

Around the Campfire #77, Deconstructing Today's Great Land Grab

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Dear Readers,

This Campfire is lighting the way for a theme issue of “Defending Our Public Lands” that will appear in our new digital magazine *Rewilding Earth*, and which will grow steadily in the coming weeks and months as we revitalize and expand our website Rewilding.org. The new site is being built now and should be up soon.

We'll alert you when it's ready and welcome you to send your alerts and stories about defending public lands to rewilding@icloud.com.



Deconstructing Today's Great Land Grab

The plan is to get rid of public lands altogether, turning them over to the states, which can be coerced as the federal government cannot be, and eventually to private ownership.

This is your land we are talking about.

–Bernard DeVoto, 1947[1]

In our July chat *Around the Campfire*, I gave a quick introduction and overview of the history and policy of State Trust Lands. In this *Campfire*, I will take on some of the highfalutin assertions made by the hucksters for giving the Federal Public Lands to individual states—the *Land Grabas* Bennie DeVoto wrote in *Harper's* in the 1940s.

As DeVoto wrote 71 years ago, the hard truth is this: if Federal Lands are handed to states, say goodbye to National Forests, National Parks, National Monuments, Wilderness Areas, National Wildlife Refuges, and other public lands where we Americans are free to wander and wonder. To find ourselves and lose ourselves. To have a blissful family picnic or to meet the wild on its own terms.

Where we are free to be Americans. Just as we have been for four hundred years. With open land for roving, camping, hunting, fishing, dancing with wolves, howling at the moon....

The big question about the Land Grab of giving the Federal Public Lands to the states is two-part:

1. How much and which of the Federal Public Lands would be given to the states?
2. What state agencies would be given control and management over the transferred lands?

Some other time I'll tackle these questions. Here I want to shoot down the underlying assertions made by the boosters for the Land Grab.

These screwy muddles of history are:

- **The Federal Public Lands should be *returned* to the states.**
- **Eastern states got a better deal on receiving federal land grants than did western states, which are thereby financially handicapped. That old miscarriage of justice now needs to be righted by giving the Federal Public Lands to the states in which they are found.**
- **Western states are overburdened with high percentages of Federal Public Land.**



Well. First of all, these beliefs are as true as the Easter Bunny laying eggs in your backyard sometime in spring. They are shuck and jive, born in humbug history and self-delusion, traits with which Westerners have always been well blessed. (I am an eighth-generation Westerner, by the way, and the first in my family to have been born off the homestead, so I know something of Westerners.)^[1] These claims are also born in greedy self-interest for some who hope to grab such lands for private gain from the states.

So, let me answer the beliefs and manifestoes of those who call for handing our Federal Public Lands over to the states (another Western trait going back to when Alabama was the West).

The federal lands should be returned to the states

This outlandish asseveration should be slapped down whenever it comes out of a politician's mouth. The Public Lands were never owned or overseen by the states in any way.^[2] Rather, they were tracts of the Public Domain withdrawn from later disposal to railroads, timber barons, homesteaders, and others, and kept for the good of all Americans regardless of where they lived. The Federal Public Domain came into being as soon as such lands were acquired by the United States through conquest, purchase, or treaty.^[3] (See Table 1.)

(The lands claimed by European Empires and acquired from them by the United States were overall unsettled. Except, of course, by the towns, pueblos, fields, and hunting grounds of Native American tribes and civilizations. They were not consulted in the imperial game of

moving flags around in North America. But this great sin of Manifest Destiny is beyond the scope of this Campfire.)

Table 1
Land Acquisitions to the Public Domain by the United States

<u>Year(s)</u>	<u>Region</u>	<u>Means of Acquisition</u>	<u>Purchase Cost</u>	<u>Acreage</u>
1783	Appalachians to Mississippi River	Treaty of Independence from Great Britain		237 million acres
1802	Louisiana Purchase; Louisiana to Montana	Purchase from France	\$23 million	530 million acres
1810-19	Florida	Treaty/Purchase from Spain	\$6.7 million	46 million acres
1818	Red River Basin Parts of Minnesota and Dakotas	Treaty with Great Britain		29 million acres
1845	Texas	Bankrupt, Failed Independent Republic Begs to Join US		No Public Domain
1846	Washington, Oregon, Idaho, SW Wyoming, NW Montana	Oregon Compromise with Great Britain		180.6 million acres
1848	California, Nevada, Utah, Colorado, Arizona, New Mexico	Mexican War Conquest and Purchase	\$15 million	334.5 million acres
1850	E New Mexico, bits of Colorado, WY, KS	Purchase from State of Texas	\$10 million	78.8 million acres
1853	Southern Arizona, SW New Mexico	Gadsden Purchase from Mexico	\$10 million	19 million acres
1867	Alaska	Purchase from Russian Empire	\$7.2 million	426 million acres

1898	Hawaii	Conquest of Independent Monarchy	No Public Domain
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[1] Except for land grants from the Spanish crown or government of Mexico. Some land grants were soon swindled from the rightful owners by Anglo crooks such as the Santa Fe Gang, and some others became Federal Public Domain and are still contested by land grant heirs. This issue is far, far too knotty to further deal with here.

All of these nearly two billion acres became part of the Federal Public Domain upon acquisition and were managed by the General Land Office in the Department of the Interior. Lands were granted to Revolutionary War veterans, sold to settlers for homesteads, to speculators who sold them to settlers and others, to corporations, timber and mining companies, and were granted to railroad trusts and later to homesteaders.[5] Land was also granted to new states formed within these territorial acquisitions to support public schools and other good things (School Trust Lands).[6] From 1781 to 1976, 1.144 billion acres of the Public Domain were sold or granted to individuals, corporations, and states.[7] None of this Public Domain was ever owned or controlled by a state before it came under federal ownership (except for the 237 million acres east of the Mississippi relinquished by Virginia and other original states from their sprawling land grants from the Crown.)[8] So, no, the Federal Public Lands cannot be *returned* to states because Federal Public Lands never belonged to states in the first place. Only those suckled on the mother’s milk of humbuggery and alternative reality can guilelessly make such an utterance. What is truly being asked by the Land Grabbers is for the people of the whole United States to give up their Federal Public Lands (National Forests, Parks, Monuments, Wildlife Refuges, Wilderness Areas, and other lands) to the sole control of State Trust Land Departments in the states (or maybe to other state agencies).

Eastern states got a better deal on federal land grants than did western states, which are thereby financially handicapped. That old miscarriage of justice now needs to be righted by giving the Federal Public Lands to the states in which they are found

Once again, we are here smacked by an assertion that is bassackwards in historical truth. The history of School Trust Land and other grants of Federal Public Land to new states shows that the United States was more generous by far to western states than to those east of the Mississippi River. (See Table 2.) (The original thirteen states and the three states spun off from them—Vermont, Maine, and Kentucky—were not under the Northwest Ordinance and never were part of the Public Domain.)

Table 2
Comparative Federal School Land Grants to States[9]

<u>STATE</u>	<u>ACRES</u>	<u>% of STATE</u>
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Ohio	724,000	2.5%
Missouri	1,222,000	2.7%
Wisconsin	982,000	2.3%
Oregon	3,399,360	5.7%
Colorado	3,685,618	5.5%
Idaho	2,963,698	5.5%
Utah	5,844,196	10.7%
Arizona	8,093,156	11%
New Mexico	8,711,324	11.2%

As I wrote in the last *Campfire*, School Trust Land grants to the states grew with time. The states in Table 2 show the three classes of grants to the states: one, two, or four sections in every township. The three dry southwestern states got four school sections because the droughty, rugged landscape was thought to be worth less than the land in earlier states and thus more sections were needed to support schools.

Western states are overburdened with higher percentages of federal land than are eastern states

It would be better to reword this to say, “Western states are blessed with higher percentages of National Parks, Forests, Wilderness Areas, and such in which to camp, picnic, hike, hunt, fish, and to just get lost from the shackles and stresses of civilization.” Moreover, Federal Public Lands protect watersheds (including unsullied mountain snowpacks) for downstream use, clean air, lovely landscapes through which to drive, and good wildlife homes.

However, we need to understand why the eastern states were thickly settled, with nearly every acre being homesteaded or otherwise passed into private ownership, and why so much land in the West was not gobbled up in homesteads. Cleaving the Plains states of the Dakotas, Nebraska, Kansas, and Oklahoma from north to south, the Hundredth Meridian has long been seen as the dividing line between land with enough rainfall to grow crops without irrigation and land without enough rainfall (about twenty inches a year). Roughly, settlers east of the Hundredth Meridian could keep a family on the 160 acres of a homestead while to the West the land was too dry. Moreover, as settlers rode West, they met the Rocky Mountains and later other ranges far too rugged for farming. Not until pioneers and their families made it to Puget Sound, the Willamette Valley, and coastal valleys of California, did they find well-watered land befitting the kind of farming known east of the Hundredth Meridian. Throughout the Intermountain West, settlement was kept to river valleys and

springs and the rest (often called “worthless lands” or “the lands no one wanted”) was left unclaimed by homesteaders and stayed in the Public Domain under the General Land Office of the Department of the Interior.[10]

And so, no, the West did not get cheated, but was settled in keeping with the geographical characteristics of the West—aridity and topography (understood by John Wesley Powell nearly 150 years ago). To understand this “tyranny of geography,” one needs only to fly in a window seat from San Francisco to Chicago and look down on Nevada and then on Iowa. The truth of what I write is written on the land.

Let’s now flip this half-baked snort of the elite Western scoundrels onto its back and ask “Why did the East, Midwest, and South get cheated out of Federal Public Lands which could have become National Forests and National Parks and other Federal Public Land open for picnicking, camping, hiking, hunting, and playing Daniel Boone?”

The answer is the same: rainfall and gentler topography led to the Public Domain east of the Hundredth Meridian being homesteaded, granted, or bought before any tracts could have been withdrawn for National Forests, National Parks, and other federal lands. America east of the Hundredth Meridian was thoroughly settled and taken out of the Public Domain before Yellowstone was withdrawn from settlement and disposal as the first National Park in 1872 or the first Forest Reserves were withdrawn in 1892. It is a national tragedy that the Eastern and Midwestern states were heavily settled before thought of keeping some of the Public Domain was birthed. Think of a Yellowstone-sized National Park in the Great Deciduous Forest of southern Ohio rife with woodland bison, elk, passenger pigeons, gray wolves, and cougars, or one in the longleaf pine forests, bottomland forests, and canebrakes of the South fat with native wildlife. Or a Tallgrass Prairie National Park of two-million acres in the eastern Great Plains of six-foot-high grass flowing with herds of bison, pronghorn, and elk followed by grizzlies and wolf packs—an American Serengeti. Today, these would be as stunning with their mighty trees, swarming wildlife, and wildness as the great National Parks of the West and even Alaska.

Recognizing their loss, Easterners began to work on what opportunities remained. As early as the 1890s, folks in North Carolina, Tennessee, and Virginia began campaigning for what became Great Smokies and Shenandoah National Parks. Lands for these National Parks had to be bought from timber companies, farmers, and others. But what of National Forests? Other than northern Minnesota (Superior NF) there were no public lands to withdraw. So, after citizen campaigning, the 1911 Weeks Act authorized the purchase of private lands for National Forests in the East. Today, the National Forests, Parks, and other Federal Public



Pecos Falls in original Pecos River Forest Reserve, of 311,040 acres on January 11, 1892, making it one of the very first areas withdrawn under the 1891 act. © Dave Foreman

Lands in the East exist because citizens worked hard to get their members of Congress to turn private land into Federal Public Land—and in most cases, it was citizen groups that raised private money to buy the Parks, Forests, and Wildlife Refuges. School kids in Texas saved their lunch money for the fund to buy private ranches to make Big Bend National Park. In other cases, wealthy folks bought land and donated it to the federal government. Sometimes the states did it. More recently, the Land and Water Conservation Fund has provided money.

Another path in the East has been for hikers, campers, hunters, anglers, and other citizens to push their state governments to buy land for state parks, forests, wildlife areas, hunting areas, and so on. States such as New York, Pennsylvania, Michigan, and Wisconsin have done outstanding work in putting together millions of acres of state land (not State School Trust Land) open for public bliss, relaxation, and adventure. Much of this state land came from private land abandoned or foreclosed for nonpayment of taxes in the Great Depression and other hard times.

Do not let the slick lobbyists and legislative hucksters working for the energy, livestock, mining, timber, and development industries hornswoogle you out of your National Parks, National Forests, and other Federal Public Lands. It doesn't matter where you live—Scranton, Pennsylvania, Waycross, Georgia, the Bronx, or East Jesus, Iowa. Yellowstone and Grand Canyon National Parks belong to you. The 400-mile-long Noatak National Wild River in the Brooks Range of Alaska belongs to you. Bosque del Apache National Wildlife Refuge in New Mexico, with tens of thousands of Sandhill Cranes, Snow Geese, and many kinds of ducks flying in at sunset to their night pond, belongs to you. The Mt. Baker-Snoqualmie National Forest in Washington with its soaring 250-foot tall Douglas-firs belongs to you. As do millions of acres of eye-stretching, big-sky land “where the deer and the antelope play.”



Classroom in the North Cascades, Washington
© John Miles

Since I was born 71 years ago, the slick-tongued bully-boys for the corporate land-raiders have tried to grab OUR Federal Public Lands three times. We've beaten them back each time and we still have our Federal Public Lands. This is the fourth time the land-grabbers have made a play. They are stronger now than ever since they've taken over the Republican Party. The only ones who can stand up to them for our purple mountain majesties and other lands of freedom are we American land patriots. It's your time now. Will you make a stand?

STOP THE LAND GRAB NOW. AGAIN.

Happy trails,



Uncle Dave on the Noatak River, Alaska
© Nancy Morton

[1] Fifth-generation New Mexican, eighth generation west of the Missouri River.

[2] There are two exceptions: First, for state sections willingly exchanged for federal lands of equal value; and second, in a few cases, when Eastern states willingly helped to purchase private lands which they then transferred to the National Park Service for new National Parks or to the Forest Service for new National Forests or to the Fish & Wildlife Service for new National Wildlife Refuges.

[3] See Dave Foreman, *The Great Conservation Divide* (Raven's Eye Press, Durango, CO, 2014) for the history of the disposal of the Public Domain and then the withdrawal from disposal of some of the remaining Public Domain for National Parks, Forests, and other systems. For the sake of clarity, I call the lands acquired by the Federal government (those in Table 1) the Public Domain until the early 1890s when the first Forest Reserves were withdrawn along with new National Parks (Yosemite, etc.) at which time I call these withdrawn lands still under the General Land Office (GLO) the Federal Public Lands which were withdrawn from disposal and would remain federal lands whereas the Public Domain was still available for disposal.

[4] Except for land grants from the Spanish crown or government of Mexico. Some land grants were soon swindled from the rightful owners by Anglo crooks such as the Santa Fe Gang, and some others became Federal Public Domain and are still contested by land grant heirs. This issue is far, far too knotty to further deal with here.

[5] Foreman, *The Great Conservation Divide*, 37-50.

[6] Dave Foreman, "Comparing Apples and ... Parsnips I," *Around the Campfire* #73, The Rewilding Institute, Taos, July 24, 2017.

[7] William K. Wyant, *Westward In Eden: The Public Lands and the Conservation Movement* (University of California Press, Berkeley, 1982), 27. Overall, this is an outstanding and informative book; Chapter 1 "The Public Lands," pages 9-30, is a topnotch rundown of the acquisition and disposal of the Public Domain.

[8] Foreman, *Great Conservation Divide*, 39-40, explains how this was a necessary compromise to get all thirteen former colonies on board for the Confederation.

[9] Note that this is only for School Trust Lands. Some states were given millions more acres for other purposes; Foreman, *Around the Campfire* #73. A total of 328.3 million acres were given to states from the Public Domain; Wyant, *Public Lands*, 27.

[10] That is, except for millions of acres given to the states, granted to railroads, big ranchers, timber companies, and the like often under shady or blatantly corrupt deals. See Foreman, *Great Conservation Divide*, 34-50.

Dave Foreman

Dave Foreman is the founder of The Rewilding Institute, co-founder of The Wildlands Project and Earth First!, and author of several acclaimed books on wildlands conservation. Books: [Rewilding North America](#) | [Man Swarm: How Overpopulation Is Killing The Wild World](#) | [Take Back Conservation](#) ...among several other Rewilding books you can [find here](#).
[Photo: Dave Forman in the barren grounds of Nunavit, Canada © Nancy Morton]



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Ben Everitt - April 28, 2018

Uncle Dave: Thanks for your effort to educate us on public lands. I appreciate your attention to historic detail. But in Table 1, don't forget Puerto Rico! The 66,000-acre El Yunque National Forest was initially set aside in 1876 by King Alfonso XII of Spain and represents one of the oldest public reserves in the Western Hemisphere (4 years after establishment of Yellowstone National Park). Becoming part of the U.S. empire after the Spanish-American war, Alfonso's forest reserve was folded into Teddy Roosevelt's new National Forest system in 1906. (Wikipedia). There may be some other parcels of federal land in Puerto Rico.



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