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Mr. Forrest Cameron  
Malheur National Wildlife Refuge  
HC72, Box 245  
Princeton, Oregon 97721

Dear Sir:

Thank you for the opportunity to respond to your Blitzen Valley plan. I realize that you are brand new to the area. I will give you a little background from a different angle.

My grandparents purchased the Island Ranch in 1945, and moved there permanently in 1950. My grandfather was a grain farmer. He farmed for many years in the Red "S" grain field just north of Malheur Lake, and south of Wright's Point.

As a grain farmer, he hated birds with a passion. The birds would work on his grain from the time it came up until he harvested. During harvest it was not uncommon for the birds to harvest so much grain at night and the early morning; that entire patches of grain, laid off the day before, would be stripped of grain.

He would not allow you to shoot a coyote. He would say: "Don't shoot em! Do you have any idea how many duck eggs and goslings the little darlings eat?"

He also hated John Scharff with the same passion. John was "too good at raising birds" he would say. Keep in mind John had around 60 permites and raised cow feed, pasture and grain, the same things Granddad raised. John controlled predators and managed his water in the Blitzen Valley to the point that the Dunn's, at Mud Lake, would have to get the water master after him. John also did this at no expense to the taxpayer most years, as the revenue from feed raised plus grazing paid all expenses. Today this would be unheard of; for a bureaucrat to do something at a profit.

The lake proper, most years, had lots of rakebunch and hay stacks. The bottom of the lake always had enough water to provide protection from predators at night for the birds.

Granddad did absolutely nothing to enhance wildlife habitat. They were a hindrance to him. The problem was, the more he tried to raise feed for his livestock, the better he made it for wildlife. The symbiotic relationship with waterfowl and livestock seemed to mimic buffalo and birds, before white man.

Two things happened to my grandfather that encouraged him. First; the Columbian Basin irrigation projects started paying dividends. Fewer birds were migrating. They stayed on the Columbia River at night and fed in the farmers' fields on both the Oregon and Washington sides by day. If migration was done, the flyway seemed to shift to areas of greater agriculture; Madras, Redmond, Prinville, to Klamath Falls and Lakeview. Fewer birds meant more grain for his livestock. The other, and greater dividend; that John Scharff retired. The new manager, one, Joe Mazzoni, talked of curtailing grazing and haying. "Au Natural" was in vogue. The coyote, crow, and raccoon were all given equal status with waterfowl and songbirds. Granddad would say: "Why, even a fool can raise grain now".

The irrigation system in the refuge was left to rot. Fields that once provided good hay and pasture turned to either, weeds or tules. Predators ruled the day.

My granddad was only half right and didn't live to see the full results of the new "Au Natural" thinking. As the new system was implemented, the birds left in droves. Unfortunatley, they went to the Island Ranch and other private land for refuge from the "Au Natural" refuge. The predators followed and it became imperative for us to control them, as they began working on our livestock. The birds flourished.

C..D. Littlefield began doing his crane studies on the Island Ranch. Denzel Ferguson brought his classes up to observe wildlife that was not on the refuge. Private land became the main sources of habitat in the county without even trying. Birds are neither Democrat or Republican, Conservative or Liberal. They have a biological function to perform; reproduction for the survival of the species. They will go to the place that provides the best opportunity.

Observing nature can sometimes teach more than all the statistics compiled. Nature has nothing to prove; no government grant or new school of thought. Wildlife doesn't pay dues to the Sierra Club or The Friends of the Earth.

The other thing that the new "Au Natural" thinking created was the rising of the Malheur Lake. By your admission, in your plan, only 40% of the Blitzen Valley is now irrigable. By allowing

the excess water to flow to Malheur and Harney Lakes, the lakes rose year after year.

The foundation for the Holocaust was laid long before the record runoffs of early eighties. I believe that it was contrived to "square up" the lake proper, to remove, as you call, "private land inholdings". An unwilling seller can change his mind when his house floats off the foundation. The bonus was when the record runoffs came. Had the refuge used the water as John Scharff did, the record runoffs would not have devastated so many lives.

Now that I have laid the background, let's proceed - There have been two events in the history of America, that have controlled wildlife. One: The land bridge from Asia fell in. This stopped all new introduction of gene plasma, except avian. Two: Columbus introduced new genes into the pool, ending "Wilderness" in the Americas. From that moment on, management is needed. Priorities must be set up to enhance the objective. If you are going to raise birds, you must control predators and water and manipulate forage to enhance conditions for the species you wish to propagate.

Even though the "Au Natural" school of thought thought they were inventing the wheel; they merely squared up the wheel, rendering it useless. I realize many a reputation is on the line. The history of management on the refuge, shows that it is possible to raise birds. Who knows, this could be the new school of thought, creating millions in grants and studies. Birds can and will live with livestock. Livestock producers will work with the refuge if there is mutual trust and benefit. Don't throw the baby out with the bath water.

The rest of the story is this - If you don't put your water to beneficial use, someone besides me will realize what is going on. A lesson can be learned from the abandonment proceedings and contested case hearings between the U. S. Fish and Wildlife Service and Hammond Ranches in 1989- 90. Water law is state law. You admit in your Blitzen plan that you have abandoned 60% of the water rights on the Blitzen. This, no doubt, will hold true for Silver Creek, etc.. Five years is required for abandonment. You recognize seven years in your plan. I believe it is even longer than that.

Another paradox you must consider in not allowing more haying and grazing is "Beneficial Use". A recent case brought against the Toiyabe National Forest in Nevada was ruled in favor of Nevada, based on beneficial use. The Forest Service applied for a water right for wildlife. The Federal appellate court found that by mere definition, wildlife was not owned, so the Forest Service

could not prove beneficial use. The Pacific Legal Foundation has assured me that this, also, would hold true on state water rights held by refuges. Keep in mind, refuges were set up for wildlife. The problem is: wildlife does not satisfy the requirement for "beneficial use". I believe this is the reason that, all along, grazing has been permitted. It is a mere coincidence that a symbiotic relationship exists between livestock and wildlife. Protection of the water used to be the number one priority. Only now do I feel that if you don't protect water rights, which are state controlled, you will jeopardize all water rights on all refuges.

After a couple of dry years, it would be easy to convince people in Vale or Harney Valley that 60% of the Blitzen River and Silver Creek is too great a resource to waste. The birds wouldn't be hurt. They left once for greener pasture. They can do it again.

My kindest personal regards,

H. C. Vogler, IV

P. S.: Again: Building more water impoundments in the Blitzen Valley for Wildlife is not beneficial use. You must use your water or loose it. Livestock is beneficial use.- - - - -  
CATCH 22 - - -

## Birds, reptiles, and Predator Control

I wrote what appears below as an add on to the letter that is attached – which letter was sent to Forrest Cameron, manager of the Malheur National Refuge, as comments regarding the proposal to reduce grazing, and haying on the Refuge in 1990.

Hank Vogler was raised at Lawen, a small farming community laying 30 miles South of Burns, Oregon. Hank told me that John Scharff had been raised on a sheep ranch. He studied forestry and had planned a career with the Forest Service – but was presented the job of managing the Malheur Refuge – which he held for the next 33 years.

Hank said that John, having been raised on a sheep outfit, knew well how to control predators. People in the valley knew that if you drove cattle along the road adjacent to the Refuge, you better leave your dogs home for John always had poison out at every quarter section brace along the way. He also kept poison out at the Refuge dump so as to keep the crows down. Hank said the results were dramatic. At one of the original ranches (which had been purchased by the government for the creation of the Refuge) where a permittee was allowed to live and operate a farming/ranching operation for many years, the birds were so numerous that when friends “stayed the night” they had a difficult time sleeping for all the noise the birds were making.

John Scharff was well liked and respected by the people that Bertha and I came in contact with throughout Harney County. John Scharff loved his job, the country, its wildlife and those living within the local communities. He was a good man – far different from those that have followed him.

I certainly relate to what Hank is saying in his letter to Forrest Cameron, for I too grew up during the time when predator control was in vogue. I remember, by the time I was eight years old, which would have been in 1946, every boy in school was packing a home made sling shot. It seemed we were always shooting at birds flying over us just to see how close we could come to them – and we didn't have to wait to shoot either for there were birds flying over us constantly.

I remember, about this same time, Dad would put in a small patch of wheat each year to feed the chickens - but he never got to harvest his grain because the black birds would come in just before the grain was ready to harvest and eat the wheat in only a day or two.

I remember, there were a lot of snakes, toads and frogs at that time as well – but no skunks and few coyotes. We rarely saw a coyote until along in the early 70's. There were so few predators during that period that Mom and Dad never seemed to worry about turning their chickens out to forage on grass and bugs. You certainly couldn't do that today - If you did you would lose chickens to predators in no time. Since that time, we have been seeing fewer and fewer song birds all the time. The same can be said about snakes, frogs and toads. In fact, There seems to be fewer wildlife of all kinds – kind of like what Lester McCann says in his books, “Time to Cry Wolf” and “A New Day For Wildlife.”

Cliff Gardner  
January 1995

