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## Public Lands Council

# Capital Issues

~March 2011~

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## HIGHLIGHT:

### Budget & Appropriations Hearings

The president's 2012 proposed budget, released in February, saw hearings in both House and Senate Committees throughout the month of March. PLC staff attended budget and appropriations hearings for the U.S. Forest Service (Forest Service), Bureau of Land Management (BLM), U.S. Fish & Wildlife Service (FWS), and National Parks System (NPS) spending proposals. At a time when legislators are sharpening their scalpels for cuts, not all the proposed spending items were well received, and some were outright condemned. Items of particular importance to PLC:

**BLM Wild Lands Policy:** This issue was at the forefront of many legislators' minds, so much so that it even came up in hearings held for the Forest Service, an agency outside the purview of Wild Lands. Congress is clearly concerned that the Wild Lands policy will be harmful to multiple use and the western economy, and that it usurps Congress' prerogative to designate wilderness areas.

**Land Water Conservation Fund (LWCF):** The president proposes to fully fund LWCF (\$900 million). 40% of the funds would be directed toward federal land acquisition. Given the backlog of maintenance on the lands already under federal ownership, many legislators questioned the wisdom of acquiring more federal land.

**"Landscape Scale" Management:** Multiple programs and proposals from varying agencies call for management "across landscapes," using language that implies a lack of jurisdictional boundaries. Several of them drew the criticism of property rights-oriented lawmakers:

- Forest Service Planning Rule: The plan calls for "landscape scale" management "irrespective of ownership or other artificial boundaries."
- Climate Change Adaptation and Mitigation: This FWS initiative contains similar language regarding "artificial boundaries" and threats that "know no boundaries."
- Landscape Conservation Cooperatives (LCCs): LCCs, created for the collection of data and "shared science," are designed to "transcend political and jurisdictional boundaries" and address conservation issues that "require a more networked approach to conservation."

**Equal Access to Justice Act (EAJA):** Legislators, especially Rep. Cynthia Lummis of the Appropriations Subcommittee for Interior, Environment, and Related Agencies, inquired as to how many dollars are going to radical environmental groups for suits they file against the federal government. While few agency officials had answers due to little or no recordkeeping, FWS officials admitted that lawsuits are causing a "Significant redirection of effort" and that environmentalists' attorneys "get paid well."

**Proposed EPA Petition Cap:** See article below, [Proposed Cap for ESA Petitions Could Prevent Litigation](#)

**County Payments:** The Forest Service budget request provides for Secure Rural Schools Act payments, but makes their funding discretionary in nature, and aims to phase out payments after five years. FWS' National Wildlife Refuge Fund, a similar county payment, received no funds in the budget request.

**Integrated Resource Restoration (IRR) proposal:** There were criticisms about the Forest Service's proposed IRR program, which would eliminate line items to create what one congressman called one "big funding bucket with less accountability" for land management activities and programs such as NEPA reviews for grazing permits.

**Payette:** Rep. Mike Simpson inquired as to the science behind the decision to remove domestic sheep on the Payette National Forest.

**Wolf:** Rep. Lummis was persistent in demanding action on the part of FWS to finally delist the gray wolf.

**Travel Management Rule:** Rep. McClintock (R-CA) took issue with the Forest Service's 2005 travel management rule.

**National Grasslands Mediation:** Senator Hoeven criticized the Forest Service for its lack of a fair mediation service for grazing disputes between the agency and ranchers on National Grasslands.

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## LEGISLATION UPDATE

### **Wilderness and Roadless Area Removal Act Introduced**

House Majority Whip Kevin McCarthy (R-Calif.) is looking for cosponsors for a new piece of legislation, the [Wilderness and Roadless Area Release Act](#), that he is preparing to introduce (read the “[Dear Colleague](#)” letter). The legislation calls for the release of Wilderness Study Areas (WSAs) and roadless areas recommended by Bureau of Land Management (BLM) and the Forest Service as not-suitable for a Wilderness Area designation. These areas, currently managed as wilderness, would be managed for multiple use. The legislation also directs the BLM to manage the released WSAs in accordance with multiple-use and sustained-yield, and would terminate Secretarial Order 3310, the Wild Lands Order. PLC is preparing a letter of support to circulate among affiliates. ([Click here](#) to see the talking points provided by Rep. McCarthy’s office.)

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### **Federal Agency Is Resurrected to Track Payments in Enviro Lawsuits**

A once-obscure agency, the Administrative Conference of the United States (ACUS), has been reconstituted in light of the lack of oversight of funds being paid under the Equal Access to Justice Act (EAJA). The conference was dismantled in 1995 when Congress withdrew funding. The agency, back in business last March after funding was restored and staff hired, is required under EAJA to submit an annual report to Congress about the disbursement of funds.

EAJA was meant to protect citizens and their rights by compensating their legal costs when they prevail in court against the resource-rich and powerful federal government. The problem: EAJA has become a money tree for radical environmental groups. They have learned to use the system to file frivolous lawsuits (usually filed on technicalities) against the government for allowing continued uses such as grazing. A conservative estimate of EAJA payments to radical environmental groups between 2003 and 2007 is around \$4 billion. PLC supports legislation to put limits on EAJA funds and bring transparency to the process. In the meantime, the ACUS could shed some light on the program. With Congress looking to cut spending, however, the conference’s time may be short.

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### **Natural Resources Committee Scrutinizes Wild Lands Order**

On March 1<sup>st</sup>, the members of House Committee on Natural Resources asked tough questions of Bureau of Land Management (BLM) Director Bob Abbey about the administration’s Wild Lands Order. The hearing, titled “[The Impact of the Administration’s Wild Lands Order on Jobs and Economic Growth](#),” addressed the Order Department of Interior Ken Salazar had issued on December 23<sup>rd</sup>, 2010, directing the BLM to protect lands having the “characteristics” of wilderness. The Wild Lands Order effectively creates wilderness areas without the consent of Congress or local stakeholders, threatening multiple use on vast expanses of land.

Committee Chairman Hastings (R-Wash.), Chairman of the Subcommittee for National Parks, Forests, and Public Lands, Rob Bishop (R-Utah), and other members of the Committee, particularly Reps. Raul Labrador (R-Idaho) and Kristi Noem (R-SD), had comments and questions important to federal lands ranchers. Rep. Noem, for example, stated that farmers and ranchers are the ones responsible for keeping these lands in their current pristine condition.

Subcommittee Chairman Bishop confirmed with Director Abbey that wilderness study areas (WSAs), once released, could be considered as “wild lands” at some point in the future, thereby rendering moot any decisions by Congress not to designate the WSAs as wilderness. Bishop also asked Abbey what he determined to be wrong with the current resource management plans (RMPs) and whether Abbey thought their development was somehow misguided. The director would not criticize the developers of the RMPs besides to say, “We just want to know what criteria they used.”

On the subject of recreation on these lands, Chairman Bishop agreed to its importance to rural economies. However, he argued that the designation of “wild lands” is not necessary to create recreation opportunities. Indeed, such wild lands designations are more likely to stymie recreational activities. Governor Herbert of Utah, a witness at the hearing, voiced a similar opinion. He also posited that the Order creates regulatory uncertainty that will undoubtedly discourage natural resource development investment by businesses, ultimately harming rural economies.

Other witnesses opposing the Order included Governor of Idaho, Butch Otter; multiple western county commissioners (several being ranchers); and Bill Myers, attorney at Holand and Hart, who testified as a private citizen, and from his experience as former solicitor at the Department of Interior. Perhaps the most remarkable event of the hearing came when Chairman Hastings pressed BLM Director Bob Abbey to site the statute granting the administration the authority to issue the Order. Abbey’s response was that he was “not sure it exists statutorily.”

“You have no authority to weigh one (multiple) use over another?” Hastings asked.

“Not that I am aware of.”

The hearing generated considerable attention both on and off Capitol Hill. The next step toward dismantling the Order could happen through the appropriations process, where Congress may prevent any funding from being put toward implementation of the Wild Lands policy.

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### **Federal Lands Counterdrug Strategy Act Introduced**

In February, Congressman Nunes (Calif.) introduced legislation [H.R. 759](#), the Federal Lands Counterdrug Strategy Act, designed to address the problem of drug production and trafficking on our nation’s public lands. The American Sheep Industry Association, the National Cattlemen’s Beef Association and PLC supported the introduction ([read the letter](#)).

Drug traffickers benefit from the remote locations that enable cultivators to operate large-scale cannabis cultivation operations by limiting the chance of detection. Traffickers are growing increasingly aggressive toward law enforcement officials and public lands ranchers who enter the area in which drugs are being cultivated and produced.

Moreover, drug traffickers are causing serious environmental damage to our public lands in the form of water pollution, stream diversion, hazardous chemical use, dumping and clear cutting.

The legislation, supported by the industries’ policy to promote border security, would address this situation by requiring the Office of National Drug Control Policy (ONDCP) to develop a strategy to combat drug trafficking on public lands. ONDCP would be required to consult with federal, state, local and tribal law enforcement agencies and to state the specific roles and responsibilities of the relevant agencies.

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### **Death Tax Repeal Legislation Introduced**

Bipartisan legislation, [H.R. 1259](#), has been introduced to permanently repeal the estate tax, commonly known as the death tax. Representatives Kevin Brady (R-Texas), Mike Ross (D-Ark.), Devin Nunes (R-Calif.), Kristi Noem (R-S.D.) and Dan Boren (D-Okla.) cosponsored the bill. Family owned small businesses, farms and ranches are the most vulnerable targets of this double tax, because when the full value of a business’ assets, such as equipment and property, are included in someone’s estate, many are forced to sell needed assets just to write a check to the Internal Revenue Service. PLC urges the passage of H.R. 1259.

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## ADMINISTRATION UPDATE

### **New Forest Planning Rule: Costly, Inflexible, and a Threat to Multiple Use**

A [new U.S. Forest Planning Rule](#) has been released, and PLC and other multiple use industries have found it to be a costly, inflexible, and unworkable plan. PLC is preparing comments, due May 16. PLC staff and members have attended forums in D.C. and across the west, presenting their concerns to Forest Service officials. See PLC's [talking points](#) on the proposed rule.

Ranchers' grazing allotments on National Forests are greatly impacted by the Planning Rule, which is the overarching rule that gives the guidelines and standards that every forest must abide by in creating forest-specific land use plans. Environmental activists often use the planning rule the Forest Service now operates under, adopted in 1982, to file lawsuits against the agency. Unfortunately, the new proposed rule is even more cumbersome and vulnerable to litigation than the 1982 rule.

An especially egregious section of the proposed rule requires the Forest Service maintain "viable populations" of every species under the sun, including not just vertebrates (as in the current rule), but invertebrates such as fungus, slugs and insects. "Viability" language under the current rule is already a source of constant litigation; the proposed language will make for an environmental attorney's paradise (see PLC's ["viability" talking points](#)).

There are other problems with the plan. It effectively makes "guidelines" legally enforceable standards. It focuses on things like carbon sequestration and "spiritual sustenance," instead of multiple use, as mandated by statute. Its call for the use of "best available scientific information" is likely to fuel disputes and lawsuits.

Congress will be holding hearings after the comment period. We hope our suggested changes will be made. PLC will continue working with the administration and Congress to ensure that the final rule is workable and follows Congressional intent as provided in statute.

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### **Proposed Cap for ESA Petitions Could Prevent Litigation**

Fish and Wildlife Service (FWS) chief Rowan Gould has made it clear: FWS cannot afford the barrage of Endangered Species Act (ESA) petitions coming from environmental activist groups. He has no hope that FWS can work through the backlog, and petitions keep coming. Every time a deadline is missed, the FWS is liable for a lawsuit by the petitioner. Gould said the FWS' work is driven largely by lawsuits—and that when the FWS loses a suit, it usually has to pay legal fees for the plaintiff (as required by the Equal Access to Justice Act)

To help manage the unwieldy number of petitions, the FWS is asking for Congress to place a cap on the amount of money that can be spent to process petitions. Such a cap would essentially allow the FWS to argue in court that it had done all it could before running out of money. Lack of funding could be used as a defense. One of the lawmakers who has been most outspoken on the issue, Rep. Cynthia Lummis (R-Wyo.), said in a statement the cap could be used as a tool to "combat the lawsuit frenzy."

But Rep. Mike Simpson, Chairman of the Appropriations Subcommittee on Interior and the Environment, pointed out a weakness of this theory in an FWS appropriations hearing. Simpson referenced the "warranted but precluded" finding, a term FWS uses to recognize that a species may merit listing, but that the agency does not have the resources to complete the listing, thereby postponing a decision until a later date.

"Doesn't that get litigated?" Simpson asked the FWS officials.

"Yes, it does," was the response.

The excuse of lack of funding is not, evidently, a sure line of defense. It remains to be seen whether a cap will materialize, and, if so, whether it will successfully fend off any litigation. But judging by the howls of protests coming from environmental activists, it may actually work.

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### **Appeals Court Hears Arguments to Delist Yellowstone Bears**

Recently held federal court hearings might be a promising development in the effort to remove Yellowstone National Park's grizzly bears from the Endangered Species List. According to the U.S. Fish and Wildlife Service (FWS), the Yellowstone area population has grown from an estimated 200 animals in 1981 to more than 600 today. That growth has led to increasing livestock depredation, especially as the animals spread into Idaho, Wyoming and Montana. The bears also damage property and sometimes attack humans.

While FWS has joined state regulators in maintaining that lifting ESA protections for grizzlies will not lead to their extinction. The arguments, before the 9th U.S. Circuit Court of Appeals, came after grizzlies were returned to the Endangered Species List by U.S. District Judge Donald Molloy in Montana. Molloy's ruling cited, among other things, the decline in whitebark pine, whose seeds provide a critical food source for the bears. Some critics have said Molloy overreached in his decision by drawing scientific conclusions that he is not qualified to make. FWS has argued that Yellowstone's grizzly population has been growing at between 4 percent and 7 percent a year, despite the whitebark pine's decline.

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### **BLM Proposes Reduction in Wild Horse Gathers, Other Management Changes**

Director of the Bureau of Land Management (BLM) Bob Abbey has announced that the agency is "accelerating fundamental reforms" to how it manages wild horses and burros on public lands. PLC submitted comments on the [proposed strategy](#), which includes, among other things, reducing the number of wild horses removed from the range for at least the next 2 years; expanding the use of fertility control to maintain herd levels; and accepting proposals for "eco sanctuaries" for wild horses.

PLC adamantly opposes reducing gathers of excess horses. The wild horse population is out of control, and without gathers, overpopulation will continue to cause serious problems, including overgrazing, environmental damage, and even starvation. While PLC supports the use of fertility controls, we question the BLM's use of the "PZP" vaccine, currently the only fertility control being administered. PZP, supplied to the BLM by the radical Humane Society of the United States (HSUS), is only marginally effective. We encourage the department to fund research for more efficacious alternatives. As for the creation of "eco sanctuaries," PLC supports the placement of horses and burros on sanctuaries given two stipulations: that these are created on areas already occupied by wild horses and burros; and that these preserves, managed within current statutory authority, contain only non-reproducing herds. ([See PLC's comments.](#))

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### **Judge Winmill Halts Grazing on 17 Southern Idaho Allotments**

The radical environmental group Western Watersheds Project (WWP) has won an injunction to grazing on 17 allotments in southern Idaho's Jarbidge Field Office region, claiming it threatens greater sage grouse, pygmy rabbit, and Slickspot peppergrass habitat. Six ranchers were forced to remove cattle from grazing allotments after Chief Judge B. Lynn Winmill of the U.S. District Court for the District of Idaho halted livestock grazing there pending the release of a new resource management plan (RMP).

Winmill first enjoined grazing on 28 allotments in 2005, due to litigation by WWP. Then an agreement was reached allowing some grazing to continue while BLM developed a new RMP for the Jarbidge Field Office. Because the RMP will not be completed until at least 2015, the BLM had asked Winmill to extend the interim

grazing conditions. But in a six-page [decision](#), Winmill said the interim plans “exist only as long as the parties agree they exist.” Without an agreement between BLM and WWP, “the Court’s remedy -- the injunction -- takes over.”

In response, the permittees filed a [motion](#) arguing that an injunction is unjustified, noting that they have taken significant measures to address the presence of sage grouse and Slickspot peppergrass on their allotments. Additionally, the ranchers noted that Judge Winmill’s decision, issued Feb. 28 on the eve of the 2011 grazing season, caused significant harm to the permittees, as they were forced to find new pastures for 2,380 cows that were pregnant or had just calved, creating a “dangerous and irreparable situation,” as well as 800 cows that were scheduled for turnout on March 1. The ranchers’ [legal brief](#) notes the significant expense of finding new forage and the impacts of moving cattle to a different location, “which will enhance stress, disease and/or death in some of these cattle.”

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### **Forest Service Required To Consider Impacts of Wild Horses on Steelhead and Grazing**

On March 10, 2011, the Oregon Federal District Court ruled that the Forest Service violated the Endangered Species Act (ESA) by failing to consult with the National Marine Fisheries Service (NMFS) about the effects of the agency’s management of wild horses on threatened steelhead that reside in streams on the Malheur National Forest ([see the ruling](#)).

According to court filings, the lawsuit was brought by Loren and Piper Stout, who own a ranch in Dayville, Oregon and hold a permit to graze cattle on an allotment in the Malheur National Forest. The Stouts had been enjoined from grazing cattle in 2008 because of a lawsuit brought by environmental activists claiming that cattle were overgrazing and damaging stream banks. After proving that the impacts were actually caused by wild horses, the Stouts were able to resume grazing. However, the wild horse impacts continued, severely limiting their ability to graze in 2009. The Stouts sought a determination that the Forest Service had failed to ensure that it was managing wild horses to prevent steelhead habitat damage.

In his opinion and order, U.S. District Court Judge Ancer Haggerty ordered the Forest Service to consult with NMFS to determine whether its wild horse management plan adequately protects steelhead listed under the ESA. The court disagreed with arguments by the Forest Service that the Stouts should not be able to have the court address wild horse impacts that affect their business. If the Stouts prevail, the Forest Service would be required to take further action to reduce the current impacts of wild horses.

The Stouts are represented by Western Resources Legal Center and Dunn Carney Law Firm.

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### **Coalition Comments on Regulatory Burdens of the ESA**

On March 28, 2011, the National Endangered Species Act Reform Coalition (NESARC), of which PLC is a member, filed comments with the Department of the Interior (DOI) responding to its request for input on existing significant regulations, including those related to implementation of the ESA. DOI’s call for comments was in response to the President’s Executive Order 13563 on improving regulation and regulatory review. The NESARC comments focus on the need for DOI to modify the section 7 consultation process under the ESA. Click [here](#) to view the NESARC comments filed on March 28th, as well as comprehensive NESARC comments on section 7 consultations that were filed with DOI in August 2009.

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## JUDICIARY UPDATE

### Settlement Could Lead to Wolf Delisting

Environmental activist groups (the plaintiffs) and the U.S. Fish and Wildlife Service (FWS) have reached a [settlement](#) in a case that reinstated Endangered Species Act (ESA) protections to the gray wolf in states where population recovery goals have been far surpassed. The settlement would ask the judge to stay his decision that overturned the delisting of wolves in Montana and Idaho. These states would then manage wolf populations themselves, pending a complete delisting throughout the Northern Rocky Mountain (NRM) Distinct Population Segment (DPS), at which point Wyoming, Utah, Colorado, Oregon, and Washington populations would also manage their populations.

The settlement, presented on March 24<sup>th</sup>, must be approved by U.S. District Judge Donald Molloy, whose August 2009 decision returned the ESA protections on the grounds that wolves could not be delisted along political borders in Montana and Idaho if they were not also being delisted in Wyoming. In April 2009, prior to Molloy's ruling, wolves had been delisted in all NRM states except Wyoming, where FWS repeatedly reneged on agreements made collaboratively between Wyoming and the FWS itself—thereby making delisting in Wyoming impossible. In an action separate from the settlement, the FWS has dropped its appeal of Federal Judge Johnson's ruling overturning the FWS rejection of Wyoming's plan. The agency claims it is serious about finally negotiating with the state on changes to the Wyoming management plan. Once Wyoming's management plan is approved, this settlement, if accepted by the Judge, would extend the delisted status granted in Idaho and Montana to Wyoming, Utah, Colorado, Oregon, and Washington (the settlement has no effect in states in the Southwest or Western Great Lakes DPSs).

There are weaknesses to the settlement. The FWS and the plaintiffs have agreed to take other actions that “will clarify implementation of the ESA and ensure that a recovered wolf population continues to be sustainably managed under approved state management plans.” These additional steps include a review of recovery goals by an independent scientific panel after three years. Multiple use interests have expressed concern that this review could once again result in a modification of recovery goals resulting in the need to maintain higher wolf populations in the three states.

Furthermore, while the plaintiffs party to the settlement have agreed not to challenge any final rule designating and delisting any DPS prior to March 31, 2016, four of the environmental activist groups party to the original litigation did not agree to the settlement. These groups, Alliance for the Wild Rockies, Western Watersheds Project, Friends of the Clearwater, and the Humane Society of the United States are not subject to the settlement's terms limiting legal challenges. The plaintiffs party to the settlement also agreed not to petition to list either the NRM DPS or any wolf population within the NRM DPS within the next three years; the four groups abstaining from the settlement agreement would not be held to this standard. Thus, the settlement, unless codified by Congress, offers little gain for states hoping to get the matter out of the courtroom to find sensible solutions.

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### Utah Counties Challenge Legality of DOI's Wild Lands Policy

On March 22<sup>nd</sup>, Uintah County and the Utah Association of Counties [filed a suit](#) challenging the legality of the Department of Interior's (DOI) Wild Lands Order (Secretarial Order 3310), which creates a new Wild Lands designation for public lands—*de facto* wilderness areas, without the consent of Congress. DOI “completely excluded from the discussion” states, counties, and local officials and stakeholders prior to the release of the Wild Lands Order, said Chairman of the House Natural Resources subcommittee on National Parks, Forests and Public Lands Rob Bishop (R-UT). This was likely because the DOI knew how detrimental the policy would be to communities in Utah and across the west, he said.

According to the chief deputy attorney general for the State of Utah John Swallow, the State may also file a lawsuit against the DOI in coming weeks.

In their complaint, the Utah counties had four major points:

- 1) That the DOI has violated the terms of a 2003 settlement between former Interior Secretary Gale Norton and former Utah Gov. Mike Leavitt, which ordered the Bureau of Land Management (BLM) to abandon a wilderness inventory conducted during the Clinton administration;
- 2) That the Order makes an end run around Congress's authority to designate wilderness;
- 3) That the Order undermines the carefully crafted resource management plans recently finalized through the Federal Land Policy and Management Act (FLPMA) land use planning process;
- 4) That Interior officials had instructed regional BLM managers to reject nominations from oil and gas firms to lease on 385,000 acres of proposed (but not designated) wilderness in the Vernal Resource Area.

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## MORE NEWS

### **PLC Holds 2011 Spring Conference in Washington, DC**

Ranchers from across the Western United States descended on Washington, D.C., this week for the annual PLC Spring Conference. Public lands grazing plays a critical role in both the cattle and sheep industries as roughly 40 percent of the cattle in the West and about half of the nation's sheep population spend some time on public lands. Although federal lands are generally less fertile and productive than private lands, they constitute half of the land mass in the western United States (a third of the entire nation), and many operations in the arid west depend on them for forage at some point during the year. The legislative and regulatory threats facing public lands ranchers jeopardize the entire western rural economy and the industry as a whole.

PLC ranchers went to their members of Congress with five priority concerns that affect their ability to make wise, sustainable use of our nation's public lands. Public lands use is important not just to ranching families, but to rangeland health, rural communities, taxpayers, and consumers depending on a safe, reliable food supply.

The first issue PLC members focused on this week was the Bureau of Land Management's (BLM) Wild Lands Order, a policy recently issued by the administration that creates *de facto* wilderness areas without the consent of Congress or locally affected entities. It presents a major threat to livestock grazing and all "multiple uses" on BLM lands. At the conference, PLC adopted policy calling for repeal of the Wild Lands Order. In the meantime, however, PLC members asked their elected leaders to defund the Order. ([See the one-page Wild Lands summary.](#))

Next on the docket was reforming the Equal Access to Justice Act (EAJA), which was meant to protect citizens and their rights by compensating their legal costs when they prevail in lawsuits against the resource-rich and powerful federal government. While well intentioned, EAJA has been abused by radical environmental groups who use the system to get paid to file suits that harm ranchers. PLC will continue working with members of Congress to educate them about this issue and to build support to pass much-needed EAJA reform. ([See the one-page EAJA summary.](#))

The U.S. Forest Service's recently released planning rule was also a topic of many discussions this week for PLC members. Unfortunately for public lands ranchers, the proposed rule is more cumbersome and vulnerable to litigation than the current rule, posing an even greater threat to ranchers' grazing allotments. PLC members urged their members of Congress to oppose the rule as it stands. ([See the one-page Planning Rule summary.](#))

The next issue PLC focused on this week was the national monument designation process. Currently, the Antiquities Act allows the president near-unchecked authority to designate new national monuments on federal lands, which is yet another means of restricting natural resource uses such as grazing on vast expanses of land. To address this ongoing challenge, PLC supports the National Monument Designation Transparency Act, a bill that would bring transparency to the monuments designation process and restore balance by requiring congressional approval. ([See the one-page Monuments summary.](#))

Finally, the Wild Horse and Burro Management Plan Proposal was a hot topic for PLC members. Overpopulation of wild horses on the range is causing resource damage, unhealthy wild horse herds and undue pressure on forage shared by wildlife and livestock. While PLC supports increasing gathers, the most recent plan, proposed by the Secretary of Interior, would decrease horse gathers. ([See the one-page Wild Horse summary.](#))

PLC members sacrifice a lot to come to Washington. There is no substitute for their presence, and no measure to its importance. Congressmen here in Washington must hear from the people who produce the things the rest of need to survive. We appreciate their sacrifice.

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### **Public Lands Grazing Gaining Public Support, Polls Say**

In spite of John Marvel's infamous Western Watersheds Project, Idahoans' view of ranchers is getting better, not worse. Check out the article, article published in the [Idaho Statesman](#). Or, [click here](#).

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### **American Sheep Industry Association News**

Go to [www.sheepindustrynews.org](http://www.sheepindustrynews.org)

### **Environmental Steaks**

See NCBA's monthly newsletter, [Environmental Steaks!](#)

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