

Part 4100—Grazing Administration—Exclusive of Alaska

Subpart 4100—Grazing Administration—Exclusive of Alaska; General

Section 4100.0-2 Objectives

The proposed rule would have amended the objectives statement for part 4100 by including as objectives the preservation of public land and resources from destruction and unnecessary injury, the enhancement of productivity for multiple use purposes, the maintenance of open spaces and integral ecosystems, and stabilization of the western livestock industry and dependent communities.

The Department received many comments on this section. Many commenters said that the proposed objectives statement was vague, subjective, not achievable, and unmeasurable. Others said that it was antagonistic, and assumed that ranching operations are destructive. Some asserted the statement ignored the valuable contribution made by livestock grazing as well as the improvements ranchers had made on the Federal lands. Some pointed out that proper grazing does not harm the resources.

Many commenters suggested additions to the list of objectives of the rules. Many of these commenters supported using the objectives identified by the Colorado Working Group. It was suggested that the objectives should have a greater emphasis on ecosystem management, and should include standards and guidelines pertinent to the economic and social factors which affect the human environment.

Many commenters objected to the terms "destruction and unnecessary injury." This objective had been included to highlight the Department's responsibility under Section 315a of TGA which requires the Department to "preserve the land and its resources from destruction or unnecessary injury." Others asserted that the view that ecosystems are static and can be "preserved" was out of date. Many commenters spoke to the objective of maintaining the public values associated with open spaces and integral ecosystems, asserting that this was not an appropriate objective for grazing regulations.

A number of commenters spoke on the objective concerning stabilization of the livestock industry and dependent communities. A typical comment asserted that small ranches are often dependent on second jobs in town, and that actually the ranches are dependent

on the communities, not vice versa. Some suggested deleting "dependent communities." Some commenters took strong exception to this particular objective. They asserted that the Department was, with this objective, singling out the livestock industry for favored treatment.

Regarding the objective on enhancing productivity for multiple use purposes, commenters offered suggestions that enhancement for multiple uses should not be allowed to conflict with grazing and that enhancing for multiple use purposes must be subject to maintaining a healthy ecosystem.

Many commenters were concerned with the references to "ecosystems" and asked for a definition of the term. Some asked for a definition of "integral ecosystem" while others were concerned that the term would be used to regulate private lands.

This final section is substantially revised from the objectives presented in the proposed rule. The provision as adopted today includes the following objectives: to promote healthy sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote orderly use, improvement and development of the public rangelands, to establish efficient and effective administration of grazing of public rangelands; and to provide for a sustainable western livestock industry and communities that are dependent upon productive, healthy public rangelands.

The new statements are based largely on commenters' concerns. While all those concerns could not be accommodated, the Department believes that the final rule represents the best summary of the objectives of this rangeland management program.

The first objective, to promote healthy sustainable rangelands, is the key component of the Department's program. The statement is based on the work of the Colorado Working Group and responds to the Department's and some commenters' concerns that the objectives should clearly state the objective of achieving healthy, functional rangelands. It reflects the Department's intent to make decisions regarding grazing on the public lands that will promote healthy conditions across all the grazing lands. This embodies the concept that such decisions must be made on a coordinated basis and must consider other resource values that contribute to the health of the land.

The second objective, to accelerate restoration and improvement of public

rangelands to properly functioning conditions, embodies the concept that BLM, in order to fulfill its statutory responsibilities to the public rangelands, must renew its efforts to restore those areas that are not functioning properly. It emphasizes that attainment of healthy conditions is a process that requires constant effort; West-wide healthy conditions cannot be attained overnight.

The third objective, to promote orderly use, improvement and development of the public rangelands, is unchanged from the proposal. It is drawn directly from TGA (43 U.S.C. 315(a)). It emphasizes that the rangelands are to be used and developed, but also that such use and development must be done in an orderly way, and that an integral part of the process should be improvement of the rangelands.

The fourth objective, to establish efficient and effective administration of grazing of public rangelands, is based on the work of the Colorado Working Group. The statement emphasizes that BLM's administration of its program must be both efficient and effective. The rules adopted by today's action are an important part of the Department's efforts to ensure that objective can be achieved.

The final objective, to provide for a sustainable western livestock industry and communities that are dependent upon productive, healthy public rangelands, is a modified version of an objective included in the proposal. It asserts that BLM has a responsibility to recognize the effects its actions may have on the western livestock industry. However, the Department has reworded this objective from the proposal because it agrees with commenters' concerns that BLM's program, in and of itself, cannot "stabilize the western livestock industry."

Largely as a result of public comment, the Department has decided not to adopt the proposed objectives concerning preservation of rangeland resources from destruction and unnecessary injury; maintenance of the public values provided by open spaces and integral ecosystems; and enhancement of the productivity of public lands for multiple use purposes by prevention of overgrazing and soil deterioration. These themes of the proposed amendments are sufficiently covered in the more general objectives adopted in this final rule. The objective of the previous regulations pertaining to providing for the inventory and categorization, trends and monitoring of public lands on the basis of range conditions, is omitted as an unnecessary