

114TH CONGRESS
1ST SESSION

S. 937

To amend the Federal Land Policy and Management Act of 1976 to authorize the Secretary of the Interior to enter into cooperative agreements with States to provide for State management of grazing permits and leases.

IN THE SENATE OF THE UNITED STATES

APRIL 14, 2015

Mr. HATCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Federal Land Policy and Management Act of 1976 to authorize the Secretary of the Interior to enter into cooperative agreements with States to provide for State management of grazing permits and leases.

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 “State Grazing Manage-
5 ment Authority Act”.

1 **SEC. 2. AUTHORIZATION OF COOPERATIVE AGREEMENTS**
 2 **BETWEEN THE SECRETARY OF THE INTERIOR**
 3 **AND THE STATES.**

4 Section 402 of the Federal Land Policy and Manage-
 5 ment Act of 1976 (43 U.S.C. 1752) is amended by adding
 6 at the end the following:

7 “(k) COOPERATIVE AGREEMENTS WITH STATES.—

8 “(1) DEFINITIONS.—In this subsection:

9 “(A) COOPERATIVE AGREEMENT.—The
 10 term ‘cooperative agreement’ means a coopera-
 11 tive agreement entered into under paragraph
 12 (2).

13 “(B) ELIGIBLE FEDERAL LAND.—

14 “(i) IN GENERAL.—The term ‘eligible
 15 Federal land’ means public land that is
 16 subject to a grazing permit or lease issued
 17 by the Bureau.

18 “(ii) EXCLUSION.—The term ‘eligible
 19 Federal land’ does not include—

20 “(I) a unit of the National Wil-
 21 derness Preservation System; or

22 “(II) an area of critical environ-
 23 mental concern.

24 “(C) SECRETARY.—The term ‘Secretary’
 25 means the Secretary of the Interior, acting
 26 through the Director of the Bureau.

1 “(2) AUTHORIZATION.—At the request of the
2 Governor of a State, the Secretary shall enter into
3 a cooperative agreement with the State to provide
4 for State management of grazing allotments on eligi-
5 ble Federal land in the State, subject to this sub-
6 section.

7 “(3) MAXIMUM NUMBER OF GRAZING ALLOT-
8 MENTS.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B), not more than 2 grazing al-
11 lotments may be managed by any one State at
12 any one time under this subsection.

13 “(B) WAIVER.—The Secretary may waive
14 the limitation under subparagraph (A) with re-
15 spect to a State if the Secretary determines a
16 waiver to be appropriate.

17 “(4) NEPA AUTHORITY.—A cooperative agree-
18 ment shall include the assignment of the responsibil-
19 ities of the Secretary under the National Environ-
20 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.)
21 to the State with respect to the grazing allotments
22 managed under that paragraph, including the re-
23 sponsibility for determining whether the following
24 actions with respect to the grazing allotments qual-
25 ify for a categorical exclusion under that Act:

1 “(A) The conduct of vegetation projects.

2 “(B) The conduct of pinyon or juniper
3 treatments.

4 “(C) Determinations with respect to the
5 number of permitted animal unit months.

6 “(5) TERM.—

7 “(A) IN GENERAL.—A cooperative agree-
8 ment shall be for a term of 20 years.

9 “(B) RENEWAL.—If the Secretary and
10 State agree to a renewal of a cooperative agree-
11 ment, the cooperative agreement may be re-
12 newed for an additional 20-year term.

13 “(6) APPLICABLE LAW.—In managing grazing
14 allotments under paragraph (2), a State shall be
15 subject to—

16 “(A) this Act; and

17 “(B) any other applicable Federal law (in-
18 cluding regulations).

19 “(7) RESOLUTION OF DISPUTES.—

20 “(A) AUTHORITY OF THE INTERIOR BOARD
21 OF LAND APPEALS.—Nothing in this subsection
22 provides to the Interior Board of Land Appeals
23 authority to hear a case with respect to a deci-
24 sion relating to a grazing allotment managed by
25 the State under paragraph (2).

1 “(B) STATE DISPUTE RESOLUTION PROC-
2 ESS.—A cooperative agreement shall provide for
3 the development of a process by the State to re-
4 solve disputes relating to a decision by the
5 State with respect to a grazing allotment man-
6 aged by the State under the cooperative agree-
7 ment.”.

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