

113th CONGRESS

1st Session

H. R. 657

To amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 13, 2013

Mr. LABRADOR (for himself, Mr. AMODEI, Mr. COSTA, Mr. GOSAR, Mr. MCCLINTOCK, Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. TIPTON, Mr. SIMPSON, and Mr. WALDEN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Grazing Improvement Act'.

SEC. 2. TERMS OF GRAZING PERMITS AND LEASES.

Section 402 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1752) is amended--

(1) by striking 'ten years' each place it appears and inserting '20 years'; and

(2) in subsection (b)--

(A) by striking 'or' at the end of each of paragraphs (1) and (2);

(B) in paragraph (3), by striking the period at the end and inserting '; or'; and

(C) by adding at the end the following:

`(4) the initial environmental analysis under National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) regarding a grazing allotment, permit, or lease has not been completed.'.

SEC. 3. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

(a) Amendment- Title IV of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1751 et seq.) is amended by adding at the end the following:

`SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZING PERMITS AND LEASES.

`(a) Definitions- In this section:

`(1) CURRENT GRAZING MANAGEMENT- The term `current grazing management' means grazing in accordance with the terms and conditions of an existing permit or lease and includes any modifications that are consistent with an applicable Department of Interior resource management plan or Department of Agriculture land use plan.

`(2) SECRETARY CONCERNED- The term `Secretary concerned' means--

`(A) the Secretary of Agriculture, with respect to National Forest System land; and

`(B) the Secretary of the Interior, with respect to land under the jurisdiction of the Department of the Interior.

`(b) Renewal, Transfer, Reissuance, and Pending Processing- A grazing permit or lease issued by the Secretary of the Interior, or a grazing permit issued by the Secretary of Agriculture regarding National Forest System land, that expires, is transferred, or is waived shall be renewed or reissued under, as appropriate--

`(1) section 402;

`(2) section 19 of the Act of April 24, 1950 (commonly known as the `Granger-Thye Act'; 16 U.S.C. 5801);

`(3) title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.); or

`(4) section 510 the California Desert Protection Act of 1994 (16 U.S.C. 410aaa-50).

`(c) Terms; Conditions- The terms and conditions (except the termination date) contained in an expired, transferred, or waived permit or lease described in subsection (b) shall continue in effect under a renewed or reissued permit or lease until the date on which the Secretary concerned completes the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, in compliance with each applicable law.

`(d) Cancellation; Suspension; Modification- Notwithstanding subsection (c), a permit or lease described in subsection (b) may be cancelled, suspended, or modified in accordance with applicable law.

`(e) Renewal Transfer Reissuance After Processing- When the Secretary concerned has completed the processing of the renewed or reissued permit or lease that is the subject of the expired, transferred, or waived permit or lease, the Secretary concerned shall renew or reissue the permit or lease for a term of 20 years after completion of processing.

`(f) Compliance With National Environmental Policy Act of 1969- The renewal, reissuance, or transfer of a grazing permit or lease by the Secretary concerned shall be categorically excluded from the requirement to prepare an environmental assessment or an environmental impact statement if--

`(1) the decision continues to renew, reissue, or transfer the current grazing management of the allotment;

`(2) monitoring of the allotment has indicated that the current grazing management has met, or has satisfactorily progressed towards meeting, objectives contained in the land use and resource management plan of the allotment, as determined by the Secretary concerned; or

`(3) the decision is consistent with the policy of the Department of the Interior or the Department of Agriculture, as appropriate, regarding extraordinary circumstances.

`(g) Priority and Timing for Completing Environmental Analyses- The Secretary concerned, in the sole discretion of the Secretary concerned, shall determine the priority and timing for completing each required environmental analysis regarding any grazing allotment, permit, or lease based on the environmental significance of the allotment, permit, or lease and available funding for that purpose.

`(h) NEPA Exemptions- The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall not apply to the following:

`(1) Crossing and trailing authorizations of domestic livestock.

`(2) Transfer of grazing preference.'

(b) Table of Contents- The table of contents for the Federal Land Policy and Management Act of 1976 is amended by adding after the item for section 404, the following:

`Sec. 405. Renewal, transfer, and reissuance of grazing permits and leases.'

END