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Yosemite National Park

Stakes Are High in the 'Sagebrush Rebellion'

By GLADWIN HILL

Uncle Sam owns and manages one-third of the nation's terrain — more than 750 million acres. The attendant headaches are of commensurate size and persistence. Dissatisfaction on the part of one segment of the public or another with this stewardship is chronic, and lately there has been an upsurge.

Attorneys General of the Western states and their chief aides will meet in Reno, Nev., Wednesday in the latest manifestation of this discontent: a conference to discuss strategy in what has become widely known as the "Sagebrush Rebellion."

For generations the Western states have chafed over the large amount of their land that they can't call their own because it belongs to the Federal Government — 96 percent of Alaska, 87 percent of Nevada, 66 percent of Utah, 63 percent of Idaho, 54 percent of Oregon, 47 percent of Wyoming, 45 percent of California, 42 percent of Arizona.

The Federal Government asserted ownership of most of this land when the states entered the union, because they were carved out of Federal territory. While much of the land is in special preserves, such as National Parks and National Forests, most of it is classified simply as "public land," under the administration of the Department of the Interior's Bureau of Land Management.

Once it was open to homesteading — acquisition by pioneers simply on the basis of settlement. But successive Federal "withdrawals" for special purposes have ended most homesteading. Now the lands are managed under a "multiple use" policy, encompassing such diverse functions as mining, grazing, logging, recreation and watershed and wildlife protection, nominally for the benefit of all the nation's citizens.

The states have long eyed this land as a potential source of tax and other revenues, if it could somehow be wrested from Washington's dominion. Nevada legislators took a step in this direction in July, when they enacted a law declaring in effect that the 49 million acres of B.L.M. land in Nevada

properly belonged to the state, not the Federal Government. The purpose of the measure is to lay a foundation for a lawsuit challenging the constitutionality of the Federal Government's continued proprietorship.

Nevada's polite militance — no physical showdown with Federal officials over administration of the bureau's land is contemplated until the legal question is settled — struck a responsive chord in other states. Alaska has been agitated over the large amount of its land being classified as Federal preserves immune to development. California already is suing the Federal Government for proposing to open a large swath of its National Forest land to commercial development. Utah and Oregon are also looking into challenging the Federal tenure. So the Western Conference of Attorneys General formed a committee to pool resources on the public lands issue; the Reno meeting will be its initial huddle.

More than half of the Federal holding — some 470 million acres — is land management bureau territory. The next biggest chunk is in the National Forests, covering 187 million acres. National Parks comprise 31 million acres. The

rest of the Federal inventory includes military reservations, post offices and lighthouses.

Managing this fiefdom to everyone's satisfaction has proved to be impossible, and periodically there arise — usually in Congress — demands and proposals for reforms. As recently as 1953, then Secretary of the Interior Douglas McKay enunciated the policy of liquidating the public lands, to states and private parties, as rapidly as feasible. Not much came of Mr. McKay's plan, but controversy moved Congress in 1964 to order the fourth public land study since 1879. The resulting Public Land Law Review Commission spent five years and \$7 million and produced a 342-page report that pleased nobody and equivocated on how much of the public land should be kept in Federal stewardship and how much disposed of.

Consequent uncertainties led Congress in the Federal Land Policy and Management Act of 1976 (generally known as the B.L.M. Organic Act) to declare that holding onto the public land was national policy. It was this declaration, shattering Western dreams of largesse, that moved Nevada, after a couple of years of brooding, to mount its legal challenge to the Federal proprietorship.

The Carter Administration, with a former Idaho governor, Cecil D. Andrus, as its Secretary of Interior, has been acutely conscious of growing discontent with management of the public domain not only in regard to ownership, but on a multitude of other counts: grazing regulation, mining laws, timber management, recreation facilities, water policies and so on.

President Carter tried this year to eliminate much of the frictions, conflicts and overlaps by realigning Federal functions into a new Department of Natural Resources. But the plan, which trod on many vested interests in and out of Congress, was sacrificed in the cause of wooing Congressional support for the Strategic Arms Limitation Treaty.

Nevertheless, President Carter devoted a substantial portion of his recent environmental message to public land problems and proposals for improved administration. He said the land management bureau was "upgrading its land-use planning" and making "a concerted effort to reverse the declining productivity" of the agency's 174 million acres of grazing lands. He directed Mr. Andrus to establish "a broad new nationwide program development process to take a comprehensive look at all the resources on all the lands under B.L.M. stewardship, set long-range goals to ensure balanced protection of the resources, and develop alternative programs to meet the goals," geared to "local, regional and national demands and needs."

How successful such efforts will be in stemming the "Sagebrush Rebellion" remains to be seen. The Council on Environmental Quality, at the White House's behest, last year commissioned a comprehensive study of Federal land and resource policies by an independent consultant, Aspen Systems Corporation. The focal conclusion of its recently published report was that perfect land management requires both consummate planning and control; but that these are "at ideological odds" with national traditions of individual liberty, so that endless negotiation and compromise are virtually inevitable.