

BLM, Then & Now

ADVERSE CONSEQUENCES. BY ED DEPAOLI

The Grazing Service was the parent organization of the present-day Bureau of Land Management. A set of “Administrative Principles” was provided to guide the new Grazing Service employees. Among them were:

Public Service

Let's get firmly fixed in our minds at the onset that we are public servants, employed by the public and paid by the public from funds provided by taxation in some form. We are responsible to the entire public and are not bureaucratic bosses to work our will upon the public as we see fit.

The Law

The Taylor Grazing Act [1934] is a fundamental land-use law, designed to protect and improve the ranges and to stabilize the livestock business.

The Code

The Code is a set of regulations of the applications of the law. These regulations are made by the department in close cooperation with the stockman and they can be changed by the same method.

Applications of Rules

The regulations must be applied in a sane, sensible manner. If our interpretation of them results in a ridiculous or illogical situation, it is time to stop, look and listen. Get some good advice before proceeding to take such unwarranted action.

Responsibility

Each administrator must of necessity assume the responsibility of his position in line with his assigned duties. The acceptance of responsibility by an administrator presumes fairness and honesty of purpose in all actions and decisions dealing with the public or subordinate employees.

In the early 1950s, during my college years, I worked part time for the BLM. The Army interrupted, but in 1962 I started a career with the agency. In 1964, I ended up in the Battle Mountain District as one of the “first crop” of area managers. The concept was to delegate maximum decision-making to those closest to reality, the “field level.” We were given marching orders by the state

director, which included: “You are responsible for an area of public land. You will work to make it better than it was before. You will make tough decisions. Don't let problems get to me that you can't handle.”

With that guidance, we were essentially turned loose. The “area manager era,” from 1964 to the early 1980s, probably produced more beneficial results to the public land than any other comparable time frame. There are several reasons for this:

- The agency had moved from an “inventory” period to one where the attitude was “time to get something done.”
- There was competition between area managers to show results.
- There was competition for funding to accomplish improvements.
- This competition fostered an exchange of knowledge between areas and each manager wanted to know how the other guy did it.
- The first crop of area

managers were qualified not only academically but also with a background in the resource most prevalent in their area.

- There was sincere interest in the land and the people who lived closest to it.

By 1980 change was evident. Decisions routinely made at the area-manager level now required approval at a higher level. The concept of maximum decision-making by those closest to reality was reversed to maximum decision-making by those furthest from reality. I left the BLM in 1983.

From the beginning, there were those who opposed the area-manager concept, arguing that there would “not be uniform agency policy,” that “different managers would be doing different things,” and “higher authority would lose control,” etc. Today we have come full circle. Higher authority has full control and the results are not pretty. Conflict, gridlock, litigation, absence of trust, and, worst of all, deterioration of public lands are the result.

When the Grazing Service was established, deterioration of public lands was occurring due to the Dust Bowl and excess uses. Today deterioration is occurring due to lack of use in some areas and excessive use by feral horses on others. The laws and regulations of the past 50 years have changed the problem from too much use to too much preservation. Major problems are too many feral horses and too much fuel.

BLM employees are frustrated too, for different reasons. There are those who see the reality but can do nothing to change the situation. There are those who follow regulations, policy and instructions regardless of the reality and cannot understand why nothing seems to work. There are those who are in their present position for only as long as it takes to move to a higher position and higher pay grade. There are those with an

agenda, usually to reduce or eliminate a consumptive use. And there are others.

The current drought provides an example of “denial of reality.” In northern Nevada, some areas can experience below-normal forage production during a year when annual precipitation is above average and above-normal forage

production in a year when annual precipitation is below average. If heavy precipitation comes as snow in December and January, followed by a cold windy March and dry April through mid-June, forage production may be less than average while total precipitation may be above normal. The opposite is true if precipitation occurs in sufficient amounts at the proper intervals during May through mid-June. Forage production may be above average...even if annual precipitation is below normal.

The U.S. drought monitor is heavily relied upon by the BLM. It cannot determine specific areas impacted by effective precipitation at optimum times. To rely on a nationwide drought monitor or other agencywide standards or directives removes any use of common sense, initiative, or recognition of local conditions.

The one-size-fits-all mentality and uniform agency policy being applied today

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BLM

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denies those closest to the ground the latitude to manage what is real and forces them to manage something that does not exist in the real world but is spelled out in great detail in standards, guidelines, instruction memos, and regulations.

For some this is welcome as they do not have to think. For others it is extremely frustrating to follow instructions that do more harm than good. Many of today’s managers do not understand the land they are entrusted to manage. They cannot or will not spend the time necessary to learn what really happens there. They do not understand the people who use it and the obstacles they face.

Knowledge gained by decades of experience, observation and attention to detail is ignored and replaced by decisions based on a one-time quick look, supported by selected regulations that advance an agenda.

It is a fact that times today are much different than 50 years ago. A multitude of laws impacting natural resources have been passed and thousands of pages of regulations have been written. Environmental groups have sprung up with a myriad of agendas that target any consumptive use. They have become experts at misleading the public, fund-raising, using the court system, and stopping constructive efforts for resource management.

This is where the BLM finds itself today. Given the current situation, the agency alone cannot correct all that is wrong. However, steps could be taken to get back to reality and accept additional responsibility. Congressional action is needed to change laws passed with good intentions that do not work as intended but have resulted in adverse consequences. Part of the problem is creating regulations that change the intent of the law and picking and choosing portions of a law to follow while ignoring others.

The pendulum has swung about as far as it can go in the wrong direction. ■

Ed Depaoli ranches on the Forty Mile Desert near Fallon, Nev. “I remember my years with the BLM as productive and positive. We ate stale sandwiches and cans of soup in old trucks, and shared an occasional whiskey with a local rancher. There was no such thing as nine to five, and the pay was the same no matter how many hours we worked.”



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