



U.S. Department of the Interior
Bureau of Land Management

Bureau of Land Management Grazing Administration



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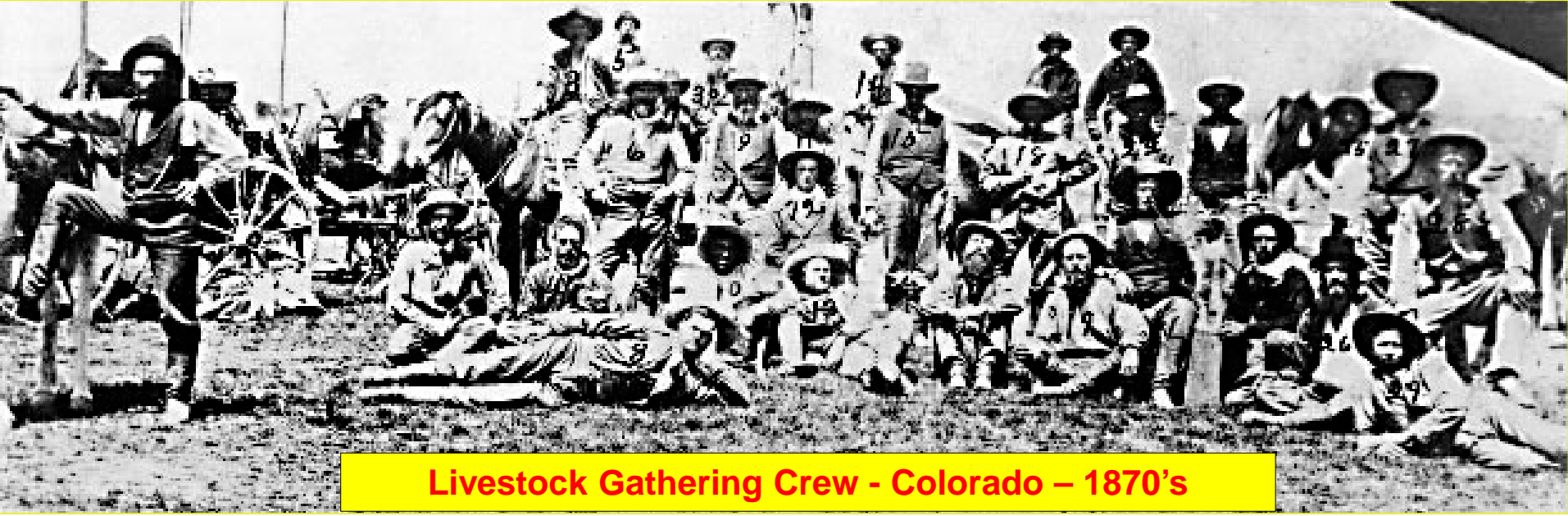
Grazing Administration

- Historical context
- Where we are today
- Relevant Acts
- Livestock grazing regulations
- Summary





Free for All: Late 1860's to 1870's



Livestock Gathering Crew - Colorado – 1870's

- The western U.S. range livestock industry boomed after the civil war.

“Go west,
young man,
and grow up
with the
country”

- Minimal start-up costs, **free forage** and **unregulated use** of land.
- Attractive investment for eastern banks & foreign venture capitalists.
- Post Civil War prosperity of eastern US created big demand for livestock products



Land Exploitation and Rising Tensions



- **“Free for all” led to overstocking and deterioration of the range**
- **Tension between cattle, sheep growers, homesteaders, and downstream communities whose watersheds were denuded.**
- **Sheepmen could roam at will - often across federal lands that cattle ranchers were counting on for seasonal forage needs.**
- **Cattle ranchers used deadly force to keep sheep from the public ranges**
- **Homesteaders began to settle on the lands - “crowding” the western stockman. As time went on, ranchers “homesteaded,” too.**



Taylor Grazing Act – 1934

“TO STOP INJURY TO THE PUBLIC GRAZING LANDS BY PREVENTING OVERGRAZING AND SOIL DETERIORATION; TO PROVIDE FOR THEIR ORDERLY USE, IMPROVEMENT, AND DEVELOPMENT; TO STABILIZE THE LIVESTOCK INDUSTRY DEPENDANT UPON THE PUBLIC RANGE, AND FOR OTHER PURPOSES.”

Sec. 1 authorizes the Secretary of the Interior to create “grazing districts” from public domain lands that in his opinion are “chiefly valuable for grazing.”

Sec. 3 authorizes bona fide settlers, residents and other stock owners to be issued grazing permits for up to 10-year terms within districts. Sec. 3 also provides that “those within or near a district who are landowners engaged in the livestock business, bona fide settlers, or owners of water or water rights... ” have first priority to receive a permit. Another term for the “first priority” is “preference.” Sec. 3 also authorizes a grazing fee.

Sec. 4 authorizes issuing permits or entering into “cooperative arrangements” to construct range improvements.

Sec. 15 authorizes issuing leases to graze public lands outside grazing districts.



Mid 1930's thru 1940's: Initial Adjudication of the Range

- Adjudication decisions supported by information provided on the permit application and/or as recommended by the “Board of District Advisors,” and/or through agreement between the Grazing Service and the applicant.
- Adjudicated **who, where, when and how much to graze.**
- “Where” (i.e. the allotment) and “when” (i.e. season and period) based almost entirely on the traditional and customary practices of the area.
- Regarding “who” (grazing permittee or lessee) and “how much” (livestock grazing capacity), there were two basic outcomes following an adjudication of forage amounts:
 - “Base Property Qualifications”
 - Public Land “Grazing Privileges”



Acts following the Taylor Grazing Act that influence livestock grazing Admin.

- Wilderness Act – 1964;
- National Environmental Policy Act (NEPA) -1969;
- Wild Free Roaming Horses and Burros Act – 1971;
- Endangered Species Act (ESA) – 1973;
- “Clean Water” Act (CWA) – 1973;
- Federal Land Policy and Management Act - 1976
- Public Rangelands Improvement Act (PRIA) -1978;
- Archeological Resources Protection Act (ARPA) – 1979;



Taylor Grazing Act 1934

- ... TO STOP INJURY TO THE PUBLIC GRAZING LANDS BY PREVENTING OVERGRAZING AND SOIL DETERIORATION; TO PROVIDE FOR THEIR ORDERLY USE, IMPROVEMENT, AND DEVELOPMENT; TO STABILIZE THE LIVESTOCK INDUSTRY DEPENDANT UPON THE PUBLIC RANGE, AND FOR OTHER PURPOSES.”

“...So far as consistent with the purpose and provisions of this Act, grazing privileges recognized and acknowledged shall be adequately safe-guarded, but the creation of a grazing district or the issuance of a permit pursuant to the provisions of the Act shall not create and right, title, interest, or estate in or to the lands.”



Federal Land Policy and Management Act 1976

The term "multiple use" means the management of the public lands and their various resource values so that they are **utilized in the combination that will best meet the present and future needs of the American people**; making the most judicious use of the land for some or all of these resources or related services over areas large enough to **provide sufficient latitude for periodic adjustments** in use to conform to changing needs and conditions; the use of some land for less than all of the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and nonrenewable resources, including, but not limited to, recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values; and **harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources** and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.



Federal Land Policy and Management Act 1976





Public Rangelands Improvement Act 1978

Sec. 2.(a)(1) "Vast segments of the public rangelands are producing less than their potential for livestock, wildlife habitat, recreation, forage, and water and soil conservation benefits and for that reason are in an unsatisfactory condition.

Sec. 2.(a)(6) "the Act of December 15, 1971 continues to be successful in its goal of protection wild free-roaming horses and burros from capture, branding , harassment, and death, but that certain amendments are necessary thereto to avoid excessive cost in the administration of the Act, and to facilitate the humane adoption or disposal of excess wild free-roaming horses and burros which because they exceed the carrying capacity of the range, pose a threat to their own habitat, fish, wildlife, recreation, water and soil conservation, domestic livestock grazing and other rangeland values:"



Livestock Grazing Administration



- Process and issue grazing permits and leases (permits)
- Monitor compliance with the terms and conditions in permits
- Communicate with permittees, other stakeholders
- Consult and coordinate with livestock operators to achieve resource condition objectives
- Issue bills for annual grazing use
- Process transfers of grazing preference



2017 Grazing Statistics

17,886 permits/leases

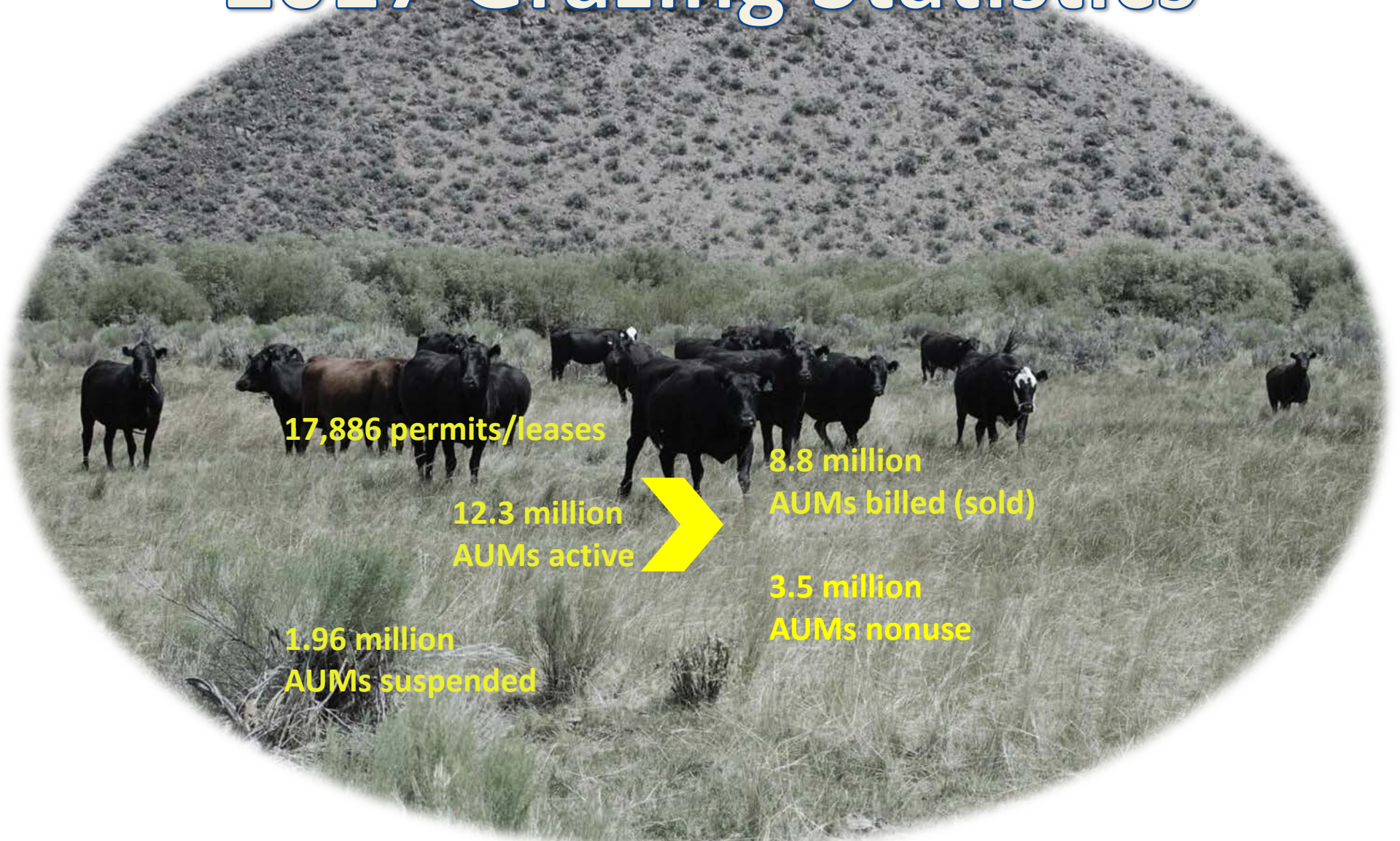
12.3 million
AUMs active

1.96 million
AUMs suspended



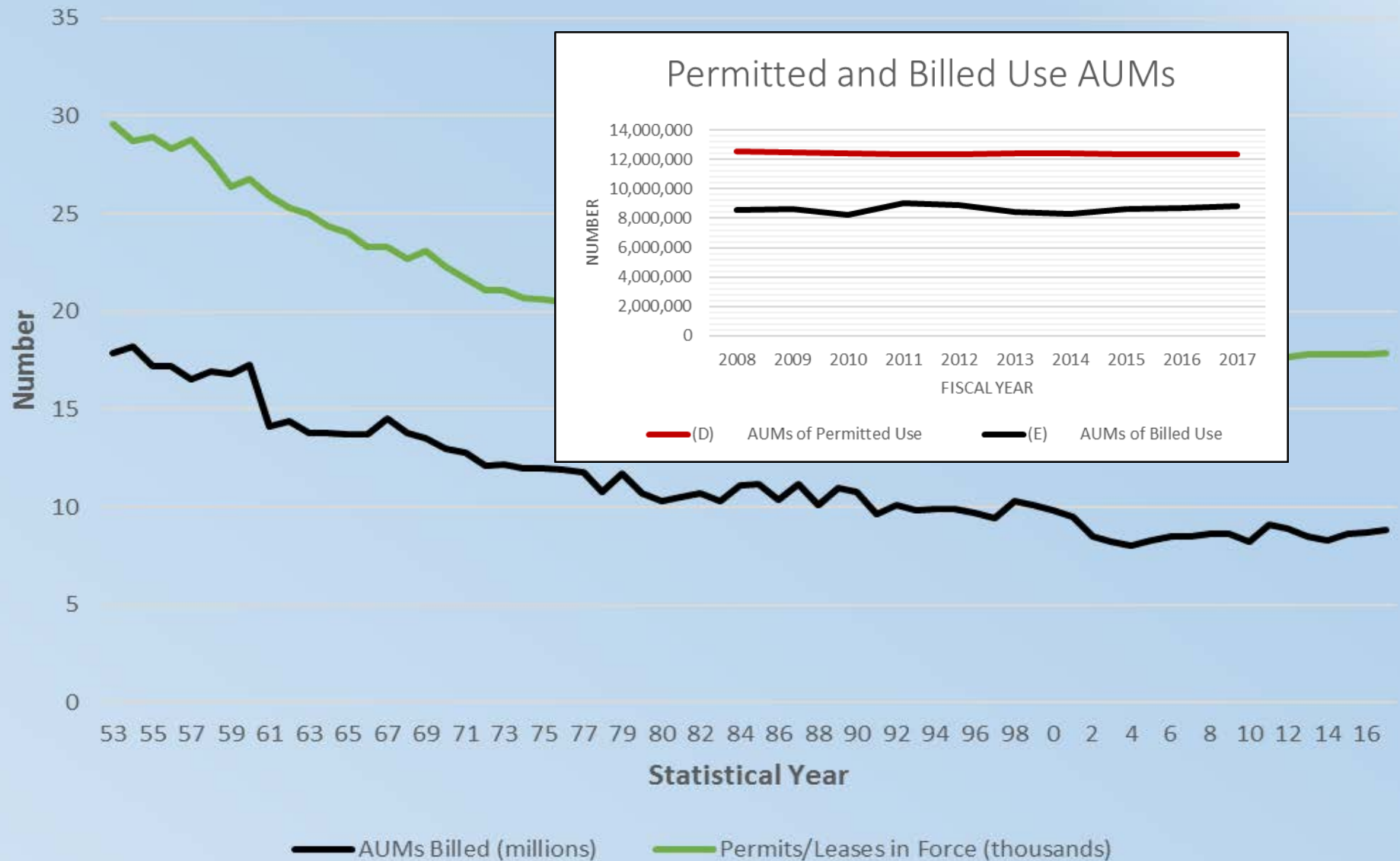
8.8 million
AUMs billed (sold)

3.5 million
AUMs nonuse





Number of Permits and Leases with Number of Billed AUMs 1953-2017





43 CFR 4100 Grazing Regulations(10-1-05)

- 4100.0-8 Land Use Plans: The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans.
- 4110.3 Changes in permitted use: The authorized officer shall periodically review the permitted use...and shall make changes as needed to manage, maintain or improve rangeland productivity, to assist in restoring ecosystems to properly functioning condition, to conform with land use plans or activity plans, or to comply with the provisions of subpart 4180 of this part.



43 CFR 4100 Grazing Regulations(10-1-05)

- 4110.3-1 Increasing permitted use: Additional forage may be apportioned to qualified applicants for livestock grazing use consistent with multiple- use management objectives.
- 4110.3-2 Decreasing permitted use: Permitted use may be suspended in whole or in part on a temporary basis due to drought, fire, or other natural causes... (b) When grazing use or patterns of use are not consistent with the provisions of subpart 4180, or grazing use is otherwise causing an unacceptable level or pattern of utilization, or when use exceeds the livestock carrying capacity



43 CFR 4100 Grazing Regulations(10-1-05)

- 4120.3–1 Conditions for range improvements:
 - (c) The authorized officer may require a permittee or lessee to maintain and/or modify range improvements on the public lands...
 - (d) The authorized officer may require a permittee or lessee to install range improvements on the public lands in an allotment with two or more permittees or lessees and/or to meet the terms and conditions of agreement



43 CFR 4100 Grazing Regulations(10-1-05)

- 4130.2 Grazing permits or leases:
 - Shall be issued to qualified applicants
 - Grazing permits or leases convey no right, title, or interest held by the United States in any lands or resources.
 - The term of grazing permits or leases authorizing livestock grazing...shall be 10 years...
- 4130.3 Terms and conditions: Livestock grazing permits and leases shall contain terms and conditions
- 4130.3–1 Mandatory terms and conditions: The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months, for every grazing permit or lease.



43 CFR 4100 Grazing Regulations(10-1-05)

- 4130.3–1 Mandatory terms and conditions (con't):
 - All permits and leases shall be made subject to cancellation, suspension, or modification for any violation of these regulations or of any term or condition of the permit or lease.
 - Permits and leases shall incorporate terms and conditions that ensure conformance with subpart 4180 of this part.
- 4130.3–2 Other terms and conditions: The authorized officer may specify;
 - Provision for livestock grazing temporarily to be delayed, discontinued or modified to allow for the reproduction, establishment, or restoration of vigor of plants, provide for the improvement of riparian areas to achieve proper functioning condition or for the protection of other rangeland resources and values consistent with objectives of applicable land use plans



43 CFR 4100 Grazing Regulations(10-1-05)

- 4130.3–3 Modification of permits or leases: ...the authorized officer may modify terms and conditions of the permit or lease...
- 4140.1 Acts prohibited on public lands. Persons performing the following prohibited acts related to rangelands shall be subject to civil and criminal penalties;
 - In violation of the terms and conditions of a permit, lease, or other grazing use authorization including, but not limited to, livestock in excess of the number authorized;



43 CFR 4100 Grazing Regulations(10-1-05)

- 4160.1 Proposed decisions: Proposed decisions shall be served on any affected applicant, permittee or lessee, and any agent and lien holder of record, who is affected by the proposed actions, terms or conditions, or modifications relating to applications, permits and agreements (including range improvement permits)
- 4180.1 Fundamentals of rangeland health: The authorized officer shall take appropriate action under subparts 4110, 4120, 4130, and 4160...upon determining that existing grazing management needs to be modified...



Summary (see 4100.0-2)

- The administration of livestock grazing by the Bureau of Land Management is to;
 - promote healthy sustainable rangeland ecosystems;
 - to accelerate restoration and improvement of public rangelands to properly functioning conditions;
 - to promote the orderly use, improvement and development of the public lands;
 - to establish efficient and effective administration of grazing of public rangelands;
 - and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands.
- These objectives shall be realized in a manner that is consistent with land use plans, multiple use, sustained yield, environmental values, economic and other objectives as stated in the Taylor Grazing Act and the Federal Land Policy and Management Act.



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Thank you for your time

