



New Grazing Rules Threaten Wildlife and Habitat on America's Public Lands

America's Western public lands provide a home to some of the most important fish and wildlife habitat and outdoor recreation opportunities in the nation. In addition, numerous other uses, including the grazing of domestic livestock, occur on these lands.

The Bureau of Land Management (BLM) and U.S. Forest Service (USFS) issue livestock grazing permits on 260 million acres of public rangelands they manage in 16 western states. Grazing by privately owned livestock is the most extensive economic use of the public's lands. Each year taxpayers subsidize approximately \$100 million to support grazing on public lands. However, poorly managed livestock grazing has damaged our public lands and the resources that rely on those lands. Overgrazing of native grasses and other plants has destroyed soils and caused erosion, degraded water quality, crippled riparian areas, reduced wildlife and its habitat, ruined recreation, and even damaged archaeological sites.

The New Rules

The Bush Administration has proposed to alter the rules that now govern livestock grazing on the 160 million acres of public lands managed by the BLM. The proposed changes would sweep aside efforts over the past decade to improve rangeland conditions and reduce the impacts of abusive grazing on wildlife, watersheds, recreation, and cultural treasures. The proposed rules are especially damaging because they will disenfranchise the public, and further entrench destructive livestock grazing on BLM lands.

Specifically, the proposed rules will:

- **Lock out the public from participating in grazing decisions**

Turning the clock back 25 years, the administration wants to exclude the public from participating in grazing decisions. For example, the proposed rules would eliminate existing requirements that BLM seek public input before it issues, renews, or modifies a grazing permit. In trying to excuse disenfranchising the public, the administration claims the public is already consulted when BLM analyzes the environmental impacts of its grazing decisions. This pretext is deceptive, for the BLM knows that the grazing environmental assessments, on which they want the public to depend, are notoriously backlogged due to lack of staff and budget. Even Congress has recognized this backlog, excusing BLM from timely preparation of such assessments until at least 2008. And many grazing decisions from which the public will be excluded often don't even require environmental analyses.

The result will be that decisions about how public lands will be grazed will be made in private deals between ranchers and the agency, while the public is neither notified of, nor allowed to participate in making those decisions. And while the administration is cutting out the public, the new rules often require BLM to cooperate with special ranching interests – state, county, or locally established grazing advisory boards.

- **Delay and obstruct the ability to remedy abusive grazing**

Even after the BLM identifies damaging livestock grazing that is the cause of failing to meet rangeland health standards, the proposed rules would require monitoring and data collection before implementing any needed change. This new requirement would be imposed even where the abuse is obvious, and even though BLM lacks the budget and staff to keep up with this monitoring.

The existing rules, adopted in 1995, had finally eliminated this self imposed monitoring catch-22, which had been inserted by former Secretary James Watt. Watt's regulations required BLM to perform years of monitoring and data collection—which it could not afford—before determining whether grazing practices should be changed.

Now the Bush administration wants to reinstitute this untenable monitoring requirement, thus guaranteeing that BLM will be slowed down in trying to determine whether action should be taken to halt or improve unsustainable grazing.

In addition, the proposed rules will double the one-year time limit BLM has to begin to remedy damaging grazing it documents. And if a remedy requires a 10 percent or greater reduction in grazing, the proposed rules will require that the reductions be phased in over five years.

The result will be that abusive grazing will be entrenched, cures will be hamstrung, and natural resources, wildlife, and recreation will take a back seat to grazing's dominance on BLM lands.

- **Hinder BLM's ability to manage grazing, by giving individuals the right to own new fences, wells, pipelines, and water on federal lands**

When the grazing regulations were reformed in 1995, BLM provided that new structural range improvements on BLM lands (fences, wells, pipelines, etc.) were to be owned by the U.S., and that new water rights on BLM lands were to be acquired by the U.S. BLM's ownership allowed the agency to manage grazing, free of potential rancher claims that BLM's decisions interfered with their private property in structural improvements or water.

The Bush administration's changes will scuttle those reforms, and again allow ranchers to own all or some property rights in new structural range improvements and water in the midst of public lands. Private ownership of water and facilities on BLM lands will make BLM's management more difficult; it will deter the agency from reducing or eliminating grazing when necessary to protect other resources, for fear that livestock owners might claim their private property has been taken.

- **Limit BLM's ability to penalize ranchers who violate federal laws**

The Bush proposal would make it easier for livestock owners to violate environmental laws without fear that their permits could be revoked. While the existing regulations allow BLM to suspend a grazing permit if a rancher violates federal laws, such as using poisonous bait to destroy wildlife, polluting water, destroying archaeological or cultural resources, or violating the Endangered Species Act, the proposed rules will only allow BLM to recognize violations of those laws if the violation occurred on the rancher's BLM allotment. If the rancher shoots eagles, poisons wolves, or destroys archaeological resources anywhere else, BLM will be prohibited from taking any action against the rancher on his grazing allotment.

The lesson this will teach is that environmental criminals are free to continue grazing on federal lands, as long as these crimes were "away from home."

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