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ENVIRONMENTAL ISSUES FROM A COMMUNITY PERSPECTIVE

*Richard Bass
Owyhee County*

Owyhee County is a rural, agricultural county located in the southwestern corner of Idaho. Its 8,400 people are spread over 4.9 million acres. We are the second largest county in Idaho and have one of the lowest population densities in the state, and probably the nation, at one person every .9 square miles.

As is the case in much of the west, privately owned lands are a minor part of the total land acreage of the county, amounting to about 17 percent (850,000 acres) of the county's total land area. However, these private lands are the most productive and are extremely critical to the long-term sustainability of the county's economy and its custom and culture. Public lands managed by the Bureau of Land Management (BLM) account for more than 3.6 million acres (73.8 percent) of the county land area, while 330,000 acres of state-managed lands are within the county boundaries.

The people of Owyhee County have historically earned their livelihood from activities reliant upon natural resources. Livestock grazing, mining and providing services and supplies to these two important sectors form the bulk of our economy. In fact, nearly 62 percent of the employment in our county is either directly or indirectly related to ranching, farming or mining.

Owyhee County ranchers operate about 45,000 head of beef cows. Feedlots and dairies add another 65,000 head of cattle for a total cattle population of about 110,000 head, or thirteen head for every person in the county. Mining first brought settlers into this area of the Great Basin. Silver City was a large mining camp that supported nearly 10,000 people in the late 1800s. Silver and gold mining remain a significant economic sector and part of our county custom and culture.

The bulk (94 percent of the total acreage) of our county is arid rangeland dominated by sagebrush, junipers and native grasses. It is an area of outstanding scenic beauty, wide open space and historical and cultural values. This vast area of rangeland provides the basic resources used to produce cattle. As one might guess from the earlier figures on land ownership, we are highly dependent upon lands managed by the BLM (80 percent of all county rangeland) for rangeland forage for our livestock herds. These lands are primarily

grazed in the spring through fall, although there are some areas that support winter livestock grazing. The grazing of these BLM lands during the growing season provides a market outlet for hay, pasture and grain that supports our livestock during the winter and early spring months.

We are extremely concerned about the current direction of public policy that will determine future use of our county rangeland, including the impacts on our private land as well as state land and BLM-administered land. The use of BLM land will determine to a large extent continued use of our private lands and state land leases.

The intermingled nature of land ownership patterns of private land, state land and BLM-administered land makes coordination of public policy essential to our future. We are dealing with land use issues such as Rangeland Reform '94; endangered species; state sovereignty over water rights; right-of-way access over public lands; wild horse and burro management; water quality and riparian conditions; wildlife depredation; wilderness designations; wild and scenic rivers; national park proposals; increased recreational use by hikers, ORV's and others; an Air Force training range; urban sprawl; and waste disposal.

All of these issues are changing the way we are able to manage our private lands as well as state leased lands and, thus, our way of life. As a rancher in Owyhee County who is highly dependent on public land grazing, I am concerned about these issues and their impact on continued operation of our ranch. As a county commissioner representing District 1 of Owyhee County, I am concerned about the potential disruption of our way of life and the impacts on property values and tax revenues that support county services and provide school funding. My fellow commissioners and many of the citizens we represent share these same concerns.

Owyhee County has been involved in land use planning for nearly fifty years. In fact, the first organized planning commission in the state of Idaho was established in Owyhee County in 1945. This ongoing process has evolved through the years and through several generations of county plans. However, the basic premise of planning continues with us today—"to provide broad goals and guidelines by which property owners in the county can attain the highest and best use of their property and at the same time preserve and enhance the quality of the environment and pave the way for desirable economic and social development." In fact, our 1990 Owyhee County Comprehensive Plan states, "The overriding and predominant goal of Owyhee County throughout its history is desired continuation of the lifestyle in Owyhee County which assures quiet enjoyment of private property rights and assures the highest possible degree of protection of those rights."

To help us deal with these issues, Owyhee County began an effort

to develop a land use plan for federal and state lands in the county in 1992 by creating a thirty-two-member County Land Use Planning Committee. This committee, and the numerous subcommittees dealing with different issues facing users of federal and state lands within Owyhee County, have been working continuously since their inception. The commissioners adopted an Interim Comprehensive Land Use and Management Plan for the Federally- and State-Managed Lands in Owyhee County in July, 1993.

This effort has provided some coordination with federal agencies, but reluctance on their part has made the process slow to show success. We anticipate that this planning effort will be an ongoing process as new issues and concerns arise and reshape the planning process. The plan must adapt and evolve with these changing circumstances and will continue to improve coordination of management. We are concerned that the current direction of public policy changes could eliminate future success in this process.

Here are some examples:

- Rangeland Reform '94 will either price livestock off the range or regulate them off.
- Proposals to eliminate historic rights of way essential to good range management.
- A ten-year absence of invading juniper control.
- Wild horse management that results in excessive numbers that damage the resources and exclude legitimate permitted livestock use.
- Cookbook management of riparian areas through compliance standards instead of active progressive management.
- Efforts to develop allotment management plans have been replaced with policy that imposes annually changing terms and conditions.
- Legal challenges to public policy?

Let there be no misunderstanding. Owyhee County has no misconception about the intent of the so-called "Rangeland Reform '94." The intent is to bypass the constitutional authority of Congress in order to administratively and arbitrarily rewrite policy for use of BLM-managed lands. The secretary was appointed by the president to serve the political agenda of the vice-president and of the vastly wealthy activist organizations that oppose multiple use of the lands. Secretary Babbitt officially serves as a cabinet officer, but as to "Rangeland Reform '94," he serves only as a minion of political expediency in promoting the "nonuse" called for by organizations such as the Wilderness Society, the Sierra Club, the Nature Conservancy, the Audubon Society and others who self-style themselves as "envi-

ronmentalists” groups. They grossly misuse the term “environment,” defined in Webster’s College Dictionary as follows:

1. the aggregate of surrounding things, conditions, or influences; surroundings; milieu.
2. the air, water, minerals, organisms, and all other external factors surrounding and affecting a given organism at any time.
3. the social and cultural forces that shape the life of a person or a population (Random House).

This definition encompasses the full meaning of the term “environment” and shows clearly that in protecting the “environment” one must be concerned about those social and cultural forces that affect the people who live on the land. The organizations that stylishly call themselves “environmentalists” ignore such forces.

When the devastating fires of coastal California destroyed homes with dramatic and tragic impact on the social and cultural needs of the people and families who lived there, employees of the U.S. government caustically cast those concerns aside in a national television statement that people did not belong on the Pacific coastal cliffs. In the “politically correct” mind of the bureaucrat, the tragic loss of property and of the personal treasures that families collect as part of their lives together was well worth protection of the kangaroo rat. No member of Congress would make such a callous statement—or would long remain a member of Congress if he or she did. The reason? The people can vote a member of Congress from office if he or she takes such a ridiculous position. But the people cannot reach the arrogance of an appointed bureaucrat through the inexpensive method of simply visiting the polling booth and casting a ballot. Such arrogance can be reached only through the expense and personal turmoil of litigation.

The people of the Bruneau Valley of Owyhee County, Idaho, have learned that lesson the hard and expensive way in their fight against the bureaucratic attempts to stop multiple use of the lands by protecting a microscopic snail uniquely identified by its penis size. Thankfully, these folks did not lose their homes, their possessions, their family and personal memories through fire damage enhanced by efforts to protect a rat. But they faced loss of water, that commodity upon which all life is dependent in the arid west, and loss of their livelihood because of bureaucratic arrogance in attempting to list the Bruneau Hot Springs snail as an endangered species.

With regard to the Bruneau Hot Springs snail, we use the term “arrogance” because the U.S. Fish and Wildlife Service listed the snail even though the listing was not supported in the scientific studies it commissioned and paid for with tax dollars. In fact, the agency ignored the very studies it commissioned and arbitrarily listed the snail. At great expense, with legal fees in excess of \$100,000, the people joined in the Bruneau Valley Coalition and litigated the issue. U.S. District Judge Harold Ryan ordered de-listing of the snail be-

cause of arbitrary governmental actions ignoring procedural due process of law. Why did the agency ignore its own studies? Very simply because the “non-use” activist organizations demanded action aimed at ending cattle grazing and supportive agricultural activities in the valley. Even though calling themselves “environmentalists,” they attempted to force their personal agenda on the people of Owyhee County through federal bureaucrats paid with tax dollars taken from those same people of Owyhee County.

The bottom line shows that the people of this county paid for the actions of the U.S. Fish and Wildlife Service in commissioning the studies; paid for the studies which did not support a listing; paid for the action of the agency in listing the snail; paid for all support activities by agency personnel in the U.S. Fish and Wildlife Service and other federal agencies such as the BLM, which immediately jumped into action to limit grazing and other agricultural activities; paid for the government’s attorney who supported the listing in court; paid for the judge and all court personnel involved in the lawsuit; and also paid for their own legal representatives.

The bureaucrats who operate the agencies of the U.S. government did not believe that the people of Owyhee County would sacrifice financially in the manner necessary to halt this exercise in governmental arrogance. The bureaucrats also know that there is a limit to the financial ability of the people to fight their own government while there is no limit to the government’s financial ability to litigate because the government pays its way with the tax dollars piled from the people themselves.

In that same bureaucratic knowledge of financial limitations lies the rationale for Rangeland Reform ’94. The secretary attempts to bypass the Congress which is sensitive to the social and cultural needs of the people, trusting that eventually the people will run dry financially and be unable to further resist administrative tyranny through litigation.

Local Impacts of Trade Policy

