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The Landholder's Views of the Problem: The Open Acres Program as a Solution

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PANEL SESSION III

LANDHOLDER - SPORTSMEN RELATIONS: SOLUTIONS FOR A PROBLEM

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THE LANDHOLDER'S VIEWS OF THE PROBLEM: THE OPEN ACRES PROGRAM AS A
SOLUTION

The Honorable Henry Bellmon, U. S. Senator for Oklahoma

As the chairman says, I am to talk about the landowners' view of the problem and to discuss the Open Acres Program as a solution. I'm not going to spend much time on the landowners' view because others can present it better. It is true that I'm in a unique position, being a landowner, a quail hunter, and also a politician. I feel strongly about all 3 viewpoints, and have to admit that there is certainly room for a great deal of improvement in all interests.

One of the problems is that city people and country people just don't seem to understand each other very well. A lot of city people think you can go out and befriend a farmer in a few minutes, but they are wrong. You get to know a farmer the way you get to know the people next door, and that is over a period of time and over a series of mutually satisfactory encounters, not by coming in on him 3 or 4 days before hunting season believing you will gain immediate acceptance. It just isn't done. Now I know that many farmers like to go hunting once in a while, but lack a good bird dog. They might enjoy an invitation to accompany you and your dogs, so if you want to become friends with a farmer, do him a favor and invite him to go along. You'll find most of them make pretty good hunting companions. Farmers generally want to be good "Joes," but they have had some bitter experiences that make them guarded about letting strangers in.

Any one who gets permission from the landowner to go on his property has to recognize that it is for 1 day. When he wants to hunt again he must ask again and let the farmer know that he recognizes the farmer's rights to his own privacy.

Now, to get on to the politician's view of the problem. We get tremendous pressure on the government from people who want public hunting areas. There's great pressure to buy land. The Federal Government is spending around 4 or 5 hundred million dollars a year to buy private land and turn it into public access areas. Now even though we do spend these huge sums we are still far short of providing the total amount of land our increasingly urbanized population desires for hunting, hiking, camping and other outdoor activities.

Of course there is, believe it or not, a limit to how much money the Federal Government has. We have the printing presses, and we are

doing a fair job this year of running up a 38-billion-dollar debt. We are spending it just about as fast as we can print it. But there is a limit to how far we can go in this business, and so we are writing a new farm bill. We put into it this thing called the "Open Acres Program."

I am not going to go into all of its details now, but just sum up quickly the theory behind it. We now find that most private lands in this country are rapidly being posted. The problem is that if you are a private landowner and do not post your land but your neighbors all post, then pretty soon your unposted land is virtually overrun. So you are forced to post in self-defense. We hope this bill will encourage private landowners not to post but rather to create recreational opportunities and organize ways to make these opportunities available to the urban people who do not have access to public hunting areas.

I might pay tribute to the fellow who really started this whole idea and that is Wendell Bever. You all remember him as former State Wildlife Director here in Oklahoma and later as one of the regional directors, or coordinators, for the National Wildlife Federation. During the time I served as Governor, Wendell came up with the idea that state-owned lands in Oklahoma ought to be opened for public hunting. He was thinking of the areas that are used for parks in the summertime but generally are almost abandoned in the wintertime, yet are not open to the public for hunting. Wendell stirred up a real hornet's nest when he tried to open up state school land leases; he could not get anywhere. He took the position that it was never going to be possible for the state, federal, or local government to own as much land as the public needed for outdoor recreational uses. The only answer lay in the multiple-use concept which in brief says that land can produce both agricultural products, crops or livestock, and recreational opportunities. The key to it is to work out a system that will encourage the landowners first to produce the game, or the fish, or the recreational opportunities, and secondly to permit nonrural people to come in and enjoy these benefits.

So we wrote a farm bill and put into it the Open Acres Program. Now you folks who are in the farm business know that it is very tough to pass a farm bill. Most of the members of the Congress represent consumers or urban areas. They have a very difficult time going back to their constituencies and explaining why the Federal Government spends each year some 3 to 4 billion dollars on a farm program that a lot of people believe has the negative effect of keeping food prices high. These city dwellers generally would much rather see that money go for hospitals, schools, mass transit, or pollution control. It is very difficult for congressmen from New York or Los Angeles or Dallas or Chicago or other big cities to explain why they cannot provide some of the services their cities need, and yet support a 4 billion dollar appropriation for price support and the farm program. Consequently, Congress has put into the farm bill some things that city people like. For instance, the school lunch program is in the farm bill. Now farmers complain about this because it seems that the cost of that program is actually on the farmers, but they get nothing from it. So the Open Acres Program was added to the farm bill in the belief that it is something both rural and urban people will like. I must say that the

bill as written was drawn up here in Oklahoma by a group made up of representatives from the State Wildlife Conservation Department, U. S. Soil Conservation Service, and Agricultural Stabilization and Conservation Office.

Briefly, here is how the program is supposed to work. We asked the USDA to allocate a certain amount of dollars for the Open Acres Program. The USDA chose 5 counties in each of 10 states. Each of these counties was allocated a portion of the money to be made available to farmers who would put their land into the Open Acres Program. Farmers were given a period of time to sign up, and from indications here in Oklahoma an adequate number of farmers are participating to give the program a pretty good test in the 5 counties.

After the farmers have signed up, the State Wildlife Department is supposed to inspect their land and certify its eligibility. They have to check to be sure the land has outdoor recreational potentiality. Then there is supposed to be Wildlife Department supervision to see that the lands are managed as well as possible to produce maximum wildlife and outdoor recreational opportunities. The land is supposed to be permanently posted with signs saying it is in the Open Acres Program and accessible to the public. The farmers are to be paid for opening their land to the public. I'm not sure just what the price is going to be. In some areas a flat rate will be paid, and in other areas participation will be offered at the highest bid to see just what must be paid to get farmers to open their land.

After the program is put into effect, it will be closely monitored by the USDA to see how much use is made of the land, how much good the people get from the land, and what kind of relationships the farmers have with those who come to utilize the outdoor recreational opportunities being provided. Based upon what happens this year, the program will either be expanded or dropped from the new farm bill that we are going to write in 1973.

I am very hopeful that the results this year will be good and that farmers who open their land will be treated with the respect that they are due. I am hopeful that the people utilizing those open spaces will find that the game or the recreational opportunities they are looking for are present and that this program can be expanded both for the purpose of paying farmers for this valuable public service and of making available to city dwellers outdoor recreational opportunities close to where they live. I see this country rapidly moving toward posting of most of our private land. Then only urban people with sufficient wealth to lease land and people living close to public-owned areas will have access to the great outdoors. This will be a great tragedy for our country. The Open Acres Program is an opportunity for the farmers to increase their income while generating much good will among their city cousins and for city people to better understand agriculture and farmers as well as to have access to outdoor recreation under a new, vital, and very satisfactory arrangement.

I would like to urge all of you in the room to watch the program and to lend a helping hand to insure that it works.

Discussion

Question: Senator what method of controlling hunters will be used on these areas?

Senator Bellmon: The administration will be handled by the State Wildlife Department. I cannot speak for them, but it is my feeling that they will at least keep a record of the harvest and amount of game remaining. When the populations go below a safe level then I assume the gates will be closed.

Question: Will they have to restrict the number of people using these areas on certain days or will they be open, uncontrolled, to the general public?

Senator Bellmon: The areas, I assume, will be open to the general public as long as the game populations will stand the hunting pressure. There is nothing in the law that covers this point.

Question: Do you have some idea as to what fees will be paid to the land owner on this?

Senator Bellmon: As near as I can tell you, and there is nothing official about it, it will be somewhere between \$1.00 and \$3.00 per acre. A wheat field could not be used in the program; the land would have to afford some recreational opportunities.

Question: Will access to these farms in the program be limited only to resident hunters living in the vicinity of the selected farms? Will the public be notified about the locations of the farms?

Senator Bellmon: Access is not meant to be limited to the local vicinity where the farms are located; it is intended to be available to people no matter where they live. I don't know how much advertising has been done; I doubt that any has been made because the program only began in January and I doubt that the lands will be open until some weeks after. We're trying very hard to get USDA to add a person to their staff to administer this program. We want someone who knows the wildlife business and who will insure that the public is aware of this new opportunity.

Question: Senator Bellmon, I am Chester McConnell, Tennessee Game and Fish Commission. I would like to commend you, your colleagues and the A.S.C.S. officials for the efforts being made to create environmental improvement programs. The pilot Public Access Program presently being tested by the A.S.C.S. will certainly be beneficial but leaves much to be desired. The Public Access Program pays landowners to allow hunters and other persons to have access on private land but does nothing to improve wildlife habitat. In many cases landowners having poor wildlife habitat conditions on their land are receiving government funds. If no suitable wildlife habitat exist on the land in question, there is no need for sportsmen to have access. A good program is needed which will pay landowners a just sum for developing wildlife habitat on their land. Then, these 2 programs combined, the habitat development and public access programs, would be what our country needs.

I am presently chairman of the Farm Game Committee of the southeastern section of the Wildlife Society which represents 16 states. Our committee is attempting to persuade the U. S. Department of Agriculture to adopt a more realistic wildlife habitat development program. The A.S.C.S. is obligated by law to consider wildlife needs in their Rural Environmental Assistance Program (REAP).

The REAP does have several wildlife practices that cost-shares wildlife habitat projects with landowners. But, there are several serious weaknesses in the program and landowners do not participate in the wildlife practices very much. The Farm Game Committee has identified the weaknesses and brought them to the attention of the U.S.D.A.

We feel that:

1. The wildlife habitat practices are having to compete with regular farm practices for funds. Landowners normally select the other available practices which will help improve their income. Wildlife practices are the only practices which do not necessarily improve landowners income. Most often someone other than the landowner will benefit from the wildlife practices.
2. The REAP program should provide 100% payment for wildlife practices and special funds should be established which could be used for no other purpose.
3. Wildlife practices should automatically be placed on all county REAP programs.

We do not feel that our requests are unreasonable.

During 1970 approximately \$181 million was paid to landowners in cost-share assistance through the REAP. Less than 2% of this sum was spent on wildlife practices. The U.S.D.A. also spent approximately \$4 billion on agricultural crop subsidy programs. Much of this money being spent by U.S.D.A. actually encourages destruction of wildlife habitat. The least that should be done is for our government to have a realistic program to pay those landowners who are willing to devote a part of their land to wildlife. We feel this would be a popular program with the general public which is presently not receiving much benefit from agricultural subsidy programs. In our nation which spends billions of dollars for all kinds of programs we certainly should be willing to spend a just sum for 1 of our greatest natural resources, our wildlife.

Will you do what you can to help us get needed improvements in existing wildlife programs in the U.S.D.A.?

Senator Bellmon: I would be very happy to look at it. Let me urge you to contact your own Senator or Representative and tell him what you have just expressed. A lot of people don't grasp the idea of multiple land usage and they think that a farming area and a hunting area are something completely different. I think you could be very helpful in generating support for a Federal multiple-land-use approach. Also, I might

say that I have been appalled to find there is not 1 single wildlife expert in the USDA. They turned this whole thing over to the Soil Conservation Service. I am not complaining about this because I think the SCS is a fine service, but they don't have any idea of the immensity of this problem. We can't get the USDA to add 1 man to their staff to supervise this thing. You folks in this room could help by getting the USDA to find these people, and I'd sure appreciate it.

Question: Do you believe a 1-year test of the program is adequate to determine whether to keep it or drop it?

Senator Bellmon: Not adequate. But you see the program is on the books for 3 years, and it took about 18 months after we wrote the bill to get them to move at all. So we lost last year. We got started in January of this year. The farm program we have runs through 1973. We have to write another bill before the present 1 runs out so we'll be writing a new bill in 1973. I agree with you that this is bad but I hope we will keep going another time around. I believe we will, but a lot of the Congress' attitude is going to depend on whether or not people like yourselves respond. Letters to your congressmen or senator will help keep the thing going.

Question: Why should the Open Acres Program be necessary when farmers are already being paid to set aside 34 million acres from production in the Soil Bank Program? Why can't we expect the subsidized soil bank acres to be opened to public hunting by the taxpayers paying the subsidy?

Senator Bellmon: May I make just 2 points? First, you mentioned 34 million acres of farmland withdrawn from production; it's actually 60 million. The Federal Government is keeping 60 million acres of farmland out of production this year because we don't need the crops, and it is costing about 4 billion dollars to do this. Second, under the Soil Bank Program these long-term contracts, as you may or may not know, almost put a large part of the country out of business because there are areas where agriculture is so marginal that farmers went into the set-aside program en masse, and the feed dealers and the fertilizer dealers and nearly everybody lost customers. That program would be very hard to get approved by Congress again. So I don't think there are going to be any wide-scale, long-term, set-aside land programs in the future.

In the Open Acres Program there is a provision whereby we're going to get involved in something similar to set-aside lands although we probably shouldn't. For instance, on my farm I am required to have 243 acres set aside. Under the terms of the Open Acres Program I would be paid to put 24 acres, that is 10% of my present set aside, into permanent wildlife cover. At the present time the farmer cannot put land in the set aside if it qualifies as crop land. If it is grown up in brush or scrub the ASCS people will come out and say that is not farm land, so plow it under and clear it up. They are working against wildlife management. This bill gives the farmer and landowner the right to put 10% of the present set aside into wildlife habitat and still get federal support. I don't think from the farmer's viewpoint that you'll ever get them to agree to leaving land out of cultivation for 3 years,

because it is not good farm business to summer fallow land that long. In my case for instance, we'll put 100 acres of land in set aside this year; next year that will be our best wheat. It will probably make 10 bushels more an acre than it did before summer fallow. So I think from the agricultural standpoint we won't get away from the present program of using different land for set aside year after year unless we allow brushland to qualify as set aside. That and encourage farmers to plant cover for wildlife.

Mr. Chairman, if I could just say one thing more. It seems to me every state's situation is different: Iowa's situation is different; Tennessee's is different; Oklahoma's is different. There is no way Congress can write a program to fit the whole country. It seems to me the thing we ought to do is to stand on the authority that is in the law and on the finances that are available. We've got to sell the USDA on the idea that this land has a use beyond agricultural use, that the greatest outdoor recreational opportunities in this country are on private agricultural land. The USDA needs to concern itself with the way this resource is developed and utilized, and until we get them to see this we are not going to get anywhere. Congress can pass laws until we are voted out of office. Unless the Department of Agriculture's administrators add people in your state, my state, and Washington, D. C. who understand what we're trying to do, we are not going to get very far. You folks in this room can help us very much if you will just sell the USDA on the idea that here is a tremendous resource and it is up to them to see that it is better developed and utilized. Let's get a wildlife person on each state ASCS committee and in the USDA office.

PENNSYLVANIA'S PROGRAM TO IMPROVE LANDHOLDER - SPORTSMEN RELATIONS

Harvey A. Roberts, Pennsylvania Game Commission, Harrisburg

Probably the best place to start would be with a very brief thumbnail sketch of Pennsylvania for those of you who have never been there or have gone through it very hurriedly. The state is roughly rectangular in shape and consists of 45,000 square miles. That makes it about 33rd in size among the 50 states, and we have a human population of 11.5 million people. That makes us 3rd in the nation. So you can see we have people and land problems. One-half of Pennsylvania is forested, and the state is bisected in a northeast-southwest direction by the Appalachian and Alleghany Mountains. Probably we have 1 of the most heavily hunted pieces of real estate in any part of the country. An example of some of the hunting pressure we get is on our primary pheasant range where we have had ongoing studies for a number of years. On a 3,000-acre area, we averaged 220 man hours of hunting each day during the 25-day season. We sell in excess of a million resident hunting licenses and we sell approximately 100,000 nonresident licenses. In both categories we lead the nation.

Historically, Pennsylvania hunters and landowners have never been too prone to erect or abide by no-trespass signs. Even by today's standards the Pennsylvania hunter does not hold a no-trespass sign in quite the same respect or esteem or fear that it is held in other states.