



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

NOV - 6 2013

The Honorable Jack Reed
Chairman
Subcommittee on Interior, Environment,
and Related Agencies
Committee on Appropriations
United States Senate
131 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Mr. Chairman:

Enclosed is the Department of Agriculture's Forest Service report on Grazing Permit Analysis and legislative provisions necessary to ensure all permit renewals are completed in a timely manner. Congress required the Forest Service to submit this report in the Fiscal Year 2004 Interior and Related Agencies Appropriations Act, Public Law 108-108.

In compliance with section 435 of Public Law 111-88, after 45 days, this report will be posted to the Forest Service website at: <http://www.fs.fed.us/aboutus/budget/congressional-directives.shtml>.

A similar letter is being sent to Senator Lisa Murkowski, Congressman Michael K. Simpson, and Congressman James Moran.

Sincerely,

A handwritten signature in blue ink that reads "Thomas J. Vilsack". The signature is fluid and cursive, with the first name being the most prominent.

Thomas J. Vilsack
Secretary

Enclosure



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The Honorable Michael K. Simpson
Chairman
Subcommittee on Interior, Environment,
and Related Agencies
Committee on Appropriations
U.S. House of Representatives
B-308 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

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A similar letter is being sent to Congressman James Moran, Senator Jack Reed, and Senator Lisa Murkowski.

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Thomas J. Vilsack
Secretary

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The Honorable Lisa Murkowski
Ranking Member
Subcommittee on Interior, Environment,
and Related Agencies
Committee on Appropriations
United States Senate
125 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Murkowski:

Enclosed is the Department of Agriculture's Forest Service report on Grazing Permit Analysis and legislative provisions necessary to ensure all permit renewals are completed in a timely manner. Congress required the Forest Service to submit this report in the Fiscal Year 2004 Interior and Related Agencies Appropriations Act, Public Law 108-108.

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The Honorable James Moran
Ranking Member
Subcommittee on Interior, Environment,
and Related Agencies
Committee on Appropriations
U.S. House of Representatives
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Moran:

Enclosed is the Department of Agriculture's Forest Service report on Grazing Permit Analysis and legislative provisions necessary to ensure all permit renewals are completed in a timely manner. Congress required the Forest Service to submit this report in the Fiscal Year 2004 Interior and Related Agencies Appropriations Act, Public Law 108-108.

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Thomas J. Vilsack
Secretary

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FY 2012 Grazing NEPA Accomplishments and Recommended Legislative Provisions for Timely Permit Renewal September 2013

Grazing and National Environmental Policy Act (NEPA) Background:

The 1995 Rescission Act required the Department of Agriculture's Forest Service to establish and adhere to a schedule for the completion of NEPA analyses and decisions required to authorize issuance of grazing permits. In 1996, the Agency established a grazing allotment NEPA schedule for the years 1995-2010. This schedule included 6,886 allotments. In the fiscal year (FY) 2004 Appropriations Act (P.L.108-108) Section 325, Congress authorized the Forest Service to use its discretion in setting the priority and timing for the completion of allotment NEPA analyses, the Rescission schedule notwithstanding. The Rescission Act does not expire, and the allotment schedule was updated in 2008 and 2010.

- In 2010, the Forest Service updated the grazing allotment NEPA schedule to incorporate both allotments requiring NEPA that were not on the original schedule and those allotments that had changed conditions based on environmental issues. The updated schedule covers the years 2011-2019, identified in 3-year time frames for planning purposes, with annual reviews and updates as necessary.
- There were approximately 3,600 allotments on the updated 2010 schedule.
- Completion on schedule (by the end of 2019) requires an average accomplishment of 400 allotments per year, from FY 2011 through FY 2019.
- A new schedule will be developed in the fall of 2013 that will incorporate the period 2020-2022.

The Forest Service conducts NEPA analyses of grazing allotments, rather than on grazing permits. Allotment NEPA analyses establish site-specific management parameters for the allotments. Grazing permits are issued through a separate administrative process, incorporating those parameters and are not affected by NEPA schedule.

The Forest Service has taken an aggressive approach toward completing the NEPA analysis and documentation of allotments needing analysis. Significant progress has been made toward completing grazing allotment NEPA according to the established schedule. At present, NEPA has been completed for approximately 67 percent of all allotments, including approximately 75 percent of the allotments on the original (1996) schedule.

Grazing NEPA Accomplishments:

In FY 2011, the Agency completed NEPA analysis for 194 allotments. In FY 2012, the Agency completed NEPA analysis for 111 allotments (44 percent of the FY 2012 target). Resource issue complexity and controversy, the associated appeal and litigation workload, on-the-ground administration needs, and an increasing demand for comprehensive resource condition and trend monitoring have all

contributed to the shortfall in NEPA accomplishments. The remaining NEPA decisions associated with grazing allotments generally deal with ever more complex issues requiring additional analysis time and resulting in completion at higher unit costs.

Allotment NEPA planning and management is a dynamic ongoing process due to funding availability, emerging issues, and changing environmental conditions. There will continue to be a NEPA workload to accomplish in the future; however, the Forest Service is able to continue the timely renewal of grazing permits even if the NEPA analyses on the corresponding allotments are still in progress. The National Allotment NEPA Schedule will be published at least every 3 years to incorporate a new 3-year planning period and maintain a 9-year schedule.

Recommendations for Legislative Provisions:

Proposed language to extend the terms and conditions of Section 325 of Public Law 108-108 is expected to be included in the President's Budget on an annual basis. This provision authorizes the Forest Service to use its discretion to set the priority and timing for the completion of grazing NEPA analyses, the Rescission schedule notwithstanding. Extending the provision will continue the Agency's authority to update the original allotment NEPA schedules and reprioritize which allotments will be done based on emerging environmental issues and available funding for allotment NEPA analyses.