

Committee on Resources

Witness Testimony

Statement by Allen E. Smith
before the U.S. House of Representatives hearing
in the Subcommittee on National Parks and Public Lands
regarding BLM Grazing Reductions

September 30, 1997

Thank you, Mr. Chairman. My name is Allan E. Smith and I am here on behalf of the 22,000 members of the Utah Farm Bureau Federation, many of whom, like me, are BLM grazing permittees. I'm also past chairman of public lands for the Utah Cattlemens Association. We have deep concerns about reductions of grazing on Western BLM lands.

Back in 1934, in support of establishing the BLM, my grandfather, Maroni Smith, testified on the importance of protecting the stability of the livestock industry and sustainable grazing on public land. As a third generation rancher in Northeastern Utah, and a recipient of a BLM environmental stewardship award, it is somewhat ironic for me, 63 years later, to be back here opposing what we believe to be unwarranted cutbacks in BLM grazing. We've heard rumors of BLM pressuring the Hanley Ranch in Jordan Valley, Oregon to reduce grazing. Other concerns are outlined in my extended statement. "Paper cuts," as they are often called, reduce permits from preference use, which the permittee bought, to actual AUM's used. Over the years, many ranchers have voluntarily taken non-use in times of drought, etc. with the promise of getting their suspended AUM's back when ranges improve. Too many times these suspended AUM's are subsequently left for wildlife and never returned to the permittee. No doubt this committee will hear other examples. But I am here with a specific example of BLM grazing reductions on an historic ranch in my area, a ranch with which I am very familiar. My written extended comments and exhibits will more fully illustrate this situation.

The Nutter Ranch in my area began grazing in the 1860's. When the BLM acquired control of the public lands in 1934, grazing continued on the Nutter under a BLM permit. For 18 recent years this ranch has been managed by a university-trained range conservationist. A recent range evaluation by Utah State University Extension Range Ecologist James Bown shows livestock are not damaging the ranges in question, a fact confirmed by a letter from Dr. Bown in my extended comments.

The authorized AUM's on the Nutter in 1979 were 8,584 active and 5,416 AUM's suspended, for a total of 14,000 AUM's under the year-around grazing permit. By August, 1997, the BLM had reduced the Nutter permit to 3,038 active AUM's, a loss of 5,546 and 1,783 suspended AUM's. Recently, the BLM acquired ownership of 756 acres of private bottom land from the Nutter Ranch on the Green River near Nine Mile Canyon as part of a mitigation agreement. These 756 acres had been a part of the ranch's private grazing area since the 1860's. Now, the BLM has notified the Nutter Ranch that they can no longer graze these acres, plus an additional 1,331 acres of adjacent public land. This closure will effectively make it impossible for the ranch to use much of their private grazing land and adjacent state school trust land sections, because the closure shuts off the water access and trailways. Like a missing link in a chain, this administrative decision denies the ranch a place to graze cattle from October 15 to February and between November and April 15.

A draft Environmental Assessment (EA) for the acquired Nine Mile Canyon and Green River area was released August 29 with a closing date of October 2. Farm Bureau did not receive a copy of the EA until September 22 when I personally took one to them. Farm Bureau usually receives BLM draft EA's in Utah because Farm Bureau tries to help ranchers work through the proposals in a cooperative way. We have requested 30 days more comment period and we await formal reply on that request. In my view, the EA is very biased in favor of recreational river runners on the Green River. Particularly disheartening to us was the EA justification for excluding livestock listed as:

"(1) protect natural values, (2) protect cultural resources, and (3) provide a wilderness quality recreational experience." (Emphasis added).

Mr. Chairman, this is not a wilderness area. If it were, the 1964 Wilderness Act would have specifically protected continued grazing. We must ask where in the BLM charter do the three stated objectives take precedence over multiple use such as continued, well-managed grazing and continued stability of the livestock industry provided for in the Taylor Grazing Act and other federal laws?

Another serious concern is that now, all these many years after the fact, BLM is threatening to levy agricultural trespass charges against the ranch for corrals that have been on the BLM land over 100 years, long before a permit for such facilities was required. Frankly, Mr. Chairman, it looks to me like BLM may be trying to harass the ranch until they agree to provide public access across private land as a condition of this grazing permit. We will let the committee form your own conclusions on this after reviewing the extended statement which includes letters from the BLM to the ranch on these matters.

Thank you, Mr. Chairman and members of this committee, for your oversight of the BLM on these issues. I appreciate the opportunity to present these comments to you.

####