

RESOLUTION SUPPORTING THE NATIONAL CATTLEMEN'S BEEF ASSOCIATION'S (NCBA) POSITION REGARDING THE REQUIREMENT FOR COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT FOR THE RENEWAL OF GRAZING PERMITS ON PUBLIC LANDS

WHEREAS, the NCBA has found that the Bureau of Land Management (BLM) and the U.S. Forest Service (USFA) are currently in the process of renewing term grazing permits on public or federal lands, and

There is currently an issue regarding whether a term permit itself can be renewed without National Environmental Policy ACT (NEPA) compliance or with a categorical exclusion, and

There is also a question whether the terms and conditions, as opposed to the permit itself, can be renewed without NEPA compliance or via a categorical exclusion, if there is no change in the terms and conditions in the permit, and

There is a question whether, if the terms and conditions in a term permit change, NEPA compliance is required, and

NEPA only applies to major federal actions significantly impacting the human environment, and

WHEREAS the renewal of grazing permits on public lands is important to the economy and way of life in many Nevada counties, and

WHEREAS, NACO concurs with the findings of the NCBA.

THEREFORE BE IT RESOLVED that NACO supports the following NCBA positions:

1. Renewal of a term grazing permit does not require NEPA compliance as such renewal is required pursuant to the Taylor Grazing Act and the Administrative Procedures Act.
2. Renewal of the terms and conditions in a term grazing permit, if there are no changes to those terms and conditions and if the allotment is meeting all Rangeland Health Standards, may be completed via a categorical exclusion.
3. Renewal of the terms and conditions in a permit, if there are changes in those terms and conditions, requires NEPA compliance.

BE IT FURTHER RESOLVED that this resolution be submitted to the Western Interstate Region (WIR) through the National Association of Counties' (NACo) Public Lands Steering Committee for consideration at the NACo 2008 Annual Conference in Kansas City.


Nevada Association of Counties Resolution #08-04

Passed, Approved and Adopted this 4th day of April, 2008, by the Board of Directors of the Nevada Association of Counties.

Attest:



Jeffrey Fontaine
Executive Director



James Baushke
President

