

# THE PROGRESSIVE RANCHER

AUGUST | SEPTEMBER  
2012



*Traditional Past...  
Embracing the Future*



## Toads, Humans, Sage Grouse and the Endangered Species Act

By David Spicer, Rancher and Miner from Beatty, Nevada

Society for Range Management literally wrote the book on Coordinated Resource Management (CRM) back in 1993. Today the groups that meet voluntarily to solve problems for resource management issues are called collaborative, which is a stakeholder consensus decision-making process. Stakeholders are any interest with a stake in the consequences of the decision. In this process, the stakeholders make decisions by consensus, rather than by traditional voting and majority rule.

The original "CRM Guidelines" by Rex Cleary and Dennis Phillippi state, "The purpose of CRM, in part, is to resolve specific conflicts or issues that may hinder or preclude effective resource management decisions. CRM can also be a proactive process in planning for improvement of natural resources. CRM is based on the belief that people can work together by communicating and adopting a cooperative attitude. Resolving resource problems or conflicts in locations with mixed land ownership patterns and public interests requires team work. Team building and teamwork are major elements of Coordinated Resource Management."

### INTRODUCTION

Following is Part Three of a three part interview with David Spicer, a rancher from Beatty Nevada, who speaks of his experiences and actions when he faced the potential listing of an amphibian in his valley under the Endangered Species Act. He also owns and operates a mining company and formed the non-profit, STORM-OV, which is dedicated to keeping species from becoming endangered through cooperative programs and educational approaches. It stands for Saving Toads through Off-road racing, Ranching, and Mining in Oasis Valley. You can find out more on the web-site [www.STORM-OV.org](http://www.STORM-OV.org).

### WHERE DO YOU FIND YOUR PASSION AND ENERGY?

My mind wanders to all those folks out there who are confused and embattled by this bureaucratic world. It's only because of my experiences from my youth to maturity which created the passion that I have. I love my childhood memories, they touch me in ways that make my eyes water and form goose bumps. This is what moves me, what made me educate myself, get involved. This is the thing that drives me to protect it, the thing I've given to my children, an awareness of the world around them. That is why we protect it, why we care about all things alive, whether they've got feathers, hooves, fur, scales, bare skin or leaves. We, the people, are in this equation. Let us not forget to pass on the goose bumps.

I want for all of us to live unmolested on our ranches, free to run like the horses that live on them, to use the land as our right to do so should be, raise our children between the same sunrises and sunsets we grew up under. Pursue our passions as our fathers and grandfathers did before us. Open up the eyes of our children to the beauty in the world and stir within them that feeling you get when your horse is at a dead run through the pasture, and you're chasing the wind, it's roaring in your ears, tears are running down your face, you can feel your animals power, feel him racing, mane flying in your face. You hit that magical spot where all goes quiet and you can hear his hooves pounding... hear his great breaths, heaving, in and out, you feel the air go quiet all around you....You've caught the wind and you're flying with it. This is what I want, this feeling of absolute freedom and the sense of amazement that comes with the discovery. Things like this stay with you, all your life. Somewhere beyond all the chaos, noise and confusion of life, there is a quiet spot, and there you can see the world and all of its beauty.

### WHAT HAPPENS NEXT?

I knew that truth would prevail, that our toads here far outnumbered the first published count of 32 adults. That somehow, the good folks of our valley stood wrongly accused of contributing to this sign of eminent danger, through their acts of greed. A long road has been traveled... the success has been ours. All the naysayers, the distruster's, the outsider's, the doubter's, even the current petitioner, have silenced their concerns. They have all watched as the cooperative movement of the "Community" has produced undeniable results.

Our success is to bring the community of residents, land owners, environmental concerns, county, state, and federal agencies, and our biggest contributors – land users...off-road racers, ranchers and min-

ing companies together in an movement which has kept the Amargosa toad off the endangered species list. We have become the shot heard around the world. Our efforts have always supported the multi-use concept of many users upon the same disturbance minimizing the impact on our environment. While not afraid to find new beneficial uses of land, we attempt to gauge this with reasonable thinking. We represent mining, ranching, and off-road racing; three industries that create jobs, revenue, and the taxable dollar. We give them an environmental voice.

Because of this cooperative occurrence, other things are happening. Sponsors are coming and looking at our valley and surrounding area and asking to put on multiple off-road events. To mention a few – trail riding, enduro racing, rock climbing, hang gliding, bicycle recreating and racing trails. They know we've successfully integrated routes in and through our valley and that other groups have made contributions to saving the toad. Not to mention spent a lot of money in our community. They are anxious to do the same. We sit here in Oasis Valley, upon unique mining history, railroad routes, geologic formations, historic

open pit mines, and jaw dropping views. All promotable for the benefit of community. Controversial land users coming together for a common good.... The use of land for the benefit of all.... Coexistence and balance between man and the animals who occupy it.

The law surrounding the ESA has affected the world we live in and we have lost focus of its original intent. It has been corrupted and reduced into litigious actions driven by money and power. Negligence of operators as well as excessive environmental actions have led us into our new existence with other species as violator and victim; titles which are neither attractive or complimentary, yet blatantly describe what has happened to us.

We miners, ranchers, farmers, and racers have to take control of this law before it takes control of us. We are able to do this. We have the land, the resources, and the ability to step up to the plate and stay ahead of it. We are the people who produce the resources necessary to civilization and society. We are held by all the agencies to strict standards and regulations while being slayed in the public court of opinion. Among ourselves and within our own comfort zones, we preach to our own choirs. We bitch and lament about how most of society complains about us, our noise, smells, the holes we dig, or methods we use, while never admitting they need our products. How can they not see it? Without us, they wouldn't have food to eat, a light to turn on, or a road to drive on while they use their cell phone to order pizza and beer.

But.....it is not our job to point out their faults. It is our job to point out our merits. To hold ourselves to a higher standard of accountability. To exhibit this not just in workplace safety, profit distribution, or quality of products but also demonstrate it in our passion for the world around us, the environment we live in and the plants and animals that share it with us.

We are in a position to do something about this. To say to the world and all of our detractors that our industries are not ignorant, selfish, self-centered, and only profit driven. We are all residents of the same planet, none of us are the others' master, we are stewards....caretakers, capable of great things. We create wealth where there wasn't any, creatively using natural resources in support of society's needs. We

---

"But.....it is not our job to point out their faults. It is our job to point out our merits..."

We create wealth where there wasn't any, creatively using natural resources in support of society's needs." Dave Spicer

---





discover new ways to maximize yields, diversify products, maintain profitability, and answer to our stockholders. We turn dirt, rocks, plants and grass into everything we need to live. What amazing creativity and knowledge we must have to do this. An understanding of geology and metallurgy, of agriculture and agronomy, passion for great food and recreational fun. Unlimited abilities to live in any environment on the planet, gathering the resources along the way to support us there.

What if we took these same inherent abilities and applied them to the creatures we share the planet with? We don't need to worry too much about mosquitoes, jack rabbits, or cattails; they seem to persist no matter what. There are other species out there that need our support. Whether or not the accusations levied against us about our effect on them are true or not, we have to lift ourselves above our denial and anger of what we believe are falsehoods. We need to take a leadership role, initiate action preemptively. Educate ourselves about species in question and implement programs that improve or create its critical habitat. Be the driving force, reach out to agencies and detractors alike, ask them to participate in a cooperative effort. One that you initiated. Don't wait to be told by the force of the federal laws. Demonstrate you mean business and that your presence is going to make more of a positive effect than a negative one. Yes, we will take, we have to support ourselves, but we can give back, we must give back. We must change the public perception of ourselves, rebuild our reputations, and take the lead.

STORM-OV has done this. We have succeeded in everything mentioned and more. We are changing the idea that all imperiled species are victims of man into something new....one that demonstrates our presence here is that of a benefactor to them and their environment. That we are their friends, not their enemy. That our process of land use can provide for our needs and theirs simultaneously.

We have to accept the fact that no matter how we feel about this, that many of the folks involved in these actions are just as passionate about their view as we are about ours, and they are funded. Getting them to use this money in the field creating positive growth for species in question rather than in the courthouse spending it on attorneys is the true solution. Put their passion where it really counts, show them that you're the one who can solve the problem, challenge the idea that man's presence is a bad thing for the environment. This is where we have to step up, use our heads, face the conflict, and find courage to do it. It takes the whole village. Folks need to regain hope in their futures and regain their sense of ownership of their land.

#### **WILL IT WORK FOR SAGE GROUSE TOO?**

In answer to your query about the sage grouse, the answer is yes. No matter how big the problem, or grand the scope, the solution remains the same.....people are what has made the difference. All we have to do is focus on the critical habitat, make it productive, manage it and protect it.....every day. Who better than the folks that share their environment. It only takes definition as to how much attention is required and whose money is spent doing it.

The Society for Range Management (SRM) is "the professional society dedicated to supporting persons who work with rangelands and have a commitment to their sustainable use." SRM's members are ranchers, land managers, scientists, educators, students, conservationists – a diverse membership guided by a professional code of ethics and unified by a strong land ethic. This series of articles is dedicated to connecting the science of range management with the art, by applied science on the ground in Nevada. Articles are the opinion of the author and may not be an official position of SRM. Further information and a link to submit suggestions or questions are available at the Nevada Section website at <http://nevada.rangelands.org/>. SRM's main webpage is [www.rangelands.org](http://www.rangelands.org). We welcome your comments.

## Obama Administration "Scrubs" Livestock News Report; Censors Data Displeasing to Packers

*Immediately, the Obama Administration's USDA pulled from its website the Original July 13 Livestock Report, scrubbed it of all data and commentary displeasing to multinational meatpackers because it signaled a danger to the cash cattle market, and then reissued the scrubbed report under the heading "Correction to narrative," effectively censoring all important facts and rendering it completely innocuous.*

— R-CALF USA CEO Bill Bullard

July 23, 2012 Billings, MT – The U.S. Department of Agriculture (USDA) Agricultural Marketing Service (AMS) issued its weekly National Feeder & Stocker Cattle Summary report on July 13, 2012 (Original July 13 Livestock Report), and warned that negotiated or cash sales in the U.S fed cattle market are "now routinely making up less than 20 percent of the weekly slaughter."

R-CALF USA has persistently called on the USDA and the U.S. Department of Justice to take immediate steps to stop multinational meatpackers from capturing the U.S. cattle market away from independent cattle producers through their destruction of the cattle industry's price discovery market, which is the cash market.

The group states that hundreds of thousands of independent poultry producers, independent hog producers and independent sheep producers were forced out of business when the meatpackers destroyed their respective cash markets by shrinking them below levels where true price discovery can occur.

"The meatpackers are now working aggressively to destroy the nation's fed cattle cash market, which shrank nearly 20 percent just during the past few years – from over 52 percent in 2005 to less than 33 percent in 2011," said R-CALF USA CEO Bill Bullard.

"The Original July 13 Livestock Report was alarming in that it stated the volume remaining in the price discovery market has now slipped to 20 percent, which is far too low for it to establish a competitive price for cattle," Bullard added.

Further, the Original July 13 Livestock Report stated: "Over 60 percent of the weekly movement (in the fed cattle market) is formula-priced off the scant cash trade that is more like a dictatorship than a democracy. Soon, cattle feeders may be forced to ship their cattle with only a ballpark idea of what their check will look like – similar to the sheep industry."

Deeply concerned about the accelerated demise of the cattle industry's price discovery market, R-CALF USA issued a membership-wide alert on July 17 titled "USDA Issues Strong Warning Regarding Dysfunctional Cash Market," which the group also sent to USDA officials, Department of Justice officials and members of Congress. The group's alert quoted the data and commentary contained in the Original July 13 Livestock Report and further stated:

"USDA has some good people within its ranks and they are sounding the alarm as well as they are able . . . It can't be said much stronger than this. Where are those promised reforms from the Department of Justice (DOJ) and USDA to prevent our cattle industry from being captured by the multinational meatpackers just as the poultry and hog industries already have been captured? USDA is now issuing the same warning R-CALF USA has long been issuing. It is time for decision makers to act."

"Immediately, the Obama Administration's USDA pulled from its website the Original July 13 Livestock Report, scrubbed it of all data and commentary displeasing to multinational meatpackers because it signaled a danger to the cash cattle market, and then reissued the scrubbed report under the heading "Correction to narrative," effectively censoring all important facts and rendering it completely innocuous," said Bullard.

"The U.S. cattle market is in a Code Red state of emergency, with the few remaining independent cattle feeders losing upwards of \$150 per head. Meanwhile, we have corrupt officials at the highest levels of this Administration working covertly to cover-up the data and facts needed to address this serious problem," Bullard said adding:

"The meatpackers are but a breath away from destroying our industry's price discovery market and capturing the live cattle supply chain away from independent producers and the only action from this Administration is to stick its head in the sand and kowtow to the multinational meatpackers."

