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U.S. Forest Service
Director, Forest Management, Range Management,
and Vegetation Ecology
201 14th Street, SW
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Dear Sir or Madam:

Thank you for the opportunity to participate in the formulation of U.S. Forest Service grazing policy. Our comments are as follows:

FSM 2231, Term Grazing Permits:
The Natural Resource User Law and Policy Center at the University of Arizona (https://extension.arizona.edu/nrulpc) strongly supports the policy in FSM 2231 to provide for the continued presence of family ranches and farms and the contributions of these stakeholders to the social and economic structure of the rural communities of which they are a part. NFS lands are managed in accordance with a framework of laws, including the Multiple-Use Sustained Yield Act, which recognizes livestock grazing as one of the foundational purposes for which NFS lands are to be managed. The presence of grazing operations on public lands since the creation of the forests has of course given rise to a web of economic activity and communities. It is significant for the Forest Service to recognize the context in which the forests are managed and to respect the people and economic activity with whom it shares the land.

FSH 2209.13, sec. 13.7:
Nothing in sec. 13.7 states a FS policy against closing grazing allotments as indicated in the digest explanation. It only explains that use of NFS lands is determined in a public process as defined under NFMA. This is of course true. Still, the FS does not come to the issue as a blank slate. It has both closed allotments in response to third party buyouts and otherwise, and it has kept open allotments. This policy could be strengthened, and more clear guidance could be provided to the public by identifying criteria the FS would apply in deciding when to leave an allotment open. One example of criteria could be whether there are ranchers in the immediate area who would want to add the allotment to their operation. Such a criteria would further FS policy in FSM 2231 "to provide for the continued presence of family ranches and farms and the contributions of these stakeholders to the social and economic structure of the rural communities of which they are a part." Given increasing conditions of drought and the potential need to reduce stocking rates, larger ranches are needed to support an economic ranching operation. Other criteria may also be possible.

Sec. 16 Clarifies when a new analysis may be required and when the existing analysis may be sufficient. The section provides parameters that can be used to gauge whether proposed changes to a term grazing permit would require a new analysis to avoid redundant analysis and support reasonable program efficiencies. Such a streamlined approach to grazing NEPA's is a desirable component. Proposed modifications allowed under this provision should be lenient enough to include new water development and grazing management modification if resource conditions may be improved by doing so.

FSH, sec. 17.21, Non-use for Resource Damage

This provision, and flexible validation (15.51), are critical to both the agency and permittees for managing allotments in response to the increasingly frequent drought conditions. We strongly support inclusion of these provisions to help the public respond effectively to these conditions.

FSH, sec. 95.3, Permitee Monitoring:
To avoid misunderstandings with the permittees, the authorized officer should review the proposed protocol to be used to monitor in advance of the actual monitoring to ensure it conforms to Forest Service protocol. Additionally, the authorized officer should communicate in writing with the permittee the date by which the Forest Service needs the monitoring data to make allotment management decisions.

FSH, sec. 96.3, When New Analysis is Needed
The first part of the first sentence in this section first states that "[p]roject-level decisions may be reviewed periodically to determine if the effects analysis and documentation remain valid. . . ." This direction contains no guiding criteria for the line officer to apply in deciding whether to open up past decisions for review, no policy limitation on the propriety of a line officer to exercise this authority. It seems to us the Forest Service has more than enough NEPA work to do without disturbing settled decisions without an obvious reason to do so.

The second part of the first sentence identifies new information as possibly requiring further analysis. This direction is also overly-broad. Would this be confined to all new information or only new information that could be affected by the activity that was subject of the decision?

Again, thank you for considering our views.