

Committee on Resources, Subcommittee on National Parks, Recreation, & Public Lands

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U.S. House of Representatives, Washington, D.C. 20515-6207 - - (202) 226-7736

Witness Statement

Statement by the
NATIONAL CATTLEMEN'S BEEF ASSOCIATION
and PUBLIC LANDS COUNCIL
on H.R. 1462 The Harmful Nonnative Weed Control Act of 2001
Submitted to the
House Resources Committee
Subcommittee on National Parks, Recreation and Public Lands
The Honorable Joel Hefley, Chairman
by
Mr. Bob Skinner
Jordan Valley, Oregon
June 19, 2001

Chairman Hefley and Distinguished Members of the House Resources Committee:

On behalf of the National Cattlemen's Beef Association (NCBA), the trade association of America's cattle farmers and ranchers, and the marketing organization for the largest segment of the nation's food and fiber industry, and the Public Lands Council (PLC), a non-profit organization representing over 27,000 federal grazing permittees, thank you for your interest in my comments concerning very important matters to me, weed eradication and H.R. 1462. I appreciate the opportunity to express my concerns about the war currently being waged on weeds across the West and in my own backyard.

I am a fifth generation rancher from Jordan Valley, Oregon, a small community in southeastern Oregon close to the Oregon/Idaho border and approximately 100 miles southwest of Boise, Idaho. I have resided on and operated my family ranch for over 50 years. I am a member of NCBA, the PLC and the Oregon Cattlemen's Association (OCA). I serve on NCBA's Board of Directors for the Policy Division and as President-elect for OCA. I am speaking today in support of H.R. 1462 as a rancher, a citizen and as a member of these organizations.

I am here today to discuss my experience and share some observations about harmful nonnative plants. I would also like to share my thoughts on H.R. 1462. Hopefully my comments will provide some insight into our country's weed problem.

The spread of weeds is a matter of grave concern to me. My family owns over 10,000 deeded acres and leases well over 30,000 acres from the Bureau of Land Management (BLM) on which we graze livestock. Therefore, I have a vested interest in the health of my own land as well as the land surrounding my private acreage.

Members of the Committee, we are fighting a war out West. A war that in many places has already been

lost. The enemy in the war I am speaking about is weeds. I am currently fighting new invasions of leafy spurge, yellow starthistle and pepperweed. These weeds are like cancer. Once we are invaded, there is a certain point where treatment becomes futile. However, if we treat the cancer early in the process our chances of winning greatly improve. We absolutely have to strike now or we will continue to lose huge masses of this nation's land resources. Recovery will be extremely expensive, if recovery is at all possible.

I am a federal lands rancher and like my 27,000 counterparts, face major weed problems. Some ranchers face weed problems that cannot immediately be solved. Others face problems that can at least be fought to a standstill. Nonetheless, the majority of us are facing severe problems that require urgent action. These ranchers and farmers lease federal land managed by the BLM or the United States Forest Service (USFS). We use this land to graze cattle, horses, sheep or goats. Livestock, namely sheep and goats, may consume noxious or invasive weeds and can be used as an effective tool in weed management. However, for the most part, cattle, wild horses and burros, and wildlife do not consume noxious weeds except only when other native forage is not available. Some weeds, such as the yellow larkspur, tansy ragwort, and locoweed, can be harmful or even lethal if consumed. Leafy spurge can cause irritation of the mouth and digestive tract of cattle and wild ungulates and may even result in death.

In spite of all these dangerous weeds, I am not here today to discuss the health hazards of weeds to animals. I am more concerned about the impact of weeds on ecosystems and the environment. It is absolutely imperative for the sake of our resource dependent industry, wildlife, wildlife habitat, endangered species, native plants, watersheds and the entire ecosystem that we act now.

I have lived in Jordan Valley for over 50 years and I have never seen a threat as severe I am witnessing now. In many areas of the West, weeds have completely consumed vast areas of federal land. The federal government is the major landowner in my home county. As the major landowner, the government must do their part or all landowners' efforts are fruitless. If the government wants to own land, it has to take responsibility for managing it properly.

For example, the Malheur National Wildlife Refuge (MNWR) is the largest national wildlife refuge in the United States and completely overrun by pepperweed. The MNWR is approximately 60 air miles west of my ranch. Pepperweed can grow up to six feet tall and in extremely dense growth resulting in the destruction or diminution of wildlife habitat. It shocks the conscience to see this wildlife refuge being destroyed by pepperweed and other nonnative weeds. I find it ironic where the government has set aside land to preserve and enhance wildlife and wildlife habitat, the government's failure to address the weed problem has destroyed the very purpose the refuge was set aside to accomplish.

Furthermore, pepperweed on the MNWR, or anywhere else, is particularly problematic since it produces a waterborne seed. Pepperweed is now spreading onto contiguous lands via any available watercourse. In effect, pepperweed on the MNWR is a source of infestation for lands downstream from this wildlife refuge. Whatever occurs on the MNWR affects all the surrounding landowners, whether they are private individuals or the state or federal government. The spread of pepperweed is not just restricted to contiguous landowners, the entire watershed is now affected. No matter what landowners downstream try to do, they are constantly susceptible to new invasions. Now, pause for a moment and imagine this scenario played out across the entire West. As I stated earlier, we must declare war on these invaders.

I have been involved in fighting weeds for a number of years now. I became more aware of the significance of the weed problem when former Secretary of the Interior, Secretary Babbitt, appointed me to serve on our local Resource Advisory Council (RAC). The weed problem was one of the most important issues our RAC

faced. The BLM provided field tours for the RAC with the intent of examining the weed problem. While the BLM appears willing to address the weed problem they are severely lacking in manpower and financial resources to complete the task. More funding is needed, more manpower is needed, and more collective effort is needed.

Recently, our RAC had the opportunity to tour Hell's Canyon National Recreation Area (HCNRA). Hell's Canyon spans the Oregon and Idaho border and is located north of Boise. The BLM offered to take members of our RAC on a boat tour of the area to see first hand one of the worst invasions by a nonnative weed in the West. What we witnessed was a sobering sight, all we could see were thousands of acres of yellow starthistle from canyon rim to canyon rim. This weed-infested landscape extended for mile after mile. Yellow starthistle is a horrible weed and can grow to three feet tall and contains very sharp thorns. It grows very thick, chokes out almost all competing plants. Walking through it requires snakeboots, leather pants or the equivalent to be protected from its vicious spines. This weed is dangerous to wildlife, livestock or anything attempting to consume it. Wildlife or livestock will not eat this plant due to its viscous thorns. What used to be an area of breathtaking beauty is now overcome with an ugly scourge. The topography restricts aerial spraying and in a lot of areas, even hand spraying. Hell's Canyon is just another example illustrating what can happen if strict and effective control is not extended early in the process.

I have also become more engaged with our local weed organization, the Malheur County Weed Advisory Board. This Board consists of seven members appointed by the County Court. The Board's purpose is to assist county citizens in controlling and eradicating noxious weeds in the county. Malheur County also has a County Weed Inspector. These people have been a great resource in identifying weeds, determining the best control measures such as spraying, chemicals, organic methods and identifying the best time to treat the weed. So far, this practice has worked well.

Considering demographics, Malheur County is a very large county. The county is the state's second largest in total acreage. It is 94 percent rangeland, two-thirds of which is controlled by the BLM. Malheur County is also one of Oregon's most rural counties with only about 28,000 residents. Furthermore, most of these residents rely on agriculture in some fashion such as growing, processing, packing or other business supporting agriculture. Irrigated fields in the county's northeastern corner, known as Western Treasure Valley, are the center of intensive and diversified farming. With such a large dependence on agriculture, weeds pose a major threat to the economic well-being of Malheur County. Thus, weeds and weed management are of vital importance to my agriculture-dependent county.

Since Malheur County is a rural county and heavily dependent on agriculture, you can imagine the pressures the Malheur Weed Advisory Board and County Weed Inspector face. Weeds have no regard for economics, heritage, public or private land, livelihoods or any type of boundary. Noxious weeds will continue to spread and place added pressure on the residents of Malheur County, the Weed Board and the Weed Inspector. The same holds true for almost every other rural county throughout the West.

As I stated before, luckily our Weed Board has been somewhat successful in stemming the invasion of noxious weeds. However, we are fighting a losing battle. In fact, I recently noticed new colonies of leafy spurge in areas that were completely free of this nonnative noxious weed. Soon, our Weed Board will not be able to handle all the demands for assistance. Without further economic assistance, our Weed Board and County will not be able to cope with the assault upon the county by weeds. The bottom line is that more funding and resources must be devoted to battling noxious weeds.

Weeds are a major problem out West. They threaten the livelihood of western communities, county

infrastructure, the rural landscape and our range resources. Action needs to be taken soon. I am pleased to finally see a mechanism to assist localities in the battle against a ubiquitous and persistent enemy. H.R. 1462 is that mechanism. I support this bill and would like to see its passage. H.R. 1462 is a good start to help our war against weeds. I do have some concerns, however, and also some praise for the bill. I will also provide my recommendations on how we can improve the bill.

First of all, I like the emphasis on local participation required by this bill. Effective weed management cannot take place without the input of local citizens. When you are fighting a weed problem you will find that landowners and interested citizens will be more than willing to do whatever can be done to defeat the invasion or control the spread. Providing funds at the local level in order to battle weeds on federal or private lands is much more efficient and effective than anything federal agencies can perform. I am not saying that federal agencies cannot perform the task, currently the BLM and USFS simply lack the manpower, resources and budget to undertake the necessary countermeasures against weeds.

Every year the BLM and USFS are appropriated funds specifically for fighting weeds. For fiscal year 2002, the USFS plans to target 85,000 acres for noxious weed control while the BLM plans to treat 245,000 acres. I am sure that weed infestation on federal lands far exceeds the number of acres these agencies plan to treat. In fact, the number of acres these two agencies plan to treat are rather paltry considering that the USFS manages approximately 192 million acres, an area larger than the state of Texas. The BLM manages over 264 million acres, or about one-eighth of the U.S. land mass. This means that the USFS is only treating approximately one out of every 2,300 acres. For the BLM, roughly one out of 1,100 acres will be treated. Numbers do not lie and these figures speak volumes on the need for more resources and activity in weed management by these two federal agencies.

In comparison, my home county, Malheur County, covers 9,926 square miles. With one square mile equaling 640 acres, Malheur County consists of 6,352,640 acres. The BLM's and USFS's planned treatment could not come anywhere close to covering my county. There are 36 counties in Oregon and the USFS and BLM could expend their entire planned treatment acreage in Oregon and not even make a dent in the weed crisis. This lack of focus on weed management on federal lands boggles the mind that more effort has not been extended to address the weed problem. Again, imagine this scenario repeated for every rural county across the West. My county and the state of Oregon are not alone in this predicament.

Fortunately, the majority of rural counties have weed advisory boards or weed management entities. Currently, most of these weed management entities obtain funding directly from the state with some funding coming from the county. Since my county has a weed management entity that would be eligible for funding under this bill, I hope to see this bill pass. Nonetheless, most counties' resources are limited with most of the work being completed by individual landowners. Moreover, most of these weed groups are not allowed to extend any management effort to federal lands. In counties with high percentages of federal lands, most of the management activity is restricted to controlling weeds on rights-of-way. We need to extend these management efforts onto federal lands in order to obtain results and to finally gain some control of our country's weed problem. Only when we can achieve cooperation and collaboration with the federal agencies, state agencies and local weed control groups will we see results.

The above statistics and the necessity for more effort on federal lands signify the importance and need for H.R. 1462. As good as this bill is, I believe that the bill can be improved. For instance, the bill limits the federal cost share of any financial award to 50 percent. I believe that when we are confronted with a severe invasion, we must divert as many resources to the problem as possible. I would like to see a provision that allows an increase to a maximum of 100% of the federal share to meet the need. We must extend all

available resources if we really want to see success. Such a provision already exists in the bill under Section 7(b) (C)(ii). Placing a similar provision under the financial awards section can only improve this bill.

I am also concerned with Section 7(d)(3)(B), titled "Multiple States." As I have stated previously, weeds know no boundaries and I live near a state line. Does Section 7(d)(3)(B) mean that my weed management group cannot treat weeds straddling the Oregon and Idaho border? What about other citizens, ranchers or groups in the same situation? Geographic location should not be a restriction to receiving any funding in this bill. Many areas in the West are considerably remote with the only access being from a neighboring state. Federal agencies realize this and often one jurisdictional district extends into another adjoining state in order to facilitate administration and management. To facilitate weed control and improve the bill to achieve the H.R. 1462's goals, Section 7(d)(3)(B) must be removed.

Perhaps my biggest concern with H.R. 1462 is the lack of National Environmental Policy Act (NEPA) exclusion language. In my area, the BLM is constantly under attack by radical obstructionists for undertaking any management decision, irregardless of whether the decision will actually benefit the environment, ecosystem, riparian area, habitat, or endangered species. Radical obstructionists initiate these attacks and seek to stop or at least hinder any action planned by the BLM. The result is that problems or issues that require immediate action are suspended or delayed leading to more environmental degradation, increased cost and overall frustration. My problem here is not with environmentalists per se, but with radical, obstruction-minded environmentalists. Delays caused by radical obstructionists, while proclaiming to save the environment, essentially destroy the very environment we are trying to protect. A NEPA exclusion will demonstrate to the world Congress's commitment to protect our natural resources from weeds.

I have worked with many environmental groups and most are rational and favor decisions and activities based on sound science devoid of political maneuvering. In fact, this very bill has the support of The Nature Conservancy (TNC). TNC has worked diligently with NCBA and PLC staff to help bring this bill to fruition. I sincerely applaud TNC's efforts on this bill. This type of combined effort between industry and conservation groups is the kind of effort that can only bring positive results.

In closing, NCBA and PLC support this bill. H.R. 1462 provides the funding necessary to help wage the war against weeds on private, state, and federal lands. The BLM and USFS do not have the capacity to adequately address the weed problem. This bill directs funding where resources are needed the most--at the local level and on the ground. We need a collaborative and cooperative approach with more federal funding directed to problems on the ground. We need this bill to stem the tide of the harmful nonnative weed invasion. Otherwise, we will lose more habitat to weeds. Unless we act soon, rangelands will continue to disappear and continue to be inundated with weeds. Moreover, wildlife will be forced to move off of public lands onto private lands resulting in more human/wildlife conflicts.

Thank you Mr. Chairman for the opportunity to visit with you and the House Resources Committee today. I look forward to further discussion on weeds and weed management. We need to take action, immediate and tough action to control the weed problem in order to preserve our environment, wildlife habitat and our range resources. I will be happy to answer any questions you or Members of the Committee may have.

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