

Viewpoint

Dangerous Changes Rangeland Reform '94—Part One

Heather Smith Thomas

The USDI-Bureau of Land Management and USDA-Forest Service proposed rule changes for public land grazing are very disturbing to ranchers who depend on public lands. It appears that the agencies are trying to reduce or eliminate grazing. Many of the proposed changes will hinder rather than help the permittees, making the use of their ranges more difficult and precarious. The tone of the plans is negative, implying that current grazing practices are somehow damaging the resource, that the livestock industry is guilty of many past and present evils and that the land must now be protected from such abuse. This view ignores actual history and the great strides in range improvement that have been made by ranchers and the BLM over the past 60 years.

There is no credit for years of good stewardship, no recognition of healthy rangelands and increased wildlife. Instead, the agencies seem to be looking at the permittee as some kind of criminal or potential criminal whose use of the land must be more carefully controlled, curtailed or eliminated. All of the proposed rule changes are geared toward less flexibility, more penalties, more constraints on the people using the land for grazing. Violation of any environmental law or regulation could mean cancellation of a permit—even a new or minor law the rancher may not be aware of. Environmental regulations have proliferated so much in recent years that sometimes even the regulators are not sure what is legal.

Grazing can be modified or eliminated where deemed "detrimental to the health of the ecosystem". Who is to determine whether or not it is detrimental? Under the proposed changes, anyone who wishes can become an "affected interest" to be consulted in development of Allotment Management Plans and annual operating plans on an allotment. Decisions may be affected by individuals with a grudge against grazing, the livestock industry, or a certain permittee. The proposed new make-up of advisory boards could also have a negative impact if some of the new representative interests (who could now outnumber grazers 15 to one or even make up the total board) have a personal bias against grazing. How can the stockman be assured of fairness?

It seems that range science is being thrown out the window in favor of a more emotional and less easily defined "majority rule" on what these lands should be used for. People with no knowledge of plant health, wildlife ecology or historic trend of a range area can now, in a one-point-in-time impression or evaluation, have as much say about the management and future of an allotment as the rancher who has worked with it for 30 or 40 years.

The new rules seem intent on doing away with any semblance of fairness we had in the past. Base property leases (the traditional way for young people to get started in ranching) would be penalized with higher grazing fees. Suspended non-use would be wiped out (some ranchers voluntarily gave up some of their numbers in earlier years to help the range improve) and there would be no way to ever get the numbers back. Permits would be given for shorter terms, which could jeopardize a rancher's ability to obtain financing for their total operation. This would also discourage ranchers from investing money in range improvements and facilities maintenance.

The change in how range improvement funds are used (giving more flexibility to BLM over their use) would mean that some districts would consistently come up short. At present, 25% of funds must be used in the district in which they are collected.

The rule changes on range improvement ownership and water rights seem intent on taking away any last vestiges of a permittee's "rights" as does exempting certain administrative actions from the appeals process. The rancher is totally at the mercy of the agency.

The proposed national standards and guidelines for grazing leave us with serious questions. We have little faith in the centralization of such rules or in the judgment of BLM employees or other range "evaluators" who haven't seen a specific range or see it only once. Many ranges have had no scientific monitoring nor trend studies. The "evaluators" may not be able to tell if it is improving or deteriorating. A range that has been steadily improving under the present permittee (but which is not yet totally "healthy" in the eyes of the evaluator who did not see it 10 or 20 years ago, or "by the book" "criteria in national standards and guidelines") may be classed as unsatisfactory and the permittee penalized. All too often, past progress is not recognized.

Some ranges were severely overgrazed in early years,

due to the inadequacy of the homestead laws which did not fit the arid West—where it takes more that 160 or 320 acres for a grazing operation. Ranchers had to pasture their stock on adjacent public land. Early government policy forced the stockman into a situation where he had to compete with his neighbors and itinerant sheepmen for the grass. Ranchers couldn't legally own and control their grazing lands like the farmer-homesteaders who owned their farms. The government's unwillingness to address the western land needs was at the root of the grazing problem, and stockmen begged for some kind of solution, to no avail, until the Taylor Grazing Act was finally passed in 1934. Now the BLM and "environmentalists" are trying to blame the stockman for past abuses that we all must take the blame for, as a nation. The present ranchers, on the whole, have done much to improve the ranges, and on many ranges this improvement is still in progress. These good stewards should not be penalized for past abuses that were not of their doing.

The BLM document states one of its goals for rangeland management is to provide for long-term needs of society. If that term is true, BLM should recognize our country's increasing need for food, fiber and raw products, with a wise *use* of our natural resources. As our population increases, we'll need more meat and livestock by-products, not less (all of us use the by-products, whether or not we eat meat). Why try so hard to reduce or eliminate grazing, when past experience has shown good grazing management to be very compatible with other uses and values on public lands, and the livestock industry to be crucial to the stability and economic well-being of western counties.

Healthy rangeland depends upon the grazing animals. Forage grasses evolved under grazing (this is the "natural" condition) and are healthiest if grazed at some point in their growing season. Ungrazed grass becomes coarse, less productive and less vigorous, less palatable to wildlife, and creates a fire hazard.

There are a lot of differences of opinion on what constitutes "overgrazing". Some people think any grazing is too much, not understanding plant ecology and the symbiotic relationship between grass and grazer. There is also a tendency to think that riparian areas are fragile (partly because of all the furor surrounding this controversial issue) when in fact riparian areas are much more resilient than arid uplands. Because they have more water, these areas bounce back faster after grazing, and can withstand more grazing pressure.

A one-point-in-time observation of a range (which some "interested parties" may make, or even some BLM employees) doesn't give the full picture. A range must be looked at over time, in different seasons and different years, to evaluate its plant life. "By the book" guidelines and standards are too arbitrary and will not fit all cases. Riparian areas are unique, as are the allotments in which they exist. Local managers need flexibility in which to judge and care for them, site by site, not arbitrary rules that may not fit the situation.