

1994

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### Recommended Citation

Babbitt, Bruce (1994) "Remarks to the Society of Range Management," *Land & Water Law Review*. Vol. 29 : Iss. 2 , pp. 399 - 406.

Available at: [https://scholarship.law.uwyo.edu/land\\_water/vol29/iss2/2](https://scholarship.law.uwyo.edu/land_water/vol29/iss2/2)

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# LAND AND WATER LAW REVIEW

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VOLUME XXIX

1994

NUMBER 2

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## Remarks to The Society of Range Management

**Bruce Babbitt**

**Secretary of the U.S. Department of the Interior**

Colorado Springs

February 14, 1994

I am pleased to join with the Society for Range Management to continue the discussion of grazing reform on public lands. As you know, the initial rangeland reform concepts publicized by the Department last August have been subjected to extensive debate and discussion, both within the Congress and in meetings held throughout the West. As a result of the many suggestions put forth in that process, the Department has made substantial modifications in the original proposals and is now preparing draft regulations for issuance in early March.

### HISTORICAL CONTEXT

At the outset, before turning to regulatory changes, I would like to express some personal perspectives on the issue of rangeland reform. I was raised in a ranching family in Northern Arizona. As a child, I spent many Sunday afternoons out on the range with my Grandfather—then in his eighties—listening to him worry about the condition of the cattle, pulling up loco weed, and scanning the skies for the first sign of summer rains. Like many ranchers I know, he was sparing with words, but he would occasionally reminisce about the old days. He arrived in the empty

expanses of Arizona in the early spring of 1886, filed on a homestead in Clark's Valley and devoted his life to building a great ranch, always reinvesting his money to improve the herd and acquire land, living so simply that even as a widower in his eighties, he lived alone in a tiny walk-up apartment cluttered with saddles and Navajo blankets.

I learned on those Sunday afternoons how he had developed a gravity system to bring water more than 20 miles from Cedar Ranch to the SP pasture and beyond to the winter headquarters at Spiderweb. His efforts to fence pastures and to develop water made it possible to spread cattle more evenly across the range. He was proud that his range was in much better condition than in the old days of the open range, and he always expressed his hope that the CO Bar would stay in our family for generations to come.

Last year I sold out my share of that ranch in order to become Secretary of the Interior. But my brothers and cousins still own and manage the CO Bar, and they are working together to protect and improve the land for the next generation of ranchers.

It is for all these reasons that I have expended an extraordinary amount of time over the past year, seeking to find common ground and new ways of bringing westerners together to find a new equilibrium in the form of a strong livestock industry, flourishing within vigorous healthy landscape ecosystems. I want to help preserve the range for future generations of ranchers.

In recent years, the antagonisms between ranchers and environmental advocates have escalated sharply, increasingly dividing the West against itself. And this trend bodes ill for all of us, for in the absence of Western consensus, the making of Federal rangeland policy will inevitably drift outward to other regions and other groups.

Therefore, I believe that one of the core issues of rangeland reform is the process by which we make decisions. We must make a greater effort to involve the public and interest groups here in the West in decision-making and consensus-building. And that in turn requires some discussion of how we have been making decisions in the sixty years since passage of the Taylor Grazing Act.

The Taylor Grazing Act, enacted in 1934, explicitly recognized the importance of grazing in the local economies of the West. Congress directed the Secretary of the Interior to work closely with western livestock groups. In response, Secretary Ickes and Farrington Carpenter, the Coloradan who became the first head of the old Grazing Service, established Grazing Advisory Committees—elected by stockmen themselves—to establish allotments and to participate in the writing of regulations.

In the context of those times, the Grazing Advisory Boards were a pretty fair approximation of rangeland democracy. Except for antelope hunters and an occasional geologist looking for oil, no one had any interest in all that unwanted leftover land. However, in the years after World War II, new residents with different interests and concerns began settling in the West, and this "closed shop" model of range management by permittees and the BLM came under increasing scrutiny and criticism. Spurred by national environmental groups, Congress in 1976 passed the Federal Land Policy and Management Act (FLPMA) which terminated the Grazing Advisory Boards and established a more broadly representative institution—the District Advisory Council—to be appointed by the Secretary "from among persons who are representative of the various major citizen's interests concerning the problems relating to land use planning or the management of the public lands located within the area . . . ."

In 1985, however, the Department of the Interior took a step back and resurrected the Grazing Advisory Boards that had been abolished by the Congress in the FLPMA legislation. So the Grazing Advisory Boards are still with us. But I am advised by the Solicitor that these boards are probably functioning without legal sanction for a couple of reasons. First, at least one court has ruled that the Secretary cannot flaunt the will of Congress by turning around and recreating committees that were terminated by Congressional action. Second, and more importantly, these closed shop "rancher only" committees are functioning in clear violation of the Federal Advisory Committee Act which requires that all advisory committees have broad public membership. Moreover, in some areas, the Grazing Advisory Boards have operated in open defiance of the spirit of Federal law—for example, in one state, the committees have used the state share of federal range improvement funds to hand out cash grants to stockmen and to pay lawyers to file lawsuits against regulatory agencies.

The time is at hand, then, to honor the will of the people as reflected in FLPMA and to abolish the Grazing Advisory Boards.

Meanwhile, outside these old committee structures, an entirely new form of rangeland policy making is taking root in many parts of the West. These new groups bring together ranchers, environmentalists and interested citizens to meet over coffee at the kitchen table and out on the range to listen to each other, to develop mutual confidence and to search for consensus in solving public land issues. These groups are as spontaneous as a pick-up basketball game, and they are as diverse as the western landscape in which they are taking root. In eastern Oregon they call themselves the Trout Creek Mountain working group; in Colorado, the Gunnison Group and the Owl Mountain CRM; in Wyoming, the Sun Ranch CRM. There is a similar

group at work in my hometown involving members of my own family. These groups are the true successors to the old Taylor Grazing Act committee of the 30's, for they are reinventing the old idea of local participation to fit the new realities of the American West.

#### COLORADO ROUNDTABLE

Last December, Governor Romer of Colorado brought a group of ranchers, environmentalists and citizens together around his conference table to hear from these local groups and to see if there are lessons that could be incorporated into rangeland reform. I attended an early session of the governor's working group and was so encouraged that I agreed to return to Colorado for weekly meetings stretching across December and January.

The participants—about sixteen in all—included such diverse representatives as Reeves Brown, Executive Director of the Colorado Cattlemen's Association; Ken Spann, Chairman of the Public Lands Committee of the National Cattlemen's Association; Maggie Fox from the Sierra Club and Tom Dougherty from the National Wildlife Federation. As the discussion proceeded, I noticed how the participants gradually began to listen to each other rather than misstating opposing positions. I sensed a gradual increase in confidence levels and a shift, under the good-natured but firm prodding from Governor Romer, toward the question "How can we accommodate the needs of not one, but all sides?" I knew that the process was really working when we took up the so-called five year permit proposal. The ranchers pointed out that reducing the permit from the present term of 10 years would make it much harder to get bank financing, and they illustrated their point with specific examples. Environmentalists agreed that such was not their intent: their real concern was proper enforcement of permit conditions, to which the ranchers responded, "Then let's talk about enforcement measures rather than sidestepping that issue by arguing about permit tenure." We moved on to a productive discussion and all participants eventually agreed that permit tenure should be retained at 10 years. That is a recommendation that I will follow.

As the weeks went by, I began to realize that the Romer working group was itself an example of the new, participatory, consensus building style that is arising throughout the West. The draft regulations, which the Department is about to issue, will incorporate the governance ideas in the Colorado report. I gratefully acknowledge the extensive investment of time, resources and leadership by Governor Romer in producing the Colorado Report. Senator Campbell's attendance and assistance were also instrumental.

I believe that the time is now at hand for the Bureau of Land Management to listen carefully to the changes taking place out on the land in this new West and to make fundamental changes, casting off the "closed shop" practices of the past and moving to embrace a more open, diverse and public style of rangeland policy formulation.

#### MULTIPLE RESOURCE ADVISORY COUNCILS

The beginning point for a new rangeland advisory structure is the District Advisory Committee presently required by FLPMA. The Federal Land Policy Management Act requires that members of the District Advisory Council be appointed "from among persons who are representative of the various major citizen's interests concerning the problems relating to land use planning or the management of the public lands located within the areas." This somewhat general mandate has not been effectively translated into the truly diverse and effective representation that Congress intended. In many Districts the Councils have been weighted toward commodity producers at the expense of broader public participation. In no case has there been any attempt to involve Governors, interest groups and the public in identifying and nominating outstanding men and women for the Council memberships.

Therefore, the first objective of the new governance provision in the draft regulations will be to assure balanced representation of all the diverse groups and interests that have a legitimate stake in the administration of public lands. The regulations will set up three categories of representation as follows:

1. One third of the membership of the Resource Advisory Council will be representatives of commodity-producing industries within the district, including grazing, mining and timber.
2. One third of the membership will be representatives of bona fide environmental, conservation and sportsmen's groups.
3. One third of the membership will be selected from public land users, state and local officials and members of the public who are not primarily advocates for commodity users or environmental groups. This category could include, for example, a representative from the state game and fish agency, a local elected official, a range management specialist and a member representing recreational users of public lands.

The draft regulations will invite nominations for Council membership from all interested individuals or organizations and will require the Secretary to consult directly with the Governor of the state to review proposed appointments.

These Councils will be called Multiple Resource Advisory Councils. They will be encouraged to operate by consensus to the maximum extent feasible. These Advisory Councils will be charged with the full advisory function set out in FLPMA to “furnish advice to the Secretary with respect to the land use planning, classification, retention, management and disposal of public lands within the area . . . .” The Council will also be charged to advise the Secretary with respect to such rangeland issues as the preparation of allotment management plans and the allocation of range improvement funds.

We want to empower the Councils to be more than mere advice providers. The Councils will have the authority under our regulation to petition directly to the Secretary if they believe their advice is not being followed. The Secretary must respond within 30 days.

#### RANGELAND RESOURCE TEAMS AND TECHNICAL REVIEW TEAMS

In the course of meetings held in Colorado under the leadership of Governor Romer, the working group also recommended that the regulations incorporate an option for Rangeland Resource Teams, modeled on the experience of the new working groups to encourage good stewardship, to work toward collaborative solutions and to provide information and recommendations to the Resource Advisory Councils.

The draft regulations will incorporate this recommendation by allowing the establishment of the Rangeland Resource Teams—appointed by Resource Advisory Councils—which would have five members: two permittees, one environmental representative, one member representing wildlife and recreation interests and one at-large community representative. These Teams may be created at the BLM Area management level, or may operate over a smaller area if desired.

The Rangeland Resource Team is intended to bring local interests together in a consensus-building mode to develop cooperative approaches to solving specific on-the-ground range issues. The Rangeland Resource Teams will be empowered to provide recommendations to the Multiple Resource Advisory Councils for their consideration. The regulations will also authorize the Multiple Resource Advisory Councils to create, on an

ad hoc basis, Technical Review Teams to investigate and develop proposed solutions to specific resource issues which may arise in the local area.

The creation of Rangeland Resource Teams, and the use of Technical Review Teams is a new departure in the continuing development of range regulation. At the outset, I anticipate that Rangeland Resource Teams will be the exception rather than the norm, and that it will be necessary to make adjustments as these concepts take hold in the Western landscape. Some of these groups will probably fail. But I am certain that many will succeed, and I am equally certain that rangeland management cannot succeed in the long run unless it is backed by increased communication and consensus-building among all the stakeholders, especially those who live in the West.

#### CONCLUSION

With the creation of these advisory and participation structures, the Department acknowledges that, given the tremendous diversity of climate, precipitation, soils and plant communities within the vast expanses of the Intermountain West, range management and regulation must be moved closer to the land. Gifford Pinchot, a founder of modern range management, put it this way back at the turn of the century: "Wise administration of grazing . . . is impossible under general rules based upon theoretical considerations. Local rules must be framed to meet local conditions and they must be modified from time to time as local needs may require."

Sixty years ago, or even twenty years ago, these concepts—which will guide a new chapter of rangeland reform—might not have worked. Back then the West depended almost exclusively on commodity production. Flagstaff, where I grew up, was a town where life centered around shift changes at the sawmills, spring roundup and fall shipping. There weren't any environmental advocates, at least as that term is commonly used today. In those days, it was perhaps inevitable that national sportsmen, conservation and environmental groups looked exclusively to Washington to advocate for their interests.

Today, however, the West is a different place. Flagstaff is now a community where ranchers, loggers and miners mingle with river guides and scientists who work for hi-tech manufacturers. Similar changes are occurring all over the West. You no longer have to go to Washington or New York to find skillful environmental advocates; you can find them right next door.



My wager, which will be reflected in the draft regulations, is that in the New West, the stakeholders—in all their diversity—can come together and forge a new consensus for public land management. For we are neighbors, we grew up and went to school together, shared outdoor experiences that shaped our lives, and we all know that the West is a better place for having both a strong livestock industry and a healthy environment.