



Testimony of

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On behalf of

7H Ranch

Oregon Cattlemen's Association

National Cattlemen's Beef Association

Public Lands Council

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The State of Wildlife

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Introduction

Chairman Huffman, Ranking Member McClintock, and members of the Subcommittee, thank you for inviting me to testify today on the state of wildlife. My name is Rodger Huffman and I am a rancher from Union, Oregon. I am honored to be running cattle on land my grandfather put together long ago, alongside my son and grandkids. While the operation is small by some standards, it means the world to our family.

In addition to my experience as a cattle producer, I also worked for the Oregon Department of Agriculture for 31 years. During most of that time I managed all of the animal programs, which I did for over 15 years. This included all of the predator management programs.

I am here today testifying on behalf of the Oregon Cattlemen's Association in my role as Chairman of the Wolf Committee, as well as on behalf of the National Cattlemen's Beef Association, the Public Lands Council, and my family ranch.

Ranching provides innumerable benefits to wild animals of all kinds. While today I will be speaking to my experience raising cattle in the West, my fellow cattlemen across the United States have similar conservation success stories to tell.

The Role of Ranching in Wildlife Management

Federal and state wildlife managers have no greater ally in the effort to conserve America's species than ranchers. As the largest bloc of non-governmental land managers, livestock producers care for over 666.4 million acres of private and public land, a third of the U.S. landmass and home to many species of wildlife. Unlike state and federal managers who are only in place for a short time, ranchers steward these landscapes for generations – in most cases spanning centuries – and provide a myriad of benefits to wildlife from the iconic big game species to migratory birds.

One of the greatest threats to wildlife, particularly such sensitive species as the Greater Sage-grouse, is wildfire.¹ According to the National Interagency Fire Center (NIFC), wildfires in 2018 consumed nearly 9 million acres in the United States – over 897,000 of which were in my home state of Oregon.² Of that 9 million acres, over 2 million were habitat for the Greater Sage-grouse.³ Part of being good stewards is being prepared to adapt to immediate pressing needs. Ranchers in Oregon, primarily in Sage-grouse habitat, have dedicated themselves to quick and effective response to wildfire outbreaks. Rural Fire Protection Associations (RFPA) have been created by ranchers to quickly and effectively keep small fires small, which greatly aids sage grouse. The equipment used is local and all the man-hours to do these quick attacks are volunteered.

¹ Budeau, David A., et al. (2018). Greater Sage-grouse Vital Rates After Wildfire. *Journal of Wildlife Management*, 14.

² National Interagency Fire Center. (2019). *National Report of Wildland Fires and Acres Burned by State*. Boise: NIFC.

³ National Interagency Fire Center. (2019). *2018 Fires Burned in Greater Sage-grouse Habitat*. Boise: NIFC.

In the West, invasive cheatgrass (*Bromus tectorum*) is the primary fuel for these range fires. Early and late season grazing in cheatgrass monocultures helps to reduce the presence of this highly combustible fuel, and in turn reduces the risk of wildfire and its devastating effects. The Bureau of Land Management (BLM) has recognized the value of livestock grazing and is working to implement it as a fuels-reduction tool in their Targeted Grazing and Outcome-Based Grazing programs. NIFC estimates its average fuels management costs at \$150 per acre, using methods such as prescribed fire, herbicide application, and manual removal. This same service is provided by livestock at virtually no cost to the taxpayer. Great success has been seen in the areas where these programs have been piloted, but more work is needed to increase flexibility for grazing permittees to replicate these results range-wide.

Ranchers also perform critical range improvements which benefit the native fauna. On private lands as well as federal grazing allotments, wells are drilled, watersheds are restored, and treatment of invasive species are performed at no expense to the taxpayer and directly out of the rancher's pocket. For example, on our lands we constantly treat invasive species to keep our native grasses and stop the spread of non-native annuals. We also limit access to sensitive stream banks and use water gaps for stock water.

The Private-Public Partnership

Cooperation between government agencies and private property owners is critical in wildlife conservation. As one of the original private-public partnerships, grazing has been used to achieve land management goals that provide ecosystem services well beyond the range. Ranchers have enjoyed good working relationships with their federal partners across several agencies at the Department of the Interior and the Department of Agriculture. However, a partnership only works if it benefits both parties involved and there is mutual respect. All too often, federal regulations crafted by personnel in Washington, DC are inconsistent with the landscape-scale conservation needs on the ground. This results in mandates which are rarely in-line with the site-specific conservation needs on the ground and compliance costs which are unnecessarily burdensome to landowners.

It is critical that conservation plans work for both the landowner and the species involved because the alternative is far worse for the wildlife. As is all too often the case when ranchers are regulated out of business, the vast lands which they once managed are sold in parcels for development or sectioned off into small-acreage ranchettes – effectively eliminating what was once open space and valuable wildlife habitat.

The Need to Modernize the Endangered Species Act

Perhaps the best example of failed implementation of federal conservation efforts is the Endangered Species Act (ESA). While well-intended when first passed by Congress in 1973, the ESA has devolved into backwater of marooned species and ballooning listing rates. All too often, litigation forces the prioritization of listings over true recovery.

If the ESA functioned properly, at-risk species would be placed under protection, managed back to recovery, and then taken off the list. Unfortunately, the reality is much different. A mere two percent of species placed under ESA protection have recovered to the point of meriting delisting.⁴ It is hard to imagine such a dismal success rate being accepted in any other field. Yet the ESA in its current form is touted by some as a perfect conservation tool and any efforts to reform or modernize the program are often met with claims that lawmakers want to “gut” the ESA.⁵

The species and ecosystems we all cherish pay the price for the ESA’s ineffectiveness. But American taxpayers do as well. Federal land management agencies find themselves under tremendous strain from an endless cycle of lawsuits and procedural delays. Real recovery takes a backseat to risk-averse strategies designed to avoid litigation. The administrative burden also takes precious time and resources away from true conservation efforts.

The ability of all stakeholders to engage in the ESA process should be celebrated, but some have found ways to exploit the process. Rather than being used to correct an issue or protect an at-risk species, lawsuits and listing petitions become the objective in and of themselves. Common-sense modernization of the ESA would help streamline this process and return the focus of our federal officials to wildlife management and genuine species recovery.

Stakeholders from across the political spectrum recognize the need to modernize the ESA, which has not undergone any serious revisions since its inception. Maintaining the status quo will only bring more of the same and unfairly burden ranchers, land managers, and other local conservationists working to implement true wildlife recovery efforts.

Gray Wolf as an Example of the Need for ESA Reform

The gray wolf is an interesting case study, as it demonstrates how the ESA is supposed to work while simultaneously highlighting its many flaws. As a lifetime resident of eastern Oregon, I have been at the forefront of the wolf discussion and seen firsthand the successes and failures of this species’ recovery.

Specifically, when the experimental reintroduction of wolves into the Western Distinct Population Segment (WDPS) was proposed, there was extensive research as to where wolves had been, where their best chance of survival would be, and what steps were needed to reach recovery goals. An Environmental Impact Statement (EIS) was done, impacts were identified, and goals were set.

⁴ U.S. Fish and Wildlife Service. (2013). *Defining Success Under the Endangered Species Act*. Retrieved from U.S. Fish and Wildlife Service: <https://www.fws.gov/endangered/news/episodes/bu-04-2013/coverstory/index.html>

⁵ Natural Resources Democrats. (2017). *Endangered Species Act*. Washington: House Committee on Natural Resources (Democrats)

Those goals were met much quicker than predicted and the impacts were felt at a greater level as populations grew too fast. For example, the Yellowstone elk population plummeted, much quicker and by greater numbers than predicted.

The areas such as Oregon which bordered the reintroduction states were part of the WDPS and considered for reintroduction. In the end, Ed Bangs — the USFWS recovery manager identified in the EIS — came to Oregon many times and testified that no wolves were needed in Oregon to meet recovery goals for the WDPS.

Since then, there has been a federal delisting for parts of the originally defined area: a new Distinct Population Segment (DPS) which includes about 30% of Oregon. This part of Oregon is where the primary habitat is located, and where most of the wolves reside. This has made a mess for managing wolves statewide as they are still listed where the poorest year-round habitat is. To make matters worse, Oregon has only a half full-time equivalent employee assigned to manage wolves on the ground here – nowhere near what is needed.

Despite the wolf's impressive recovery, one environmental organization called the most recent proposed delisting rule "a death sentence."⁶ In my view, the announcement of a delisting rule is cause for celebration, not hysteria. Countless biologists and ecologists contributed to the body of science which informed not only this most recent proposed rule by the Trump Administration, but also the rules proposed by the Obama Administration which were never finalized or were overturned by the courts. Litigation has plagued the recovery process to the point where many have jokingly likened the ESA to the "Hotel California," where species check in, but never check out.

In recognition of the fact that Oregon has a healthy wolf population that has exceeded recovery goals and continues to grow and spread, the state has funded a system that recognizes a small fraction of the costs producers suffer from the presence of wolves. This compensation and deterrent law was passed about six years ago and given to my agency to administer. I was a key participant in creating the administrative rules and checks and balances needed to effectively run the program. This program covers confirmed losses and losses over-and-above normal on grazing allotments. The program must use at least 30% of the money for nonlethal deterrent actions and activities. Needless to say, the need is greater than the funding provides, and it only took three years to exceed the appropriated funds.

Our state would benefit greatly from the federal delisting statewide. This would allow the state management plan to be implemented statewide and would restore better working relationships for local control.

⁶ Center for Biological Diversity. (2019, March 6). Trump Administration Announces Stripping Gray Wolf Protections Across Country [Press Release]

Conclusion

In closing, Mr. Chairman, ranchers are eager partners in the preservation of our nation's natural resources – including its wild animals. Not only do we understand how wildlife conservation is so closely intertwined with our American values, we embrace our responsibility in this pursuit. For our family personally, we understand our role as landowners to provide viable habitat for wildlife, as well as be able to harvest some of the grass for beef production. We enjoy seeing the wildlife when we go check our animals, and nearly everything we do for good, healthy land benefits wildlife as much as it does cattle and a sustainable future for my fifth-generation grandkids. We have enrolled our riparian areas in the CREP program that is intended to enhance wildlife and critical salmon spawning habitat. By empowering us to continue our efforts, you not only promote rural economic development, but also ensure that America's wildlife thrives.

With that, Mr. Chairman, I'd be happy to answer the Committee's questions. Thank you.