interface, the primary group that profits is hunters.

The argument is that those who benefit from management activities should pay, at least, a portion of those costs. It has been convincingly argued that such fees would help insure both hunter welfare and that of the animals which hunters pursue. Hunters need to understand the threat that loss of economically viable ranches along the interface imposes on what used to be a "free lunch," so far as the production of deer and elk from and hunting on national forests is concerned. The proponents were accused of "premature cognition" at the time. But as always, "the times they are a changin'".

The issue of making hunters pay for their wildlife on public lands was probed over 15 years ago, and it was suggested that hunters pay a modest fee for hunting on national forests. It was recommended that receipts be divided between national forests for land management, the state wildlife agencies for dealing with deer and elk problems associated with the interface, and counties for roads and schools (as with other sources of revenue such as timber and grazing receipts), and administrative costs.

Based on 1979 data it was estimated that a \$100 hunting stamp for hunting big game on the national forests would produce about \$57 million per year for wildlife management in the western states. Dramatic increases in big game hunting since that time make it likely that over \$100 million could be collected from that source today.

Such fees are easy to justify on the basis that land management activities are being conducted to produce larger populations of big game species primarily for enhanced hunting opportunities. Establishment and maintenance of trails and campsites and patrols to regulate hunter activities and land use add to costs. Many of these costs come in the

form of opportunity costs wherein other activities that would produce income are modified or forgone to realize a wildlife management objective such as promoting stable or increased numbers of deer and elk and enhanced hunting opportunity.

The Path Not Taken – Yet

If the numbers of elk and deer are not judged excessive, many ranchers along the interface do not complain. Some believe that this tolerance is related to the recognition that the *quid pro quo* for grazing on national forests is acceptance of significant numbers of deer, elk, and other wildlife on their private ranchlands. What if these fees for grazing on national forests were waived, partially or in total, as compensation for wintering large numbers of ungulate wildlife?

What if volunteers were recruited and directed in the routine maintenance or reconstruction of fences flattened by elk? What if hunters realized the *de facto* partnership with ranchers along the interface, minimized the conflicts, and searched for joint solutions? What if the quest was for a win-win solution rather than courses of action that now seem to be producing only lose-lose scenarios? We know, intuitively and from limited experience, that such solutions are possible.

Flexibility remains a stumbling block for those persons of good will who struggle along a new path. Perhaps, it is too much to hope for any immediate re-vamping of the accumulating mass of overlapping, uncoordinated laws, both federal and state. Although these laws were meant to solve these problems, in many cases they produce nightmares. But, there are precedents for local cooperative groups to acquire dispensation from Congress and the Administration for trying new ways and new approaches. The door has been opened. There is no reason why other groups who have "their stuff together" cannot walk through that open door.

Precedents can be powerful wedges in our political system and beg the question of "you did it for them, why not for us?" Or, even more power resides in the question, "Congressman X and Senators Y and Z got the job done for their constituents and we only expect the same

results from you. Are you less skilled or less powerful than they?"

National Forests And Grazing Tomorrow

The Old West lives only in memory and in legend, and to some extent, as a state of mind. The New West is emerging. But what will the New West be, look, and, most importantly, feel like? Who, and by what means, will have any influence over the evolution?

Some factors in that equation are set, at least for the moment, in law, court decisions, manuals, and agency mandates. The "wild card" in the game of molding a New West lies in the human equations. It is in this wild card that hope for the rise of an emerging "radical center" in addressing land-use issues in the New West resides.

This *modus operandi* is in keeping with the acceptance that "adherence to social norms almost certainly is more important to the functioning of society than maintenance of formal legal structures." The formal contracts related to the administration of grazing permits have taken on attributes of a social contract over the past century. This is, we believe, a situation to be valued, cultivated, and maintained to the benefit of all parties—the FS (i.e., the people of the United States), permittees, and local communities.

This is not to imply that adherence to legal requirements and necessities of good stewardship should be compromised. Many of these working relationships have been strained over the past several decades by increased attention to assured simultaneous compliance of the myriad environmental laws, as interpreted by the courts. This has resulted in efforts to enhance collaborative approaches when dealing with grazing issues at the interface of private ranchlands and national forests.

We see evidence of these new collaboration approaches all over the West. Once bitter enemies, some ranchers and conservation groups are forming new alliances of the 'radical middle ground,' all around the West and figuratively chanting a mantra such as "Cows vs. Condos".

Conservationists who once opposed grazing on the federal lands realize that they are much better off working with the ranchers for better land management practices than they are living with the alternative of subdivision. Instead of conservationists crying to end ranching subsidies, some groups are actively pursuing alliances with ranchers to insure preservation of wildlife habitat and open space.

The objective of these efforts is to find a platform upon which compromises can be reached that recognize the legitimate values ensuing from a long established "way of life", the associated economic well being of those involved, and the evolution of a land ethic. The evolving process, which has taken several forms, is at its core, both simple and ancient wisdom—"Come, let us reason together".

For example, a group of ranchers and environmentalists in New Mexico have formed the Quivira Coalition, which is dedicated to a "New Ranch" that focuses on managing the land as an ecosystem, experimenting with new methods of herding, timing, rotation, fencing, stream protection, and less destructive land practices, while at the same time enabling the ranchers to make a living. Through demonstration projects, workshops, newsletters, and articles, the Quivira Coalition is working together to provide "common-sense solutions to the rangeland conflict". The unifying force of the coalition is their love of the land and desire to insure their high quality of life for future generations.

We applaud such approaches and believe that they bear much promise to moderate the forces of conflict and acrimony. Such forces in conflict are useful in defining problems, but almost useless in the resolution of the problems identified.

It is reasonable to assume that the viability of livestock operations that include public land grazing would decline to some unknown degree with the loss of federal land grazing privileges, with increases in grazing fees, or additional significant restrictions upon grazing privileges. If any one or more of these factors were to become reality, in combination with any variety of uncon-

trolled factors (i.e., drought, depressed markets for livestock and other agricultural products), the result would be a decrease in economic viability and increased probability of sale ranches along the interface to the highest bidder.

With every ranch sale there is the chance for a land conversion to what economists refer to as a "higher and better use," related to more economically rewarding alternatives such as subdivisions. Lands adjacent to national forests, which to many assume will remain in open space, are frequently considered to be prime property for development into home lots or small tracts. When such a land use conversion occurs, it is likely that some of the attractiveness of the national forest, its migrating wildlife, will be negatively influenced by the land conversion.

"Subsidies" Can Be A Good Thing

So, to the extent that any "subsidy" is involved in public land grazing, it should be considered that the present arrangement is important to some unknown and variable degree, in maintaining the viability of ranching or farming relative to alternative land use, whether for subdivision into home sites or commercial development. To the extent that this is true, it seems logical to assume that the continued retention of this "subsidy" is of value because of its role in the maintenance of open space and associated wildlife habitat. The cost in dollar terms is quite low and the benefit, in terms of maintaining viable ranches along the interface, can only be guessed, and will vary from ranch to ranch. We believe it, overall, to be significant.

Of much greater social/ecological significance than grazing fees, which are miniscule in relation to the overall budget of the FS and the federal budget, is the question of range condition. Under no circumstances should poor or deteriorating range condition, particularly on national forests, be considered acceptable over the long term. Perhaps, we should consider reductions in grazing fees as a reward for achievement of significant and continued progress toward a desired future ecological condition and a "carrot" used in conjunction with the

"stick" of compliances with law and regulation..

Such incentives would likely have a three-fold positive effect in that decreased fees (i.e. increased income to the rancher) would improve the economic viability of associated ranches, serve as an incentive for efforts to achieve desired ecological conditions, and soften the effects of any necessary adjustments in grazing programs or range improvements. Range conditions, on average, have slowly and steadily improved on national forests over the past 100 years and continue to do so. We believe that ranges on national forests are in overall better range condition than any time in the past 100 years. Yet, there are still exceptions, particularly in sensitive riparian areas, that should not be tolerated. Significant efforts are underway to address the conditions of riparian zones – even across the boundaries between private ranchlands and national forests.

We believe that more and faster progress will be made toward improvements in range condition on national forests, as well as the maintenance of open space on adjacent private ranchlands (connected with permits on national forests), through the use of incentives and working with permittees on a local basis than will occur from bureaucratic edict and impartation of penalties. That was clear to Secretary of Interior Hitchcock in 1901, and Secretary of Agriculture Wilson and FS Chief Pinchot in 1905. It is equally clear today, in spite of recent trends in centralizing authority of national forest management. One "size" does not, and most certainly in this case, fit all.

This is equally true of exerting influence with grazing permittees of all stripes (corporate or individual), with holdings large and small, and varying degrees of wealth and political "clout". Those who bemoan "subsidies" to "corporate" landholders would do well to understand that incentives influence actions are of the moment and ownerships change over time. Today's private ranch can become part of a national forest or a corporate holding tomorrow. Today's corporate land holdings can be in ownership of a private individual, or the

government, tomorrow. The operative question is whether or not the land remains in open space.

Open Space is Open Space

If the paramount concern is maintenance of functioning ecosystems with minimal negative boundary effects, is the financial status of the landholder or the nature of the ownership truly relevant? Open space is open space regardless of ownership, and those with an abiding interest in wildlife (a barometer of ecological health and function) will want all the open space that can be saved as population and economic pressures inexorably increase influence upon land use. Wildlife habitat, aesthetics, watershed values, ecological function and process, and recreational opportunities exist independent of who temporarily owns the land.

What happens on and to that land is the critical factor! Promulgation of class envy in this debate may be an interesting social and political exercise but has little bearing on ecological concerns. The focus should, therefore, be on the land itself, the health of that land, how it is embedded and functions in the landscape, and what it provides now and in the future.

Those of us with an interest in the maintenance of wildlife habitat (i.e. ecosystem process and function) need to be very careful in dealing with such issues socially, economically, politically, and ecologically. Making decisions on the basis of shallow slogans and misleading selected data put forward in isolation and for political purposes can have unintended and essentially irreversible serious consequences for maintenance of open space and wildlife habitat along national forest/ private ranchland boundaries.

We believe a more productive course is to repeat and adhere to the ancient admonition – “Come, let us rearm together.” These are complex issues, too complex to be addressed without full consideration of historical, economic, legal, and ecological considerations.

After all is said and done, the species *Homo sapiens*, as all other species, has no choice, but to exploit the environment in order to live and thrive. The operative question, then, is not “whether”, but “how.” As the “New West” emerges from the detritus of the old, it seems a critical part of the social contract that promises be kept even as essential modifications are made. There is a saying commonly used in India that is applicable to the issues facing the West, “When bull elephants fight, only the grass suffers”.

The “conflict industry” that has come into being as the tussles over natural resource management in the West have intensified over the past three decades will not disappear. But we believe that this industry, these fighting elephants, that feed on conflict and distrust will wane in influence as it is increasingly realized that this approach is resulting in deadlock, impasse, and acrimony. None of these outcomes seems likely over the long term, to be acceptable to citizens of the areas most affected.

Of much greater interest, and promise, is the growing numbers of Westerners – both new and old – who have concluded that the *status quo* of being mired in controversy and under the feet of elephants is unacceptable and who, now, seek a better way. For want of a better word, they are collectively reaching out to their neighbors and grasping hands to form a new evolving social entity which many of them refer to, only half in jest – as the “radical center.” It seems increasingly likely that this movement will reject deadlock, impasse, and acrimony to meet first and most successfully along the interface between private ranchlands and national forests.

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