Ideas for Reforming National Forest Grazing

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The Grazing Reform Project supports the elimination of non-native livestock grazing from all national forest and BLM lands, especially from designated wilderness. In our view, grazing exotic livestock on western public lands inevitably results in degradation of water quality, riparian areas and wetlands and damages other public land uses, like recreation, which generate more economic benefits as compared to livestock grazing. We also recognize that livestock grazing was established on some of those lands before the national forests were created. We support buy-out of grazing permits from willing sellers as proposed in legislation pending in Congress.

We also recognize that the nation is a long way from eliminating public land grazing. Until that day comes, we believe it is critical that public land grazing is managed responsibly and that means requiring implementation of modern grazing management strategies and techniques. Modern grazing management uses riparian and wetland exclusion fencing or, where that is not feasible or desirable as, for example, in wilderness areas, regular herding to move livestock out of riparian areas and wetlands and to rotate grazing among the various pastures found on each grazing allotment. Unfortunately, Forest Service and Bureau of Land Management (BLM) managers often do not require modern grazing management. Instead they too often allow grazing permit holders to release their livestock onto public land and not return to manage those livestock until it is time to take them back to the home ranch.

The lack of modern, active grazing management is known as passive, season-long grazing. It directly results in degradation of water quality, riparian areas and wetlands and damages wildlife habitat. Those impacts can be reduced by implementing modern, active grazing management.

This paper describes changes in Forest Service and BLM policies, procedures and direction which can be required via administrative agency action or legislation. The ideas are aimed to stimulate thinking about what might be accomplished to reform National Forest Grazing, both administratively and via legislation, with a new administration and new Congress in 2021. Some of the suggestions also apply to grazing on federal lands administered by the US Bureau of Land Management. Suggestions were generated by the Grazing Reform Project and by our allies and partners in public land grazing reform.

We will continue to advance these ideas within public land conservation and advocacy networks. Our hope is that we can achieve broad agreement on a Public Land Grazing Reform Agenda which we will collaboratively advance after January 2021 or when conditions in congress and the federal administration are favorable.

These ideas are informed by ten years monitoring grazing management on the ground in Northern
California and Southern Oregon, documenting the impacts and using that documentation to advocate for on-the-ground grazing management reforms. Our Allotment Monitoring Reports, other reports, advocacy actions and lots more can be found on our website: www.grazingreform.org.

**Administrative Reforms**

While some administrative reforms require rule-making or other processes, most can be implemented by direction from the Chief of the Forest Service. These days with each new administration we get a new Chief. A new Chief should be encouraged to issue a directive or directives requiring modern, active management of all national forest grazing allotments, including the following elements.

1. **National Forest Service Core BMPs** require site specific BMPs for grazing allotments and the use of Annual Operating Instructions (AOIs) to permit holders to implement the BMPs once NEPA has been completed. But completion of NEPA for grazing reauthorization has slowed to a crawl. Some Forest Service units are not implementing the agency’s own BMPs and they can not be compelled to do so by the courts. Direction from the FS Chief would instruct responsible federal officials (district rangers) to develop site specific BMPs by time certain and to implement them via Annual Operating Instructions whether or not NEPA has been completed.

2. Require that district rangers, the federal officials who are responsible for managing Forest Service grazing allotments, permanently close and abolish any and all national forest grazing allotments which are at the time of promulgation or in the future “vacant” for five years or more.

3. Instruct all district rangers to reassess by time certain the amount of forage on each allotment that is available for consumption, how much forage is needed to support the native ungulates which use each allotment and to adjust the number of livestock permitted to graze allotments (“stocking”) via Annual Operating Instructions in order to provide adequate forage for native grazers. In assessing forage availability, require that district rangers utilize methods that measure what is actually there using the best available scientific methods and not what is theoretically available.

4. When completing environmental analysis for grazing allotments, require calculation of forage available for grazing based on actual conditions and data, adjusted for the amount of forage needed to provide for native grazers. In completing those calculations, consult with State Fish and Wildlife agencies.

5. Require implementation of [Multiple Indicator Monitoring (MIM) to the BLM Protocol](#) on all riparian areas on all national forest and BLM grazing allotments.

6. Require that district rangers implement modern, rest-rotation grazing on all allotments in order to reduce impacts to water quality, riparian areas and wetlands. Unless riparian areas and wetlands are fenced so as to exclude livestock, require weekly range riding to move cattle out of riparian areas and wetlands to other areas that have forage available that is not within a riparian area or wetland.

7. Direction from the Chief of the Forest Service to agency grazing managers to rest from all
grazing any allotment which does not meet riparian and water quality standards for two successive years. The rest from grazing should continue for the amount of time needed to restore riparian areas and wetlands to full and proper functioning and to meet applicable state and federal water quality standards. Require that all grazing allotments located in whole or in part within designated wilderness and designated natural areas meet (comply with) applicable state water quality standards within five years of issuing a directive to Forest Service managers. All wilderness grazing allotments that do not meet all applicable state and federal water quality standards within seven years of the date the direction was issued, will be suspended indefinitely and permanently closed as soon as that is feasible and can be legally implemented.

8. Revise Congressional Grazing Guidelines (CGG) to, among other reforms, mandate MIM Riparian Monitoring, mandate use of modern grazing methods, including rest-rotation grazing and regular herding, prohibit passive-season-long grazing and end the use of motorized vehicles and equipment by grazing permit holders within wilderness and other natural areas, except in true emergency situations.

Legislative Reform:

A. The Standard Legislative Process:

1. For a variety of reasons, including not wanting to rile congressional grazing supporters, the Forest Service refuses to actually close allotments even when they have been "vacant" for many years, are not good allotments in terms of forage availability, are unwanted by any ranchers and unlikely to be wanted anytime in the future. Therefore, it would be good to have legislation that requires the FS to permanently close any grazing allotment that has been "vacant" for five years or more. Even better, Congress could mandate that any national forest grazing allotment that is “vacant” for five years or more is automatically and permanently closed. That would effectively phase out grazing over time on national forest land.

2. In the 1995 Rescission Bill (Public Law 104-19) Congress gave the FS authorization to reissue ten year term grazing permits even if environmental review has not been completed. That has resulted in FS completing fewer and fewer grazing EAs every year since then. This is documented in FS Rescission Act Reports to Congress. In 2016, for example, Regions 4, 8 and 9 did no grazing NEPA; Region 5, California, did one. It would be good to get language into legislation, or into an annual appropriation bill, rescinding the Rescission Bill language or prohibiting the FS from issuing a grazing permit unless environmental review of the decision has been completed within the past five years.

3. There have been a number of provisions added to wilderness bills or within proposed wilderness bills that allow grazing permit holders to use motorized equipment inside designated wilderness to maintain “improvements”. It would be good to have a section added to a larger wilderness bill specifying that, notwithstanding those provisions, management agencies should
approve motorized use only where there is no feasible non-motorized alternative.

B. The Federal Appropriations Process:

Many but not all of what can be accomplished via the standard legislative process can also be accomplished via language inserted into the annual bills which provide funding to the Forest Service and BLM. For example, language can be added to appropriations bills that:

- Mandates implementing inter-agency Multiple-Indicator Monitoring (MIM) on all grazing allotments.
- Instructs agency grazing managers to implement modern rest-rotation grazing on all allotments in order to reduce impacts to water quality and riparian areas.
- Instructs agency managers to rest from grazing any allotment which does not meet riparian and water quality standards for two successive years. The period of rest should be for the amount of time needed to restore riparian areas, wetland functioning and water quality to standard.
- Reversing the Appropriations language that gave FS managers the ability to issue new 10 year grazing permits even if NEPA review had not been completed. The new language would require new NEPA review and a new decision, and the implementation of modern grazing management practices like rest-rotation grazing, before a new or renewed grazing permit can be issued.

Provisions added to appropriations bills can be designed to apply from thence onward; they do not need to be renewed each Appropriations Cycle. What is required in order to get such language added to an Appropriations Bill, however, is participating in the entire Appropriations Process and securing a champions on the proper Appropriations sub-committees who have the power to get bill language added.

C. Replacing House Report 96-617:

Adopted in 1980 during passage of a wilderness bill for Colorado, House Report 96-617 has been interpreted as preventing any reduction in the amount of grazing allowed within designated wilderness, allowing grazing permit holders to use motor vehicles for non-emergency and routine management practices and allowing permit holders to reconstruct cabins and other facilities incompatible with wilderness. Congress should amend or replace the Report to limit conditions under which motor vehicle use, structures like cabins, fencing and other installations incompatible with wilderness are allowed. Further, Congress should instruct grazing managers to reduce the number of livestock permitted to graze and require other grazing management changes within wilderness to protect the natural values found there. Congress should instruct Forest Service and BLM managers to limit livestock numbers on all grazing allotments in order to provide adequate forage for native grazers and browsers. Finally, Congress should mandate annual monitoring of grazing impacts to water quality, riparian areas and wetlands and that grazing managers adjust management the following grazing season in order to reduce and control negative impacts found via that monitoring.