

TRANSCRIPT

INTERVIEWEE: **David Langford** (DL)

INTERVIEWER: David Todd (DT)

DATE: February 13, 2006

LOCATION: San Antonio Texas

TRANSCRIBERS: Melanie Smith and Robin Johnson

REELS: 2326 and 2327

Please note that the recording includes roughly 60 seconds of color bars and sound tone for technical settings at the outset of the recordings. Numbers mark the time codes for the VHS tape copy of the interview. "Misc." refers to various off-camera conversation or background noise, unrelated to the interview.

DT: My name is David Todd and I'm here for the Conservation History Association of Texas and it's February 13th, 2006. We're in San Antonio, Texas and we have the good fortune to be visiting with David Langford, who for many years was the representative for the Texas Wildlife Association as the Executive Vice President. He also comes from a long legacy of the family ranching and farm milling business so he understands pretty intimately the issues with private property and protection of private lands. With that, I would like to thank you for spending time with us today and telling us about your experiences.

00:01:57 - 2326

DL: Thank you.

DT: I thought we might begin by talking about your childhood and what might've been your first exposure to the outdoors and introduction?

00:02:08 - 2326

DL: Golly, you know, I don't—I don't ever remember not going to the ranch and being outdoors. We lived in San Antonio, but my family's ranch on my mother's side, up between Comfort and Fredericksburg on the really old highway between Comfort and Fredericksburg there. Kind of fol—it follows the—the—the old railroad, where there used to be a railroad. After World War II, my mother and I lived with my grandparents and my grandfather was President of Pioneer Flower Mills and we would leave on a Saturday morning to go to the ranch and—and I remember—you know, now I live at the

00:02:57 - 2326

ranch and come back and forth to San Antonio and go back and forth to Austin all the time. But then, we would leave about 11 o'clock in the morning and right after World War II and load up to go to the ranch for the rest of the weekend and we would stop and have lunch at Mister Newton's café in downtown Boerne. And all of the cousins that were of my age, they—we'd all go take a nap back in his storeroom. And when the nap was over, we'll all re—we'd all pile back in the car and—and go to the ranch. So wh—

00:03:34 - 2326

I've been running around the outdoors, hunting and fishing and horseback riding. I mean, it's some of the earliest things I re—remember doing and I—and doing all my life and my wife retired from Trinity University and we moved back to the ranch about four years ago. So it's—it's like going back to—to being a child again.

DT: Well, maybe you could talk about some of those experiences of being at the ranch. Once you had stopped at the café, had your nap, got there, then chances to go riding, fishing,

hunting. Do you remember any of those early experiences?

00:04:14 - 2326

DL: Oh, yeah. It was a, you know, it was a big deal in my family. Hunting season was—was a big deal. And everybody enjoyed the outdoors and we had cattle and sheep and goats. And the main thing I remember growing up though was dealing with screwworms. I mean it was a—a constant struggle from March every year through October and the—the—it was an unbelievable predator of anything that had a bloody wound, whether it was white-tailed deer or sheep or goat or person or dog or a cat or whatever it is. If it had the tiniest speck of blood, it would get screwworms and if it

00:05:01 - 2326

wasn't doctored, it would die. So you had to—you had to check every bit of livestock that you owned once a week and you had to be able to catch the sick ones and the—the ones that had screwworm problems, you had to be able to catch them every day. So there was lots of good cowboys and everybody grew up knowing how to rope and ride and—and catch and doctor and—and move from one pasture to the other and then catch them everyday. And some of that stinking medicine that went on the—went on those sheep

00:05:35 - 2326

and goats and cattle, it's—I'm sure the EPA would never approve of it today. But s—it seemed like it—the whole—our whole life outdoors revolved around screwworms, at least during those months where that—where that fly was active. And the rest of the time, it was kind of like being on vacation. The—the difference in deer hunting, though, is—is really—I mean, it's just—the—the difference is unimaginable. You—I remember

00:06:08 - 2326

my uncles and—and my other cousins, I mean, we would hunt and there weren't very many deer in the Texas hill country because screwworms got most of them. And now when the screwworms were eradicated back in the be—beginnings of—the beginning of the eradication program back in the middle 60's, that's why we have such an overpopulation of white-tailed deer. You know, it's really interesting. You get a—you get someone who—a—a forester person who, you know, a professor or someone who's

00:06:46 - 2326

knowledgeable about forestry and they—they don't know anything about Texas and they come to the Texas hill country and they're absolutely astonished because there is no young trees in the Texas hill country because since about 1960 or—or a few years thereafter, every—every little tree that starts like that gets eaten by a white-tailed deer. So you have this almost monoculture, although there—there are older—older trees, but I mean, you basically got 40 or 50 year old trees and—and a few older and that's about it. There's no young trees and there—it's very—it's very enlightening for somebody to

00:07:31 - 2326

understand that—how much white-tailed deer have changed the ecology of the Texas hill country and that's predominantly a unintended consequence of eradicating screwworm which everybody thought was a great deal. And still—they still do think it is a great thing, but we—it does have unintended consequence. It's interesting, the other unintended consequence is that, re—remember you had to be able to catch everything every day that was sick and you had to be able to look everything once a week and had to catch it and move it to a hospital trap and there were lots of good cowboys and lots of

00:08:08 - 2326

good cowhorses. And they don't exist anymore either because now you can gather up your cattle, you know, go out there with your tennis shoes and your gimme hat on in a pickup truck and toot your horn and here they come in. Where before, you had—you had to rope them and—and move them somewhere. So we got rid of the screwworms, we got rid of all the cowboys and we got rid of all the good cowhorses and we got a whole bunch more white-tailed deer.

DT: You were saying that once the screwworm work was done that it was more like a vacation. I guess hunting season came on and maybe you had a chance to fish as well. Can you talk about some of those first experiences?

00:08:54 - 2326

DL: Yeah, it—it—you know, it—the hunting then was so much different than it is now. We didn't have, you know—a—a blind was a, you know, a couple of pieces of w—of fallen tree trunk that you would stack up and sit behind or you'd actually climb up in the tree. We didn't have any feeders and, you know, it was a totally different experience then. You—you went out and—and—and actually hunted for them and it was—it was a different deal than it is now. I'm—and not that that's any better than what goes on now because it's still a lot of fun now, but it was—and still is, for me, and I think for most hunters, it is much less about hunting than going hunting. I mean, it's the family and the friends and the guests and the round the campfire and, you know, it's more of a heritage and more of a tradition and more of the lifestyle than it is actually going out and

00:09:54 - 2326

pulling the trigger on something. So it is a—it's really an excuse to be outdoors and enjoy nature. And it—you know, there's a lot of ways to do that and everybody has their own way that they have to appreciate nature. But a really true hunter, I think they do it a little—and a—to a much more degree than someone who's just out for a walk in the woods. I mean, hunters pay attention to animal's behavior—not just what they're hunting, but they pay attention to what's going on around them. They pay attention to the wind, they pay attention to sound. They know tracks. They know the smells. They

00:10:41 - 2326

know, I mean, the—those—your senses are just more—you're just more keenly aware of what you're doing and what's going on around you than if you're just out for a walk. It's a—some kind of primal instinct, I'm sure, but it is a—it's the ultimate outdoor experience, whether or not their results in—in pulling the trigger or pulling the bow with—as—as it were.

DT: Did you ever track deer or were you mostly behind a tree or in a tree?

00:11:19 - 2326

DL: Well, er—er—early, we—oh, yeah, we did track and now we—you know I have developed powerful muscles that allow me to sit for long periods of time without getting tired. So it's a—now I pretty much sit and wait for them to come to me. But it's—it's still—it's still a different deal. Even when you're sitting in a—enclosed deer blind and you open the windows and you still pay attention to the sights and the sounds and the—

00:11:50 - 2326

and the smells and—and have it all where you still—even if you're sitting in a deer blind, it's still a much better—it's an experience that is experienced more by a hunter than I think it is by a non-hunter. Ca—because I go out in—in the woods all the time not hunting either and it's a little bit different when you have the purpose of going hunting. You just—your—

your senses are a little more tuned than they are if you're out for a stroll.

DT: I think you'd said earlier, before we were on camera, that before you came to work for Texas Wildlife Association that you had a career as a photographer, where you documented some of the outdoor life and maybe the Western tradition and I was wondering if you could talk a little bit about how you illustrated that for people who might not be familiar with it.

00:12:50 - 2326

DL: Well, it—it is just a fabulous way to make a living. You know, being outdoors all day long every day and traveling all over and made a nice living and not having any employees and all of those sorts of problems. Being a, you know, individual, single entrepreneur, independent contractor, it was a fabulous way to make a living. And my background and upbringing was—allowed me to achieve that level of success that—that a lot of outdoor and nature type photographers don't have that advantage. I mean, having been a hunter, I understand how wildlife, you know, how—how things work in the outdoors. What—what's the behavior of different animals? What are they likely to do?

00:13:47 - 2326

How do—where are you likely to find them? What—what sort of behavioral sequences? You know, how—how do you get them into the right places? Also with—with a—with my livestock in cowboy and roundup photography, it is, you know, it's one thing to just go take a photograph of a—of a roundup. It's something else to have actually been a part of a roundup and roping and branding. So the understanding of those processes and the understanding of how it all works really gave me an advantage. And—and the photography was—I—I—I don't want to say it was the—was the least important part

00:14:35 - 2326

because the end result is a marketable, publishable photograph. But knowing how nature works and knowing the behavioral patterns of the animals and understanding how roundups and cattle and horses and all that, hell—I mean, it was a lot more important than that to understand all that than it—than it was about the photography. The photography was just kind of within. I—I've—I have—I had a lot of p—of people ask over the years and had given seminars as well about how I got those photos. And it's not—it's not easy to talk about because it's not the equipment that does it, it's, you know,

00:15:22 - 2326

good—good images are made with your heart and not with some camera. The—the equipment's available to anybody. It's just like—like a painter. I mean, you give me a piece of canvas and a camel hair brush and a bunch of funny colored oils and I'm going to make a mess out of it, so it—it just was a—something that was within me that I didn't know that was—that I had. But I was able to bring it out because of the background in nature and the background of ranches. And I—I found a—a market there that allowed me to make a nice income and a nice living.

DT: Were there some...

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DT: When we broke, we were talking about your career as a photographer and in the late 80's—I believe, in '88—you segued into working with the Texas Wildlife Association and I was wondering if you could tell us what brought you to be more interested in sort of the policy and organizational end of trying to protect some of these private lands and that kind of lifestyle that you've been documenting your photography career.

00:16:30 - 2326

DL: Well, I—like many things in life, it was unplanned. I just became involved with Texas Wildlife Association because in Texas, you know, 97 percent privately owned, the natural resources in Texas occur on private lands. And my photography career, I had been granted access to, not only access but the—the ability to photograph and to then market those photographs on—the lot of big, famous, private ranches in Texas. And I found out about Texas Wildlife Association, which came at conservation from that private lands perspective. So it was a—really a natural for me to become a member and to be involved. And then they invited me to be on the board and I agreed to serve on the board. This is while I was still a photographer. And then I was asked to be on the

00:17:35 - 2326

Executive Committee and then I served as Auction Chairman for a couple of years and raised quite a significant amount of money for the association. And we lost our Executive Director and we had a real difficult time in the interview process and in the search process finding another CEO for the association. So in a moment of weakness, I volunteered to—since I didn't have any employees and could go take photographs and still make additional money over and above the paltry amount that I was going to be paid, I could go over there and run it for about six months till we found somebody. And of

00:18:26 - 2326

course, that was sixteen years ago, so my six months turned into a little bit longer because I—I was—the association found itself in the middle of this big demographic shift between those in positions of leadership and government and in agencies and in conservation groups—just basically positions of—of leadership with everything to do with the outdoors slowly evolving into—mainly because of—of age and the demogr—other demographic changes, began to be people that really had no tie to the land at all as—let alone being the, you know, raised around a ranch and—and brought up hunting

00:19:22 - 2326

deer and doctoring screwworms. I mean, it's a—you know, we—we're now—to the 2006 now, it's difficult to find anybody in a position of leadership in the state that has any direct connection at all, let alone any personal experience. But you know, ten or fifteen years ago, you could find people that—that still had, you know, maybe their grandparents had a farm or maybe their—their, you know, aunts or uncle still had a farm, so they had some kind of tie to the land but not so anymore. We have—we've evolved

00:19:56 - 2326

into a nation where anything that happens outdoors is supposed to be happening under the auspices of government. And if we got to depend on the government to do it, it's—it ain't going to get done. I mean, it's a—Aldo Leopold had the right example 70 years ago when he—when he first started thinking about the land ethic and—and personal responsibility. It's up to us and particularly if it's private land. The government shouldn't have to tell you what to do. It should be within you. You should do it because

00:20:34 - 2326

it's the right thing to do. And there are a lot of people that, back then and a whole lot more now, that don't understand that there are two kinds of landowners. There are landowners that take from the land and there are landowners that give to the land. And I stole that from my friend, Andy Sansom, but that's exactly—that's the best description of what Texas Wildlife Association is about. I mean, we're—we are the people who give to the land and nobody has to tell us what to do it. We don't have to be regulated into doing it. You don't

have to pay us to do it. It is—it is our responsibility because we have been the—the members of Texas Wildlife Association have been placed either by fate or

00:21:28 - 2326

fortune in a stewardship position of natural resources. And if—if you—if our—the cornerstone of our foun—of our foundation is that if you're in a stewardship position of anything, it doesn't matter whether it's pets or crops or livestock or grandparents or grandkids or natural resources or whatever it is, if you're in a stewardship position, it's your duty to do—be the very best steward that you possibly could be. And that philosophy is pretty foreign to the federal government. It's pretty foreign to a lot of

00:22:06 - 2326

people in state government. It is absolutely alien to—to people who live in the urban centers, which is where everybody lives in this country including—including the state of Texas. This big, rugged, outdoor state, 86 percent of the people in Texas live in six counties. And listen, they don't know how to find the North Star, they don't know that there is one, let alone how to find it. They think a cattle guard wears a badge and carries a gun. [Laughs] They—they don't know the difference between a pintail duck or—or—or pintail and a cottontail and which one's a duck. So it is—those were the challenges

00:22:50 - 2326

that—that we kind of all discovered at Texas Wildlife Association about the same time that I happened to come along and, in a moment of weakness, volunteered to be the—the CEO. And that's what we've been dealing with for the last 16 years is trying to diminish the illiteracy about natural resources out there.

DT: Could you give us a little bit of a background as to why Texas—I think it's unique in it's having, was it 97 percent private property ownership in the state?

00:23:28 - 2326

DL: Yeah, there are a lot of numbers floating around, but it's a lot.

DT: Very high.

00:23:32 - 2326

DL: Ninety percent or so, yeah.

DT: Why has that come to be?

00:23:35 - 2326

DL: Well, I—I—I'm not a historian, although I am fascinated by Texas history, among other things of—in the past. But as I understand it, they—when Texas became a state, when it was a republic unto its own self and when it became a state, the lands of Texas were offered to the United States to purchase and the United States didn't want it. So it ended up—the state of Texas ended up with all this land and it was sold then to primarily railroads to start with and then private citizens after that. So west of the Mississippi—we're not totally unique—Oklahoma has a—has a great deal of private land

00:24:26 - 2326

and—and some of the other states there that are—that are nearer to the Mississippi than the—than the ones out in the Rocky Mountain West. But we ended up with a—for many reasons—several reasons, a lot of private land and very little government land which makes the challenges of managing and caring for our natural resources totally dependent upon those private lands. And you got two choices. You can either regulate those people and the people in Texas don't like to be regulated. So you could be regulated or you can work cooperatively with them and explain what they're suppose—what it is that is likely to

be the best thing to do and a whole lot more often than not, they'll end up doing it. And how cost effective is that? If you have a—if you have an entire group of the citizenry that is prepared to do the work of conservation themselves and they are prepared to pay for those efforts with their own resources and they still contribute to their

00:25:49 - 2326

communities, their charities and their churches and still pay their taxes, what's wrong with that deal? Why would you want to regulate them into oblivion? It looks to me like if you have people that are willing to do it, willing to pay for it, still be members of their community and willingly pay their taxes, you ought to be encouraging them to keep doing what their doing. And that was fairly foreign to a lot of the government regulators.

DT: My understanding is that some of these policies issues were—made sense to you on an abstract level, but they really came home to you when, I think it was, your mother died and it brought home to you how tenuous this whole private property rights situation is. You know, how tentative and vulnerable it is and I was wondering if you could talk a little bit about how your own family situation might've introduced you to some of these problems.

00:26:49 - 2326

DL: Oh, sure. That's a—that leads into the discussion of estate taxes and its effect on conservation and it's horrendous. The—listen, the estate taxes of—of this nation have destroyed more wildlife habitat than all the bulldozers ever built because it is virtually impossible to hang onto a ranch. Now the people that own IBM stock think that they're in the same boat as the people who own a ranch, that they had managed to put together their, you know, their stock portfolios after—with—with money that they've already paid taxes on, therefore they should be able to keep it. And while I agree with that, a—a piece of land that—a particular piece of land that feed and—feeds and clothes the world or

00:27:48 - 2326

who—that—and/or that conserves natural resources, at least in—in our mind, deserves special treatment. It ought to be kept intact. It—it's virtually impossible you—because you—if you—th—there—there are people who are—including they get a lot of space in the newspapers and time on television that say that there is no estate tax reason for the breakup of family lands. Well, they're just wrong because what happens is most people facing the estate tax consequence, they'll sell beforehand, so in effect, they pay capital

00:28:37 - 2326

gains taxes instead of ata—estate taxes before they die. But what's driving that sale is estate taxes. You have other people that maintain paying on no matter what and then somebody dies and what you have to do then is you have to sell half your ranch in order to keep the other half of the ranch. So you—just because somebody dies, your ranch is cut in half. The—the other situation is—is—but once—once again, the estate tax is—is the driving entity to that. Even those people that hang onto their ranches for—for years and—and finally buckle under the strain, maybe they borrow money to pay the estate

00:29:24 - 2326

taxes and they sell ten years later because they just got tired of the burden. They—the still—the reason is the estate tax. Even though the sale occurs ten years later, it's still the estate tax that drives it. And you can be—it—it's—it's only very fortuitous to escape estate taxes on a piece of land because land is so valuable and in certain places, it's extremely valuable. But the stars have to be aligned exactly right because you can get behind the power curve either way. The—listen, there—there—there are people who have inherited

ranches out there, you know, let's talk about the Rocky Mountain West.

00:30:06 - 2326

There's people who have inherited ranches in the Rocky Mountain West that suddenly have got ski areas all around them. So their hay meadow is now worth 20 or 30 million dollars. And the—and, you know, they've been there three or four generations, so they don't—they don't have any intention of selling. And—and all of the estate tax strategies to escape—w—if—if you—if you have—if you have a piece of land that's worth 200 thousand dollars one year and ten years later, it's worth 30 million dollars, like is what's happening in the—in the—in those ski valleys in the West, you can't do strategies fast

00:30:46 - 2326

enough to make up that difference. You—you—it's just not possible to do, to—to—to divest yourself of that estate to your heirs or to go pay and fund a life insurance trust because the co—I mean, you go—go try to buy a life insurance trust for 20 million dollars and look what the premium is going to be. It's just not possible in the face of—of circum—market circumstances that are beyond the control of the person who owns the ranch. You can also get behind it the other way. The estate tax laws are that you owe the money 270 days after the death of whoever dies. If the market crashes like it did in 1986,

00:31:34 - 2326

after the tax reform act that gave us the RTC [Resolution Trust Corporation] and the savings and loan scandal, you can have somebody die and 270 days later, the ranch that you have to sell, the entire ranch that you have to sell is not worth as much as the amount of tax that you owe on the day that somebody died. So—so back in the late 80's and the early 90's, you had people selling ranches that still owed money. They sold the whole ranch and still owed money to the IRS. So if you want to guarantee fragmentation, if you want to guarantee the ever

00:32:17 - 2326

continuing march of asphalt, keep the estate tax situation like it is. The only way to stop this breakup of family lands is to amend the estate tax law so that—l—l—listen, some people want to sell out and—and go move to an apartment in—in Las Vegas and, you know, play golf all day and gamble all night long. That's fine, let them do that. But those people that want to keep rangeland, farmland, recreation land, if they—they want—if they want to keep it intact, they should be able to—to keep that intact. And if—and if, you know, make them sign it. Make, you know, make part—make a—make it a part of

00:33:05 - 2326

the deal where if you escape the estate taxes, you agree to keep the land in good shape and you want to keep it in one piece so that it's not—you know, you're not just banking it for some kind of future development. But it's—it's—what—what happens to family lands that—that harbor livestock and wildlife and families and sequester carbon and provide oxygen and water quality and all those—those societal benefits out there, it's just criminal that it's being—the—the breakup is being driven by policies of our government.

DT: And these were all issues that came home to you in your own family?

00:33:50 - 2326

DL: Right. Yeah, you—you—listen, you don't—you really don't know that until you go through it and it's kind of—it's—it's one of the things that really frustrates me still to this day. There's a lot of land—I—listen, I'll bet you could go and—to a—a meeting of landowners and I think you'd be amazed at the people out there that own good sized pieces

of land that don't even have a will, let alone have not ever thought about what to do about estate taxes. And even those that have done something about it, you have to—you have to hit that cycle just exactly right for it to work. Otherwise, the ranch ends up covered with asphalt.

DT: Well, how did you manage to hold onto your family's ranch?

00:34:47 - 2326

DL: Well, we had two ranches and we didn't hold onto both of them. We ended up selling one after a nine-year struggle with the—with the IRS and an estate tax. No, I borrowed money. When my mother died, I borrowed the money from the Federal Land Bank to pay the estate taxes due on the—on a—on a ranch. And we struggled for nine years and then we buckled, finally and the story had a happy ending, at least for the land. I had a—a real good friend of mine—our neighbor that—that bought the ranch and the ranch is probably in better hands now than it would have been had we still owned

00:35:24 - 2326

it and still had to struggle un—under the estate tax note. So the story for the land is tu—this time turns out pretty good. But that's unique. Most of the time it's broken up and di—and subdivided somehow and it ends up covered with—with asphalt. And it—it's interesting because since we didn't sell that ranch until nine years after my mother died, there are people who will tell me that we didn't lose the ranch to estate taxes and it's just not true. We did lose the ranch to estate—if—if—had I not owed all that money, we'd still own that other ranch. In that instance, it's still intact and it's not covered with

00:36:10 - 2326

asphalt, but that's a pretty special situation. And—and listen, we did every bit of estate tax planning that we could possibly know how to do. And it still didn't work because we got caught in the—thank God, we got caught in the upswing of the market values where we could not get out in front of it enough to—to shelter enough of the value (misc.) the—the shelter strategies going up like that, but the value is going up like that. And the gap in between, I mean, it—at least—at least, in our situation, the land is not covered with asphalt and at least we were able to get out whole. If we had been going down, you

00:36:53 - 2326

know, we'd probably have been bankrupt because we would not have been able to sell the ranch for the amount of money. What—for example, if my mother had died in 1989 instead of 1993, my family'd be bankrupt because we would have owed so much money of it on estate taxes and—and the—and the ranches would not have been enough to satisfy the—what was owed on the estate tax.

DT: Do you have any numbers on how this plays out in Texas on the fragmentation of larger ranches because of estate taxes or development pressure?

00:37:33 - 2326

DL: Oh, yeah. It's—the—the—Doctor Neil Wilkins and American Farmland Trust and The Nature Conservancy and a few others have—have—Doctor Wilkins is the one who did all the—most of the research. Of course, there—he had co-conspirators as—as well. But they got—they have all the data and it's a—he can do a 30 minute PowerPoint

00:37:59 - 2326

presentation that's just stunning about, you know, how many's—how many are broken up, how many are—because there are some that are—there are people that are acquiring. My neighbor, for example. He—he increased the size of his ranch by—by buying ours. So there

is some people that are putting larger pieces together, but they're, you know, by far in the minority of all that are—that are being broken up. And it's—it's—it's really a—it's kind of sickening, really. You know, you say that, but how—I—and—and I'm

00:38:35 - 2326

not exactly sure, other than fixing the estate tax so we're going to have to—so—so at least it's not being driven by the estate tax. At least then people are doing it voluntarily. But—but you still have to be careful because it's the American Dream to buy—own a place in the country and not everybody can afford 500 acres or not everybody can afford 50 acres. They can afford ten acres and—and, you know, how do we reconcile keeping those places together and yet allowing those people to buy their ten acres of the American

00:39:08 - 2326

Dream out there in the—in the Texas hill country or West Texas or East Texas or Colorado or wherever they want—they want to do it. But there's—there's bound to be a way to do it voluntarily and not force it to be done by the policies of our national government.

DT: It sounds like you've also worked on some of the tools to keep family lands together. I think conservation easements are one of the things that you've been involved in. Can you talk about how that works and what your role has been?

00:39:38 - 2326

DL: Yeah, it's a—conservation easements are—are a—a very interesting tool and there—there are plusses and minuses about them. They are—they are good, they're also not so good and it basically depends on the situation and what kind of advice that you—that you can get—honest advice that you get from lawyers and accountants and—and advisors that—that let you know whether or not the deal is right for you. But in—in an ideal world, and there'll—there are lots of ideal situations that get put together. But in an ideal world, a conservation easement restricts what can be done on a piece of land;

00:40:26 - 2326

therefore it diminishes the value of that land. Therefore, it makes it easier to escape estate taxes. It makes it easier to be more fairly taxed on property tax value rather than at—because the market value is diminished. If you restrict, you know, it's actually a—a—a doc—a—a cloud on the title. It actually encumbers the title. So if you have a piece of land that says—and you—and you change the title that says that you—this land is going to stay the way it is forever. It's not ever going to be subdivided, we're not ever

00:41:09 - 2326

going to build any more roads, we're not ever going to build any more houses. Only thing we're going to do is keep and maintain what we have here now. Well, it greatly diminishes the value of that land. It also greatly diminishes the options because the only way that that is—the only way it can be recognized particularly by the IRS—is if it's permanent. And listen, forever is a long time. So you are restricting that piece of land

00:41:41 - 2326

for your great-great-great-great grandchildren and it's not something that needs to be entered into lightly and people need to really get good advice and really think about it. Th—the other thing is a conservation easement has to be administered by somebody because you—because you just can't say look, I'm going to go down to the courthouse and I'm going to fix this title that says we're not ever going to do anything out here on the ranch. The—the law says that there is a third party that has to enforce that and that is a land trust. And there are land trusts; there are good ones and bad ones. There—there—

00:42:23 - 2326

it's like everything else. And—and there are some that are funded great and some that are underfunded. Some have not contemplated if—eternity and some have contemplated eternity. There are—it—it is—there's kind of a gap in Texas in the land trust community because most of the land trust and—and listen, they—they need to run their business how they want to run it. I'm—I don't mean to attempt to tell them how to run it. But most of the land trusts in Texas are for pretty, I mean, they're for, you know, endangered species habitat or species at risk or—or springs and creeks and—and, you know, therefore the—

00:43:08 - 2326

they're primarily used for areas that are more pristine, more pretty, more scenic. They—they don't have land trusts in Texas that do cotton fields. And the—the—the—the family that owns a cotton farm, they got the same problems with the estate. I mean, listen, they're providing cotton for people to wear. They're—they're—they're still doing cornfields. Anything that has to do with—with agriculture, even the livestock grazing. I mean, sometimes—sometimes there is a drought, like is going on right now, and the

00:43:49 - 2326

grass gets pretty short and it doesn't look really nice. You need to use fire on a prescribed basis and sometimes land trusts don't understand that. There's a—there—there's kind of a disconnect between agriculture, which happens on most of the land in Texas still. Unless—even if you're a doctor with a—with a—with a practice in the Houston suburbs and you run a few cows, that's not really traditional agriculture. But it—you there—you—you—if you're actually in the traditional agriculture, whether it's livestock or crops, there's a gap in being able to—to have peace of mind in what you're

00:44:35 - 2326

trying to do in that the person who's in charge—or the—the entity that's in charge of enforcing the restriction that you've placed on your land is going to be friendly to your operation, particularly a hundred years from now. So they're a great tool. They're a little misunderstood and they—they have some gaps in them. They've gotten a lot of bad press. Back in the 90's, there was a lot of—lot of anti-land trust and anti-conservation easement sentiment, but most of that has—has pretty much gone away because what—what the agricultural community has dis—has figured out is that there is a way to make

00:45:26 - 2326

conservation easements work for them rather than against them. And it primarily has to do with some of the terms of the agreement and the way that it is administered by the land trust in perpetuity. And there is talk about—of which we have been a part of those talks. There is talks about putting—putting together an in fact, ag land trust in Texas right now. I—but one—one further example. I sat in a meeting about a year ago and listened to federal agencies and state agencies. It was the EPA and Corps of Engineers,

00:46:10 - 2326

the Parks and Wildlife Department, Tex Dot—complained bitterly that there were not—be—because they've got mitigation problems when they destroy wetland or when they, you know, mess something up by paving it over, they have to mitigate their damage. Well, a lot of times, the—the ideal mitigation for a highway project is right next to the highway. Well, there's no land trust that wants to take a conservation easement that rights next to a highway. That doesn't solve all the problems and not that all the problems can be solved, but there are gaps out there in the—in the situation where you

00:46:52 - 2326

have farmers and ranchers that are in problems that are—that are not of their own doing. It's either a mitigation problem or a highway expansion or base expansion—military base expansion or an estate tax situation or development pressures or something that's—that's causing them untold grief and—and financial problems th—that the current land trust community is not—is not responding to because their bylaws and their purposes are to save waterfalls, for example. So we're—we're—we are—I'm not sure how long it's going to take to get—get that put together, but we're working hard with a lot of different people to do that.

DT: Well, we talked a little bit about the estate tax and some of the tools to try and lessen the burden of that, such as conservation easements. One other tax, I think, has been a problem for a number of landowners has been the property tax and I think that you were one of the engineers behind the wildlife exemption for allowing those who aren't in the crop growing or livestock growing business to also get a discount on their land tax. Can you talk about how that originated?

00:48:13 - 2326

DL: I—not only do they have it; I'm going to have to adjust your vocabulary to start with. You called it a wildlife exemption and it's not an exemption. There's—everybody still pays their taxes. It's a special valuation. Interestingly enough, the conversation about a wildlife tax valuation that was equal to and comparable to an ag valuation started right around this table about 1988 with Steve Lewis, who was the—on the board of the Texas Wildlife Assas—sociation and myself and Garner Fuller, who was—I don't think he was secretary then, but I think he was secr—he—I think he became secretary—our

00:49:02 - 2326

secretary at—of TWA the—the following year, as I recall. He—he died, tragically, way too early. It was really his idea and he was telling Steve and I about it around this table and it progressed. There were some people in East Texas that started working on it a—about a year later and those efforts kind of merged about 1990, about the time that—that I agreed to—to come on staff here at TWA. And it resulted in legislation in 1991 that—that ultimately passed to everyone's amazement where—that you have—if you provide habitat for wildlife, you receive the same tax treatment as if you provide habitat for

00:49:55 - 2326

livestock. It—it—in—in effect, extended the agricultural valuation to wildlife management. It—it didn't pass some constitutional scrutiny, so it ended up—we had to do a new—a new bill in 1995 and then we had—and—which required a constitutional amendment. So we actually won a constitutional election, 62 percent to 38 percent,

00:50:22 - 2326

which is pretty good skunking no matter what kind of game you're playing. But it still goes on to this day. We had to tweak it a little bit in 2001, I think it was, because w—we found people were cheating on it on both ends of the—of the spectrum. We found appraiser—appraisal districts that were not allowing it and giving people grief about applying for it. And we found people on the other end, you know, trying to hang hummingbird feeders and move to the Cayman Islands and get a tax break and that—that wa—that wasn't intended for that either. So we still live with it and—and, listen, 1991,

00:50:57 - 2326

when that first bill passed was the first time that everybody heard of the—of the Robin

Hood way of doing school taxes. That was the—came to be known as the Robin Hood session. Well, guess what? Right now, we expect in April of 2006 that Governor Perry's going to call a special session which—special session, which means we'll then deal with it again in the 2007 regular session where we're going to undo Robin Hood. So it's amazing how the—how the circle has come around. But it is a special valuation and it is so misunderstood, including—with its companion, the ag valuation that's been around for
00:51:44 - 2326

so long. The people in this urban state think that farmers and ranchers and wildlife managers are exempt from paying their property taxes and we're our own worst enemy. We go around talking about ag exemptions and wildlife exemptions when they're really not. What they don't understand is on—on our family's ranch, where—the house my wife and I live in, our house and our garage, we pay the same taxes on that—it happens to be in the middle of a ranch—but we pay exactly the same taxes on that house
00:52:20 - 2326

and that garage as if it was sitting over there in downtown Dallas. And the taxes on those improvements—houses, garages, barns, tennis courts, what—well, you know, whatever the—the quote-unquote improvement is, that's taxed at market value. The only thing that receives special treatment is the open space and the reason that it receives special treatment is there are no services required by government for that open space because those cows don't go to school. So it is a special valuation for the open space and not for the improvements. The improvements are taxed just like anybody else's are taxed and
00:53:05 - 2326

that's not understood. It's not understood by the legislature, it's not understood by the appraisal districts. But they under—even though, they re—they don't understand it, they—they don't—the—the lack of understanding is it doesn't compare to this—to the voting citizenry, which is mainly urban in Texas. I mean, they really feel like farmers and ranchers and wildlife managers are out here cheating on their taxes when nothing could be farther—nothing could be further from the truth.

DT: Something else that I think landowners have struggled with and the Texas Wildlife Association has sort of taken up as an issue to work with is the endangered species protections that, I guess, really started to be a burden after some of the habitat designations in hill country. Correct me if I'm wrong. But can you talk about some of your attitudes about it and TWA's work to make it a more cooperative arrangement for everyone?
00:54:12 - 2326

DL: Well, it—it was kind of an amazing process and—and a particularly amazing to—to have lived through it and—and to see where we are today to compare to where we were back in the late 80's and early 90's. It was extremely antagonistic. I'm still kind of amazed that there was not physical harm done to—and, you know, property burned and no—no telling what—what else because the federal government came in here and attempted to declare critical habitat for endangered species and in many cases, in many areas. But what started the conflagration was the potential designation of 33 counties
00:55:01 - 2326

over the Texas hill country as critical habitat for two endangered songbirds. And if you wanted to design a way to stop those two endangered songbirds from becoming extinct, the federal government, the Fish and Wildlife Service, could not have designed a worse

program. To come in here and say here's what we're going to do and—and—it—it was just—it was incredible. That—that's like—like my friend, David Bamberger, one of his favorite quotes was the problem was the federal bureaucrats made you go to charm school. Well, that's exactly. Well, they came here and made everybody mad. I—I'll

00:55:45 - 2326

give you one example of how the world is—was upside down and backwards back in the early 90's. Steve Lewis, the—the fellow who was sitting around this table several years previously when we started talking about the wildlife valuation, was president of Texas Wildlife Association from '91 to '93. And he and I were sitting in—in the offices and we heard on the radio that there was a new person coming to be in charge of—the head of the

00:56:17 - 2326

U.S. Fish and Wildlife Service in Texas and he was moving into his offices in Austin. And we said let's go meet the guy and—and if we can't work something out. So we jumped in the car and drove to Austin and walked in the door of the U—unannounced, no—no appointment, no anything just to—to meet the man and—and see if we couldn't figure out some way to work our way through all this. Especially with a membership where we cared about endangered species, we—we wanted to help. Well, we finally started the meeting and after a few pleasantries were exchanged, the jaws started getting

00:57:01 - 2326

tight and faces started getting red and the head—th—this particular head of Endangered Sp—of Fish and Wildlife Service said to Steve Lewis, quote, I don't see what you people are so upset about because if you don't have habitat, you don't have a problem. And I just about fell out of my gray, folding government chair that I was sitting in. I said would you repeat that. And he said yes, what's the big deal? If you don't have habitat, you don't have a problem. In the federal government's mind, if you have taken care of

00:57:48 - 2326

natural resources in such a manner as of you still have endangered species and welcome them, you're the problem. If you have covered your land with asphalt, we'll leave you alone. Now how is that for backwards thinking? And it resulted in—I mean, it was a firestorm. It resulted in—finally culminated in 1994 with a march on the Capitol. Listen, I carried my sign right up to Congress Avenue and spoke on the south steps of the—of the state capitol. We put four thousand people in—in—in—at that rally. And now it's a big deal, you know, when you have a couple of hundred at a rally. We had four thousand

00:58:40 - 2326

people. We—I mean, I was standing on the steps, on the south steps of the capitol and Congress Avenue all the way to Colorado River's full of people, including the whole—the whole mall, the—the south mall there below the capitol. And—and I frankly think that it probably had a great deal to do with Ann Richards not being the governor and then-governor George W. Bush being elected because of—of the complicity of the state of Texas at that time and those—in that situation. We had—listen, there were meetings

00:59:18 - 2326

with the Fish and Wildlife Service, their public hearings, in Llano, in Fredericksburg. They were dangerous. I mean, I was afraid for those Fish and Wildlife Service spokesmen. I was afraid for their safety and well being because that's how mad people were about it.

(misc.)

[End of Reel 2326]

(misc.)

DT: Let's resume and tell about this conflagration that you said and the big demonstration that happened on the capitol steps.

00:01:28 - 2327

DL: Yeah, and—and the march from Palmer Auditorium up Congress Avenue was the—and it ended at the—in the south—south steps of the capitol. The—it was—we're talking about the number of people and I asked the head of the state troopers, who—cause—cause there was crowd control and it was—cause it could have, you know, potentially turned ugly, but it—it didn't. But there were state troopers and Austin policemen. You know, and you had to get a permit to—to do the demonstration and all that. So, to make sure, I asked the—the head of the state troopers, who was standing

00:02:11 - 2327

right there by the—just down from the—on the grounds of the capitol, kind of below the—below the—where everybody was speaking from, what—how mu—how many were in the crowd? I just was curious. And he said probably four to five thousand. And the next morning—I didn't keep a file on it, but I do remember the—one—another example of don't believe everything you read in the newspaper—the next morning, the Associated Press carried coverage of the rally and they had dropped a zero and said the crowd was four hundred. So we get credit for four hundred simply because of a—whatever set the type forgot to put one zero in there. But a—according to the—the head guy who was there in charge of the security and crowd control, it was between four and five thousand. All I—and I know it's a whole bunch of people because that south mall was full and all the way back to the river down Congress Avenue was full.

DT: And what sort of people? Where were they from? Were they landowners, not rural merchants? Who was involved?

00:03:20 - 2327

DL: Mostly farmers and ranchers and mostly—mostly rural, although there were some property rights advocates that were—that were urban there. And the reason for the rally was—and the march and the demonstration was that nobody was paying attention. It was, you know, we had these problems, the landowning community and the agricultural community and the wildlife management community, were having problems getting our—getting anybody to listen to us. So the only way we finally decided to do was we would put on a—we stage a protest where they'd have to listen. And sure enough, they

00:04:03 - 2327

did and that was the beginning of a new time in Texas in dealing with government regulations as it applies to land and property values and property taxes. The great fear was that if you—if your land was regulated into a such a—such a state whereby you couldn't do anything anymore because you were jeopardizing endangered species or jeopardizing wetlands or jeopardizing something, that it would diminish the value of your land so much, well, once again, you'd get behind the—it—it—it was kind of a forced conservation easement on you when—when—even when nobody knew anything about conservation easements. It would diminish the value of your land through no doing—through no—once again, through no fault of your own. In fact, not only through no fault of your own, you welcomed the endangered species. Why were you getting in

00:05:07 - 2327

trouble and—and why was there a diminishment of your wealth, which is your land, based

on these government regulations? And what—what eventually happened if you—you—you fast forward to today is basically, the federal government and the state government changed. Th—there was a recognition that—that there really were two kinds of landowners, those that take and those that give. And often landowners are—are lumped into one group. All landowners mean developers. That's not true. D—developers have a—a certain set of issues and a certain set of problems and a certain way

00:05:55 - 2327

they have to deal with the Endange—Endangered Species Act because they do carve up habitat. But members of the Texas Wildlife Association and the Texas and Southwestern Cattle Raisers Association and the Texas Farm Bureau, they don't want to carve it up. I mean, it's the last—they'd rather be taken out and shot than build apartment houses on their land. Th—they're in favor of natural resources and—and good things, so the—the biggest thing that occurred—we all wished it could've occurred a lot more easily than it did, but with the way it—the way it ended up and the way it's working today, but we still

00:06:33 - 2327

have to be ever vigilant because it can change back, is in a cooperative fashion that you got people who are going to cover it up with concrete, you deal with them some other way. Th—the people who are out here are trying to do the right thing for natural resources, you need to work cooperatively and professionally and courteously with them. And interestingly enough, the—the same person that had the conversation with Steve Lewis and I about if you don't have habitats, you don't have a problem is now one of the

00:07:07 - 2327

biggest allies for private solutions on those sorts of lands where the people really welcome endangered species and alls kind of natural resources. So really, the federal government and the state government came around to the Texas Wildlife Association's way of thinking. Yeah, I mean, there's examples all over. They—they just had a big agreement on the Arkansas River shiner, up in the—in the high plains. I mean you have—you got everybody from—I mean, you got Farm Bureau, cattle raisers, us, Fish and Wildlife Service, Parks and Wildlife Department. You have the River Authorities up

00:07:45 - 2327

there. You've got the NRCS [Natural Resources Conservation Service]. You have—you have all of these government agencies at all the levels of government and you have all of these landowner representatives at—from all different sorts of the landowning community, but it's the non-developers, the non-cover up with asphalt community all saying look, we don't want to do bad things to the water. We don't want this little fish to go extinct. It—wa—water—we understand to—to—our livelihood depends on water. We want to do the right thing so let's work together and—and figure out a way to where we get it all done and nobody gets hurt and

00:08:31 - 2327

the creature benefits. And that's the difference in what went on in the early 90's and what's going on now. But it's just like in conservation easements because a conservation easement, the language in there is about in perpetuity. Well, the true definition of in perpetuity is until the next election because it can all change based on what happens on, you know, a November in—in the ballot box. So, right—it worked terribly at first, it's working pretty good right now. And—and I frankly don't see that changing very much.

00:09:12 - 2327

I mean, I—but—but for the foreseeable future that—that I can see, at least, the taskforce way of—of gathering all of the, I hate the—I hate the word, but it's the only word that works, they're gathering all the stakeholders together and figuring out a solution that works for everybody. I'm—I'm not exactly sure that we'll ever get out of that business again.

DT: Speaking of getting all the stakeholders together, I think that one of the efforts you made to try and diffuse this tension was this thing called PlanIt Texas. Do you recall much about that?

00:09:48 - 2327

DL: Oh, yes. Well, it—it was the—if—if there were—if there were very many efforts to put the stakeholders together previous to PlanIt Texas, anywhere in the United States, the—there wouldn't be very many. I—I'm not sure there was any. PlanIt Texas may, in fact, be the first. But it was put together by Holistic Resource Management of Texas and they brought together those different stakeholders—Texas Department of Agriculture, Fish and Wildlife Service, Parks and Wildlife Department, sheep and goat raisers, cattle raisers, Farm Bureau. Again, the broad spectrum. And we decided we would see whether or not we could manage a ranch together that had endangered species. To see, by golly, if what we were saying—those of us who were saying look, stop holding a gun on us and start helping us. If that, in fact, would work. And it was—I don't think anybody gave it any chance for success at all. I mean, you—you know, to sit down with

00:11:04 - 2327

the enemy and—and try to work out a—a positive way to handle the existing regulations and the existing laws in a fashion that was good for everybody was, I think—nobody gave it much chance. But sure enough, it worked and PlanIt Texas—that's P-L-A-N-I-T—PlanIt Texas was, if not the first, one of the very first that showed the way as—is to how things are done right now. I mean, you c—you can go—the Leon River Restoration Project. I mean, they're—the things that's going on around Fort Hood now. I mean,

00:11:48 - 2327

there—there are—there are people sitting down together, working out these issues in some sort of fashion that's acceptable to everybody that was unheard of fifteen years ago. And—and that Plan It Texas was—was the first one.

DT: I think that one of the other issues that you all have been dealing with that's, I guess sort of a trouble that's maybe emanated from government is the recent Trans-Texas Corridor proposal that's come out of state government to try and build a network of expressways and utility easements. And it's one of these split benefits where it benefits the economy, but for a lot of rural landowners, it's very troubling and I was wondering if you could talk about what your view is on it and TWA's position?

00:12:51 - 2327

DL: Yeah, we were—we were in the—the middle of the Trans-Texas Corridor situation all along and it—it was—at least from my perspective and—and from my personal perspective, it's hard for me to imagine anything that's more needed than something like the Trans-Texas Corridor. Listen, I go back and forth from the ranch outside of Comfort to Austin and San Antonio and then from San Antonio to Austin. Man, I go—or—last—I live on Highway 290 and—and—and Interstate 35 and Interstate 10. I'd like for that corridor to be already built. I mean, I'd—I'd love to get on it and—

00:13:34 - 2327

and escape all of the just unimaginable stress that's out there on the—on those highways in those—in those areas. But—but the way it was initially envisioned—not initially envisioned, the way it was initially implemented because it was one of those real late in the legislative process, 2003, hurry up and get a transportation bill through, where the legislative process really kind of failed us because of the—the time constraints involved with that process. So—so we got the—we got the beginnings of a Trans-Texas corridor that was just unacceptable to rural Texas and to conservation groups and—and to ag
00:14:20 - 2327

groups. It, you know—f—for example, in the—in the—there—there is a happy ending because we managed to get most of it all fixed, but in—in the Trans-Texas Corridor deal, if you had the corridor intersecting a state highway or a county road, for example, that intersection—if Exxon wants to put a filling station on that intersection, the Trans-Texas Corridor legislation was that that land would be condemned by government and then turned around and sold to Exxon by the government. That's not the way this country works. Our constitution says and the—and the—and the way it's done in America is at that intersection, if Exxon wants to put a filling station there, Exxon goes and talks to the
00:15:15 - 2327

owner of that land and they work out some sort of agreement to build an Exxon station for either a sale or a percentage of the deal. Government doesn't get in the middle and take it away from me to give to you to build an Exxon station on. That was just one example of some things that—that somehow didn't get thought through carefully enough in the legislative process. So most of the—most of that was undone in—or redone, not undone—was—was taken care of by the transportation bill that passed in 2005, due primarily to the efforts of Senator Todd Staples, who was a senate chairman of the
00:15:58 - 2327

Transportation Commission who's now running for Ag Commissioner. But mainly through his efforts, we were able to get most of the problems—n—not that there still aren't some—but there's going to be problems with any highway that's—particularly one of that magnitude that's going to get built. But we got—you know, there's an old saying goes that—that the only way you can eat an elephant is one bite at a time. Well, we got a whole lot more than just one bite taken out of the—out of the elephant and we had most of the—most of the situations fixed that are just totally unjust in—in the way that—that
00:16:38 - 2327

was being done. There are still—there are still some other things to do but the Governor's office and the House and the Senate and the—the Transportation Commission is probably the—the—the—they're probably the least receptive to the ideas that are being put forward. But everybody else, we're—we're working to get the rest of it fixed.

DT: Just trying to think of other issues that may have confronted you all and one that comes to mind is the whole problem of a state that's increasingly urban and needs to draw its water from an increasingly large area that surrounds these urban areas, which I guess affects the groundwater resources as well as the surface water that private landowners' land and wildlife rely on. What kind of a situation do you all find yourselves in?
00:17:38 - 2327

DL: It's—it's unimaginable. And once again, it's getting better because what we find is that—that our association has a reputation for honesty and fair dealing and telling the truth and—and, you know, not overstating your—or at least, trying not to overstate so that

we can work on these problems in a—in a professional and courteous manner. We try not to go to people and say how could you be so stupid because that kind of puts them off a little bit. We try to go to—and approach them and say, you know, we think there's a problem and we're here to help you solve it and work through it. And that's what we're
00:18:24 - 2327

doing with water because what—what we found out—well, first of all, throughout the history of Texas Wildlife Association and it—and through my entire tenure as the CEO, we were, as staff and the leadership decided that we were to deal with terrestrial issues. We were staying out of water. We didn't have the resources or the staff or the—or the expertise or the membership to deal with water. Other people had to deal with water. And in my—when I retired and then agreed to—to come back to work on a part time—
00:19:01 - 2327

half time basis, the reason was to come back to—to work on water and to help protect the wildlife and ag valuation through this process where we're going to refigure out how to finance public schools in Texas. And—and—and once again, we were really kind of surprised by what we found. And what we found is that there is no understanding—or if there is an understanding, it's overlooked. There's no understanding of the relationship between the land because, you know, we're about land and wildlife habitat up until we got into water. And it's this disconnect between urban and rural, the urban citizenry
00:19:51 - 2327

that's not connected to the land anymore doesn't understand that land has a role in water. I—I mean, water starts in the state of Texas as rainfall on private land. That's where it starts. It doesn't start in the river; it doesn't start in the aquifer. It didn't start under that—where you turn that tap on. It starts by rainfall on private land. And the condition of that land makes a huge difference in the quantity and quality of water that's available for all of the citizens of Texas and all of the—the natural resources and fish and wildlife and bays and estuaries and river systems, all that stuff all depends on what happens to
00:20:35 - 2327

that water when it falls on the land. It—I mean, it's—and—and you would—by looking at the policies, you would think that it doesn't matter whether that land is well cared for rangeland or whether it's a bunch of nuclear waste dumps. There's just no consideration given to stewardship of the land to benefit water. And that's the approach that we've been taking is, look, if—the—the first thing you should do in any kind—doesn't matter whether you're talking about desalinization or interbasin transfers or aquifer protection or
00:21:11 - 2327

recharge or—or a ri—instream environmental flows that are—where water's left in the river for the bay. It doesn't matter what you're talking about. The very first thing you should do—you—you could take a dart and throw it at this map here behind me and the first thing you should look at is everything upstream from that—wherever that dart is, you should think about taking care of that. Don't break it up with estate taxes, don't pave it over. You know, do those things that keep—that keep those land stewards on the land with well cared for natural resources, well cared for land. People who are exhibiting
00:21:49 - 2327

stewardship qualities of the land because it's good for the water. And it's so elementary for those of us that have been tied to the land and grew up on the land can see what happens when rainfall falls on plowed dirt or when wain—rainfall falls on native grasses and it—

they—there are just no concept of that. So that's been our role is to bring the land stewardship into water. But the—the—the best example are those ranches that really care for the land and their water infiltrates and goes into the aquifers and goes into the rivers and streams and is released slowly for everybody to use. They also provide all

00:22:46 - 2327

those societal benefits on top, of open space and recreational areas and carbon sequestration and on and on, all those—all of those societal benefits, they provide for nothing. They provide for water quality and water quantity for nothing. How cost effective is that? Maybe that's why they're being ignored. But what we're finding is that that message is being very well received and we're starting to get policies and we're starting to get people thinking about taking care of landscapes and, once again, the best

00:23:23 - 2327

thing you can do—you remember those citizens out there we talked about earlier. They're willing to do the work of conservation, pay for it themselves, contribute to their communities and pay their taxes. You need to encourage them to stay, not try to kick them off with development pressures and not try to kick them off with estate taxes. Keep them there providing those things that they're already providing.

DT: Can you maybe give some examples like you did before about the ash juniper control or maybe salt cedar? How you can help with surface water infiltration?

00:23:58 - 2327

DL: Yeah, the—the—the ash juniper, the cedar in the Edwards Plateau and it—as an oversimplification, and I'm—I'm not a researcher. I'm—I'm not a scientist. We'll—but what then the disclaimers are, or—or to continue is that you got to do it in the right place and you got to do it in the right manner. And—and also, those cedar trees, some of them are habitat for those endangered species that started all of that falderal fifteen years ago. So you still have to keep that in mind. So you have to—you have to do things to cedar and control cedar in an appropriate fashion. So with that in mind—and in appropriate places. The—the—well, first of all, the research done by Doctor Keith Owens is abou—is about the interception of rainfall by those mature ash juniper cedar trees. And—and what that research finds that almost 100 per—now, we're talking about big, mature cedar trees, not the regrowth that's that tall. But the big mature cedar trees, virtually all—almost 100 percent of a rainfall event of less than a half an inch, none of it

00:25:12 - 2327

reaches the ground. None of it. It all stays in the leaves and in the litter of—beneath the cedar trees. So if you have thirty inches of rainfall in the Edwards Plateau and fifteen inches of it comes a half-inch at a time, none of that has even gone into any aquifer or into any stream. The evapotranspiration, where plants transpire water—they take water out of the ground in order to live and it evaporates when it out through their—through their leaves. Same deal. That—that research shows it's like 10 to 20 inches of

00:25:57 - 2327

water per year that is a evapotranspired even if there's no rainfall that occurs. So—so once again, if you're going to lose half of it in—in very slow, small rainfall events, which is kind of what happens in the Edwards Plateau and if the cedar trees are going to take what's there already whether it rains or not and they evapotranspire it, I mean, you're losing 60, 70, 80 percent of the—of the moisture whether it falls as rain or not to cedar trees. That's Doctor Owen's—or—or I hope that's fairly accurate of what his research is. Doctor Brad Wilcox is

doing research and—and this paper is not a—Doctor Owen's
00:26:43 - 2327

work is already published. Doctor Wilcox's work will be published pretty soon. And what—what that is—is showing, again more or less because it hadn't been published, but what that is showing is that done appropriately and in the right places, every—for every eight acres of cedar that is converted to grassland—appropriately converted to grassland, it results in an additional one acre-foot of yield of water. Now the policy implications of that are staggering. If you take 800,000 acres in the Edwards Plateau and, in the appropriate places and in the appropriate manner so that you don't in—violate the

00:27:29 - 2327

Endangered Species Act and a—and also where it's going to work—you take 800,000 acres of the 35 or 40 counties that are over the Edwards Plateau and convert those areas to grassland, it results in an additional 100,000 acre-feet of water that was used up by the cedar tree. Now 100,000 acres is 25 percent of what the Edwards Aquifer authorities is going to be allowed to pump in—in the next couple of years. Now—so you have an additional 100,000 by—by managing your land correctly. That's not drilling any wells, that's no recharge dams, that's no reservoirs, that's no pipelines, that's no desalinization.

00:28:13 - 2327

That's managing your land. By managing your land in an appropriate fashion, you just created 100,000 acre-feet per year of water that was not available before. And you can use that. Well, you could put that in shiny plastic bottles or you can send it down the river to the bays and estuaries. You can take longer showers. I mean, whatever it is you want to do with that water, it's generated by what's done on the land, it's not generated by a reservoir. And if you have people who are already willing to do that, why not encourage them to do it?
DT: Let's talk a little bit about hunting. I think that that's been a major source of income and a really key to the viability of a lot of these tracts throughout rural Texas. You serve on Texas Parks and Wildlife's Hunting Advisory Committee and, of course, through TWA's work, I think you've worked a lot on how to make hunting a continuing part of the culture of Texas and maybe you could talk a little bit about your work there.

00:29:20 - 2327

DL: Yeah, hunting—hunting is—the income from hunting and that other forms of—of nature tourism—but you know Texas right now—we've kind—kind of talk about the whole universe of nature tourism, of which hunting is one—the major source of income right now. Al—although the—the income pattern is shifting, the bar graph looks a little different now. There's more from other forms of nature tourism. Well, still—hunting's w—still way high and the other form of bird watching and hiking and biking is all that is still down here. But they're—but they're—it's kind of catching up and I—I—I—I

00:30:00 - 2327

predict it won't be long before the other forms will—will at least be as much as hunting, maybe even more. But for now, the major income producer is hunting in Texas. And it's—it is over a three billion dollar industry in Texas and it is one of those tools that keeps the asphalt at bay. It keeps the land intact. It generates income to pay estate taxes with, to pay property taxes with. It's al—it—it's also—if—if you're going to have a good hunting operation, you got to have a good habitat operation. Hunting doesn't happen out there at the Dallas Cowboy stadium. I mean, it's got to be—you know, it has

00:30:44 - 2327

to be a pretty good place to—for natural resources in order for—for a quality hunting to occur for which you can receive a great deal of revenue. And it is—it's what keeps m—the rural economy going in Texas. It's agricultural and nature tourism, which is mainly hunting. Now l—listen. Some of the hunting leases are going for 10, 15, 20, 25 dollars an acre and that's net, net, net, net, net. That's 20 dollars an acre for the combination to
00:31:23 - 2327

the gate that lets you in. You got—I don't know what kind of forms of agriculture where you can net 20 dollars an acre, but if it's not a major source of income for most of the agricultural operations, most of the grazing lands agricultural operations, it's—if it's not the major source of income, it's got to be a big percentage of it. And you—just—just for the difference. It—not long ago, a couple years ago, my wife and I drove through the—up there in the Midwest. The—listen, those states are closed. Those little old rural towns are shut down. I mean, they're—they're—the—the storefronts are boarded up. The
00:32:06 - 2327

streets all got chugholes in them. The—the—the—there's no pay telephones; there's no Stop and Go's. I mean it is absolutely—they're just closed. You go—you go around into the smaller towns of Texas, you go to Brady, go to Freer, go to Comfort, go to those—go to those small towns. They're all thriving and it's because of hunting and that other form of nature tourism. They're keeping—they're keeping that rural economy out there in the—in a much more vibrant state than other places that don't have—that don't have that—that have that benefit. So let me tell you, hunting equals habitat, to start with, and
00:32:52 - 2327

hunting equals economic development, number two. So it's—it is—it is a vital importance to rural Texas. And vital importance to natural resources.

DT: How do you deal with some of the issues that have been contentious about hunting, you know, have drawn on some concern? One of the ones that I know has been debated is the high fence phenomenon that's sort of spread across Texas, where deer are kept and managed, so you get these trophy deer, but you no longer have the mixing of the gene pool that you might've had if these deer were more mobile. Is that a fair characterization, first of all, and then second of all, what do you think about this as a long-term trend?
00:33:47 - 2327

DL: That—that's a fair characterization of the misconception [laughs] because it—it ain't so. It is—high fences in Texas, for the most part, and there—there are—there are, you know, you—you got—you—you have other phrases. I mean, you got there—there are reasons to exclude things all along, for—in any sort of thing. But the main reason, virtually the only reason for high fences in Texas has to do with back—way back when we first started this interview process when I was talking about not having any trees, any young trees and the result of the deer overpopulation? Listen, if—if—if you're going to have your habitat be in balance, you got to keep out deer. You got to keep them out.
00:34:45 - 2327

Those fences are not there to keep things in; they're there to keep stuff out. If you had—if you have a—if—if—if it is your personal belief and your family's belief that your responsibility of—at being a good steward includes the plant community, you got to exclude the number one predator of plants and that's white-tailed deer. So those—and—and if you don't have a high fence, you can go in there and shoot every one of them this afternoon. Tomorrow afternoon, they'll be replaced by influx from outside. A—again, I'm

not a biologist, but the biologists tell me that we have habitat for white-tailed deer in
00:35:30 - 2327

this state. The ha—the habitat for deer in the state of Texas is for about 500,000 white-tails. We have four and a half million. The only way—the only way you're going to care for your habitat in a proper fashion, if your neighbors don't do it, you're going to have to fence that problem out. And to blame the fence is just idiocy. I mean, that—that—I—I mean, the same people—it—I just—it—it really grates on me that this—this—those are the same people that say firearms are the problem with robberies. I mean, it—the gun—it ain't the gun; it's the person that uses it. It's not the fence; it's the person that uses it.

00:36:19 - 2327

Listen, if you're using a fence improperly, the mitigation for that is you ought to be taken out and horsewhipped. But if you're using that fence properly as a wildlife management tool, once again, you should be encouraged to do that and it should be based on—on habitat. So the—this—the—the high fence is a—is something that just is not so. The high fence is a management tool and—and by far, there are exceptions, but by far, people are using it properly as a wildlife management tool. And (misc.) you talk about deer, what else does a fence—does a high fence contain? It doesn't contain quail or doves or

00:37:05 - 2327

rattlesnakes or raccoons. I—I mean, the only thing it—the only thing a high fence does—is is contain the movement or exclude the movement of deer. It doesn't do anything else to any other species of wildlife and the inbreeding question, the—the—the longest fence that has been up, at least that I know anything about, is—is one down in south Texas that that fence has been—that—that fence has been up since the early 50's. And they've had a consulting wildlife biologist, degreed, certified wildlife biologist in charge of that operation ever since then. And that's, you know, almost 60 years ago when that fence went up and there's absolutely no—there's no evidence of any kind of inbreeding problems at all.

DT: Tell me about something else that I know has been a discussion in some co-ops and Parks and Wildlife seems to be—some biologists read one way and some read it another—that this question of controlling predators, coyotes, in particular, and the impact it has on recruitment among deer populations. Do you think it helps or hurts to control coyotes and mountain lions, I guess, for that matter?

00:38:28 - 2327

DL: I—I—I think it depends on the wildlife management plan. I mean, listen, this is—is all about habitat and it's all about populations—the habitat and the population being in balance. And to—to—you should control coyotes where you got a problem and when you don't have problem, don't control them. It is—it's—it depends on that habitat based, wildlife management plan whether the co-op or a single individual or wh—or whatever is operating it. If whatever is good for that balance between habitat and herd is what should be done and it's going to be different from one place to the next.

DT: Here's another issue. You're on the white-tailed deer advisory committee for Parks and Wildlife and I was curious how you view the balance between white-tailed deer populations and the Axis deer and all the exotics that have been introduced since the 30's. How does that play out?

00:39:30 - 2327

DL: It's—well, once again, it—it is keeping that habitat and keeping that herd in balance is the key. And it—it doesn't matter whether it's white-tailed deer or exotics or both. If you

have—if you—if your habitat has been taken care of so that it sustains that population, whatever the mix is, whether it's 100 percent white-tails or 100 percent exotics or— or mixed and matched, that's okay as long as the habitat is kept at the forefront. So, the on— the only difference it would make, in my opinion is, that you have a different market for hunters, you have a different market for those wildlife viewers. You may have a few more things for them to come look at. You also going to have to

00:40:16 - 2327

have a little bit tougher time keeping that herd in balance because some of those exotics can pretty well compete the—the white-tailed deer and, you know, once again, you got to keep the numbers in balance, so it—it—I—they're a blessing on the one hand because it's a—it is a—one more positive alternative for the hunters or the—or the nature tourists to—to visit. It—it's a detriment on the other hand because you got to worry about them in your wildlife management plan as well. Feral hogs, same deal. I mean, you know, there are lot— there are people making substantial income from their nature tourist

00:40:57 - 2327

hunting operation on feral hogs. There are other people that are being devastated by them and—and, you know, those people that are being devastated by them, they need extra help. I mean, they—they can't have—they don't have enough hunters to—to con—control those numbers. They need the wildlife damage permits. They need the, you know, animal damage control. I mean, it's—w—w—once again, it all goes back to habitat and it all—all goes back to keeping it in balance. Irrespective of whether it's exotic or feral or native.

DT: One other thing about the white-tailed deer, it seems like the Parks and Wildlife has tried an experiment that, from what I've heard, has been pretty successful in areas of the state working with wildlife management associations and having pretty restrictive hunting programs to protect a lot of the bucks of a certain age and certain spread. Can you tell a little bit about the origin of that experiment and how it's worked out?

00:41:59 - 2327

DL: Yeah, those are—those are the antler restrictions that are now, I forget how many counties. It started out with 4, 5 or 6 counties as a—as a trial run, which we were very suspicious of, except we were okay with it as being a trial because we're very much results oriented. We wanted to see what was going to happen if you started restricting the harvest, what—what was going to happen to the herd? And all the data so far is very positive that originated from those landowners and from those co-ops. So it's a perfect example of how grassroots works is that you have—you have an idea—and—and how

00:42:43 - 2327

science works, for that matter. You—you have an idea and you put it in place with the right kind of oversight and you test it and you keep the data and you see how it worked. And the latest data on those counties, which are now up to 15 or 20 or maybe more now, the data is that it's working terrifically. That the—that—that the age structure and the

00:43:06 - 2327

habitat structure of those counties where they have put that in place is that it's working great. So—so we think it's a—it's a—it's a—although we were very suspicious at first, that it's turned out to be a model of how things should work with the—but—but it doesn't matter what they think of down there at Parks and Wildlife headquarters or in Washington, D.C. The difference is does it work out there on the land? That's the test. Does it work w—with those people who got mud on their trucks, is that g—is it going to work for them? And

h—and does it work for the habitat? That’s an example of where it has worked.

DT: Speaking of Parks and Wildlife and how they don’t determine everything that happens out on the land, but in some cases, they’re kind of the spokesperson and maybe a lightning rod for a lot of natural resource issues and I know you’ve been on the education and outreach advisory committee and I was wondering how you get the message from Parks and Wildlife out to a population that’s increasingly urban and kind of disaffected from natural issues? You know, that their world is the asphalt that you’ve been talking about.

00:44:22 - 2327

DL: It—it’s—it’s the greatest challenge—that and water are the greatest challenges in the natural resource arena that there is. The—the knowledge of the natural world and how it works that people of my generation take for granted, p—particularly in—in my family and—and friends and neighbors. I mean, we grew up watching it work. It’s not

00:44:52 - 2327

there. There is no—and—and it doesn’t matter whether you’re talking Houston, Dallas, San Antonio, the major metropolitan areas, you—listen, you take people from—from the school district in Cotulla. They don’t know anything about how the natural processes work. If you take people from the school districts in Tyler, I mean, ot—it’s not—it’s all—I mean, it’s—it’s not—it’s not an—it’s not an educate—it’s not an urban, rural, city country deal, it’s all over the state. There—there—listen, people don’t know there is a water cycle, let alone how it works. It is a huge challenge and—and those people are all

00:45:28 - 2327

going to be, if they’re not already voting age, they’re going to be voting age soon. So we’re going to have decisions made and policies implemented by people who vote and who put people in office that haven’t got a clue of anything that they’re voting on. What a—ca—a friend of mine gave me a—a picture here about a month ago. It’s of a group of not inner city, these are rural kids—and one of our dreams at Texas Wildlife Association has always been to put those yellow school buses out on the land so they can see what it is and what a porcupine eats and what a deer eats and why they’re different. What a cow

00:46:15 - 2327

eats and how that works with everything else. And h—and here’s 25 or 30 of these rural school kids and they’re hovered around looking at something that they’ve never seen in their whole life and it’s a cattle guard. I mean, it is, you know, pieces of metal rail going across the road to keep the cattle from jumping it and they’re all astonished and agog by it because they’ve—have no idea that such a thing ever existed. Well, if people have—if people don’t understand what a cattle guard looks like when it’s going across a dirt

00:46:50 - 2327

county road, how can they be expected to pull—or they don’t pull levers anymore—to write—to mark down the deal for—for any kind of decision on natural resource issues if they don’t understand how it works? It’s—it’s a huge problem and that education and outreach committee appointed by then-chairman Katherine Armstrong and it carried forward by our current chairman, Joseph Fitzsimmons probably is one of the most important things that the Parks and Wildlife Department has ever done because it is not

00:47:24 - 2327

just education, which is kind of the formal sense where it goes into the classroom. And that’s—that’s where you got to deal with the Texas Education Agency and all of the no pass, no play and the tax and the TAKS [Texas Assessment of Knowledge and Skills] and all of

that versus outreach, which is, you know, field days and—and things like expo that Parks and Wildlife has. So how you tweak those two elements of education, one formal, one kind of informal, although lot of times, outreach can be pretty formal. How do you tweak those? How do you fix the message correctly to start with? How do you disseminate it within that bureaucracy so

00:48:07 - 2327

that everybody talks about the same things and talks about them—they don't say exactly the same thing, but they at least have the same sorts of issues. And—and philosophically, they're—they're at least singing on the same page—it—that man has a role, for example. That it—it's not set it aside and don't ever touch it, but it does have to be—I mean, listen, even—talk about before the Europeans arrived, well, the Native Americans that existed here then, they managed this habitat. I mean, they set fires and drove buffalos over cliffs. I mean, all—they did all sorts of things to manage this habitat and herd. That still has to

00:48:45 - 2327

be carried forward. Anyway, you get those messages in a—in a formal setting and an informal setting, make sure they're right. Make sure they're accurate. They reflect the—the science of the day. And that you have a strategic plan to follow and then you implement that plan. That's what we spent a couple years doing and—and mainly developing the strategic plan and now Parks and Wildlife is beginning to implement that plan with as is—at least us and several other conservation organizations where, you

00:49:22 - 2327

know, we're actually getting that into the school districts. And if we can't get the school districts out on the land, we can at least get them in the distance learning things. Now we're—I mean, you know, people pull up the—they light up their screen and there's a quail biologist talking about quail, standing out on somebody's ranch along with a—you know, a classroom that is there. So hopefully that will do something about this natural resource illiteracy because it's a huge problem and we can't make decisions based on, you know, cartoons on Saturday morning on the television.

DT: Well, speaking about these school children and I was curious if you have a piece of advice, if you could pass on a baton towards them, some sort of message about what they might keep in mind about natural resources, private lands, wildlife, things that you've been concerned about?

00:50:22 - 2327

DL: Yeah, they—the—the—the message for—from my perspective is the—the—don't be spoon-fed. I mean, there is so much misinformation and bad information that comes from the mainstream media. (misc) Listen, I—I love to watch TV and I devour the newspaper every day, but they're in business to sell advertising. And search out the truth, don't take the five o'clock news word for it because it'll change the next night or the next week. You know, don't believe a lot of the things that you're—that you're spoon-fed. Search out the truth when it comes to natural resource issues and look at

00:51:13 - 2327

per—things from all sides. I mean, don't make up your mind about global warming based on a—on 30 seconds of some evening newscast. If you wanted to find out about global warming, go look into it. Don't—don't—don't think about the best way to protect endangered species is to send in the federal government. Think about other ways to do that and, at least from our perspective, start with yourself. Start with—within your own self and

start with looking at those private solutions that people can do that doesn't cost anybody any money, it doesn't raise taxes for anybody and it provides benefits to society.

00:51:54 - 2327

That ought to be the first thing that you look at when you're looking for a solution to natural resource issues. And after you've looked for that private, personal solution, then go start finding people that are going to help you do that and don't—don't—don't take the stuff that comes on the evening news.

DT: One last question from me and if you have something to add afterward—we often try to wrap these things up with a question about a special place that you've often enjoyed visiting and if you could describe it to us to remind us why you care about this stuff.

00:52:37 - 2327

DL: Well, the—the—listen, the—the most special places for me are not only at our family's—the—our, you know, the—my wife and children and grandchildren, not only our place, but m—our fam—our ranch was put together back in the mid-1800's and I—I have a cousin that lives up the road from me about two miles—it—he lives in a house that my great-grandfather built in 1887. And—and my wife live in a—in a house that was already there when that—when that house was built. So we are surrounded by aunts and uncles and cousins and great-aunts and uncles of—from the original ranch that's—

00:53:21 - 2327

that's been broken up and so far, nobody has lost any of that ranch or sold any of it. So that's the most special place for me. I mean I can go for miles around our house on foot or on horseback or in a pickup truck or—and you know, it's a—it is really a—and our family—the—to a unanimously everybody agrees that it's their responsibility to be a good steward and to take care of things. And it's a real pleasure to walk for miles around many thousands of acres, all belong to several hundred of my kinfolks in—in every direction and see how it really works if you take care of it yourself with appropriate help from government. But it's mainly up to you to take care of it and that's—that's really—that's really special for me to be able to do.

DT: Well, thanks for—it sounds like you're talking about your home and I...

00:54:26 - 2327

DL: You bet.

DT: ...can see how that's special to anybody. Thank you very much for your time. Do you have anything you'd like to add before we wrap this up?

00:54:32 - 2327

DL: Well—you—of—probably one thing we—if you—you can cut it in, back when we were talking about hunting.

DT: Yeah.

00:54:38 - 2327

DL: The great—the greatest misconception of hunting is that it's expensive and cost prohibitive. Hunting is not expensive. Trophy hunting is expensive. If you want to go shoot a record book creature of some kind, that costs a lot of money. It costs more money than I have. If you want to go small game hunting, you know, rabbits or squirrels. Dove hunting's not expensive. I mean, the only thing that's expensive about hunting is trophy hunting. It's a—it—I—listen, if you—I sometimes shudder to think how much a family of four would go spend out there at Sea World for a weekend. If you just took 20 percent of that weekend—somebody, you know, drives down here from Arlington and spends the weekend in San

Antonio going to Sea World. If they took 20 percent of that
00:55:37 - 2327

money and went and approached a private landowner about taking a tent and bringing a hammock and sticking their toes in the creek and letting the minnows nibble at them and maybe taking their kids out to hunt rabbits, there is—there is—there's no greater outdoor experience for a reasonable cost than that. And if you don't want to go hunting, the same—it doesn't matter whether you hunt or not. If you just want to walk around, if you—it's—you know, the outdoors, whether you hunt or not is there and if you do want to hunt, it's not expensive. It's only trophy hunting that's expensive.

DT: Good point.

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[End of Interview with David Langford]