

# Leaving Santa Rosa

*The feds put an end to a century of ranching off the coast of Southern California. And for no good reason. By Dan Dagget*

Cowboy Island died in 1998. That's when the last cows were shipped off to the mainland and the cowboys "let go" as the U.S. National Park Service moved toward taking final control of what was once one of the most unique ranches in the western United States. Renamed in Gretel Ehrlich's book, "Cowboy Island, Farewell to a Ranching Legacy," Santa Rosa Island's 53,000 acres of rangeland lie separated from Santa Barbara and the Southern California mainland by 27 miles of choppy, tempestuous Pacific.

The U.S. government bought the island from the Vail and Vickers Company in 1986 to include in Channel Islands National Park. Vail and Vickers had owned Santa Rosa since Walter Vail and J.V. Vickers bought it from a sheepherding outfit in 1901. For nearly a hundred years these two families and the cowboys and others who found their way here made a living and a culture on this place

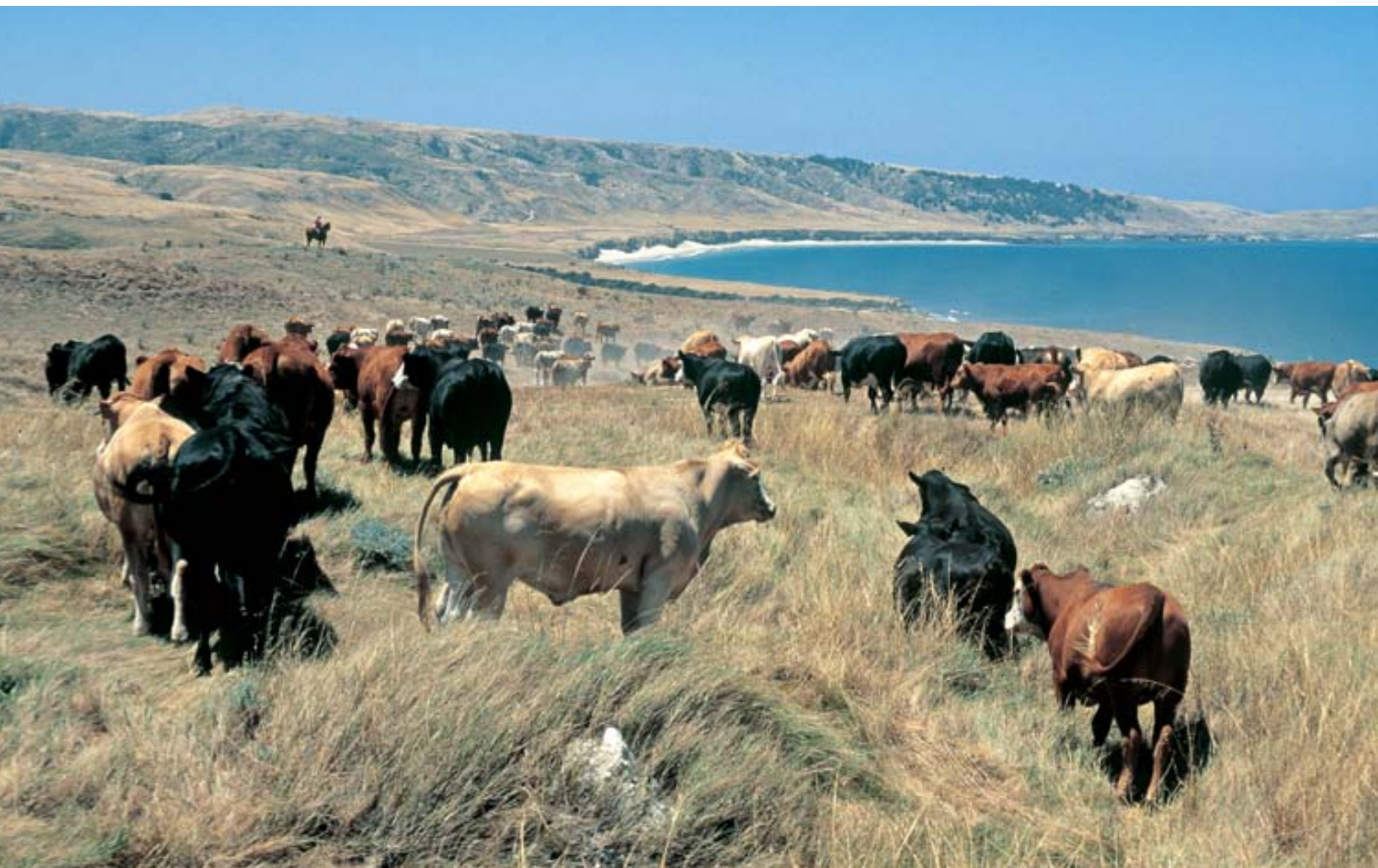
as isolated at times as another planet.

Most of the people who lived on the island disdained going to the mainland. Several came looking for a job and found they had exceptional skills that they might never have discovered if a desert island hadn't forced them to. Ordinary people became extraordinary on Cowboy Island.

The death of this unique place wasn't easy.

When the legislation to create the park finally passed, Vail and Vickers changed from vigorous opponents to collaborative participants. The outcome of that collaboration—the final sale agreement—included a provision creating a 25-year transition period during which the Vails (the family that did most of the actual ranching) could continue operations. This promise included continuing a hunting enterprise involving elk and mule deer the ranchers had imported during their more-than-80-year tenure on the island.

The ink was hardly dry on the sale agreement when powerful forces were already moving to force the government to renege on it. By 1998 that move had succeeded. Battered, bullied, and badgered by a tag team of agencies and environmental groups, the Vails agreed to cease ranch operations and get their cattle off the island. At that point the name



Santa Rosa became shorthand for government treachery within the Southern California agricultural community. When an effort was made to designate National Seashore status to an area that would impact a number of ranches, the opposition was rallied by the cry "Remember Santa Rosa." The designation failed.

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As the fight over Cowboy Island neared its end Al Vail was heard asking some of the agency people and legislators he was battling: "How come when you wanted the island you kissed our asses, and now, after you got it, you are trying to put a sharp stick in our eye?"

That might have been the end of it, but the controversy over Cowboy Island wasn't over. Recently, a new uproar has been ignited by the removal of a few thousand feral pigs from Santa Cruz, another island acquired to form Channel Islands National Park. The killing of these pigs sparked a fury of editorials, letters to the editor, claims of impending environmental disaster, petitions, lawsuits, and so forth in liberal Santa Barbara.

The uproar spread to Santa Rosa because the "nonnative" deer and elk the Vails brought to that island are scheduled to meet the same fate. Removal of the elk and deer by lethal or other means was to start in 2008 and be completed in 2011 when the Vails' hunting enterprise is to end at the completion of the agreed-upon transition period. Currently, the elimination of Santa Rosa's deer and elk is banned under a provision included in the 2007 Defense Authorization Act by San Diego Rep. Duncan Hunter. California Senators Barbara Boxer and Dianne Feinstein, however, are moving to overturn that ban.

This rekindling of controversy regarding Santa Rosa inspired Tim J. Setnicka, superintendent of Channel Islands National Park during the latter stages of Cowboy Island's demise, to write a series of three investigative articles throwing open the doors of the smoke-filled rooms in which that demise was perpetrated. The series appeared on the front page of the *Santa Barbara News Press's* "Voices" section. Each was accompanied by a lead editorial on the opinion page.

After the sale was complete all was well, observes Setnicka, until 1990. At that point a superintendent who had opposed actions toward the early removal of the Vails was transferred, and the park's budget was increased by \$900,000: "The park had to do something to spend the money," writes Setnicka, so it hired a number of new staffers who came to the conclusion that the ranch's operations were "irreparably damaging" park



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resources and "needed to be severely regulated and downsized."

When asked which species ranch operations were irreparably damaging, Setnicka relates, "no facts or proof could be offered by park staff; they just provided emotional arguments." Subsequent monitoring reveals that the island hosted many more rare species than anyone had thought, and that, rather than trending toward extinction, those rare species were doing quite well. In fact, some of them were even increasing in number.

At this point, Setnicka says, the decision

had to be made: "Do we [NPS] acknowledge the Vails' successful stewardship of their cattle ranching operations for almost eight decades, which allowed these species to exist, or do we use this information to villify the Vails?"

In the end, in spite of the fact that "even after years of gathering this data the government had been unable to find any species that could prove that continuation of the Vail ranching/hunting operation was driving it into extinction"; and in spite of the fact that "the reason Santa Rosa Island was even eligible for inclusion into the national park system





*Twenty years after the Vail and Vickers families acquiesced to the inevitable and sold Cowboy Island to the U.S. government, the California Rangeland Trust boated a gathering of former residents, family, friends, and interested others to the island for what seemed to be a wake. A few days later, when a series of investigative articles surfaced in a local newspaper, the event was transformed into an awakening.*



was...that the Vails and Vickers did not choose to carve it up into island ranchettes,” the park chose villification and the effort to remove the Vails was underway.

One justification for this decision is that the Park Service is mandated to manage lands in “natural” conditions and that removing the Vails is necessary to restore those natural conditions. Never mind that humans have been hunting, fishing, planting, harvesting and residing on Santa Rosa for 13,000 years. Never mind that, because of this, the natural conditions the Park Service claims it would restore by removing human management have not

existed on Santa Rosa in any time frame that is relevant to the plants and animals that live there today.

The Vails had to go.

To achieve this goal in spite of the lack of any real evidence to justify it, Setnicka reveals: “[T]he park service used the standard management model it uses to deal with such situations: we ground them down by calling in other agencies to help us and, in the end, outspent them with almost limitless federal money.”

Setnicka describes in great detail how the government went about doing this. He calls

the tactics the Park Service and FWS used against the Vails “a jackhammer.”

This jackhammer consists of requiring more and more extensive actions to “protect” park resources from ranching operations even though they don’t appear to need protection. One species that serves as an effective tool by means of which to apply this policy is the western snowy plover, a tiny shorebird proposed for listing under the Endangered Species Act (ESA). Even though monitoring ended up yielding only one instance in which these birds might have been negatively affected by the ranch’s cattle—one steer *possibly* stepped on a nest—the ESA provides that “possible impacts are reason enough to require a landowner to take action or suffer the wrath of the Fish & Wildlife Service and ESA penalties.”

So, FWS first required part of a pasture to be fenced to protect the plovers. Then it began to press the Vails to expand those measures throughout the entire pasture. “What the anti-ranch National Park Service and FWS communities really wanted,” writes Setnicka, “was to force the ranch to close the pasture to all horses and cattle by making mitigation measures both expensive and difficult to perform.” The FWS then began threatening to expand this tactic even further by listing a number of species on Santa Rosa under the ESA. That would have made all actions over the entire island subject to FWS approval.

As these demands grew, Setnicka relates, “They could not tell me how many, other than zero cattle, would make them happy.”

Another tactic the Park Service used against the Vails was to leak information to FWS and other agencies “out the back door,” while those agencies delivered ever-growing demands in the front door.

Aided by information provided by this good cop/bad cop routine, the Regional Water Quality Abatement Board issued the first Clean Up or Abate Order (CAO) ever issued against the Park Service.

“All ranchers and farmers should note their action,” Setnicka warns, noting that this order was issued against the Park Service rather than against the Vails. Filing against the Park Service, he observes, meant that the CAO would not be seen as an action against a ranch and therefore would not rouse the larger ranching community to oppose it. The truly lethal aspect of this move is that it took the defense of the Vails out of their hands and put it in the hands of the Park Service which, of course, was total-



*The U.S. Fish & Wildlife Service was putting pressure on the Park Service to “protect” park resources from ranching operations even though they didn’t appear to need protection. Park Superintendent Tim Setnicka said the FWS “could not tell me how many, other than zero cattle, would make them happy.”*

ly invested in the Vails’ defeat.

As the Vails fought back, the piling on continued. The FWS followed through on its threat to list a number of the species on Santa Rosa and effectively set itself up with approval authority on all management actions on the island. The Water Quality Board threatened to fine the park up to \$10,000 a day. Claims were made that the deer and elk the Vails had imported were damaging archaeological sites by stepping and lying on them. This claim was made even though Setnicka objected that Park Service trucks and even road graders bumping over Park Service roads caused even greater damage.

Eventually, an environmental group used back-door information to bring a lawsuit in the front door. This suit followed the standard procedure of charging the park, rather than the ranch, with violating several environmental laws. The case went to mediation. Park Service lawyers represented the interest of the Vails—the park’s “tenants.”

You can guess the rest.

The Vails fought back. They countersued

and lobbied. They attended interminable meetings. They served as extremely effective diplomats on their own behalf. As a result, some very powerful people, even some people in the Park Service, fought for them. Ranching is a seductive profession. Its practitioners are charismatic people. The Vails made a huge impression on Tim Setnicka. (Invited to ride along, one of his sons ended up falling in love with cowboying and is now a professional quarter horse trainer.) In spite of all this—the jackhammer, the good cop/bad cop—the unlimited funds of the federal government prevailed. In 1998, the final gathering of cattle commenced on Santa Rosa and a number of people, including “Cowboy Island” author Gretel Ehrlich, showed up to record the passing.

Eight years later the future of Santa Rosa is still a matter of controversy. Al and Russ Vail have passed away and Vail and Vickers’ interests on the island have passed to a younger generation—Nita and Tim Vail, and Will Woolley, a cousin. The roadblock prohibiting the removal of the elk and deer is in

jeopardy and the younger members of the Vail family are working to stave off the Park Service’s final solution.

The best thing that might happen to the island comes from Tim Setnicka, former park superintendent. Pointing out that parks can be about culture as well as about nature, and observing that the culture the Vails created on Cowboy Island has become part of what makes that island special, Setnicka talks about returning at least part of Santa Rosa to the Vails to have them bring back horses and even cattle as part of a historic landscape or restoration ranch.

“Certainly, for the park and the society, that would be great,” he says, commenting that without the culture that inhabited the ranch buildings on Santa Rosa, they are nothing but empty shells.

He might have added that without that culture the hills, beaches, and canyons fall victim to an emptiness just as profound. ■

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