

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.

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## 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

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## 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.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Grazing Improvement  
5 Act”.

1 **SEC. 2. TERMS OF GRAZING PERMITS AND LEASES.**

2 Section 402 of the Federal Land Policy and Manage-  
3 ment Act of 1976 (43 U.S.C. 1752) is amended—

4 (1) by striking “ten years” each place it ap-  
5 pears and inserting “20 years”; and

6 (2) in subsection (b)—

7 (A) by striking “or” at the end of each of  
8 paragraphs (1) and (2);

9 (B) in paragraph (3), by striking the pe-  
10 riod at the end and inserting “; or”; and

11 (C) by adding at the end the following:

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

16 **SEC. 3. RENEWAL, TRANSFER, AND REISSUANCE OF GRAZ-**  
17 **ING PERMITS AND LEASES.**

18 (a) AMENDMENT.—Title IV of the Federal Land Pol-  
19 icy and Management Act of 1976 (43 U.S.C. 1751 et seq.)  
20 is amended by adding at the end the following:

21 **“SEC. 405. RENEWAL, TRANSFER, AND REISSUANCE OF**  
22 **GRAZING PERMITS AND LEASES.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) CURRENT GRAZING MANAGEMENT.—The  
25 term ‘current grazing management’ means grazing  
26 in accordance with the terms and conditions of an

1 existing permit or lease and includes any modifica-  
2 tions that are consistent with an applicable Depart-  
3 ment of Interior resource management plan or De-  
4 partment of Agriculture land use plan.

5 “(2) SECRETARY CONCERNED.—The term ‘Sec-  
6 retary concerned’ means—

7 “(A) the Secretary of Agriculture, with re-  
8 spect to National Forest System land; and

9 “(B) the Secretary of the Interior, with re-  
10 spect to land under the jurisdiction of the De-  
11 partment of the Interior.

12 “(b) RENEWAL, TRANSFER, REISSUANCE, AND  
13 PENDING PROCESSING.—A grazing permit or lease issued  
14 by the Secretary of the Interior, or a grazing permit issued  
15 by the Secretary of Agriculture regarding National Forest  
16 System land, that expires, is transferred, or is waived shall  
17 be renewed or reissued under, as appropriate—

18 “(1) section 402;

19 “(2) section 19 of the Act of April 24, 1950  
20 (commonly known as the ‘Granger-Thye Act’; 16  
21 U.S.C. 580l);

22 “(3) title III of the Bankhead-Jones Farm Ten-  
23 ant Act (7 U.S.C. 1010 et seq.); or

24 “(4) section 510 the California Desert Protec-  
25 tion Act of 1994 (16 U.S.C. 410aaa–50).

1       “(c) TERMS; CONDITIONS.—The terms and condi-  
2 tions (except the termination date) contained in an ex-  
3 pired, transferred, or waived permit or lease described in  
4 subsection (b) shall continue in effect under a renewed or  
5 reissued permit or lease until the date on which the Sec-  
6 retary concerned completes the processing of the renewed  
7 or reissued permit or lease that is the subject of the ex-  
8 pired, transferred, or waived permit or lease, in compli-  
9 ance with each applicable law.

10       “(d) CANCELLATION; SUSPENSION; MODIFICA-  
11 TION.—Notwithstanding subsection (c), a permit or lease  
12 described in subsection (b) may be cancelled, suspended,  
13 or modified in accordance with applicable law.

14       “(e) RENEWAL TRANSFER REISSUANCE AFTER  
15 PROCESSING.—When the Secretary concerned has com-  
16 pleted the processing of the renewed or reissued permit  
17 or lease that is the subject of the expired, transferred, or  
18 waived permit or lease, the Secretary concerned shall  
19 renew or reissue the permit or lease for a term of 20 years  
20 after completion of processing.

21       “(f) COMPLIANCE WITH NATIONAL ENVIRONMENTAL  
22 POLICY ACT OF 1969.—The renewal, reissuance, or trans-  
23 fer of a grazing permit or lease by the Secretary concerned  
24 shall be categorically excluded from the requirement to

1 prepare an environmental assessment or an environmental  
2 impact statement if—

3 “(1) the decision continues to renew, reissue, or  
4 transfer the current grazing management of the al-  
5 lotment;

6 “(2) monitoring of the allotment has indicated  
7 that the current grazing management has met, or  
8 has satisfactorily progressed towards meeting, objec-  
9 tives contained in the land use and resource manage-  
10 ment plan of the allotment, as determined by the  
11 Secretary concerned; or

12 “(3) the decision is consistent with the policy of  
13 the Department of the Interior or the Department  
14 of Agriculture, as appropriate, regarding extraor-  
15 dinary circumstances.

16 “(g) PRIORITY AND TIMING FOR COMPLETING ENVI-  
17 RONMENTAL ANALYSES.—The Secretary concerned, in the  
18 sole discretion of the Secretary concerned, shall determine  
19 the priority and timing for completing each required envi-  
20 ronmental analysis regarding any grazing allotment, per-  
21 mit, or lease based on the environmental significance of  
22 the allotment, permit, or lease and available funding for  
23 that purpose.

1       “(h) NEPA EXEMPTIONS.—The National Environ-  
2 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall  
3 not apply to the following:

4           “(1) Crossing and trailing authorizations of do-  
5 mestic livestock.

6           “(2) Transfer of grazing preference.”.

7       (b) TABLE OF CONTENTS.—The table of contents for  
8 the Federal Land Policy and Management Act of 1976  
9 is amended by adding after the item for section 404, the  
10 following:

“Sec. 405. Renewal, transfer, and reissuance of grazing permits and leases.”.

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