



The Truth about Grazing in our National Forests

Why a categorical exclusion for grazing is unnecessary and could cause serious environmental damage

What the Categorical Exclusion Rider in S. 2804 does:

- **Seeks to require the Secretary of Agriculture to categorically exclude Forest Service grazing projects from the National Environmental Policy Act's (NEPA) environmental assessment and environmental impact statement requirements** if: (1) the current grazing management on the allotment is to continue; (2) monitoring indicates that current grazing practices meet or are moving toward objectives in the land and resource management plan; and (3) no extraordinary circumstances exist.
- **Could create a gaping NEPA loophole** by allowing current grazing management that is causing serious environmental problems to continue whenever the Forest Service declares the damaging practices are somehow “moving toward” what are typically very loose and general land and resource management objectives.
- **Would exacerbate existing and ongoing environmental damage.** Renewing, transferring, or issuing grazing permits without NEPA review would allow poorly managed and abusive grazing practices to continue degrading many resources on Forest Service lands. Forest Service review of grazing allotments under NEPA is critical to not only examine the environmental impacts caused by grazing, but also to consider mitigation measures and alternatives that could reduce those impacts. The rider's categorical exclusion attempts to eliminate the obligation to evaluate impacts of grazing allotments under NEPA.
- **Would sharply curtail the public's ability to participate in decisionmaking concerning grazing management on National Forest lands.** NEPA review of grazing permits is often the only means by which the public can learn about and have a voice in federal grazing decisions affecting the public's lands. As part of the NEPA review, the public is made aware of the environmental impacts that will result from the permit, as well as measures intended to mitigate those impacts. Categorically excluding grazing allotments on National Forest lands could eliminate public notice and opportunity to comment on agency decisions.

Myth: The Categorical Exclusion is needed to protect ranchers from eviction from Forest Service allotments due to the agency's failure to comply with NEPA.

Agency backlogs in complying with NEPA do not jeopardize individual ranchers or subject them to eviction. Congress has passed riders to appropriations bills for a number of years running that were designed to allow permits to be re-issued under the same terms and conditions if the Forest Service had failed to do the environmental review under NEPA.

Myth: This is no different than previous grazing riders on Interior Appropriations. Under the grazing rider in the FY04 Interior Appropriations bill, the agency was allowed a delay in NEPA compliance, but did not exclude any allotments from NEPA review altogether. This categorical exclusion goes much farther, and attempts to remove any requirement under NEPA.

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Myth: Many allotments don't need new environmental analysis since the management practices have not changed. Many allotments have NEVER had a single environmental analysis completed under NEPA. For thirty years—since NEPA was passed in 1969—thousands of allotments continued to be grazed without environmental analysis. It wasn't until the 1990s that the Forest Service began to apply NEPA to individual allotments, and it has only conducted environmental reviews on a small percentage of them. Under a categorical exclusion, many of these allotments may never have an environmental analysis. Poor grazing practices that damage natural resources could continue unchecked. The Forest Service and the Fish and Wildlife Service have recognized countless times that many allotments are being overgrazed and that the continuation of the status quo by no means indicates that the grazed lands are in good condition and the ecosystem is functioning properly.

Myth: If monitoring data indicates that current grazing practices meet or are moving toward management objectives, an environmental analysis is unwarranted. The truth is, in many cases, Forest Service monitoring data fails to account for most environmental impacts on grazing. Forest Service monitoring usually consists of counting livestock numbers and measuring precipitation, forage utilization, trends in vegetative species composition, and ground cover. According to scientists, 80% of streams in the arid West have been damaged by grazing, yet the Forest Service in most cases does not monitor stream health variables such as stream width, stream bank stability, stream shading, water temperature, soil compaction, soil permeability, rates of soil erosion, and water flow patterns. All of these measurements are important to fish and wildlife dependent on the stream ecosystem. Grazing damages streams by trampling the banks, removing stream vegetation, and polluting water with animal waste and bacteria. Furthermore, the rider does not clearly require that all applicable standards are being met, but rather that grazing is meeting or moving towards meeting forest plan objectives – standards that are themselves often extremely general and vague. Unless this language is clarified, it is conceivable that the Forest Service could evade NEPA review and invoke the categorical exclusion even on badly overstocked and overgrazed allotments because -- perhaps because of a single good rain year -- the overgrazing was not quite as severe the prior year.

The Forest Service should be held accountable to the American people.

Instead of excusing the Forest Service from doing its job and complying with the law, Congress should adequately fund the agency and require it to expeditiously complete the procedures and analyses required so that the Forest Service grazing program can come into full compliance with relevant laws, including NEPA. In June 2003, Under Secretary of Natural Resources and the Environment Mark Rey stated before the Senate Sub-committee on Public Lands and Forests, “By the end of 2002, the Forest Service has completed NEPA analyses on more than 2,300 of the 6,886 grazing allotments listed on the schedule...” A year later, before the same subcommittee, Tom Thompson, Deputy Chief of the National Forest System stated “As of February 2004, approximately 2300 allotments have NPEA analysis completed.” This testimony before the Senate reveals that no NEPA analysis had been completed over a 14-month time period. Environmental review of public lands grazing is clearly not a priority for the Forest Service. Congress should require the Forest Service to comply with the law and conduct environmental review in a timely manner, not waive the law and reward the agency for failing to do its job.

For further information, please contact:

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