

**Testimony of
Rebecca Watson, Assistant Secretary for Land and Minerals Management
United States Department of the Interior
Before the Senate Energy and Natural Resources Committee
Subcommittee on Public Lands and Forests
Oversight of Grazing on Public Lands
June 25, 2003**

Thank you for the opportunity to present testimony describing the grazing program of the Bureau of Land Management-- where we are now and where we are headed. The BLM is committed to working with those who work on the public land as we strive for economically productive and environmentally healthy rangelands.

Today the BLM manages grazing on more than 160 million acres of public land in the West. We administer over 18,000 grazing permits and leases and in 2002, eight million AUMs (animal unit months) were used.

I would like to begin by describing the status of grazing permit renewals at the BLM, and our plan to stabilize the renewal process and make it more useful and timely. In addition, I want to share with you the progress we are making on our Sustaining Working Landscapes initiative that considers both grazing regulatory and policy changes. Finally, I will discuss the monitoring and land health efforts we are undertaking without which our initiatives cannot succeed. As we improve the health of the land and promote the economic well-being of communities throughout the West, our aim throughout is to achieve the Secretary's goals of consultation, cooperation and communication all in the service of conservation.

Grazing Permit Renewals

By regulation, grazing leases and permits are typically issued for 10-year periods. In most years, the BLM has 1,500 permits up for renewal. In 1999, the BLM experienced a spike in grazing permit renewals. Over 5,000 permits were due for renewal with an additional 2,200 due in 2000. Additionally, the BLM was required to improve environmental documentation for processing grazing permit and lease renewals. The increased workload made it clear that the BLM would not meet the required deadlines for permit renewals.

Congress took action to ensure that grazing permittees and lessees could continue to graze if the BLM was unable to complete the environmental analysis mandated by the National Environmental Policy Act (NEPA). Since 1999, a provision has been included each year in the Interior Appropriations bill that gives the BLM the authority to extend grazing permits and leases under their same terms and conditions until completion of NEPA compliance, Endangered Species Act (ESA), consultation and other legal requirements. We recognize that this is not the optimum situation. I would like to share with you what BLM is doing not only to address the permit renewal workload, but also to avoid recurrence of this problem.

As the BLM began working its way through the permit spike workload, it became increasingly clear that simply doing "business as usual" was not going to provide a long-term solution to the problem. Therefore, the Bureau has placed an emphasis on renewing expiring grazing permits within priority watersheds with significant resource-use conflicts or issues. Rather than rigidly adhering to a predetermined schedule of renewals, we want to group permits with common impacts, watersheds and land health standards. Not only does this provide a more even redistribution of future permit renewals over a full 10-year cycle, but it also affords more timely consultation with the Fish & Wildlife Service and/or the NOAA Fisheries. In addition, these measures will facilitate an effective review of land health standards on a watershed basis, allow for cumulative impact analysis, and focus restoration resources. In the long term, this will improve and streamline our processing of permit renewals.

Of the 10,541 grazing permits that expired between fiscal year 1999 and fiscal year 2002, 8,888 have been fully processed. The remaining 1,653 are planned for completion by the close of 2005. By the end of 2009, the BLM plans to have all permits fully processed in the year they expire.

Our experience has shown that most NEPA documents needed for grazing permit renewals have been at the Environmental Assessment (EA) level, with very few requiring full Environmental Impact Statements (EISs). The overwhelming majority of fully processed permits have been issued with terms and conditions that are substantially unchanged from past practices.

The BLM is strongly committed to meeting the goals I have outlined. Each BLM State Office has made very specific commitments for how it will comply. The BLM will continue to closely monitor the status of grazing permit and lease renewals and, as appropriate, will make adjustments to meet our goals. However, in any given year, a particularly difficult fire season (which may involve temporarily diverting some BLM personnel), and other factors, such as challenges to decisions through appeals and litigation, may test our ability to meet our planned timeframes. Nevertheless, we do not believe this will impede our ability to complete this process and we remain committed to meeting our goals.

Sustaining Working Landscapes—Regulatory and Policy Modifications

Our challenge is to work cooperatively with our grazing permittees and the public toward a new conservation strategy premised on the Federal obligation to manage the lands for multiple uses. The assistance and support of those closest to the land, the permittees themselves, are vital to our success. Our goal is to create sustainable working landscapes that are economically sound and ecologically healthy.

The rancher and the ranching family have played a key role in the history and development of the American West. Both are important to the economic vitality and quality of life of many communities throughout the West. The rancher increasingly plays an important role in protecting open space in areas of burgeoning population growth. Preserving the ranching lifestyle, not only for its own merits, but for the benefits that accrue to the land and nearby communities, is a goal of our Sustaining Working Landscapes initiative.

The BLM is proceeding with a two-pronged approach: (1) consideration of regulatory modifications and, (2) policy changes that will improve our ability to work cooperatively and voluntarily with the ranching community and other partners. On March 3, 2003, the BLM published an Advance Notice of Proposed Rulemaking (ANPR) and a Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) in the Federal Register regarding the BLM's grazing regulatory concepts. A 60-day public comment period followed which included three public scoping meetings in the West and one in Washington, D.C. Over 7,500 comments were received.

The BLM is currently analyzing the comments we received. We expect that modifications, additions and deletions will be made to the proposals. We will again seek public comment on the proposed rule and draft EIS that are targeted for publication later this year.

Among the concepts being considered as part of the rulemaking process are:

- extending voluntary temporary nonuse of a permit from the current three-year limit to five years;
- authorizing a new type of grazing unit called a "Reserve Common Allotment;"
- reinstating an earlier provision to allow the BLM and permittee to share title to range improvements such as fences, wells and pipelines; and,
- modifying the administrative appeals process.

The BLM is also considering policy changes to complement and enhance these potential regulatory changes. In order to seek public input on these policy ideas, on March 25, 2003, the BLM announced a series of grazing policy development workshops across the West and in Washington, D.C. In total, 24

workshops were held. Comments were received which are currently being reviewed as draft policy is being developed.

Among the tools being considered to enhance citizen stewardship of the lands are:

- Conservation Partnerships—voluntary, performance-based agreements to provide environmental services (e.g., riparian restoration, improved wildlife/fisheries habitat, listed species recovery) in exchange for possible incentives such as stewardship grants, management flexibility, forage enhancement and permit flexibility
- Reserve Common Allotments (RCAs) — forage reserve areas that allow permittees to engage in rangeland restoration by temporarily shifting their livestock to forage reserve areas. This rotation would promote range recovery through rest from grazing without jeopardizing personal economic needs. Limited RCAs could be established under existing regulations. However, full implementation requires regulatory modifications.
- Voluntary Allotment Restructuring — voluntary mergers of two or more allotments to increase management flexibility and opportunities for conservation purposes. This gives nongrazing organizations the opportunity to work cooperatively with ranchers to develop partnerships to meet economic and conservation goals.

In the near future, the BLM plans to present preliminary draft policy proposals for public review. We will seek public input through our Resource Advisory Councils (RACs), general mailings and our Website. We want to ensure sufficient time and opportunity for meaningful public input and dialogue, and hope to complete this public process by the end of September. Following evaluation and modifications, our goal is to finalize the non-regulatory policy decisions by the end of November of this year. Throughout the process we will keep the Congress informed of our progress.

Land Health Assessments and Monitoring

An understanding of what is going on out on the land is crucial to appropriate management of our public lands. Sustaining working landscapes, grazing permit renewals and an effective grazing program all rely heavily on good monitoring data. Without that basic information, our ability to make appropriate decisions, improve the health of the land, and meet our obligations to the multiple users of the public land is severely handicapped.

Over the past 25 years, our whole understanding of how monitoring should be conducted, where it should be focused, and what it means has evolved. Science has changed the models for explaining and predicting changes in rangeland vegetation to a “state and transition” model. State and transition models define thresholds of change in vegetation and soils that, when crossed, become barriers to achieving healthy landscapes. For example, when a wildfire burns a sagebrush and perennial grass plant community that may then convert to cheatgrass, a threshold is crossed. Moving back across these thresholds can require expensive restoration efforts. Monitoring change in plant communities tells us when we are approaching one of these thresholds and allows us to make changes in management to avoid costly restoration efforts in the future. The “State and Transition Model” is more accurate than previous models and takes advantage of the most recent advances in our scientific understanding of soils, watersheds and vegetation.

The focus of our monitoring has also changed. We have moved from monitoring individual allotments and individual programs to a coordinated, interdisciplinary look at resource conditions and changes on a watershed basis. Field offices can better analyze the cumulative and combined effects of various management activities. Our data collection efforts are concentrated on issues and resources directly linked to land health.

Our efforts to improve monitoring have support from a wide range of users of the public lands. The ranching community, conservation groups and the academic community have joined with Federal

agencies to form the Sustainable Rangelands Roundtable (SRR). This partnership will help us to promote consistency in monitoring and development of accurate indicators.

The Departments of the Interior and Agriculture are chartering a joint interagency group to address assessment and monitoring issues at the local and national levels.

We are currently working on a report, mandated by the FY 2002 Interior Appropriations bill, Pub. Law 107-63, together with the Natural Resources Conservation Service, the Forest Service, and four other Department of the Interior agencies, to address the needs for completing soil surveys and ecological classification on rangelands within 10 years. In addition, the report will outline a plan for developing and implementing a national rangeland assessment tool.

Drought

Continued drought throughout much of the West is a variable that is threatening the livelihood of many ranchers. While we can, and do, seek to avoid surprises by working in advance with our permittees, short of divine intervention, there are no easy answers. Many of our regulatory and policy initiatives may help ameliorate the effects of the normal drought cycle, but severe, longer-term droughts (of the kind seen throughout much of the West in the last few years) are much harder to address.

We are committed to working in advance with our permittees and other drought-affected partners, alerting them to potential permit modifications as we respond to inadequate forage and/or water. In all of these cases we work on a permit-by-permit basis at the local level with the ranchers. We do not seek to impose a one-size-fits-all solution, but rather seek an answer that is both right for the land and minimizes hardship to the public land users. Solutions include voluntarily reduced stocking levels, water hauling, new water developments and in some cases, temporary suspension of some or all livestock use.

We continue to try to provide as much flexibility as possible in responding to drought conditions, but in many cases that flexibility no longer exists. Recovery can be a slow process and adequate moisture alone is not a cure. In some cases "resting" the land is the only answer.

Conclusion

The BLM is committed to the goal of sustaining working landscapes that are economically productive and environmentally healthy. Our efforts and changes for proposed permit renewal, monitoring, and regulations and policy are all developed with an eye toward that goal. Thank you for the opportunity to testify and I'll be happy to answer any questions you may have.