



For America's Heritage

Public Lands Foundation

P.O. Box 7226 Arlington, Virginia 22207

February 24, 2020

Bureau of Land Management
ATTN: Seth Flanigan
3948 S Development Ave.
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RE: Scoping Comments on proposed Grazing Regulation EIS, 43 CFR Part 4100
(also sent by email to BLM_WO_grazing_email@blm.gov)

Attached are comments submitted by the Public Lands Foundation on the EIS for proposed Grazing Regulation process.

Thank you.

Edward W. Shepard, President



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Public Lands Foundation Comments on the Grazing Regulations Scoping Process

Flexibility The livestock permittees stress the need for more flexibility. We would like the EIS to cover specifically what it is they want more flexibility in. The development of Allotment Management Plans and paying for grazing at the end of the grazing season based on their actual use reports, for example, provides a good amount of flexibility. Any changes will need to be based on monitoring data.

Outcome based Grazing This is an experimental demonstration project less than two years in operation and it is too early to become a standard practice. However, the regulations could cover these demonstrations for testing purposes.

Targeted Grazing Using livestock grazing as a tool in fire control and in other vegetation management plans is a good idea. The EIS should provide for this new tool including the possible contracting of a livestock operator to perform the needed grazing.

Administrative-permit processing It takes 7-10 years for BLM to process a grazing permit which is entirely too long. Regulations should propose ways to shorten approval time. In addition, recent changes in FLPMA, NEPA, ESA, and the Clean Water Act since 2006 e.g., setting priorities for processing permits, identifying which permits can be renewed using categorical exclusions should be covered. In addition, is there a need for a decision for every permit issued? The grazing fee formula or the base fee used in the formula needs to be reviewed and the possibility of raising the fee or adding a service charge to provide funding to shorten the time needed to process permits should be considered. In addition, the disparity between Federal grazing fees and State and private leases and the need to increase the fees to at least cover the cost of administration needs to be examined. Provide for receiving electronic protests and appeals to grazing decisions is needed.

Unauthorized use Issues identified in the GAO Report on grazing trespass needs to be addressed along with the authority that the Department of Justice can sue prior to impoundment. Establishing procedures for resolving incidental use while ensuring all discovered unauthorized use is documented is needed.

Land Health Standards The requirement, in the current Grazing Regulations, that grazing permittees must meet Land Health Standards must remain in Part 4180 of any revised grazing regulations.

Retirement of grazing privileges There has been a lot of dialogue regarding the purchases of ranches and associated grazing permits by 3rd parties wanting to retire the grazing privileges to protect other sensitive resource values on those public lands. The grazing regulations should more clearly respond to those procedures including clear procedures to deny other permittees actions to use areas that have been retired.