

Colorado Independent Cattlegrowers Association.

Meeting in Kim, Colorado on July 15, 2006

Meeting Opened by Kimmi Lewis:

We'd like to introduce our speakers today. Private property rights is one of the things that comes to mind any time there is any kind of a land grab. I don't care if it's military land grab, an environmental land grab or any other kind of land grab, we have to go in and study what our private property rights are. And we have two of the best private property rights groups here today. They traveled a long ways to come and I want you to give them a warm welcome. We have Fred Graham from Idaho and his daughter-in-law Staci. And we also have G.B. Oliver, Paragon Foundation from Almagordo, New Mexico.

We wanted to welcome you all today. I am honored to have these gentlemen here to speak to you. I've been watching and studying Paragon Foundation and Stewards of the Range for many years. I've been a member.

Fred Graham actually grew up in South Carolina. He did his law schooling in Maryland. He is on the Maryland State Bar. He is on the board for Stewards of the Range. I've been reading about some of the things the American Land Foundation has been doing. There's even a group called Land Guard that you can sign your land up to and you have lawyers on retainer for eminent domain issues.

These fellows are here today to give a little presentation but then they are also here for questions and answers. They are not just giving you information. They are taking in information. I know that Fred and the American Land Foundation and Stewards of the Range have done a lot of work around Fort Hood and some of the other areas of these other areas of expansion for military bases. I want you to welcome with great honor, Fred Graham. Applause.

Fred Graham:

(Some years ago I heard of a Wildlands Project with a) system of wild lands corridors through the United States so that the lands in those corridors would go back to the wild. (There would be) human uses within and there would be corridors for the great animals to travel back and forth from Canada to Mexico. I laughed and I thought "Well that must have gone out of existence pretty quickly." Then I found out there was a Wildlands Project Office open and active in Portland, Oregon. That they still were operating. Well Al opened my eyes a little bit and I started researching. Within two years, now this is well into ten years ago, I found a report from the government Accounting Office which our federal government put out. And in the middle of that report is a map of the United States. And on the map colored in, is every eco-system plan that was being devised by an agency of the government and every inch of the United States was covered. And if you looked at the colors of those eco-system plans that were already under way and our federal agencies, they virtually matched the Wildland Project corridors.

When the Senate of the United States decided to defeat the biological diversity treaty, which would have committed our land to surveys by foreign countries, we thought it was a great victory. Private property organizations fought it and we thought it was a great victory. A month later, seventeen federal agencies, including the Department of Defense, the State Department, the Department of Interior and the Department of Agriculture all signed a memorandum of understanding to put into place and use their funded moneys to put into place their eco-system plans that made up that map that covered the entire United States to limit the activities on virtually every piece of land in those eco-systems, not just public land but private land. Because contrary to popular belief, the government can control use of the private land if it owns any land adjoining yours.

The United States Supreme Court said, that the federal government has the absolute power to protect its property, even by enforcing its regulations on private land. One of the cases that went to the Court came from the state of Idaho. Two campers built a fire on private property along the Boise River. And there was a no fire regulation in the national forest. The National Forest fronted and adjoined the private property they were on and they were about three quarters of a mile from the national forest. They were cited by a forest ranger and they went to court and defended themselves. They said the forest service regulations didn't apply to them. They were on private ground. The district judge ruled against them and ruled that the federal government in order to protect its property has the right to enforce its regulations against private parties using private land. It went to the Ninth Circuit Court of Appeals and was affirmed. The United States Supreme Court based on a prior decision wouldn't even review it. So if the federal government ever controls all the land surrounding your piece of private property, whatever regulation they put on that land they can apply to your land and all they have to do is say that it poses a threat to their land. On the other hand, if they introduce species on their surrounding lands, which happens to be an endangered species, that species unfortunately doesn't recognize the boundary line between your property and the government's property. So it comes across to your property and they immediately impose the Endangered Species Act on your property and impose the same restrictions as they would on their own to protect that species. And the courts have said, "Yes, that's the way it works."

So from years ago, the scheme has been to control western land. As I said the land is already controlled in the east and the Midwest. And this is all there is left.

Conservation easement is a restriction on the use of the land. It's a restriction, and I've noticed in an article that somebody said, "Well, when we come down to the final decision of whether we need the money and we want to sell a Conservation Easement because we still want to control our land, but we also want that cash to help us survive. This way we can protect our land through our heirs and be sure it is always there for them and we'll just have to make that decision at the kitchen table." That's the wrong place to make that decision. Because the people who are proposing these things to you and proposing to you a form, that is long and cumbersome in language, are not going to tell you what that form really means. What they are going to tell you orally is, "Well this will simply preserve the agricultural nature of your land. It'll preserve the natural aspects of your land. And you

can go right on grazing. And you can go right on farming and you can use your land any way you want.

The Big Meadows Grazing Association thought that in Montana, so they sold a \$1.9 million wetland restoration easement to the NRCS. And the NRCS person sat at the table and said, "Here's what we are going to do. We are going to put together a management plan and one of the ways that we are going to enhance the wetlands is we are going to shore up the banks of this one stream. That'll benefit you and it'll benefit your agricultural use and your grazing use. And it will also benefit us because it will restore the natural habitat and the natural nature of the wetlands. And it will cost you, the landowner about \$84,000". And so the Big Meadows Grazing Association signed the Conservation Easement. Within a year the government came in and said, "Well, by the way we've decided that it won't serve our purpose to just straighten up the banks of that stream so we are going to divert part of that stream. We're going to build a dam and we're going to block off that water. And by the way it's going to cost you \$480,000. And they said, "Well, no we are not going to do that. That is not part of our agreement." They went to court. The government argued, "Hey, it says in our Conservation Easement that we can take whatever action is necessary to protect and restore the wetlands. We feel this is necessary and whether they agree to it or not, they did agree to let us take whatever action to protect our easement that we had to take." And the court agreed with the government. So these people who thought they had sold a \$1.9 million wetland restoration easement, all of a sudden had to pay back a half million of it to the government and lost the use of the water in that stream.

Now, that's the way the courts have interpreted every conservation easement that comes to them. What an easement means is that the person who holds the easement is the dominant estate. They are the ones that get to say what happens. The landowner is the servant of the estate. He serves the easement. When you read one of these things that sounds fairly innocuous. "This Conservation Easement assures that the property will be perpetually preserved in its predominately natural, scenic, agricultural, forested, open space tradition. Specifically this Conservation Easement will serve to protect the wetlands, woodlands and open spaces. Any use of the property, which may impair or interfere with conservation values, unless expressly permitted is expressly prohibited. The landowner agrees to confine use of the property to activities consistent with the purposes of this easement."

If you are grazing your land and you sell a Conservation Easement to the Army or to a non-profit organization and they say, "Well all we are going to do is protect this in its natural state. We want to protect it just as it is." And you agree to that. But you agreed to that under the terms that are in this document. Does that mean that you can always use you land just as you are using it at the time that you sign? That makes sense doesn't it? That that would be what you would be selling it for. You're going to get to graze it. You're going to get to use it as you use it to make your living. But what you've sold off is the future protection of it. That's the way it'll be applied until they get control of all of those people who they think will sell to them. And when they've done that, when they've expired the market, and they have various ways of finding that out, invite you all to

dinner and meet with all of you and talk with all of you and find the ones that they can get to. And when they've gotten to those and they know they aren't going to get any more voluntarily, then you watch the uses change. That's all they have to say, is that the use that you are making of the property is not any longer consistent with the purposes for which the easement was bought. And when they do, you have the burden of proof then of showing that they are wrong. And I haven't yet seen a case where that burden of proof has been carried.

There is a case in Texas where people on a ranch, threatened with the loss of it, a ranch that had been in the family for four generations. They got the opportunity to sell to one of the leading non-profit organizations, the richest in the country, the biggest landowner in the country. And so they sold the conservation easement in order to have enough money to keep their heads above water and keep the ranch operating. And they did it because they really didn't want the ranch ever to become anything but a ranch. They wanted it to stay that way. But they needed the money to stay in business. And about two years later one of their daughter had gotten old enough to be in a 4H program. And she decided that her project would be raising goats. And so they built a pen in the yard for their goats and the organization that had bought the conservation easement came in and said, "Sorry, that's an addition of something that wasn't there when we bought. And even though it's agricultural in nature you can't build it. You have to take it down." And they did. They had to take it down.

Now these aren't made up stories. I don't have any real interest in making up things that I can't prove, that I can't point to the cases and say it. I come from W_____ County. I've represented the people for ten years. And those ranchers are so close knit because of their dependence and their interdependence one upon another. When you're dealing with 73% of the land that isn't yours and it's federal, you have to work together or the government will split you apart and get control of everything you've got. And they have stood side by side. And if anybody sold a conservation easement to the government or anybody else they wouldn't want to show their face in the county again. One of the reasons is because when they start being sold, and I'm a private property enthusiast. I believe that everybody has the right to sell a conservation easement on their property if they want to. All I say is people ought to know what they are doing when they do that. They ought to know is what they are really selling is control of their land to be exercised at the discretion and at the time picked by the organization that has bought the easement. But when one of these occurs, when one of them exists next to you and when the organization and when the military or the government gets another one adjacent to another part of the property. And they get another one for the other side, now your land is being controlled externally, whether or not you sell the conservation easement. When you sell one, you are not only selling the ultimate control of your land, but you are selling the first chink in the armor of your neighbors. Unless, remember, you have the only asset that God doesn't make any more of and all these people want that asset. The government and every non-profit land trust organization wants control of the land. And so the only time you can have any say in how the conservation easement is going to work is before you sign it.

Don't have somebody sit as the government did in the Big Meadows Grazing Association and tell you across the table, "Don't worry about this language in the purpose section, you and I'll be neighbors, we'll get along. We'll do this. And we'll do that." I'm sorry. That's not admissible in court. That doesn't work. The government promised those people that it wouldn't cost over \$84,000. They promised them that all they would do was shore up the banks. When they broke the promise the court said, "Well, you can't hold them to that." The landowners in that case even showed that the NRCS manual that they issued stating their policy, the one that every federal agency issues a manual, if you were federal grazers you would understand this a little better. They give you a BLM manual and they say, "This is the law. We have to follow this." When the Big Meadows turned that back on the government and said you didn't follow your manual. The court said, "Well, they don't really have to and they could change it anytime they want to anyway. So they don't have to follow it." Just understand that control goes with the easement signing. Control is out of your hands when you sign the document, forever. You'll never be able to renegotiate that document once you sign it. There is a list of examples of things that are prohibited in various conservation easements. One of them is no commercial or industrial activity. Audience comment "Cows are commercial." Fred's reply, "Aren't they? And isn't the little produce stand that your grandchildren put up by the side of the road to sell produce to travelers? One of those was knocked down in court and stopped because it was "commercial". Cutting vegetation. Any cutting of trees or vegetation is prohibited. So you have some very nice plants along one border of your property or even in your front yard. And all of a sudden an exotic type plant, but one that you don't care for that you don't want to spread. I once tried very hard to raise *Pyrocantha* in my dry driveway in Idaho. I just couldn't get it to grow. And I visited a friend in the hills there above San Diego and they had it all over the place and they were having a man come in and cut it down, cuz it grew like weeds.

If a plant that you don't want to enter into your space, if you cut it and that phrase is in there, "any cutting of trees or vegetation is prohibited" you violated the easement. "Land surface alteration, any mining or alteration of the land surface is prohibited." What is alteration of the land surface? Well I'll tell you what it was interpreted to be in the general plan that they attempted to impose in Monterey County. It was taking a shovel and moving the earth from one spot to another along a drainage ditch. That was alteration of the land surface. Watercourses, natural watercourses, lakeshores, wetlands or other water bodies may not be altered. Now, what if a stream is running through your property does in a flood time start to overflow its banks and start to chart a new course? You want to put it back into its original shape. Can you do that under that language? No you can't. You can't do it. Now, these things are all in the document when you read it. So often these folks wine and dine you so long and they talk so willingly about how they want the same things that you want. They want to protect your land. They don't want to see development take place on your land. The same kinds of things you really want. And so you might as well sell to them because they will help you protect it. Well, read the language in there and find anywhere in there that they will help you protect your use of the land as you want to use it. And how long are these for? Are these for five or ten years so that you can get out of it after that time? No they are into perpetuity. Now what happens if, let's take one of my favorite examples from the Nature Conservancy. I have

to tell you a story first. I'm Chairman of the Owyhee Initiative Project. In Owyhee County five years ago, we realized we just escaped having a national monument established in the County that would have taken three million of the four and a half million acres in the county and put it in a national monument, the Owyhee Canyon lands Monument. There were two monument proclamations on Bill Clinton's desk when he went out of office. One was the Missouri Breaks and one was the Owyhee Canyon lands Monument. He signed the Missouri Breaks condemning those people to all the trouble that they have had to go through. But he didn't sign ours because Babbitt had promised Senator Craig and Senator Craighorn that there wouldn't be any more delegations of monuments in Idaho without holding public hearings. So he didn't sign it.

We knew it was only a matter of time before there would be either a hard-nosed environmentalist back in the White House environmental staff or a Democrat in office and the Canyon lands would be first on the list. There are organizations like the Sierra Club, the National Wildlife Federation the Wilderness Society. I don't whether the Nature Conservancy has contributed money directly or not, but they've bought full page ads in the New York Times, the Washington Post, all of the major newspapers along the east coast, urging the people in those states to contact their Congressman and urge them to urge the President to declare the Owyhee Canyon lands National Monument. We knew that something had to happen. We went to Sen. Craighorn??? The County Commissioners said, "We want to be involved in this. We want some voice in it. Because if you take that many acres of this County and you put it into a monument, that'll be it. We can't afford a Sheriff. We can't afford a jail. We can't afford a courthouse. It'll be gone." So he told us if we could get a coordinated effort from environmentalists, landowners, recreation groups to put together a bill that would go through Congress, He would carry that bill. One of the reasons we needed to go through congress is that we have a judge that is a graduate of Harvard, a Democrat, who was appointed unfortunately by a Republican who didn't do his homework. He has issued fifteen grazing decisions since he has been on the bench in Idaho and every one of them has been against the rancher. Every single one. They've all been in favor of the anti-grazing Western Watershed Project whose goal is to get cows off every acre of federal ground.

And so, we knew we had to byass that judge. We had to get action from the Congress. So we put together a group, one representative each from the Wilderness Society, the United Conservation League, The Nature Conservancy, the Sierra Club, and then five landowner associations in the County, and two recreation people. So the landowners did have the majority of the votes. And also so that neither the Nature Conservancy or any one of the other groups could get control of more than one vote on the board of Directors of the initiative. The agreement that we put together in those five years calls for instead of nearly 3 million acres, five hundred thousand acres. It doesn't go into a monument. It goes into wilderness where grazing is guaranteed. It goes into wilderness with a guarantee to the ranchers that they can even maintain and improve the things they already have in that wilderness area. It also creates a science review process. For every ranching decision by the BLM that goes against the rancher there will be a review by three independent range specialists to determine whether it's based on good science. There is a research center being put in to do research on species such as the sage Grouse, which is

kind of our salmon right now. There is a program put in to enforce recreation use. Because right now in all that federal land out there, there are rock crusher pickups that are going in and reducing rocks that stand higher than this building down to a gravel bed inside of two or three days, one weekend. All those things that benefit the county and the ranchers we have in that bill. The Nature Conservancy is no great proponent of wilderness. They have said so from the beginning. They would rather deal in other ways. They would rather deal through Conservation Easements. Because in Wilderness. Two things. If Wilderness is there and if the rancher is guaranteed viability of his ranching operation, there's not much chance they are going to get control of any of that land in Owyhee County. And that goes for any of the environmental groups. Sen. Craighor, finally after five years of very hard work, we've got that put together and he will be introducing the bill either this week or the week after that, the Ayahee Initiative Implementation Bill. It will be the first bill like it, ever introduced to try to take care of the entire grazing industry of an entire county. There will be a lot of things in there that will be precedent throughout the west.

That's why I say I had to tell you that. You'll see in our brochure that Nature Conservancy is a member of that. So when I criticize their conservation easement policies, it is recognizing the fact that I have sat at the table with them but never where they had control. They do have control when they talk with the property owner that they know needs money. And they have control through the documents they prepare and present to you. Say the Nature Conservancy buys a conservation easement from you for a million dollars. And then over the years, and this would go for any of the groups. Whoever buys that easement comes in a couple years, or you decide you have to change your grazing method, because it isn't working for you. You have to change water or you have to do something to change the way things existed and they say "No". In the meantime, one of your neighbors has sold an easement. And now you're getting species problems. And there is more and more restriction being put on the way you are going to use your land. You are finally are up to it where you can no longer maintain a viable ranching under that easement. Who do you sell to? No other rancher is going to buy it if it is so restrictive on you can't make it. No other rancher is going to buy your ranch because it is subject to that easement. So he would be buying in trouble.

Well you got two shots. You can sell to the outfit that you bought the easement from you or you can sell to the government. Let's say you sell to the Nature Conservancy group. Now they own the land and the easement. Under the laws of merger, in contract law, property law, the easement goes away. The easement goes away and they now own your land in fee simple. And all of a sudden it can be developed again. If that's the purpose of who you sell it to. If you sell it to the government you are going to get bargain rate prices. They aren't going to pay you what they would have to pay you if they condemned it and you went to a jury. So you sell it to the government and then the Nature Conservancy sells its easement to the government. And now the easement again is gone. And all the loss that you took because you took a lesser price for the easement in order to sell away your development rights, they are back now on the property but they aren't yours anymore. None of it is yours.

There are legal scholars, who have predicted, and we see patterns of it, it is already being done, that this is the way the government will attempt to get away from eminent domain. They know that if they take your land and it gets before a jury or before a court of claim or anywhere else, where someone is going to take an objective look at the value of your ranch, they aren't just going to look at what the tax assessment is on your ranch per acre.

The only people that don't know the real value of your land is you. The people that want it know the value. You keep thinking of it in terms of cows per acre. They don't think of it that way. They think of it in terms of an overall scheme of land control. And if the government comes in to take your land they are going to face somebody in the nature of a judge or a jury at some point that's going to see what your ranch is worth. They aren't going to look at as you look at it. They aren't going to look at it as a price per acre. They are going to look at the price of that ranch. The government doesn't want to pay that kind of money. And so the way for them to get around that is, as I said, they work with the non-profit organization. Why do you think there is a bill in Congress right now, in both the Senate and the House that will allow any agency of government to contract for planning, for wildlife development, for land development, for land acquisition to non-profit organizations? Of what benefit is that to the government? Why wouldn't they pass a law that says that the government can contract with ranch owners to help with planning and to help them buy other land? Well because they are in a common plan. The common plan is land control. Ask the person trying to buy your deed. Just ask them the question and watch the answer they give. Start giving them some of the facts. And folks they're there. You can find them on the Internet. You can find them through reading the materials you get mailed to you. You can find the examples of what land control is all about. And it's all wrapped up in these particular schemes. Keep in mind.

I'm going to try to get a lot of copies of that GAO report that I told you about. If we get it and we make it available to you. Take a look at that map. Remember that it was done over ten years ago. And over ten years ago the plan was already made to as to how to tie up every acre of ground in the United States through some type of eco-system plan. Then think about the Texas corridor. Which is already a place. It is already there. The documents have been signed that will put in a fourteen lane wide highway, train way corridor to Mexico and eventually clear to Canada. And the first stop that any truck that comes from Mexico into the United States will make is in Kansas City, Missouri. There will be no other place to enter that corridor. There will be no way to get off that corridor. And when they stop at New Mexico, the only people that will be observing what is in that truck or in that train is the Mexican customs office. That will be the case throughout that entire corridor clear to Canada. What's the purpose of all that? What is the purpose of the Arab nations that are now attempting and working on the Washington Utilities commission to get approval to put in Oregon liquefied gas ports along the northwestern ports of the United States. The people in Coose Bay are scared to death that that port is going to be put in there. These vessels that carry the liquefied gas that are so dangerous, some of them are as long as three football fields put together. And they will be coming into those ports. An explosion in any one of them could wreck twenty-five to thirty-five miles inland. The purpose of all of it is "one worldism". And the only way you can ever achieve that is through control of the land. Do you think the government could afford to

condemn every acre of ground that is going to be taken up with that corridor? When they can't even afford to condemn the land that is necessary to widen a freeway. But by controlling the land, by having somebody else control it, and by being able to work with that somebody else for various money reasons, they can get the land at bargain basement rates. And that's what all this is about. It's about the fact that the rancher, the farmer has been put in such restrictive, regulated use of the land that they are looking for ways to protect their retirement, because in most cases the rancher's the farmer's retirement is the land. And they want to protect it by selling the easement, getting enough cash to help them operate without going further in debt and thinking that they can continue to use the land forever as they are now using it. Well when somebody tells you that story, that you can continue use it for what it's being used, and you can use it for agriculture and it doesn't mean you can't add to it and you can't do something different, think of the little girl and her goat pen. I can provide you with true testimony in that case. These aren't things that are made up. Because they are too easy to prove if you are making it up. We can give you facts that will make it difficult for anybody to even try to respond to the position that we give.

Kimmi. Fred will you please, while you are talking about the Nature Conservancy, can you talk about a memorandum of understanding that we all know about and they may not know about.

RG The Nature Conservancy has a lot of Memorandums of Understanding. They have one with the Army. They have one with the Forest Service, which they just signed a few months ago where they will be given over under that contract, management authority for planning and operating the forests as they are turned over to them by the National Forest Service. They have an MOU with the state of Idaho, that Gov. Kempthorn, he's a Republican, entered into. He is one of our Idaho Republicans. Idaho is known as the most Republican states in the union, but it is not conservative, not by any means, not the legislature. Its just the fact that Idaho always elect Republicans, so Democrats now run as Republicans to get elected. Kempthorn gave them through a memorandum of understanding, control of the restoration of all the wetlands in Idaho. They have become an arm of the government. They are a funding arm of the government. Nature Conservancy bought a ranch in Idaho, a ranch that was an active grazing ranch. They even told groups that they went around to that they were a ranching partner. They were a grazing partner. Well not long after they bought the ranch they sold an easement on it to the BLM for about half the price that they paid for the entire ranch. And now there's not a cow grazing on it. It's been taken out of grazing and it is virtually useless from the standpoint of the tax base and the economy of Ayahee County. It just sits there. It sits there for people to fly down to and take retreats on. It sits there for the BLM to let rafters into the river. They have MOUs with virtually ... I would imagine they have an MOU ... I know they have one with the Air Force because some of the first money that came to the Ayahee initiative program, some of the money that funded some of the first meetings was Air Force money. But it was distributed through the Nature Conservancy and the Nature Conservancy did the paper work on where the money was and what it went for. One of the chief environmental officers in the Air Force spent a long evening with me early in the process explaining how the tentacles of that organization go into virtually

every office in DC. They have a group in most states I imagine. They have one in Idaho. And the Idaho people visit Washington. One of the stops on their tour of stops is the National Cattlemen Beef Association. In fact one of the landowner members on our board of directors for the landowner initiative is on the public lands council of from Idaho. She is the Idaho Representative. Of course, she wasn't being secretive. She kept the council up on what we were doing but she couldn't give them specific details. None of us, we were bound not to until we had a bill the Senator was ready to introduce. So we talked about the science review program. We talked about the exchanges of land. But we didn't give out details. She came back from Reno from their meeting there a couple weeks ago furious, furious, on the phone with me, really lambasting the fact that the Nature Conservancy and I haven't taken this up with them, but I will, the Nature Conservancy representative sat down with the staff of the National Public Lands Council and gave them the details of this bill that the landowner had tried to be ethical about and not reveal. Don't think that they don't have those contacts and connection with each of those agencies back there.

When the Carr Bill was destined to pass, I got the pass from the Stewards to analyze the bill and ended up writing a pamphlet about it. And it was that pamphlet, that Chuck Cusing and others spread around the country. And it was that pamphlet that other groups credit that pamphlet with stopping Carr in his tracks. I do know that I got a call from the head of the property owners association of Fire Island New York. I understand that each of the residences on Fire Island is a very wealthy coastal part of New York. I understand the minimum house in that area is four million, just the house. He said he had been promised by their representative and one of their senators, that there would be no condemnation of land allowed under Carr. But I just read your book and you pulled the language from the act and it says "condemnation." I said, "Yes. That's what it says." And I sent him a copy of the bill with that actual language in it.

He called his Representative, he called his Senator and they said, "No it's not in there." He pointed it out to them and sent them copies of the bill. And then got his property owners association to call each of them and those two votes changed in the Congress on Carr.

But that's the story. These people know that you folks don't sit down and read bills. They know that they can tell you something trust that you are going to listen to them. I've always urged our members and I know G.B. does the same thing. I urge you "Don't take my word for it. Read it." For example don't take my word for what this thing says. I'll make copies of this. Read it. See what they say. Better yet when someone offers to buy something from you, read that one. Ask them if there is any clause in there that you don't understand or you think maybe they could stretch this one, ask them about it. When they explain it to you and say "Well it really doesn't mean that" give them a piece of paper and say "Why don't you write that down and just insert that right in the agreement before I sign." Now if they want your place bad enough they will put everything in there you want. And you can write your own terms. But the problem is if they think they can wait you out, and get somebody else first they are not going to. The Nature Conservancy has MOUs with virtually everybody in government.

Kimmi: Thank you Fred. We're going to let GB for talk a minute. And then we're going to do questions for either gentleman. I would like to present GB from the Paragon Foundation. These fellows have worked together before and we are very honored to have you here today GB. He has the family history of the White Sands Missile Range down there, what happens when they took their family's land.

GB: I just want you all to know that I don't know three or four people in this country today that's contributed as much than Fred Graham. I'll tell you how fortunate you are to have him here and how fortunate you are to have him enrolled in this battle.

I also want to say, Johnny Dougherty I think that's one of the most attractive shirts I've ever seen.

My family lost their ranch in a very similar case to what you face right now. Let me spend a little bit of time sharing with you what you are going to see and what you are seeing now. Because one thing that we've learned and I think Fred'll agree with me is the United States government and the games they play regardless if it's in the Gaviota Coast in California or Naples Florida, their game never changes. And why should it? They've been extremely successful through all of it. My family lost their ranch to the White Sands Middle Range. Taking down there. And then Fort Lewis came back and wiped out the rest of those ranchers with the MacGregor Range Project. You are going to see things that are very, very similar I think because I think they are going to play the same way. In our case they used the Army Corp of Engineers. And one that thing I would want to stress on you as Fred did a moment ago is don't you ever, ever believe a word they say. They can lie to you and look you right in the eye. Generally the guy that they send down to meet with you face to face. he actually believes he is telling the truth, because that is what he's been told. Nothing those people ever offer your or tell you is ever going to be the truth. I'll bet you my hat on that before this is over with. That's what you are going to see.

The other thing they are going to do is as you put your group together; you need to make it as solid as you can. I'm very impressed with what I see right here. This is what they did down there. We put together a very solid group of people, ranchers. Over sixty people were involved in the just White Sands Missile Range. We talked about everything that was going on. We had a united group put together. But they came in through the Army Corps of Engineers and later in testimony in court; the employee of the Army Corps of Engineers admitted under oath in a courtroom they were paid commission by coercing people to do certain things. They picked out what they believed were going to be the people that were going to be the hardest to handle, the ones who were make the hardest in. The ones who had the most influence around the urban areas and those kinds of things. They went in there and they offered those people about three times the value of their ranch. See that way you have now divided the organization, you have divided the group. You have offered them far more than they ever thought they would get out of the ranch. And so you took the movers and shakers out of the deal. And that's what you have here. And they are going to do it a variety of different ways. Once you divide, once you take the players out, the guys who can pick up the phone and call the Senator or raise a

problem in the local community, once you've got them out of the way, then they are going to come in and stomp the guts out of the rest of you. And that's the way the game is played. And as I said in court battle, under oath, the members of the Army Corps of Engineers admitted that they were paid commission and yes indeed, they did lie to those people as they went down through there, but the court said that was fine provided you thought you were accomplishing the job you were sent out to do. There is a big difference in you and I and government employees. A little different game goes on right there.

Fred did a beautiful job talking to you about conservation easement. I do not pretend to get in there with the depth that Fred has. Except that I can tell you that at Paragon Foundation every case we have seen go to court for conservation easement has been ruled in favor of those holding the conservation easements with one exception. And that gentleman had to pay both attorneys. Then they came back and sued him again. And beat him the next time. Just know that when you hold the conservation easement, your odds and your percentages, and you guys are not afraid of odds as long as you are around cattle, but your odds to surviving that deal are slim and nothing. And that's the game. I've been a banker for twenty-five years. And I told Fred while ago, the only people who don't know the value of the ranch out there that you live on right now is you. The banker knows it. The Nature Conservancy or those buying the easements know it. United States knows the value of those natural resources. You are the only ones out there that look at from an ??? to ??? standpoint. And when you look at the value of water, and you look at what they are paying for water, and do you not own that water? Is that water not in your name? Absolutely it is. You being to look at the value of acre-feet of water what the cities like Las Vegas are paying for it and Albuquerque paying for it and Denver paying for it. Then all of a sudden you get to understand what the value is on the place that you live. Get that business out of your mind as you deal with somebody on a conservation easement or someone coming to buy your property. Get that out of your mind of what that cow is worth. Or what that cow is worth year to year. Forget that. Cuz you are the only one, you're the only one measuring the value that way. You need to start thinking about what the value really is of that property and in assessing that value and portraying that value out there to others. This is a prior appropriation state. ?It ?????? all of us. And that is prove ///// and water. Make sure that you own that water. Do an exhaustive chain of title following that all the way back up from the 1800s. So that when you go to the court of claims you are prepared. And they start to mess with you; you can send an intelligent letter telling them for sure what you own "I own this. Here is an exhaustive chain of title. Show me what you own." Let them know that you are prepared and you are educated and you are willing to go to battle.

One more thing I want to tell you all about conservation easements. I mentioned the bankers. I want you to know I am reformed. I am out of that business. From a banker's standpoint, every other year you have the FDIC come in and do an examination of your bank. And they go through your loans. Some 24 year old with a degree who's never set eye on anything dead, never looked at a cow, never looked at any of the country in his life. But that is the guy who is going to tell the banker whether or not his loan passes or he is going to condemn that loan and you are going to have to raise your capital because you've made a bad loan. I have made millions and millions of dollars in ranch loans. You

and I will all agree on one thing, and that is that your ranch hasn't been profitable every year, has it? In fact if you go back and look at the ranchers where I live, that ranch was sometimes profitable two years out of five. And so that creates a problem for that banker doesn't it. That banker is sitting there, that federal examiner comes in and he picks up your loan docket, he's going through it and he says, "You know what? I'm going to have to classify this asset, because look, they have been out here nine years and it's been two years since they took a profit. And I'm going to classify that asset. The banker can always get around corner by saying this, because I'm going back to what the value of your asset really is. I can always get around that examiner by saying but I have an abundance of collateral. I'm way over collateral. If by chance the guy can't make it and we have to get rid of the cattle and turn the ranch back over to the bank, you know what I can do? I can go over there and I can break up that deeded land. I'll get my money out of it. You can't classify that note; the bank can always get its money back. And you know what. He always has to go along with it. Because of the value of your assets. Put a Conservation Easement on that. Eliminate the ability to develop that piece of property and then trot down to your banker and see how high you are. See how excited he is to see you in there telling him you want to redo your note and you've given up your development rights. He doesn't have the time of today for you. He knows the value. And he knows how to get past the examiner with that. And so I want to call you attention to that. I want you to think about that for a little bit. You have every right in the world to put a conservation easement on your property. I guess the Paragon Foundation, if somebody told you could not, I would have to come defend your right to put that conservation easement on there. But as Fred says, be darn sure you know exactly what you're dealing with before you go in. Be sure you understand what you are getting into.

The other thing I want to share with you about what went on in our part of the world. I went to a meeting about two years ago. And down there we have an exercise called Roving sands, to prepare for, I'm sure for, I don't know what they want to use your property for, down there we have legitimate Iraq looking stuff, we haven't had rain in ten years. It really looks like Iraq. But they have Roving Sands. Oddly enough they bring foreign troops. We had Japanese, we had the Koreans. We had the Germans. We have all these people coming in to do exercises down there. But they came to me and asked me to attend this meeting a few years ago in Albuquerque because they had concerns with environmental issues. I went up to that meeting. And this goes back to your Nature Conservancy being involved in this and helping out the military. Let me tell you how they were helping them out down there. In order to do this exercise on Fort Bliss and MacGregor ranch they had to put drip cans under their tanks so that there's no oil or fuel dripping onto the ground. Drip cans. They want another big piece of property for a low level-bombing run down there where they are attempting to take more of these people's ranches. Low level bombing. Aren't we stealth? We are flying airplanes that you don't have to be low level. Isn't that correct? The stealth and all the fighters we are using right now are invisible. But you know who's not invisible. The Germans and the Japanese are flying those old F4 Phantoms and they coming lugging off down through there and they drop their cement bomb on the edge. That's what this is all about in training foreign troops. And we have raised this question that question again and again down there. And General Miller, who is Commander of Holloman Air Force Base, told me before he was

moved to the Pentagon, he said “I wish you property rights organization well, because it is the only thing in the world that is going to keep our troops from having to operate under foreign commanders.” And that’s what this is about. You all are sitting here talking and worried about your property and losing your assets. And I’m going to tell you this is much much larger than that. Much, much larger. My advice to you is when you go to Trinidad or wherever you do business, you make sure that if you stand in that grocery line or you buy gas, or you talk to that clerk, you make darn sure they understand how important you are. You make darn sure, whether they want to hear it or not, you make em listen to that. One of their favorite games, and they did it when they wiped all of us out down there, was they went into the urban areas because you can appeal to those people with greed. You can go down to the Chamber of Commerce and say, “Look we’re going to have all these extra troops down here. Look what that’s going to do to the housing and everything. And that’s something the merchant just jumps up there and bites on. All of a sudden he doesn’t remember where his meat and eggs come from. It’s that buck. And they have always had great success in it. And the reason they’ve had great success is because you and I haven’t done a great job of advertising and telling the world what we are really about. And you and I should do a better job if we are to survive.

You know you see animal ID coming down the path. That’s been in Australia for ten years. Been in England for ten years. Been in Canada for ten years. But we’ve got to do it for national security, don’t we? Where have all your problems come from with your diseased animals? From Canada and England hasn’t it? And that’s a part of the same thing you all are facing right now. It’s all tied in. Fred talked about the big fou????r.

I just sent a man to Chihuahua Mexico to slip inside of a meeting down there. And our great Governor Bill Richardson was a speaker down there. And he comes back and tells me Bill Richardson is some kind of an icon with the Mexican people. When he stands up and talks they just stand and clap forever. Vicente Fox was there. And our State Department had a meeting there. And what they were doing was talking about designing a city. And now I have a map of these two cities. Mr. Sanderson who you see in Forbes magazine, one of the wealthiest men in the world, the guy that owns cement. He’s building the sister city right on the other side. They’ll be no border. As you look at this map. And the schools are laid out. The streets are named. They know where the water is coming from. They’ve got it all put together. As you look at this map one entire section over there is for cattle growing. You see their objective is to make sure you don’t raise cattle in this country anymore or any other food supply. It is all going to be coming from down there. That’s exactly why ??? And Cargill has now invested about six and a half billion dollars in feedlots and slaughter facilities in Venezuela, and Brazil and Mexico. That is where it’s going to come from. Animal ID is nothing more than being able to get a count on what you have out here. Those are all the fingers that are coming together and coming together very quickly. And as I said, I don’t think it much matters about Republicans or Democrats. I think we’ve all been hung up and playing that game too long.

Ladies and Gentlemen, it comes down to the people who have those core beliefs. And those core beliefs you’re gonna find are the people out here on the land. And therefore

they are the people who must be removed. And that's you. So I would encourage you in every way you know how, this is fighting not only for your future, but your children's future and your great grandchildren's future. I would say right now is your opportunity to suck it up. And if you don't they are going to eliminate you. The money and the power is against you. But you know what, there's a couple things that I always think about, and that is there's nothing stronger than a grassroots movement. In my personal opinion I don't think there's any answers in Washington D.C. The only way you have control of one of those politicians is when they are absolutely scared to death of you. Nobody bought more plane tickets than I have, or Fred has going back and forth to Washington D. C. But I can tell you what I've accomplished back there. Absolutely nothing. But you know what I've noticed? As the paragon Foundation has grown and as we have begun to network with these other organization, guess who comes and knocks on my door every time the sorry devil comes to town. They don't come see you because they love you. They come to see you because they are scared to death of you. So within your organization that's the way I would suggest that you work at it. Build an organization that's strong enough, and vocal enough and well organized enough to hold them back. And then I'll pray for you that they don't come in here and single out the ones they want to and buy them out. Because I think they'll do that. They don't have any new plan. Any why would they have a new plan? Everything they've ever done has worked before. Make sure of your water. Make sure you have an exhaustive chain of title. Be prepared if you need to go to court of claims, Follow, if you don't know how, Mr. Hage and what Stewards of the Range did for Mr. Hage. Learn that part of his deal because that's where it's at. We fought that court battle for 17 years in the Federal Court of Claims. And we lost. And the judge and I can show you the ruling, he said, he thought this was the greatest atrocity that had ever been bestowed upon American people. But he still had to rule the other way. And you know why he ruled that way? W???? and I spent a lot of time talking about this. Because we went in and we said, "That's our land." We should have gone in and said, "No, no. That's our water. We own those water rights and therefore we have the rights to put those water rights to beneficial use." So hundreds and hundreds of thousands of dollars, seventeen years in a courtroom, we lost. I guess the up side of that is you all are about to face the same thing. Don't make the same mistakes we did.

Audience Question (AQ): What is it about the Nature Conservancy? What is the make up of the Board of Directors and why do they want to control all this land?

Fred: I have my theory. My theory is land control and wealth. Nature Conservancy is of course recognized as the wealthiest of all the environmental groups in the country. They are the biggest landholders. They are the ones who have millions of dollars in contracts with the government. Their Boards of Directors, I don't know if there is an organization in all fifty states, but I know there are in all the western states. I don't even know what their connection is with the national Nature Conservancy. But I do know that it is not in their nature to be adversaries. They told us initially, at the very beginning, they don't lobby Congress. They don't go in and battle for particular environmental causes like Wilderness. They don't impose or favor bills like many other groups do, the Wilderness Society, the Sierra Club, the National Wildlife Federation. But they're realtor operators. I had a member of congress say to me they're a national board of realtors. What they

ultimately hope to gain out of all this money, obviously. It's putting their stamp on land use.

I used to steer away from conspiratorials. If someone started telling me there was a conspiracy to do this or that I kind of ignored them. Then I became Chief of the Organized Crime Division in Baltimore the states Attorney's Office there. I was the head prosecutor of six attorneys who concentrated on organized crime. When I came back here, I think that's why the ranchers wanted me to represent them against the government. They figured that if I knew how to work against organized crime I would know how to work against our government. There's a lot of difference in how they operate. On the other hand after about four years of that I quit the Attorney's office and I started defending the people that I had been trying to put away. And that's probably when I learned more about how they operate. But from my experiences, I used to say don't talk to me about conspiracies, talk to me about the facts. I used to think that the anti-communists, you when somebody said there's three communists off in that other town, I used to think well there's nothing to that. I don't turn my back on conspiratorial theories anymore. You start putting together, if you go back to the beginnings of the 1930's and you look at the first Wild lands Projects. And you look at that decision in 1972 or 1975, 6? When the seventeen agencies put together their MOU and it matched up with the Wild lands Project, land control. And then if you make a study of it, and frankly I haven't done that, I'm not gonna take the time to do it, but you could study the Nature Conservancy, you could study the other land trusts, because I liken them to a land trust rather than I do to the other environmental groups. The other environmental groups are adversaries, they are like us, they fight for a position. It would be interesting to see when they came into existence. And even to relate to some of their origins. with the people that were putting their MOUs together at that time. Maybe they are some of the same. All I can tell you is they are constantly on the look for contracts with the government that deal with elements of property that lead to land reform. They buy a lot of land and they sell a lot of land to the government. They buy a lot of easements and they sell a lot of easements to the government. There are millions and millions and millions of dollars every year that change hands between the government and the Nature Conservancy. More than any other group. The Washington Post did a series of, it started out to be an expose, I couldn't read after a couple of issues. It was a study of the Nature Conservancy. Do you have the Internet? You go on the Internet and you look back through the Washington Post and you get that series of articles and it will tell you a lot about the operation. I pay attention only to the impact of what it is they are doing. And the impact of what they are doing show that those tentacles go out into the government in every way. And each time they do it has to do with land control. Land control by controlling what goes on the land. And as GB says, even some of that is water too. When you deal with the wetlands, when they get control over a wetlands in an easement then they are looking for control of that water. Water is the most expensive thing that is available in limited fashion. And he mentioned the cities are willing to pay a fortune for water. And it's going to get more valuable all the time because the population of the cities is going to continue to increase.

GB: Let me just say one more thing about the Nature Conservancy. When we fought the battle down in Florida over the Cape Sea side Sparrow. What we learned down there once

we got down there was an expansion of those parks. And they were trying to protect this bird. But you know who owns all the mineral rights underneath the Everglade National Park and the Great Cypress National Park was the Nature Conservancy. So as they flooded that land and expanded those parks, they were picking all of that mineral. You see it doesn't have anything to do with protecting a bird or an animal or a plant. This is about money. The other thing I wanted to add, after we got in battles with Forest Guardians, the Southwest Center for Biodiversity. And this is my opinion, part of this I can base on facts. That was the funding arm for all of the other environmental groups. The Nature Conservancy in my opinion is the bank. They are the ones out there gathering the money and doing the transaction and moving and selling the land. But these are 501 C 3's and as you begin to track the money and you can trail the money just like you can in Fred's organization or mine, you can see where every dime comes from. As you begin to track that into radical environmental groups you're always going to find the Nature Conservancy group is somewhere underneath. So in my opinion they are the funding mechanism for some of those C501s.

AQ: GB, this is directed to you. You know already this divide and conquer situation has reared its ugly head. We stopped at a couple places to put signs up yesterday. And one individual said, "Well we don't know. You know my father controls it. But we don't think we will because we took a beating the last time when we were against the Army." There are a couple of people and very effectively that if you are against this acquisition by the United States Army that you will get the bottom dollar. People that cooperate will get a bonus. And I ask and beg you people. Don't fall for this. Stand up for what the hell you think is right. You know that I was quoted in the Pueblo Chieftain that I was more afraid of the United States government than I am of the terrorists. Well I don't own anybody any apologies. I'm retired military and there's not one of you people that are going to run. Hell we've all got ten or twelve guns in our house. The terrorist isn't going to come in here and take any of us. United we stand. That's all I have to say.

GB: Of all the ranches that were taken down on White Sands Missile Range our ranch was the only one that not taken for fifteen years after they took everybody else's. They fenced everybody off and they didn't take it. Let me tell you what happened. Now I'm not standing here advocating this. But my Granddad was one of those kind of guys. And they sent him a letter and they said they were taking it. And then they sent him a check and he sent it back. Then they sent a bunch of GIs out there with posts and wire and they began to kick the posts and wires. Now that fence was going to cut right through our back corral. They were going to take 92,000 acres of our ranch. Not all of it but 92,000 of it. So he decided that maybe he better go sit down and talk to the general. So he got in his old pickup and he drove all the way to White Sands Missile Range and he went to the headquarters. He got a pass to get on the base. He went in there. He went inside and the little secretary said, "Can I help you?" And he said, "I would like to talk to the Commander." And she said, "Very well, have a seat. What's your name?" And he said, "Well, I'm GB O" And so she went through the appointment book and everything and she said, "Do you have an appointment?" And he said, "No I don't have an appointment." And she said ate him alive. She said, "Do you understand how busy the commander is? He's overseeing all these projects out here. He's got contractors by the hundreds out here.

What makes you think that you can come see the Commander without an appointment?" So he picked his old hat up and went and got back in his truck. And he went down there where those GIs were throwing those posts and he told them, "This is not your battle. None of you made any of these decisions. And I don't want anybody to get hurt here. And I'll give you thirty minutes to load up whatever you take with you and leave. And then I'll kill you." They apparently didn't need any of it and they jumped in their jeeps and they left. And then a little while the whole ranch was covered with MPs. Of course the Sheriff came out there. And you have to remember my Granddad was the first Sheriff of Otero County so there was a political problem. And they called my Dad and he got out there. And we went through this whole fiasco. And he said, "I attempted to go see the Commander and he wouldn't see me." So they got it all broke up. So the Commander of White Sands hears about it and so he decides, "My Gosh, this man wants to sit down and talk. That's the thing to do. He's kind of a rattler; he's liable to shoot somebody. I need to go see him." So they flew a helicopter over there and they landed about 300 yards from the ranch and drove a military station wagon in there and picked up the Commander and a gillion Colonels and drove into the front gate and backed up to his porch and as they started to get out he kicked the screen door open and he shot the right rear tire. They drove on the rim all the way to the helicopter. They drove on that rim six miles on that old dirt road before they got over there. Here came all the people. And the Sheriff came and the MPs came and had another big go around out there. But you see the military police didn't have the authority to arrest him. And the Sheriff pointed that out to them. Don't forget that part, that's going to be important as we go down the road. The Sheriff came in to talk to my Grand Dad. They came into the living room and he said, "What in the world possessed you to shoot the right rear tire out from under in that green station wagon?" And he made the most profound statement I've ever heard in my life. He said, "He didn't have an appointment with me." Laughter. Everybody else got run off and they waited until he passed away. Hang together. Don't leave one guy out there like he was hung out there. But draw a line and don't back up. That's what I would do.

Fred: In Owyhee County we had our own military argument. Actually not in Owyhee County but it went over into Owyhee County. And that was the development of the air-training base, the bombing missile range in Mountain Home ??? Air Force Base. And they needed all this range so they could train people to fight in the Arab nations and the Middle East because Idaho is so much like the Middle East. They were moving into federal land but it was BLM grounds. The Department of Defense, so it was just a paper change of money. But they tried to just have the people who had grazing allotments on that land, they tried to just reduce their grazing, so you wouldn't be able to graze there anymore. But because the people in Owyhee County, I told you those ranchers stand together. The County Commissioners backed everything the ranchers decide to do with regard to keeping their ranches viable. And they have for those ten years that I been out there wit them. They were standing together and the County Commissioners said to the Governor "We want to be represented. We want the County represented on all these committees that deal with this." And the Governor said, "Well we don't really think we want to take it down to that level." So I wrote a letter to the Commanding General at Langley who is over the entire wing that covers Mountain Home. I said, "You might want to remind the Governor that under Clinton with the Federal Land Policy

Management Act, you're going to have to coordinate with the county at some point, so you might as well get it done right now as opposed to later." And the next day the Governor's office called and said, "You know we've reconsidered this thing and Owyhee County ought to be sitting on this committee. And when we got in there we made it clear that if anybody lost grazing on the federal land we would go to court. The ranchers, the Owyhee Cattleman's Association would go to court and county would go to court. They ended up buying AUM's. They paid those people from a million to three million dollars to not graze their cattle on that federal land that they were going to transfer to the military and left their grazing rights intact on all the rest of their land. So that's what happens when you stand together. And if they hadn't stood together there and if the County wasn't with them, those people would have lost their allotment income and gone out of business. The military can be worked. Remember this, the military officers, the higher up you go the more they understand what the power of the people is. The former Prime Minister of Israel has written a book about this. He was a young man when Israel was first declared a nation. The important people had taken over that government and they didn't represent the people. And he talks about how on the ground they began to organize from one little village to the next. They organized together until the point when they could take over that government. He makes the statement in there that there is nothing that the grassroots cannot achieve if they organize and work together. That's a fact. I've seen it work. The County and the Cattlemen of Owyhee County have lost nowhere in the last ten years except before a federal judge. But when we go to Congress we win. We don't win any positive, but we defeat things. We win in the state legislature. We win against the BLM. We now have the BLM sitting down every month outlining its management actions for the next month for the County Commissioners and one representative of cattlemen. That's unheard of. But it's done. And it can be done in every county where the people organize and get their County Commissioners to say what their rights are under law. County Commissioners has an enormous amount of power under federal statutes if they would just bother to use it. And they won't bother to use it unless the all people say, "You will use it."

AQ: The Nature Conservancy is a global environmental group. The reason why they want control of all this land is you control the land, you control the people. When you control the people, then you're a communist state or whatever. And it's just kind of a round about way to get control of each individual and what they do.

AQ: What happens when the rules on a conservation easement perpetuated by the easement holder conflicts with local, state, federal law. Then who trumps who? Talk about vegetation. What about your need to control it. But if they won't let you cut tamarisk. But the federal government says we're doing tamarisk control, who wins?

Fred: They won't. They will always be with them You're not ever gonna find an easement holder who goes against the government. What they're going to do is use government regulations and enforce them on you as the landowner that wouldn't otherwise be enforceable on you. In Monterey County five years ago they called me down there. I don't know how much you know about Monterey in California. It's really in two sections. Monterey, the northern part of the County is tourist. The Salinas Valley

in the southern part is agriculture. The row crop capital of all the produce you get in the wintertime is from right there. Their County Supervisors were ready to put in place a general plan and zoning plan that would put such restrictions through the whole county that it would put those farmers down out there out of business. This is where I said the language of altering land surface meant if you lift a shovel full of dirt you had altered land surface. They had buffer zones they had created along every stream which meant that you wouldn't be able to get in and even dig a little irrigation or clean out your irrigation ditch into some of those row crops. They had all these restrictions in there and they were ready to do it. People didn't have enough representatives from the southern part of the county being agriculture being less populated so the northern part of the county was going to carry it. And they had me come down and I spoke to a group about this large. And I told them if they would organize they could fight it. No federal land so there's no BLM type of coordination they could use, but they could fight it. They could fight it with human voting bodies that went in to council chambers and protested the thing if they could come up with something that would show the damage and do their own plan. And I use the same analogy as in Israel, the grassroots organization, those people put together an organization. That plan was scheduled to go into effect in two months. It still isn't in effect. But what the federal people had told the county planners is, "look here's the language we'd like you to put into this plan. If you'll put it in here, we'll leave you alone. We won't come against your county. And then they provided things in the plan that the federal agents couldn't enforce. And once it got into that county plan it would be enforceable under county law and state law. Those professional planners are what we are talking about. Those are the kind of people that put together those conservation easements. They will never be in conflict with a government regulation. But they will, through their management plan, put into effect federal regulations that could not otherwise be applied to the land under the easement. As the easement holder they could make it legally applicable to you. That's the problem. You'll never find that other conflict. The conflict will be between the landowner and the regulations.

AQ: Over in Baca County we've got these federal grazing lands. A guy by the name of Tom Peters, I guess decided upon himself with a stroke of the pen to do away with 40 temporary grazing numbers. I understand that the prior years before that when Kim had temporary numbers they made those numbers permanent. Some of these temporary numbers have been on the books 27 years where they've done stuff, improvements to gain temporary numbers and then they just do away with them.

Kimmi: I went to a meeting in Pueblo the other night with the Cimarron and the Comanche National Grasslands. I brought up the question about why they are the first national grasslands that they decided to change all this on. It's uncanny to me that this is all happening in the same areas where they decided to start here with their new grazing reform act. He's talking about the United States Forest Service.

Fred: Don't think that they don't know exactly what's going on. Let's face it. You folks go about your business and you may not see each other every day. You may not see each other every week. But believe me the government agencies do. They meet they know what's going on because they've got directions from up above as to what's going to

happen. Now that guy that did away with those at the stroke of a pen, now he might not be able to give you all the details of everything that is foreseen for the next ten years here. But the people above him can. They can tell you what the goal is for ten years out. For twenty years out. They already know that. If he did away with those and it's the first one, it's not probably a coincidence. I'd go back to my conspiratorial theory. I believe in it. But does he have any recourse? He's gotta see some lawyer that's familiar with the Forest Service Rules. But I'm gonna tell you this, if, and I know it's too late now, but if the governing officials of that county had organized and had declared that they were involved in land use planning and notified the forest service about it he couldn't have done that without coming and talking with the commissioners of the county first.

One of the things is to recognize that you have more power through your county government than you do as individuals. There isn't a federal statute that relates to environmental controls or water that doesn't talk about local government. There isn't a one. The endangered species act requires the secretary to take into account what local governments have done. I spent 10 minutes on the internet for these folks on this liquefied ports up in Oregon and I found a state statute that says that the County Commissioners shall intervene in these hearing for the citizens. Or the County court rather. And they didn't know that. That's where historically local government was the central government. It was the center of power. In the law it is. We have a Sheriff in Owyhee County who understands that. No BLM official can come into the county without calling him first and telling what they are going to do and he goes with him or a deputy.

GB: In all the activities we have been involved in we have never seen a federal agency line up and go head to head with a county commissioner who took a stand. And I think part of that reason and they will always say up front "O yea we've got the authority. We've got the jurisdiction to do that." But if those County Commissioners hold steady you'll never see them do it. And I think probably because they don't want to set that precedent. They don't want a county government to take them to task in a courtroom. And so if you can get your county commissioners together you can handle it.