

PROPOSED CHANGES TO BLM GRAZING REGULATIONS

PREPARED FOR STATE OF NEVADA LEGISLATIVE COMITTEE ON PUBLIC LANDS – JANUARY 22, 2004

I. Purpose

The BLM's proposed revisions to the grazing regulations are designed to advance BLM goals of promoting cooperation to achieve rangeland management objectives. The revisions focus on improving working relations with permittees and lessees, protecting the health of the rangelands, and increasing efficiency and effectiveness.

II. Proposed Changes

Improving Working Relationships with Grazing Permittees and Lessees –

- Require analysis of social, economic and cultural effects of proposed changes in grazing use.
- Require phase-in of changes in grazing use of more than 10% over a 5-year period.
- Provide for joint ownership of range improvements
- Provide for cooperation with State, local, or county established grazing boards in reviewing range improvements and allotment management plans.
- Clarify that an opportunity to review and provide input on biological assessments be provided to permittees and lessees, States, and interested publics.

Protecting the Health of Rangelands –

- Remove 3 year limit on voluntary nonuse of a grazing permit.
- Require assessments and monitoring of resource conditions to support BLM determinations of whether grazing is a significant factor in failing to achieve rangeland health standards or conform to guidelines.
- Provide additional time (up to 24 months) to formulate, propose, and analyze actions once determination of grazing as significant factor in non-attainment is made.

Increasing Administrative Efficiency and Effectiveness –

- Eliminating “conservation use” regulation to comply with Federal court rulings.
- Expand definition of “grazing preference” to include an amount of forage on public lands attached to a rancher's private “base” property.
- Modify the definition of “interested public” to ensure that only those individuals and organizations who actually participate in the process are maintained on the list of interested publics.

EXHIBIT K1 Lands	Document consists of 3 pages
<input checked="" type="checkbox"/> Entire document provided.	
<input type="checkbox"/> Due to size limitations, pages ____ through ____ provided.	
A copy of the complete document is available through the Research Library (775-684-6827 or e-mail library@lcb.state.nv.us).	
Meeting Date 01/22/04	

- Reducing the occasions in which the BLM is mandated to involve the interested public.
- Provide flexibility to the Federal government in decisions relating to livestock water rights.
- Clarify the meaning of “record of satisfactory performance” for new applicants for permits or leases.
- Clarify what is meant by changes in grazing use “ within the terms and conditions of permits and leases.”
- Increase certain service charges (transfers, trail permits, replacement bills) to reflect more accurately the cost of grazing administration.
- Clarify that if a livestock operator is convicted of violating a Federal, State, or other law, and if the violation occurs while he is engaged in grazing related activities, the BLM may take action against his grazing permit only if the violation occurred on the BLM-managed allotment where the operator is authorized to graze.
- Clarify how grazing will be authorized where a BLM decision affecting a grazing permit is “stayed” pending administrative appeal proceedings.
- Clarify that a biological assessment or biological evaluation, prepared in conjunction with the Endangered Species Act, is not a decision and therefore not subject to protest or appeal.

III. BLM Conclusions as to Effects of the Proposed Action

- There are no irreversible or irretrievable comments of resources directly resulting from the proposed rulemaking.
- There are no discernable effects from short-term uses on long-term productivity of resources from the proposed rulemaking.
- There may be some short-term adverse effects that cannot be avoided because of extended timeframes from several components of the proposed rulemaking(5 year phase-in, requirement for monitoring for determinations, up to 24 month extension related to S&G determination).
- Better and more sustainable grazing decisions would come from extended timeframes resulting in long-term positive effects on rangeland health.

IV. Participation and Final Rulemaking-EIS Process

Publication of the Environmental Protection Agency Notice of Availability of the Draft EIS in the Federal Register on January 2, 2004 initiated a 60-day review for the public to comment on the proposed revisions to the regulations and the Draft EIS.

The Draft EIS can be assessed through the BLM’s “ePlanning” Web based public comment system. The ePlanning at <http://www.blm.gov/grazing/>.

Written comments can be mailed to:

Director (220), Bureau of Land Management, Eastern States Office, 7450 Boston Boulevard, Springfield, Virginia 22153, Attn: Revised Grazing Regulations DEIS.

Public meetings will be held as follows:

January 27, 2004	Salt Lake City, UT	6PM – 10PM	Marriott Hotel
January 28, 2004	Phoenix, AZ	6PM – 10PM	Wyndam Hotel
January 31, 2004	Boise, ID	1PM – 5PM	Doubletree Hotel
February 3, 2004	Cheyenne, WY	6PM – 10PM	Little America
February 5, 2004	Washington, D.C.	1PM – 5PM	Marriott-Embassy

At the end of the comment period, BLM will carefully consider all comments on the Draft EIS and Proposed Rulemaking. Any necessary changes will be incorporated into a Final EIS and Final Rulemaking.

The Notice of Availability for the Final EIS will be published in the Federal Register.

Thirty days after publication of the Final EIS, a Record of Decision will be issued in the form of a Final Rulemaking that spells out the BLM's final decision. This rulemaking will become effective 60 days after publication.