



## *BRIEF HISTORY OF LEASELANDS*

In 1905, the states of Oregon and California ceded to the United States the lands under Lower Klamath and Tule lakes. During the same year, the U.S. Secretary of Interior directed the U.S. Reclamation Service (now the Bureau of Reclamation) to reclaim the lands beneath both lakes for the primary purpose of homesteading.

### *Lower Klamath Lake*

Prior to reclamation of Lower Klamath Lake, President Roosevelt created the Klamath Lake Reservation (now called Lower Klamath National Wildlife Refuge) by Executive Order 924 in 1908. This created the first refuge for waterfowl in the country which encompassed an area within California and Oregon.

The Klamath River became physically separated from Lower Klamath Lake by construction of a railroad embankment forming a levee along the west side of the lake. The levee was completed in 1912 and the gates, which are located at the Klamath Straits, were closed in 1917.

Pasture grasses developed on the uncovered portion of the lake bed and were subsequently grazed by adjacent landowners and others. In 1929, all of the public land lying in California and Oregon uncovered by the reclaiming of Lower Klamath Lake were leased by Reclamation for grazing use. In 1934, the land in Oregon (now the Klamath Straits unit or Area K) was leased as a separate unit for grazing use. It was soon found, however, that these lands would produce grain and since that time, only grass hay, small grains, and limited grazing are permitted.

### *Tule Lake*

Drainage of historic Tule Lake began with the construction of Clear Lake Dam in 1910 and the Lost River Diversion Dam in 1912. As drainage of Tule Lake was gradual, each year more land became available for reclamation. The reclamation process included: drainage of water, construction of irrigation facilities, and preparation of land for farming. During the construction period, reclaimed lands were commonly leased to farmers and ranchers by competitive bid before opening to homesteading.

In 1914, Reclamation initiated the Lease Land Program by leasing 263 acres of lake bed along the north shore of Tule Lake (USRS 1914). The first homestead entries were announced in 1908 and by 1948, 13 homestead openings were announced. Since 1922, 44,000 acres were homesteaded into 613 farm units.

Originally, all lands beneath Tule Lake were scheduled for reclamation. Since there was no natural outlet for Tule Lake, drainage water collected in the southwest corner of the dry lake bed. Due to the abundance of waterfowl within this wetland area, President Coolidge created Tule Lake Bird Refuge (now Tule Lake National Wildlife Refuge) by Executive Order 4975 in 1928.

In 1932, to protect developed homestead lands from flooding, areas within the refuge were designated as sumps and reserved for flood control and drainage. Areas outside the sump, but within the refuge boundary, were leased by Reclamation for agricultural use and additional flood control. In addition to providing flood control, the reserved sump areas also preserved existing wetland habitat for wildlife.

### Kuchel Act of 1964

In the early 1960's, Congress debated the best manner of using the land in the Tule Lake and Lower Klamath NWR's. Congress was faced with the question of whether to dedicate the land to homesteading or to waterfowl production. Debate was heard from all sides and was settled with the passage of the Kuchel Act (Public Law 88-567) in 1964. The major components of the Kuchel Act are:

#### *Sec. 1:*

*“It is hereby declared to be the policy of the Congress to stabilize the ownership of the land in the Klamath Federal reclamation project, Oregon and California, as well as the administration and management of the [land within the Klamath Basin Refuges] to preserve intact the necessary existing habitat for migratory waterfowl in this vital area of the Pacific flyway, and to prevent depredations of migratory waterfowl on agricultural crops in the Pacific Coast States.”*

#### *Sec. 2:*

*“Such [leased] lands shall be administered by the Secretary of Interior for the major purpose of waterfowl management, but with full consideration to optimum agricultural use that is consistent therewith, and shall not be open to homestead entry.”*

#### *Sec. 3:*

*“25 per centum of the net lease revenues collected during each fiscal year from [Federal Lease Lands within Lower Klamath and Tule Lake NWR's] shall be paid annually...to the counties in which such refuges are located.”*

#### *Sec. 4:*

*“The Secretary shall, consistent with proper waterfowl management, continue the present pattern of leasing the reserved lands...within the Executive order boundaries of the Lower Klamath and Tule Lake NWR's...as shown in...report dated April 1956. Leases for these lands shall be at a price or prices designed to obtain the maximum lease revenues. The leases shall provide for the growing of grain, forage, and soil building crops, except that not more than 25 per centum of the total leased area may be planted to row crops.”*

### NWR System Improvement Act of 1997

This law amends the NWR System Administration Act of 1966. This act provided new guidance in determining which activities within the NWR System would be allowed. All activities occurring within the NWR's must now, in the sound professional judgement of the agency's director, not materially interfere with or detract from the fulfillment of the mission of the System or the purposes of the refuge. The act provides that if there is a conflict between the mission of the refuge system and the purpose(s) of the specific refuge, the conflict will be resolved in a manner that protects the purpose(s) of the refuge first and, to the extent possible, achieves the mission of the System. The Kuchel Act further defines the purposes of the Lower Klamath and Tule Lake NWR's. The refuges are dedicated to wildlife conservation and the lands administered for the major purpose of waterfowl management, but with full consideration to optimum agricultural use (USFWS 1998).

### Administration

Reclamation continues to administer the Lease Land Program under a Cooperative Agreement with the U.S. Fish and Wildlife Service. The primary objective of the Lease Land Program is to comply with the law and provide a commercial farming program using proven conservation practices with benefits for wildlife. While responsible stewardship and integrated pest management is required in all lease land contracts, these lands also provide an area for research and demonstration projects that strive to balance agriculture and wildlife habitat.

In 2007, the Lease Land Program leased 21,695 acres for the production of small grains, row crops, alfalfa, and grass hay of which 5,495 acres were certified organic and 1,000 acres were set aside for wetland purposes. In addition, \$209K was distributed as Payment In-Lieu of Taxes between Klamath, Siskiyou, & Modoc counties for 2006.

### *References*

U.S. Fish and Wildlife Service. 1998. *Integrated Pest Management Plan for Leased Lands at Lower Klamath and Tule Lake National Wildlife Refuges, Oregon/California*. Tulelake, CA.

U.S. Reclamation Service. 1914. *Annual Report of the Klamath Project*. Klamath Falls, OR.