

## **Sustaining Working Landscapes on Federal Lands** *Concepts for Four C's Grazing Administration*

### Background

The Bureau of Land Management has the statutory responsibility to manage and protect, for present and future generations, the 170 million acres of desert, grassland, sagebrush steppe, and woodlands that comprise BLM rangelands. The task is daunting; while providing for multiple use of those lands and resources, the agency must also address immediate and long-term conservation needs for rangeland restoration and recovery, wetlands improvement and wildlife habitat enhancement.

The magnitude of the conservation challenge calls for a new conservation strategy – one founded upon federal obligations but built bottom-up by an engaged and voluntary citizen stewardship. The framework for that new citizen stewardship is the Secretary's Four C's: *conservation* through *consultation, communication* and *cooperation*. The vehicle for enabling it is the permit system that structures the grazing administration of BLM lands and gives to permit holders – the *permittees* – the unique access and opportunity to put the Four C's into action.

Grazing permittees, if given the conservation latitude and the right incentives, can help the BLM meet its statutory responsibility. Key policies and programs will foster new partnerships, spark new activity, and kindle new conservation opportunities to simultaneously pursue conservation and grazing. This will, in turn, strengthen and sustain the product of citizen stewardship on federal lands: *economically sound and ecologically healthy landscapes – that is, working landscapes*.

Permittees have the potential to apply the diversity and richness of their experience, local knowledge and ideas to a Four C's grazing initiative that will make the difference between a healthy and an ailing federal range. Harnessing their self-interest *to voluntary* restoration and conservation of the federal lands *will result in sustainable working landscapes* – the purpose of this paper.

Five concepts are described below that can contribute to sustaining working landscapes through citizen stewardship. They are not exhaustive or definitive; they suggest a range of opportunities for working landscapes consistent with the Four C's and citizen responsibility.

Mechanisms for implementing several of these concepts depend on “tools” that are currently authorized and commonly used in the bureau's grazing program. Voluntary non-use, where a permittee removes livestock from an allotment for an authorized period, can provide the flexibility in management needed to implement *Reserve Common Allotments* and, where appropriate, *Conservation Partnerships*. Voluntary permit relinquishment, where a permit is acquired through a willing seller, willing buyer market transaction, and then relinquished to BLM with a request to curtail or end grazing in the permitted area, is a tool now used by some to pursue conservation objectives. It could also be used to facilitate *Voluntary Permit Restructuring* and *Endangered Species Mitigation*.

Both of these tools are appropriate in some circumstances. In others, they can remove management options that could achieve the same conservation ends while preserving a working landscape. The challenge is to use these tools to strengthen management options and to contribute to the 4 C's goal of economically sound and ecologically healthy landscapes.

We urge you to consider these ideas and their relevance to the agency's mission. Feel free to recommend changes or propose your own Four C's concept(s) for sustaining working landscapes on federal lands.

### Four C's Concepts for Citizen Engagement in Administration of BLM Grazing Permits

The following Four C's concepts incorporate a broad range of ideas from both inside and outside the Department. They address multiple perspectives for citizen involvement in the administration of BLM grazing permits and the pursuit of conservation on working landscapes.

#### **Concept 1: Conservation Partnerships**

##### *What Are They?*

Conservation Partnerships would formalize a new conservation partnership between the BLM and permittees. Authorized under the Federal Land Management and Policy Act, their purpose would be to strengthen and sustain working landscapes on federal lands.

Under a Conservation Partnership, permittees would be eligible, on a voluntary basis, to enter into performance-based contracts with the BLM to provide environmental services such as upland recovery, riparian/wetland restoration, enhanced water flow, quality and quantity, improved wildlife or fisheries habitat, and listed species recovery.

Conservation Partnerships could be issued in tandem with ongoing grazing use and, where appropriate, non-use of the affected allotments for the term of the agreements. Any non-use would be authorized on a temporary basis, after which time grazing would resume.

Incentives for participation in Conservation Partnerships could include such actions as:

- Eligibility for stewardship grants
- Management flexibility within the parameters of agreed upon or contracted performance outcomes
- Enhancement of long-term forage reserves consistent with sustainable ranching and the meeting of rangeland health standards
- Stocking increases made possible by incidental and/or derivative benefits from the successful delivery of environmental services and contingent upon the continued provision of those services
- Permit tenure commensurate with length of contract, if greater than 10 years
- Long-term authorization for annual non-use renewal, where appropriate

### *What Will They Do?*

Conservation Partnerships would provide an administratively simple way for permittees to enter into variable-term agreements for range recovery and restoration, and related activities, without precluding current or future grazing use. They would also provide a potential funding source for permittees through grants to pay for labor and materials invested in conservation.

## **Concept 2: Reserve Common Allotments (RCAs)**

### *What Are They?*

Reserve Common Allotments are BLM allotments managed as reserve forage areas for the purposes of rangeland restoration and recovery. RCAs would be used by permittees engaged in rangeland restoration on their customary allotments and for implementation of rangeland recovery practices that require rest from grazing. By temporarily shifting their livestock to RCAs, permittees would be able to address rangeland health issues while simultaneously meeting their own economic needs.

### *What Forms Might They Take?*

RCAs could be established and operated in three basic ways:

- **Permittee Association Voluntary RCA** – RCAs voluntarily established by associations of permittees in areas specified in land use plans as suitable for RCA use
- **Individual Permittee Voluntary RCA** – RCAs voluntarily established by individual permittees in areas specified in land use plans as suitable for RCA use
- **BLM Administered RCA** – RCAs established from vacant allotments and/or donated or exchanged lands, and administered by the BLM for the same purposes as permittee association and individual permittee voluntary RCAs

### *What Will They Do?*

When situated strategically on the landscape, RCAs would provide livestock permittees economic incentives and opportunities to participate in rangeland recovery and restoration efforts and offer land managers a new management tool to achieve desired landscape-level conservation. Over the long-term, RCAs would help promote, secure and sustain working landscapes.

### **Concept 3: *Voluntary Allotment Restructuring***

#### *What Is It?*

Voluntary Allotment Restructuring is a management and conservation strategy to foster sustainable ranching and secure working landscapes. It would do this by expanding the available forage base within an allotment to

- Support economic herds at conservative grazing levels
- Provide adequate internal forage reserves to meet rangeland health standards and other standards associated with such federal statutes as the Endangered Species Act and the Clean Water Act.

Voluntary allotment restructuring is simply another way to attain the same conservation ends intended by RCAs. It entails voluntarily merging two or more allotments, though maintaining authorized grazing use at a proportionately lower level for conservation purposes. As such, it offers non-grazing groups (and philanthropic funding organizations) an opportunity to develop partnerships with livestock operators and the BLM to voluntarily acquire and merge allotments, using agency-approved agreements and procedures, to create working landscapes that meet multiple economic and conservation objectives.

Operationally, restructuring involves the administrative merging of two or more allotments and placing a portion of the new combined authorized grazing use in non-use, or under the under terms of a Conservation Partnership. Partners contributing to allotment restructuring could participate with the permittee and the BLM in the future stewardship of the management unit. The grazing permittee would benefit from an expanded forage base for his livestock and an increase in authorized grazing use at no personal cost. The BLM would benefit from a new tool to meet rangeland health standards consistent with multiple use and the Four C-s.

#### *What Will It Do?*

Voluntary allotment restructuring would:

- Expand access options available to other citizens and groups to partner with ranchers to meet range recovery and restoration goals on land larger than single allotments
- Provide an alternative to RCAs by internalizing increased forage reserves within re-constituted allotments
- Promote sustainable ranching and landscape-level conservation by Four C-s partnerships
- Buffer permittees against long-term drought cycles
- Enhance permittee economic prospects

## **Concept 4: *Conservation Easements***

### *What Are They?*

Conservation easements are land-use restrictions or constraints voluntarily placed on private property and entered into by landowners for the purpose of advancing conservation goals such as open space preservation.

Conservation easements can be used to advance public land grazing administration in general and Four C's administration of BLM grazing permits in particular. Conservation easements would be voluntarily acquired by BLM on private base properties through an exchange program. BLM would swap lands designated for disposal under current land-use plans, and encumbered by agency-set conservation easements, for the conservation easements placed on private base properties by permittees.

### *What Will They Do?*

Voluntary conservation easements would give BLM an effective tool to better manage extensive landscape and watershed units without fear of incompatible development. The transfer to ranchers of surface rights on lands designated for disposal B constrained only by the terms of the BLM's conservation easements B would

- Increase forage reserves on individual allotments
- Strengthen the economic base of public land ranching units
- Help associations of ranchers to establish self-administered forage reserve areas such as RCAs
- Foster listed species mitigation in some areas

The cumulative effect of conservation easements would be to foster sustainable ranching and further ensure the viability and durability of working landscapes on federal lands.

## **Concept 5: *Endangered Species Act Mitigation***

### *What is It?*

Conservation Partnerships, RCAs, restructured allotments and conservation easements offer alternative management regimes that may provide partial or full mitigation of affects to listed species resulting from livestock grazing as required under the Endangered Species Act.

For example, Conservation Partnerships could be used to restore rangelands potentially beneficial to listed species. RCAs are intended to be grazed intermittently, and then only to the extent consistent with sustaining their long-term conservation objective. Restructured allotments internally incorporate forage reserves for grazing. Conservation easements automatically include mitigating factors for some listed species. Relinquished permits, though an exception to the traditional objective of working landscapes, may provide listed species mitigation on adjacent *working landscapes*. Together, implementation of these Four C's

permit administration concepts could help satisfy, in full or part, the mitigation requirements of the Endangered Species Act for listed species and contribute toward sustaining working landscapes on federal lands.

#### *What Forms Might It Take?*

Listed species mitigation banks, or conservation banks in California, have been established and operated on private lands for some time. They are similar to wetland mitigation banks. They work by permanently preserving and/or creating habitat for listed species and then using that habitat as a source of mitigation credits to be sold to other land users to mitigate land development impacts on listed species as required by the Endangered Species Act. This provides a market-based solution to listed species mitigation.

The first ESA mitigation bank on public lands is now being established on Utah state lands. ESA mitigation banks could also be established by permittees on federal lands under the authority of Conservation Partnerships and/or extended non-use. Mitigation banks meet the criteria of *working landscapes*: they earn money for the mitigation bankers (permittees) and provide credits to adjacent permitted allotments to sustain those *working landscapes*. Private lands potentially affected by conservation bank activities (e.g., dispersal of listed species from federal bank lands to private lands) would have access to pre-existing mitigation options, including HCPs and safe harbors.

#### *What Will It Do?*

Conservation Partnerships, RCAs, restructured allotments, conservation easements, relinquished permits and conservation innovations such as mitigation banks provide new options to mitigate adverse impacts on listed species from authorized activities on federal lands. They do this by:

- Providing effective means to resolve conflicts between livestock use and listed species
- Reconciling environmental objectives of conservation groups with economic needs of grazing permittees

*Summary of Four C's Concepts for Citizen Engagement in Administration of BLM Grazing Permits*

<b>Four C's Concept</b>	<b>Action</b>	<b>Variations</b>	<b>Outcome</b>
<b>Working Landscape Conservation Partnerships</b>	<i>Permittees voluntarily enter into performance-based contracts with the BLM to provide environmental services such as upland recovery, riparian/wetland restoration, enhanced water flow, quality and quantity, improved wildlife habitat, and listed species recovery</i>	<i>N/A</i>	<i>Conservation Partnerships would provide an administratively simple way for permittees to enter into variable-term agreements for range recovery and restoration, and related activities, without precluding current or future grazing use and with the option of payment for services</i>
<b>Reserve Common Allotments (RCAs)</b>	<i>RCAs establish forage reserve areas that allow permittees to temporarily destock their customary grazing allotments to implement range restoration and recovery practices that require rest from grazing</i>	<ul style="list-style-type: none"> <li>– <i>Permittee Association Voluntary RCA</i></li> <li>– <i>Individual Permittee Voluntary RCA</i></li> <li>– <i>BLM Administered RCA</i></li> </ul>	<i>RCAs that are strategically placed on the landscape would provide permittees economic incentives to participate in rangeland restoration and give land managers a new management tool to achieve desired landscape-level conservation</i>
<b>Voluntary Allotment Restructuring</b>	<i>Voluntary allotment restructuring is the voluntary merging of two or more allotments as the result of third party action to expand forage reserves, support viable economic herd units, foster conservative grazing, and meet rangeland health and other related environmental standards</i>	<i>N/A</i>	<i>Voluntary allotment restructuring would expand opportunities for citizen partnerships in rangeland recovery, provide an option to RCAs, promote sustainable ranching, buffer permittees against long-term drought cycles, and enhance permittee economic prospects</i>
<b>Conservation Easements</b>	<i>Conservation easement swaps are options to protect open space that benefit both the public and the permittee. BLM would “swap” lands designated for disposal under current land-use plans, and encumbered by agency-set conservation easements, for the conservation easements voluntarily placed on private base properties by permittees</i>	<i>N/A</i>	<i>Conservation easement swaps would increase forage and forage reserves on individual allotments, help ranchers establish RCAs, foster listed species mitigation, and give BLM an effective tool to better manage landscape units through conservation of open space</i>
<b>Endangered Species Mitigation</b>	<i>Application of Conservation Partnerships, RCAs, restructured allotments, cons. easements and relinquished permits to partial or full mitigation of impacts to listed species from authorized public land uses as required by the Endangered Species Act</i>	– <i>Establish listed species mitigation or conservation banks on public lands</i>	<i>Application of Four C's options, including mitigation or conservation banks, to the mitigation of adverse impacts on listed species can help resolve conflicts between livestock use and listed species and reconcile environmental objectives of conservation groups with economic needs of grazing permittees</i>