

**STATEMENT OF  
FRED NORBURY  
ASSOCIATE DEPUTY CHIEF  
NATIONAL FOREST SYSTEM  
FOREST SERVICE  
UNITED STATES DEPARTMENT OF AGRICULTURE  
BEFORE THE  
SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS  
COMMITTEE ON ENERGY AND NATURAL RESOURCES  
SEPTEMBER 28, 2005**

**Concerning  
The Forest Service Livestock Grazing Program**

**MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:**

Thank you for the opportunity to present the subcommittee with an overview of livestock grazing management in the Forest Service. The Forest Service has been managing rangelands for 100 years, and has a long history of partnerships with livestock producers who rely upon National Forest System (NFS) lands. Livestock grazing on National Forests reserved from the public domain is administered under a number of statutes, including the Granger-Thye Act of 1950, the Multiple-Use Sustained-Yield Act of 1960, the Forest and Rangeland Renewable Resources Planning Act of 1974, and the Federal Land Policy and Management Act of 1976, among others. These laws augment the authority in the Organic Act of 1897, which established the National Forests and directed the agency to regulate the use and occupancy of the forests to protect them from destruction. Livestock grazing on National Grasslands is also administered under the Bankhead-Jones Farm Tenant Act of 1937. This law authorized a program of land conservation and utilization to improve past land uses practices.

Today, there are grazing allotments on approximately 90 million acres of National Forest System lands in 34 states. The Forest Service administers approximately ~~8800~~ allotments, with over 8500 active livestock grazing permits, and about 9.6 million animal unit months of grazing by cattle, horses, sheep, and goats. Nearly all this permitted grazing is located in the Western states (99 percent), with only about one percent occurring in the Eastern forests.

**Grazing Allotment Planning and Permit Administration**

One of the most significant issues associated with our management of livestock grazing for the past several years has been in allotment planning. Specifically, the ability of the Agency to insure the necessary environmental analysis has been completed prior to the issuance of a grazing permit.

On June 23, 2004, before this Subcommittee, the Administration testified concerning the Forest Service's progress in implementing Section 504 of Public Law 104-19 (the

“Rescissions Act”). Section 504 directed the Chief of the Forest Service to identify grazing allotments that required NEPA (National Environmental Policy Act) analysis and to “establish and adhere to” a schedule for the completion of that analysis. The end date established in the schedule was 2010. The Rescissions Act was needed given the Forest Service’s challenge in 1995 of trying to complete the NEPA analysis on most allotments, with approximately 50 percent of Forest Service grazing permits due to expire.

The 2003 Consolidated Appropriations Resolution, Public Law 108-7 (as amended by the 2003 Emergency Wartime Supplemental Appropriations Act) directed the Secretary of Agriculture to renew grazing permits for those permittees whose permits expired prior to or during fiscal year 2003, as the Forest Service was behind the schedule established for the Rescissions Act and was dealing with pending lawsuits. The NEPA analyses will still have to be completed on these allotments and the terms and conditions of the renewed grazing permit will remain in effect until such time as the analysis is completed.

The 2004 Interior Appropriations Act (P.L. 108-108) further directed the Secretary to renew grazing permits that expired or were transferred or waived between 2004 and 2008, and directed the Secretary to report to Congress beginning in November 2004, and every two years thereafter, the extent to which analysis required under applicable laws is being completed prior to the expiration of grazing permits.

The 2005 Consolidated Appropriations Act (Public Law 108-447) further directed that for fiscal years 2005 through 2007, certain decisions made by the Secretary to authorize grazing on an allotment shall be categorically excluded from documentation in an environmental assessment or an environmental impact statement under NEPA. To be categorically excluded the following conditions would apply:

- The decision continues current grazing management of the allotment;
- Monitoring indicates that current grazing management is meeting, or satisfactorily moving toward objectives in the land management plan, and
- The decision is consistent with agency policy concerning extraordinary circumstances.

The total number of allotments that may be categorically excluded under this authority may not exceed 900.

The Forest Service has continued to complete NEPA analyses on those grazing allotments that are listed on the Recessions schedule. As of September 9, 2005, approximately 3050 allotments have NEPA analysis completed. An additional 201 allotments are scheduled for completion of NEPA requirements in fiscal year 2005. Of this 201, there are 74 allotments that have pending decisions that will utilize the legislated categorical exclusion for NEPA outlined above. The Forest Service remains committed to completing the NEPA analysis on the remaining allotments by 2010 without disrupting permitted livestock grazing activities. We will track our progress and report periodically to Congress.

### **Grazing Permit Efficiencies**

The Department testified previously before this Subcommittee that current decision-making procedures to authorize livestock grazing or other activities on rangelands administered by the Forest Service are inflexible, unwieldy, time-consuming, and expensive. For several years, the Forest Service has evaluated alternative procedures that would satisfy our legal obligations, provide the agency with management flexibility, shorten the decision-making time, and reduce the cost to the taxpayer associated with rangeland management decisions. The agency is continuing dialogue with our colleagues at the Bureau of Land Management and the Council on Environmental Quality (CEQ) to address the challenges of complying with NEPA in a timely and effective manner. In addition, the agency is working on methods of prioritization through the development and use of quantitative tools that assess rangeland health and sustainability by using indicators that are linked to existing monitoring data.

### **NEPA Analysis and Rangeland Decisions**

This year the Forest Service set up guidance for the national forests and grasslands in order to comply with P.L. 108-447 when preparing NEPA analysis for allotments. This new authority will help the agency move forward in completing environmental analysis in an expedited manner on those allotments still remaining on the 1996 Rescissions Act schedule.

Currently, the Forest Service is in the process of updating and revising the Forest Service policy and direction in our grazing manual and handbook. The last major update occurred in 1985. New legislation, litigation, changing needs on the ground, and the need for consistency between field units have all shaped the need to update and clarify existing policy.

In the future, we will propose, and offer for public comment, changes in the Manual and Handbook that we believe are needed to improve our management of grazing, discharge our stewardship responsibilities, and to ensure sustainable grazing opportunities for farmers and ranchers on national forests and grasslands. We intend to work closely with all affected parties to address policy issues that are identified, before a new Manual and Handbook are adopted.

### **Expertise in Rangelands Management**

Rangelands management expertise is necessary to fulfill our mission to manage National Forest System lands. The Forest Service has developed a strategy to address the loss of rangeland management skills and strengthen on-the-ground expertise. The Forest Service, working with other State and federal partners, has instituted a national Range School, that provides training sessions focusing on improving essential collaborative skills for managers, permittees, and other interested people; focusing on ecology, economy, and social issues regarding rangelands. The Forest Service has been working closely with the Bureau of Land Management, Natural Resources Conservation Service, Cooperative

State Research, Education and Extension Service, the Society for Rangeland Management, and regional Forest Service leadership to present training sessions in 2006.

A collaborative working group of Forest Service professionals, university professors and researchers are developing a specialized training for line officers and managers to be presented April 2006. This "Rangeland Management for Line Officers" course will ensure critical decision making accurately reflects an understanding of federal land ranching, rangeland science, and an appreciation for the vital role ranching plays in reducing the loss of open space and the environmental benefits that come from grazing.

### **Monitoring**

The ecological conditions of rangelands often affect the social and economic stability of many rural communities. To assure these lands are capable of providing sustainable products for future generations, the Forest Service monitors the ecological conditions of these lands against specific standards. Implementation and effectiveness monitoring are two types of monitoring that the Agency uses. Implementation monitoring is an annual measurement of rangeland resources, such as vegetation use, to assess environmental effects. Effectiveness monitoring is long-term (5 to 6 years) where rangeland resources are monitored to assess whether prescriptions and objectives set forth in Forest Plans, allotment management plans or other relevant documents are being met.

The Forest Service has worked with industry representatives over the years to develop our implementation and effectiveness monitoring. In 2003 we signed a national Memorandum of Understanding (MOU) with the Public Lands Council (PLC) and the National Cattlemen's Beef Association (NCBA) for the implementation of a cooperative rangeland monitoring program. We continue to collaborate with our permittees in order to improve the quality and quantity of short and long-term allotment level monitoring on National Forest System rangelands.

To further this collaboration the Forest Service, PLC and NCBA in April 2004 signed a joint letter which was delivered to Forest Service personnel and permittees requesting volunteers to establish pilots for monitoring under this MOU to facilitate the process and lead the way for others to follow. This is a great opportunity for both entities to collaborate on long-term goals and objectives for sustainable rangeland resources.

Several National Forests and National Grasslands have established programs that encourage grazing permittees to conduct implementation monitoring in cooperation with the Forest Service. Permittees, in conjunction with the Forest Service, other Federal agencies, universities and rangeland consultants, have worked to develop monitoring programs.

In the Southwestern Region, the Forest Service has developed a cooperative agreement with the University of Arizona focused on collaborative monitoring. The goal of the agreement is to utilize the Universities' expertise to assist in the development of agency

monitoring strategies for rangelands. For example, the agreement with the University of Arizona will focus on improving monitoring data collection and analysis related to natural resource management; developing collaborative opportunities between the Forest Service and non-governmental entities and organizations to monitor the ecological trends of national forest rangelands in Arizona; establishing uniform monitoring protocols that everyone understands; enhancing data collection processes, training, and reporting methods; and increasing the number of national forest allotments being monitored.

### **Drought**

We continue to work with our partners in the livestock industry to improve coordination and communication, as we mitigate effects that drought has had on rangelands in the West. The agency recognizes that ranching is an important component of the economies of many western rural communities.

We have actively coordinated drought management with Federal, State, and local government agencies and officials. The agency is actively participating on national, state, and local drought task forces coordinating drought relief to our permittees. We are working closely with industry representatives to provide up-front information to facilitate local communications and work together to resolve resource issues.

On Forests and Grasslands, we have managed drought impacts on a case-by-case basis. Local managers are communicating as early as possible with permittees so they are informed and have enough time to implement temporary changes or a long-term strategy. We continue to coordinate with universities, other federal agencies, and user groups to best address the concerns at the local level.

### **Invasive Species**

A threat to sustainable use, proper management of our rangelands and to our permit renewals and monitoring efforts, is the ever-growing presence of invasive species. The Chief of the Forest Service has targeted invasive species as one of four most significant threats to our Nation's forest and rangeland ecosystems. It has been said invasive species are a "catastrophic wildfire in slow motion." They are threatening the national grazing interest. Thousands of invasive plants, insects, and other species have infested many hundreds of thousands of acres of land and water across the Nation, causing massive disruption to ecosystem function, reducing biodiversity, and degrading ecosystem health, including rangelands. Add great economic loss to massive ecosystem impacts and that is the threat we have.

The Forest Service has taken steps to improve its ability to prevent, detect, control, and manage invasive species and to rehabilitate and restore affected rangelands. We are working strategically with our scientists, managers, and partners. We now have a National Strategy and Implementation Plan for Invasive Species. It outlines both short and long term goals. We are working with our partners to streamline procedures so actions can be taken quickly before invasions become widespread. We call this early

detection and rapid response. This is a national initiative that supports local partnerships fighting invasive species. We have a national website (<http://www.fs.fed.us/invasivespecies>) available to the public which provides information and links to many other sites focused on invasive species. In 2006 we will host a national conference for managers and partners to improve our efforts and build capacity to combat invasive species.

In FY 2004 we treated over 100,000 acres for invasive weeds, greatly surpassing our goal of 67,438 acres. In FY 2005 our goal is to treat about 75,000 acres and indications are we will surpass this estimate.

### **SUMMARY**

Thank you for the opportunity to appear before you today. We are committed to making maximum use of our legislative authorities and policy direction in order to sustain the health, diversity and productivity of the Nation's forests and grasslands to meet the needs of present and future generation.

This concludes my statement. I would be pleased to answer any questions you may have.