THE GEOGRAPHY OF FREEDOM
A BRIEF HISTORY OF AMERICA'S PUBLIC LANDS

LANDS FOR THE TAKING: PRE-CONTACT

“It is interesting to think of the vast continent as it lay for a few hours before dawn in the darkness of that moonlit October night (in 1492) and of its unconcerned inhabitants, still ignorant of that momentous instant. In Mexico, only a few hundred miles west of San Salvador, where Columbus landed, the Aztec civilization was at its height of grace, cruelty, and power . . .

In the Southwestern United States, where dawn was not yet at that moment ready to break, the Indians of the Pueblos would wake to the life they had been living for at least a thousand years, worshiping the rain-gods with ceremonial dances, harvesting their crops, managing their irrigation, fearing nothing . . .

Just west of the Mississippi, in their leather tepees, dwelt the Sioux, a rather weak tribe who had as yet never dreamed of horses . . Through Canada, about the Great Lakes, into New England and down the coast, ranged various Algonquian tribes, hunters, trappers, canoe men.

In Upper New York State the great Iroquois statesmen, Dekanawida and Hayowentha had only recently established the League of the Iroquois, the Five Nations, who were just beginning to develop their power, when on that fateful October morning the Pinta fired the signal gun that marked the red man’s loss of a continent that he had held since the last glacier.

To all appearance, the life of the whole great continent, that fateful October morning in 1492 was wholly unchanged. Save on one insignificant island, there was no stir that day and no excitement. Yet the arrival of those three small ships, bobbing in the warm blue waves off San Salvador, meant that all this life of plains, mountains, lakes, and forests was now a pageant soon to fade.”- John Blakeless, Through the Eyes of Discovery
It is impossible today to imagine what North America was like, all those five hundred years ago. Nothing in our experience helps us visualize 65 million bison roaming the Great Plains in herds so large that it took a whole day for one to pass. Nor can we visualize the flights of passenger pigeons which obscured the sun for hours.

At that time the giant redwoods, reaching three hundred feet into the air, formed unbroken forests from sea-cliffs to the Sierras. Innumerable salmon ran unimpeded up the Columbia and its tributaries to their spawning grounds. Sturgeon six to nine feet long were common in eastern rivers, which “boiled with fish,” in the words of early explorers; lobsters weighing sixteen to twenty pounds were common, as were brook trout in the four-to-five pounds range.

In Michigan and elsewhere east of the Mississippi stood great hardwood forests which had never known an ax. Short, and tall-grass prairies swept down from what is now Canada all the way into New Mexico, providing sustenance for the millions of hoofed animals that lived upon them. Perhaps never in the history of humankind was a continent so rich in resources.
A NEW LAND: EXPLORATION AND EXPANSION

"I wanted to be the first to view a country on which the eyes of a white man had never gazed and to follow the course of rivers that run through a new land."
--Jedediah Smith, from his diaries

During the first few centuries of colonization, European powers acted out their continental power struggles by redrawing the boundaries of their possessions in the New World. No matter what the powers in London and Paris thought, the land-hungry colonists were determined to claim the land beyond the Appalachians for their own, plunging west in the footsteps of such early frontiersmen as Daniel Boone.

When the United States gained independence, the western boundary of the new nation stretched all the way to the Mississippi River. After contentious debate, all the states finally agreed to cede these lands to the federal government by 1802, creating a vast Public Domain, lands controlled by the federal government in trust for the people.

In the following year President Jefferson acquired from France through the Louisiana Purchase the immense region drained by the Mississippi’s northern tributaries which doubled the size of the nation and extended the Public Domain nearly to the Pacific Ocean, or at least close enough to contest Britain’s and Russia’s claims to Oregon.

Exploring—and settling—this vast area, and of the Spanish possessions to the south of it, (Mexican after 1821) became a national obsession for the next three generations of Americans, who believed that it was the nation’s manifest destiny to span the continent from the Atlantic to the Pacific.
It all began with the Lewis and Clark Expedition (1804 to 1806), sent by Jefferson to explore the newly acquired territory of the Louisiana Purchase. Upon their return from the Pacific Ocean, their stories and descriptions of the riches and abundance of western lands caught the attention of entrepreneurs as well as the public and gave rise to the first wave of explorers: the mountain men. Beaver hats were the hot fashion item in Europe at the beginning of the 19th century, and the rivers of the west were teeming with beaver.

No sooner had Lewis and Clark returned, than several members of the expedition headed back up the Missouri to trap. Fur companies were organized and St. Louis, at the junction of the Mississippi and the Missouri rivers, became the jumping-off place to the little-known lands of the west. Between 1807 and 1840, the mountain men criss-crossed the interior west, including the Spanish (and later, Mexican) possessions that lay south of the Louisiana Purchase.

Foremost among the fur-trapping explorers was Jedediah Strong Smith, perhaps one of the greatest American explorers. Between 1823 and 1831 when he was killed by Comanches along the Santa Fe Trail, Smith explored the West from the Upper Missouri down to the deserts of the far Southwest. He came to know the Rocky Mountains, the Great Plains, California and Oregon, and the Columbia River region. He was the first European to cross the Great Basin, rediscovered the central route through the Rockies via South Pass, and he had personally informed the government of the rich possibilities for settlement in Oregon and California. Smith’s map of his explorations, annotated, revealed his vast geographical knowledge of the West and was an invaluable resource for other explorers and the settlers who were soon to come.
Jedediah Smith was only one in a long line of explorers. The native people possessed a vast knowledge of the geography of North America, both from their own travels and through trade contacts with other tribes. Indeed, they often drew remarkably accurate maps of the terrain for later, European explorers.

The history of Spanish explorations in the south and southwest includes the remarkable travels of De Soto, Cabeza de Vaca, Coronado, De Anza, Father Kino, Father Garces, Father Serna, Manuel Rivera, and of Fathers Dominguez and Escalante, among others.

The memory of French explorers La Salle, Jolliet, and Marquette lives on in the cities bearing their names, but there were also others: Radisson, Verendyere, and the lesser known voyageurs du bois who criss-crossed the north woods of Canada.

The British too, made major contributions to contemporary knowledge of the geography of the West, through employees of the Hudson’s Bay Company, most notably David McKenzie and Peter Skene Ogden.

By 1840 beaver hats went out of fashion and with them went the mountain men. As the trappers of beavers faded away, a new kind of explorer arrived in the form of the US Corps of Topographical Engineers, who began the era of military explorations of the West on the eve of the Mexican War. These explorations “brought the hand of government and the skills of science” to discovery.

Foremost among these explorers was John C Fremont who, in three separate expeditions, circumnavigated the West. Others included Capt. Charles Wilkes and Lt. Henry L Abbott along the Pacific coast while Lieutenants Stephens, Gunnison, Beckwith and Whipple surveyed various parts of the interior.
After the Civil War there began an era that was “dominated by great government-sponsored surveys that covered hundreds of square miles of territory.” Josiah Dwight Whitney surveyed and mapped California, John Wesley Powell explored the Colorado Plateau, Clarence King ranged along the 40th parallel, Wheeler examined and mapped the Great Basin, and the Hayden Survey explored in Yellowstone and Colorado. Artists associated with the survey expeditions, like Albert Bierstadt and Thomas Moran, impressed the general populace back east with unforgettable images of an unspoiled land.

By 1879 all the great surveys had ended and were folded into a new bureau: the US Geological Survey. Science and management techniques had replaced the individual explorer.
LAWS OF THE LANDS: DISPOSAL OF THE PUBLIC DOMAIN

"Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it." -- Thomas Paine: The American Crisis, No. 4, 1777

In the early decades of the United States, Congress viewed the Public Domain as a munificent bounty to be given away, or to be sold to raise revenue for the nation's cash-starved treasury and to reward soldiers who had served in the Continental Army. Although there was a general agreement that public lands should be sold, how they were sold was a matter of intense debate.

The opposing views polarized around Alexander Hamilton on one side and Thomas Jefferson on the other. Hamilton wanted to sell public lands in large blocks to capitalists and land companies, while Jefferson wanted to retail small tracts at cut-rate prices. Hamilton's view prevailed at first but the Jeffersonian view finally triumphed with the passing of the Homestead Act of 1862, by which small farmers could acquire 160 acres at no cost other than their time and labor.

Selling off the Public Domain, first to raise money, and later to encourage settlement and exploitation of the western lands, remained the predominant public and Congressional attitude until the late 19th century. Law after law was passed by Congress governing the disposition of the nation's public lands. Territories were carved out of the public domain; land was given to states to finance prisons, schools for the deaf and blind, and for internal improvements such as roads and canals.

With so much land on the auction block, it is small wonder that speculation and fraud were problems right from the creation of the Public Domain. Land speculators included Founding Fathers George Washington and Benjamin Franklin, and many other, less notable persons. As the years went by the illegal appropriation of public lands and resources became rampant.

In 1882, Noah McFarland, Commissioner of the General Land Office, noted that investigations by his bureau had found "that great quantities of valuable coal and iron lands, forests of timber, and the available agricultural lands in whole regions of grazing country have been monopolized."
Three years later, in 1885, McFarland’s successor, William Sparks, reported:

“At the onset of my administration I was confronted with overwhelming evidences that the public domain was being made the prey of unscrupulous speculation and the worst form of land monopoly through systematic frauds carried on and consummated under the public land laws.

In many sections of the country . . . entries were chiefly fictitious and fraudulent and made in bulk through concerted methods adopted by organizations that had parcelled out the country among themselves and enclosures defended by armed riders and protected against immigration and settlement by systems of espionage and intimidation.

Again, in timbered regions, the forests were being appropriated by domestic and foreign corporations through suborned entries made in fraud and evasion of law. Newly discovered coal-fields were being seized and possessed in like manner. “

Sparks saw illegality everywhere. He suspended all pending patent applications under the various land laws and began reinterpreting their requirements to prevent their misuse.

Sparks’ and his agents’ actions brought protests from speculators and special interests which eventually became too much for President Grover Cleveland who asked Sparks to resign.

Sparks’ and McFarland’s efforts, while not eliminating fraud, had reduced fraudulent activity on public lands. They also brought the problem to the attention of Congress which in 1891 repealed the Timber Culture and Preemption acts and reduced Desert Land entries to 320 acres.
LAND OF OPPORTUNITY: SETTLEMENT

The opportunity to own land not only freed men, it made labor honorable and opened up the future to hope and the possibility of independence, perhaps of a fortune.... Land was the base, freedom the consequence.

--Wallace Stegner, Twilight of Self-Reliance: Frontier Values & Contemporary America

Ruth Shackleford was thirty years old when she, her husband Frank, and three daughters aged six, seven, and eight left Missouri as part of a California-bound wagon train. The year was 1865. By that time, more than a quarter million people had traveled on what the Indians called the Big Medicine Path and the whites knew as the Oregon Trail.

Any one of the thousands of women who had made that long, 2000 mile journey could have written similar entries in their diaries:

June 22. An awful warm day. The women all walked as long as they could stand the sun. We passed two graves on the side of the road with no names on them.

June 23. We passed a place where the Indians and whites had a fight. One grave had 17 men in it.

July 2. This morning is calm and cloudy. I got up about sunrise and got breakfast. Most of the women are washing. After breakfast Frank gathered me a load of buffalo chips to get dinner. I cooked some bacon beans, and light rolls, and baked a great big molasses cake.
The Shacklefords were but a speck in the long history of westward movement of people, which began after the thirteen colonies declared independence from England. Within a generation, those of the thirteen states which held claims to lands between the Appalachians and the Mississippi had ceded them to the federal government to be held as “common stock.” or Public Domain. Seventy-five years later, as a result of treaties, conquests, and purchases, the public lands of the United States stretched from the Appalachians to the Pacific Ocean.

To people like the Shacklefords and to hundreds of thousands of others who came before and after them, this vast stretch of land spanning the continent was, indeed, the geography of freedom.

Three years before the Shacklefords’ wagon train left Missouri, President Lincoln signed the Homestead Act, perhaps the most significant legislation concerning the disposition of public lands. Under the Act, every head of household, single persons or widows could claim, for free, 160 acres of the Public Domain and receive patent after five years of cultivation and residence.

If this vast land of prairies, majestic forests, deserts, rich bottom lands and magnificent mountains represented a geography of freedom to settlers like the Shacklefords, they also represented a geography of lost freedom to the indigenous people of North America.
The native people—who had their own history of claiming lands that were unoccupied or belonged to others—contested the federal government’s claims to lands they considered their own and often did so at the cost of many lives, as Ruth Shackleford was often reminded during her journey by the sight of graves, burned-down forts and ranches, abandoned farmsteads.

Inseparable from the expansion of the Public Domain and the settling of public lands are the broken treaties and wars that inevitably led to the expulsion of native peoples from most of their homeland. The history and settlement of the public lands is also the tragic story of the ever-diminishing lands of America’s first inhabitants.
LANDS SO RICH--LANDS SO CHANGED: STEWARDSHIP

“There are some who can live without wild things and some who cannot. Like winds and sunsets, wild things were taken for granted until progress began to do away with them. Now we face the question of whether a still higher 'standard of living' is worth its cost in things natural, wild and free.”

--Aldo Leopold - A Sand County Almanac

Arguably, never in the history of humankind was a continent so rich in resources as North America was at the birth of the United States.

Well into the nineteenth century as many as 65 million bison roamed the prairies; they were almost certainly the greatest animal congregations that ever existed on earth. Yet by the end of 1883 the bison were gone, with the exception of a few scattered animals in Alberta Province and in Yellowstone.

The pronghorn antelope, whose population numbered about 35 million, was hunted to a low of about 13,000 animals by the end of the century.

At about the same time, the passenger pigeon, whose numbers were estimated in the hundreds of millions at the dawn of the 19th century, disappeared completely.
Then there were the forests, the largest and most varied in the world outside of the tropics. Yet in the course of a lifetime, an area of the size of Europe already had been deforested in the United States. In the words of authors Dyan Zaslowsky and T. H. Hawkins, “In its scope, in the amount of wood taken, and in the swiftness of its passage, there was nothing in human history to compare with the decades of this astonishing assault on the natural world.” Dams, mining, and sheep and cattle grazing also contributed to the transformation of the western landscape, including the loss of wildlife-rich grasslands and wetlands.

Yet, at the height of this “astonishing assault,” other views, such as those of naturalist John Muir, or Congressman George Marsh, began to assert themselves: a recognition that some of the lands in the public domain were national treasures worth preserving for aesthetic or scientific values while other lands should be preserved for the common good.

In 1864 President Lincoln deeded Yosemite Valley to the state of California for a “public park,” thus planting the seed for the wilderness park idea. Beginning with the establishment of Yellowstone National Park in 1872, other parks and monuments were withdrawn from settlement, though not without opposition from special interest groups—including railroad, mining, and timber—that tried to gain control of lands and resources.

The future of public lands became much brighter with the passage of the General Revision Act of 1891. Titled, “Repeal of the Timber Culture Act, and for other purposes,” debate over the Act centered around its effect on homesteading, though the Secretary of Interior claimed that in nearly all cases the Timber Culture Act “seems to have been used as a fraudulent means of acquiring title to public lands.”
The “other purposes,” largely ignored by legislators, included a rider which changed the course of public lands history. The rider authorized the President of the United States— at that time, Benjamin Harrison—to “set apart and reserve . . . any part of the public lands wholly or in part covered with timber or undergrowth whether of commercial value or not, as public reservations.”

Thus were the national forests created. Between 1891 and 1907 when another rider stripped the president of this executive authority, Presidents Harrison, Taft, and Roosevelt withdrew over 140 million acres of forests from settlement. Of this, 80 million acres were set aside during the presidency of Theodore Roosevelt who remains to this day a towering figure (in spite of his short stature) in the history of public land conservation.

“In the past we admitted the right of the individual to injure the future of the Republic for his present profit.” “The time,” Roosevelt declared, “has come for a change.” And change it did. Along with his Chief of Forestry, Gifford Pinchot, Roosevelt envisioned an alternative to the European system of feudal domination of natural resources and open spaces.

“In the national forests, big money was not king,” wrote Pinchot.
Equitable access to forest lands offered a needed release for exhausted industrial workers and the burgeoning middle class, while relatively inexpensive access to public timber and grazing lands offered struggling rural families a guarantee of fuel and livestock feed.

Although the 1907 rider stripped presidents of their power to establish forest reserves, the Antiquities Act of 1906 gave them a new power: to preserve sites containing scientific, historic or scenic treasures as national monuments without first seeking congressional approval. Within ten years, 20 national monuments were created by presidents Roosevelt, Taft, and Wilson.

Roosevelt did not stop with forest reserves and national monuments. As an avid hunter, he realized the importance of habitat in sustaining wildlife populations. In 1903 he created the first national wildlife refuge on Pelican Island off the coast of Florida, and by the time he left office in 1909, he had created 51 bird and game reservations, the foundation of the present national wildlife refuge system.

The creation of national parks and monuments, national forests, and national wildlife refuges led to the creation of agencies to manage them: the Forest Service in 1905; the National Park Service in 1916; the US Fish and Wildlife Service in 1939; and the Bureau of Land Management in 1946. Their mandates range from multiple use (Forest Service and BLM), to preservation of habitat and wildlife (US Fish and Wildlife Service), to preservation and public enjoyment (National Park Service). These are the Big Four Stewards of our public lands, managing a total of more than 600 million acres—almost a third of the United States.

The government also took a more active role in administering the use of public lands for the common good and chose to set aside timber, mineral, and grazing lands and regulate their use and development, as well as protecting those creatures living on the land.
THIS LAND IS YOUR LAND: BENEFITS AND USES

For clerks and students, factory workers and mechanics, the outdoors is freedom, just surely as it is for the folkloric and mythic figures.

They don’t have to own the outdoors, or get permission, or cut fences, in order to use it.

It is public land, partly theirs, and that space is a continuing influence on their minds and senses.

-- Wallace Stegner, Variations on a Theme by Crevecoeur, 1987

Like the proverbial timber man who saw only board feet of lumber while looking at a forest, when 19th century Americans beheld the nation’s vast Public Domain they saw farms and ranches, new towns, mines and sawmills—boundless opportunities to use the land and its riches. As historian Gerald F. Kreyche noted: “For whites, the worth of land lay in its use. Essentially, it was viewed as dirt; it belonged to him who would make it fructify. The white man . . . was interested in it only to the extent that it would produce yield, or an economic benefit.”

How different this concept of land was from that of the Native American who viewed the land as a community of which man was but one integral part. In the words of the great Suquamish chief Sealth (Seattle): “We are part of the earth and it is part of us. The perfumed flowers are our sisters; the deer, the horse, the great eagle, these are our brothers. The rocky crests, the juices in the meadow, the body heat of the pony and man—all belong in the same family.”

Although the white man’s utilitarian view of the land prevailed—and remains pervasive to this day—toward the end of the 19th century other voices began to be heard, voices that questioned the belief that the worth of land lay only in its harvest. These voices spoke instead of leaving lands to simply be, to leave the wide open spaces intact.
Setting aside Yosemite and Yellowstone as public parks was the first step down the conservation road which eventually led to our present—if still imperfect—system of national parks, wilderness areas, wild and scenic rivers and other public land designations.

That first step also started the great debate about the uses, benefits, and management of our public lands, a debate that continues unabated to this day. Uses of our public lands and their resources generally fall into two broad categories: consumptive and non-consumptive.

Consumptive uses provide jobs and sustain local communities whose economies are centered on traditional activities such as ranching or logging. Consumptive uses can be further divided into renewable and non-renewable categories. Grazing, hunting and fishing, or timber cutting depend on renewable resources; mineral, oil, and gas extractions are non-renewable because once the resource is exhausted, it is gone forever.

As part of their mandate, land managers use a wide variety of tools to produce a sustainable yield of renewable resources, including scientific research, long-term studies, input from recreational and commercial users, and government analysis on the extraction’s impact on natural and cultural resources.
The balancing of many different interests rarely pleases everyone; even the analysis itself is contentious. While industry leaders claim too much analysis hinders legitimate commercial activity, conservationists point to cases where insufficient or biased analysis has led to permanent degradation and even destruction of unique resources.

The most obvious nonconsumptive use of our lands is tourism, including the plethora of recreational activities from hiking to bird watching to trail riding. Non-consumptive uses also provide jobs and sustenance to local communities that made the switch to tourism or recreation based economies. But the benefits of public lands go beyond the economics of jobs; oil and gas royalties paid to the states; or the payments in lieu of taxes that counties with public lands receive.

The public lands of the United States not only a vast playground, but also an outdoor classrooms for all Americans and foreign visitors. Education programs serve schools, adults, and children of all ages. Public lands are found in every state and even the dwellers of our nation’s great metropolitan areas are never more than two hour’s drive from them. Public lands are open to everyone and provide a wide array of experiences and adventures for people of all abilities.
Scientists working for land management agencies use public lands for groundbreaking research into biology, botany, hydrology, and geology, while paleontologists, archaeologists, and historians scour public lands for valuable clues to our past. In the future, our scientific knowledge of public lands may serve us by analyzing and tempering the effects of global climate change and pollution.

As sources of clean air and water and open space, public lands play an important role in everyone’s health, including those who never set foot on them. For many people the mere existence of public lands is a great comfort; knowing that they are there, available and free to enjoy by anyone. Our national forests, particularly, act as filters for the air—carbon emissions and other pollution—and also to filter and serve up most of the nation’s water.

Public lands offer opportunities for many different activities with direct physical benefits, but they are also places of spiritual and mental renewal where space and quiet can be found.

Because most of our public lands are managed for all these many uses, ensuring that these uses remain sustainable for future generations requires responsible user ethics based on common sense and programs like “Leave No Trace” and “Tread Lightly.” Responsible use also extends to those involved in commodity production; reclamation of lands or waters for the benefit of wildlife and for the common good is a legal obligation. While care of one’s own health is an individual responsibility, the health of our public lands through stewardship is a collective responsibility. Public and individual participation in management decisions is our forum for meeting this obligation, while keeping in mind that such participation must be based on a spirit of cooperation.

Many people who return to public lands again and again do so because of the solitude, and the power of solitude for spiritual renewal. These are places where we can contemplate, perhaps comprehend Chief Seattle’s wisdom: “The earth does not belong to man; man belongs to the earth.”
Acknowledgments


Pictures and Photographs

**Lands for the Taking: Pre-Contact**
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- Cape Disappointment, near Lewis and Clark’s winter headquarters in Astoria, Oregon; courtesy US Army Corps of Discovery.
- History of Lewis and Clark; Filson Library, Special Collections Research Center, University of Chicago Library. DIGITAL ID icufaw cbf0001b.
- Drawing of Jedediah Smith (1799-1831), created around 1835 after his death by a friend from memory. It is the only contemporary image of Smith. From family papers, first published in Maurice Sullivan, *The Travels of Jedediah Smith*, Santa Ana, Calif., The Fine Arts Press, 1934.
- Frederic Remington, The Great Explorers; Library of Congress Prints and Photographs Division. LC-USZC4-7161
- Two men in suits on a mountain peak, probably Colorado. Poley, H. S.. Western History/Genealogy Department, Denver Public Library. Reproduction Number P-2087
- The Great Salt Lake of Utah / Thomas Moran; Library of Congress, Prints and Photographs Division.

**Laws of the Lands: Disposal of the Public Domain**
- Thomas Jefferson, full-length portrait, standing beside table, facing slightly right, holding the Declaration of Independence and pointing to it; Library of Congress, Prints and Photographs Division LC-USZ62-75384 DLC.
- Bill to grant land to railroads for constructing a railroad and telegraph through New Mexico, Colorado, and Arizona. Library of Congress, A Century of Lawmaking.
• Cattle ranch in Custer County, Nebraska; Solomon D. Butcher, photographer. Nebraska State Historical Society, Digital ID nbhips 14372.
• Farm lands for sale...Illinois Central Railroad company, Chicago, 1855.
• Printed Ephemera Collection; Portfolio 17, Folder 33. Credit line: Library of Congress, Rare Book and Special Collections Division.

Land of Opportunity: Settlement
• View of a group of pioneers gathered in front of their wagons. Probably photographed by Savage and Ottinger at South Pass, Wyoming. Church of Jesus Christ of Latter-day Saints Archives, Salt Lake City, UT.
• Original locations of graves on the Oregon Trail (remains have been reburied) near Rock Springs. Courtesy Bureau of Land Management, Wyoming State Office.
• View of pioneer camp with wagons and tents. Probably photographed by Savage and Ottinger. Church of Jesus Christ of Latter-day Saints Archives, Salt Lake City, UT
• Emigrant's grave on the Sweetwater at Three Crossings, Wyoming; William Henry Jackson, photographer. Courtesy Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.

Lands So Rich, Lands So Changed: Stewardship
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This Land Is Your Land: Benefits and Uses
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