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Public Lands Council



Capital Issues ~May 2014~

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EXECUTIVE BRIEFING

May turned out to be a pretty active month for Congress both on Capitol Hill and in the country-side, as primary season was in full swing. As primaries wrap up and we approach August recess in Washington, time for Congress to act is quickly dwindling, as their sole focus will be the November elections once we hit August. As you'll read in more detail below, the House of Representatives passed Representative Lummis' EAJA reporting bill in May with strong bipartisan support--meaning there is a decent chance the Senate could act on companion legislation. EAJA reform continues to be a focus for PLC, as this well-intentioned law is in fact encouraging lawsuits to the detriment of our industry and taxpayers.

On the sage grouse front we worked closely with Representative Gardner from Colorado on his recently introduced legislation to keep sage grouse management in the states (Senator Enzi of Wyoming introduced the companion bill in the Senate). This approach is different from past legislative efforts on the ESA front in that it does not change the ESA, but rather says that where a state has plans to manage the sage grouse, that state shall have sole authority over the bird's management. Something we ensured was part of the discussion was the need to require the land management agencies to abide by the state plans in their management of public lands. PLC is continuing to work on many fronts to ensure the sage grouse is not listed and has joined the Western Grouse Coalition as part of those efforts.

Speaking of endangered species issues, it would seem the U.S. Fish and Wildlife Service has taken a page out of the Environmental Protection Agency's playbook. While EPA is proposing to take federal control of virtually all waters in the US, FWS has proposed two regulations and a policy (more details below) which will greatly expand the reach and regulation of potentially all land by the agency—via “critical habitat.” These vast bureaucracies in Washington are illustrating what tends to happen during the second term of a presidency when there are few checks from the legislative branch (in this case, due to gridlock). As is exemplified by EPA's “Waters of the U.S.” proposed rule and FWS' “Critical Habitat” proposed rules, the Administration drafts regulations without regard to its statutory limits—even when those regulations, if finalized, will be devastating to ranchers and all Americans across the country. PLC is working via all three branches of government alongside regulated industries from all corners of the economy to stop these federal power grabs. If we can't be successful in stopping them through the administrative or legislative processes, we may have to resort to asking the judicial branch to provide the check on these out-of-control agencies.

Finally, the end of May marked the deadline for proposals to the Public Lands Endowment Trust. The proposals received will be reviewed and funding decisions will be made by our Board during the Annual Meeting this September. We received some great proposals; I'll be working over the coming weeks to compile and follow up with entities that submitted proposals before distributing to the Board in July. Our industry is fortunate to have the ability to work proactively to protect, enhance and preserve our industry through the Trust and it is a testament to our affiliates for coming forward with ever more creative proposals (either directly or via their endorsement).

I'll be traveling around the West for much of June, attending multiple affiliate meetings – hope to see many of you along the way. Marci will be left in charge at the office!

From the Other Side of the Fence

Dustin Van Liew

Executive Director

-Your voice in Washington, D.C.

HIGHLIGHT

Sage Grouse Bill Would Hand Management to States

Legislation was introduced this month that would provide an efficient and practical solution to the threat of a sage grouse listing under the Endangered Species Act (ESA). Senator Mike Enzi (R-Wyo.) and Representatives Cory Gardner (R-Colo.) and Rob Bishop (R-Utah) introduced the *Sage Grouse Protection and Conservation Act*, which would require the U.S. Fish and Wildlife Service (FWS) to give western states a chance at sage grouse management before FWS makes a listing decision. The legislation would give state plans 10 years to take effect, and would cover the greater sage grouse, the bi-state population in Nevada and California, and the Gunnison sage grouse. As soon as a state plan is submitted to the Secretary of Interior, FWS must halt all listing activities and permit the state plan to control management of sage grouse for ten years within that state. Moreover, the Bureau of Land Management and Forest Service would be required to amend their land use plans to comply with the state management plans.

States, ranchers, and private entities have already invested mass resources and countless hours to putting management plans into place in some states, and are working toward finalizing plans in others. These plans focus on improving sage grouse habitat, through decisions based on the ground--where it actually counts. A listing of the bird would have the effect of negating all these efforts and putting landowners and managers on the defense.

PLC and NCBA wrote letters to the Senate Public Lands, Forests and Mining Subcommittee and the House Natural Resources Committee to express our strong support for the efforts of Senator Enzi, Representative Gardner and Representative Bishop.

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LEGISLATIVE UPDATE

CA Drought Bill Passes Senate--Senators Note ESA Partly at Fault

On May 22nd, the Senate passed by unanimous consent (a streamlined process) a California drought relief bill led by California Senator Diane Feinstein. The *Emergency Drought Relief Act* ([S. 2198](#)) would speed environmental reviews of water projects and give state and federal officials "operational flexibility" to move water south from the delta to San Joaquin Valley farms. Unlike a House version of the bill, which contains various provisions to increase water storage, Sen. Feinstein has indicated that, in conference with a House bill, she would be interested in finding "measures we can agree on to improve water supplies." As reported [last month](#), the House passed its version of the bill, [H.R. 3964](#), the *Sacramento - San Joaquin Valley Emergency Water Delivery Act*.

After passage of S. 2189, a group of 15 Republican senators (whose cooperation was necessary in order to pass the bill via unanimous consent) sent a letter to Majority Leader Harry Reid clarifying that the drought conditions faced by Californians has been made significantly worse because of Endangered Species Act compliance requirements. "Lawsuits by radical environmental groups have allowed the Obama Administration to prioritize fish over people, cutting off water to farmers and families. Because that is the case, unemployment is set to skyrocket," the letter reads. "The need for the Feinstein-Boxer bill highlights why it is essential to improve the ESA."

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House Committee Reviews Critical Habitat Effects on Property Rights

On May 14, the House Committee on Natural Resources held an [oversight field hearing](#) in Arkansas on “*Protecting the Rights of Property Owners: Proposed Federal Critical Habitat Designations Gone Wild.*” The hearing examined the comprehensive impacts of critical habitat designations, flaws in the current critical habitat proposals for two Arkansas species that were part of the 2011 closed-door mega-settlement, and the need for legislation to require the federal government to comprehensively analyze all impacts resulting from ESA listings and resulting habitat designations. The hearing highlighted testimony of individuals, business owners, and community leaders who will be impacted by the two listings. It also highlighted the need for legislation to ensure the full economic impacts of designations are counted under the ESA. Last year, the Obama Administration finalized a regulation that does not require U.S. Fish and Wildlife Service to consider all the costs associated with listing a species and designating critical habitat. Instead, the new rule takes the “incremental” approach of analyzing only the costs associated with critical habitat designation and not the costs associated with the species’ listing.

As reported [last month](#), the House Natural Resources Committee approved four targeted bills that would begin the process of improving and modernizing the ESA. The primary focus of these four bills is to promote data and cost transparency, species recovery, and litigation reform.

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House Passes EAJA Tracking, Reporting Bill

This month, the U.S. House approved by voice vote the Open Book on Equal Access to Justice Act ([H.R. 2919](#)), a bipartisan bill authored by Representatives Cynthia Lummis (R- WY) and Steve Cohen (D-TN). Abuse of the Equal Access to Justice Act (EAJA) has led to taxpayer-funded litigation by “environmental” groups of activities such as grazing. Multi-million dollar groups that oppose grazing, timber harvesting and the like often litigate those uses, especially on federal land. The courts often grant them reimbursement of court costs and attorneys’ fees, sometimes to the tune of \$700/hour. They needn’t actually win their case—they need only “prevail” on some points of their challenge. Unknown millions of taxpayer dollars have gone to the coffers of these litigious groups. H.R. 2919 reinstates tracking and reporting of EAJA payments, which were originally required when the bill passed in 1980, but since 1995 have not been required or conducted. PLC supported Rep. Lummis’ bill from last session, which would have added limitations to EAJA payments to multi-million dollar nonprofits, in addition to requiring tracking and reporting. EAJA was intended to protect small businesses and individuals from federal government abuse—not to fund multi-million-dollar groups’ anti-production litigation campaigns. We urge the Senate to pass this good government, common sense bill without delay.

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PLC Supports Invasive Species Control Bill

PLC supports a bill recently introduced in the House of Representatives, the *Federal Lands Invasive Species Control, Prevention and Management Act*, [H.R. 3994](#). Introduced by Reps. Rob Bishop (R-Utah) and Steven Horsford (D- Nev.), the bill seeks to improve the control and management of invasive species that threaten and harm federal lands. The bill would require the Secretary of Interior and the Secretary of Agriculture to plan and

carry out activities on lands under their management in order to inhibit or reduce invasives' populations and to effectuate restoration or reclamation efforts. The bill specifies that no less than 75% of budgeted funds must be used each year for on-the-ground control and management of invasive species, making sure that as much funding as possible is used to treat the problem rather than being wasted on things such as administrative costs. Finally, the bill requires the agencies to use sound scientific data when making decisions on methods of invasive species control. In our support letter, PLC noted that livestock are a valuable and cost-effective asset to the control of invasive species. Cattle and sheep are able to graze on certain invasive species, preventing the spread of seeds and thus controlling the population for a fraction of the cost of other control methods.

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Ag Appropriations Bill Advances in House

The House Agriculture Appropriations Subcommittee has passed a spending bill for FY 2015. Of note are its funding of the Environmental Quality Incentives Program (EQIP) at \$1,391,000,000, slightly above 2014 levels; its funding of APHIS Wildlife Services at \$1 million above 2014 levels; and, unfortunately, its inclusion of an amendment to prohibit USDA inspections of horse slaughter plants. This amendment was offered by Rep. Jim Moran (D-Virg.). Click [here](#) for the original bill and here for approved [amendments](#). Also, watch the [committee markup](#). The full House will have the opportunity to strike language and make amendments to the draft. PLC will continue to communicate our priorities to appropriators.

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House Committee Passes Conservation Easement Bill

The House of Representatives Ways and Means committee this month passed [H.R. 2807](#), legislation to make permanent the enhanced tax incentive for conservation easements. It was introduced by Reps. Jim Gerlach (R-PA) and Mike Thompson (D-CA). In the Senate, the Rural Heritage Conservation Extension Act, [S. 526](#), was introduced by Senators Max Baucus (D-MT) and Orrin Hatch (R-UT). Since 2006, an enhanced income tax deduction gives landowners a tax benefit for donating a conservation easement (rights to development) on their land. This tax deduction expired at the end of 2013. The enhanced incentive raises the maximum deduction a donor can take for donating a conservation easement from 30% of their adjusted gross income (AGI) in any year to 50%; allows qualified farmers and ranchers to deduct up to 100% of their AGI; and increases the number of years over which a donor can take deductions from 6 to 16 years. Learn more at [Land Trust Alliance's](#) website.

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PLC Legislation Tracker

The following is a list of PLC-supported legislation introduced this Congress. Click the links to see the bills' progress:

Top Priority:

- Grazing Improvement Act ([S. 258](#) and [H.R. 657](#))

Water Regulation:

- Water Rights Protection Act ([H.R. 3189](#) and [S. 1630](#))
- Silviculture Regulatory Consistency Act of 2013 ([H.R. 2026](#) and [S. 971](#))

EAJA/Judgment Fund Oversight:

- Judgment Fund Transparency Act ([H.R. 317](#) and [S. 1420](#))
- Open Book on Equal Access to Justice Act ([H.R. 2919](#))

Federal Land Disposal:

- Federal Land Transaction Facilitation Act Reauthorization ([S. 368](#) and [H.R. 2068](#))
- Land Disposal and Efficiency Act ([H.R. 2095](#))

Wildfire and Forestry:

- Catastrophic Wildfire Prevention Act ([H.R. 1345](#) and [S. 1479](#))
- Good Neighbor Forestry Act ([S.327](#))
- Healthy Forest Management and Wildfire Prevention Act ([H.R. 1526](#))
- Wildfire Disaster Funding Act ([S. 1875](#) and [H.R. 3992](#))

Monument Designation Oversight:

- Ensuring Public Involvement in the Creation of National Monuments Act ([H.R. 1459](#))
- National Monument Designation Transparency and Accountability Act ([H.R. 2192](#))
- Preserve Land Freedom For Americans Act ([H.R. 382](#))

ESA Improvement:

- Endangered Species Act Settlement Reform Act ([S. 19](#) and [H.R. 1314](#))
- 21st Century Endangered Species Transparency Act ([H.R. 4315](#))
- Endangered Species Improvement Act of 2014 ([H.R. 4256](#))
- Endangered Species Recovery Transparency Act ([H.R. 4316](#))
- State, Tribal and Local Species Transparency and Recovery Act ([H.R. 4317](#))
- Endangered Species Litigation Reasonableness Act ([H.R. 4318](#))
- Community Protection Act ([S. 2084](#))
- Common Sense in Species Protection Act of 2014 ([H.R. 4319](#))

Other:

- Regulations from the Executive In Need of Scrutiny Act (REINS) Act ([S. 15](#) and [H.R. 367](#))
- Livestock Disaster Protection Act ([H.R. 1607](#))
- Sunshine for Regulatory Decrees and Settlements Act ([S. 714](#) and [H.R. 1493](#))
- National Security and Federal Lands Protection Act ([H.R. 2398](#))
- Federal Lands Invasive Species Control, Prevention and Management Act ([H.R. 3994](#))

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ADMINISTRATIVE UPDATE

BLM Inappropriately Enforces Drought Policy in NV

[Last month](#), we reported that BLM's Nevada drought policy is threatening ranching operations. BLM districts across the state are, in some cases, inappropriately giving the force of law to draft drought documents. These documents are not finalized, which means they cannot be appealed—even though they contain standards and measures that are not supported by science and are next to impossible for ranchers to meet. The agency continues to use the standards and measures in those documents to make drastic grazing cuts—either by issuing decision, or by asking ranchers to “voluntarily” agree to large reductions in grazing in order to avoid an even worse decision being brought on them.

Meanwhile, at least one NV ranching family has challenged in court BLM's use of the draft drought documents as a final decision document. In the Battle Mountain district in northern NV, a petition has also been filed with the state, asking the governor to take steps to remove the Battle Mountain BLM's district manager, Doug Furtado, in part because of his inappropriate use of the draft drought policy. However, removal of this BLM employee is not expected to get to the root of the problem: an agency taking actions based on draft policies which are un-appealable or challengeable. PLC will continued to demand that BLM make decisions based on range conditions and forage availability and not arbitrary drought policy or monitors.

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FWS Proposes Expansive New Critical Habitat Regs

The U.S. Fish and Wildlife Service (FWS) recently proposed two changes to its Endangered Species Act regulations and a “policy” change. FWS is cinching down its regulations regarding “critical habitat”—partly as a result of litigation by radical environmental groups. PLC will submit comments by the public comment deadline (currently July 11). One [proposed change](#) would lower the bar for what qualifies as “adverse modification” of critical habitat for listed species. To date, the “adverse modification” prohibition has already tied up projects, based on claims they would threaten the “survival” of the species in question. The proposed new language adds a dangerously vague new standard: anything that diminishes the “conservation value” of critical habitat can't be permitted—a term that could include all productive activities.

Another [proposed change](#) to the regulations would allow critical habitat to be designated in areas where the species may not have ever stepped foot—but may, some day. It would allow critical habitat to be designated based on projected landscape changes due to “climate change” or in areas that FWS' determines may be habitat in the future.

FWS' third [proposed change](#) (a policy change) has to do with areas that will be excluded from critical habitat, either because the economic impacts would be overly damaging, or because “voluntary” agreements have been made with a landowner to negate the “need” for a critical habitat designation. It would give the agency more discretion over whether or not to exclude areas from critical habitat, even when the projected economic impacts would be devastating. It would continue to place pressure on ranching on public land by not allowing those ranchers to enter voluntary conservation agreements, which are available on other lands and are designed to protect landowners from damaging ESA enforcement.

PLC is working with the National Endangered Species Act Reform Coalition (NESARC) to draft comprehensive comments on these proposals and will circulate comments for affiliates to join and/or use for submitting to the Service. These expansive proposals appear to be potentially devastating to ranchers and should be strongly opposed by our industry.

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USFS Exceeds Authority with Proposed Water Quality Directives

On May 6, the U.S. Forest Service released two separate notices and distinct sets of directives dealing with water quality. PLC is working with other multiple-use industries and with PLC's legal extern (working under the direction of attorney Elizabeth Howard) to develop comments. The directives, based on provisions found in the 2012 Forest Planning Rule (which PLC and other groups are litigating), would open the door to even more regulation of national forests in the name of "water quality protection."

With one of its draft directives, USFS asserts authority over groundwater—which unquestionably exceeds its statutory authority. Sources at USFS have indicated this directive may be a way of skirting a court decision that prevents USFS from forcing water-rights holders to hand over part of their water rights in exchange for special use permits. [Click here](#) to see the draft directive. Comments are due August 4.

The other directive would put in place a set of national Best Management Practices (BMPs) for water quality management from non-point sources. The BMPs proposed are vaguely written, giving individual forests virtually free rein to create their own BMPs in as strict or lax a manner as they choose. If "environmental" groups believe a forest's BMPs are too lax, however, they are likely to sue based on their own interpretation of the national BMP guidelines. Those guidelines call for vague things such as "special consideration" of areas within 150 feet of a stream—leaving the interpretation of "special consideration" wide open for litigation. [Click here](#) to read USFS' draft BMP revisions. Comments are due July 7.

PLC will circulate draft comments prior to the above mentioned deadlines for affiliates to join or use for submitting on their own.

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President Designates Sweeping NM Monument

This month, President Obama designated over 500,000 acres in New Mexico as the "Organ Mountains-Desert Peaks National Monument." He did so with the alleged authority of the Antiquities Act of 1906. PLC opposes such designations, which blatantly misuse the Antiquities Act, tie up millions of acres as effective wilderness areas, can cause dangerous situations along the Mexican border (as is the case here) and discourage productive multiple uses such as grazing. The Act was intended to allow the president to hastily protect specific objects or small areas of historic or scientific concern—not to allow him to usurp the authority of Congress by creating effective wilderness areas. In 2010, a BLM document was leaked that revealed the President plans to seize 130-140 million acres of western land (roughly the size of Colorado and Wyoming combined). PLC supports multiple bills designed to reestablish the original intent of the Antiquities Act and put limits on the president's authority to unilaterally make such sweeping

designations (see our legislation tracker section, [above](#)).

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USDA Announces Conservation Program Rollout

USDA announced on May 1 that applications are now being accepted for new conservation initiatives created by the 2014 Farm Bill. Through the 2014 Farm Bill's new conservation programs, USDA is making available up to \$366 million for conservation easements under ACEP to state and local governments, Indian tribes, non-governmental organizations and private landowners. ACEP consolidates three former easement programs—the Farm and Ranch Land Protection Program, the Grassland Reserve Program and the Wetlands Reserve Program—into one program. Applications and state deadline information can be obtained at your local USDA Service Center or at www.nrcs.usda.gov/GetStarted.

Additionally, up to \$20 million is available this year for the Voluntary Public Access and Habitat Incentive Program (VPA-HIP). VPA-HIP is a competitive grant program for landowners who want to make their land available for public recreation. Applications for VPA-HIP are due by June 16 and should be completed at Grants.gov. For more information, view the notice on Grants.gov or the program's website.

Also as part of the 2015 farm bill, USDA recently announced it will be directing \$1.2 billion over 5 years toward “critical conservation areas” such as Columbia River Basin, California Bay Delta, the Colorado River Basin and the Prairie Grasslands. The USDA now is accepting proposals for this program.

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Study: EPA's Econ Analysis of CWA Rule Inadequate

A recent report out of University of California-Berkley details problems with EPA's proposal to greatly expand the federal government's authority over waters under the Clean Water Act. The report, [Review of 2014 EPA Economic Analysis of Proposed Revised Definition of Waters of the United States](#), details how EPA failed to provide a realistic explanation of the scope, costs and benefits of the rule. According to the report, the proposed rule's economic analysis systematically underestimated the impact of EPA's expanded control on communities and businesses. The report documents how EPA excluded costs, under-represented jurisdictional areas and used flawed methods to arrive at much lower economic costs of the proposed rule. It also notes that the lack of transparency in EPA's analysis makes it difficult to understand or replicate the agency's calculations, examine the agency's assumptions or understand discrepancies in its results. Overall, the report underscores the need for EPA to withdraw the rule and complete a comprehensive and transparent economic review.

PLC is working with the Waters Advocacy Coalition (WAC) to draft comments on the proposed rule; this economic analysis provides further proof that the rule needs to be withdrawn.

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PLC Comments on Proposed ESA “Significant Portion of its Range” Definition

A proposed [policy](#) from U.S. Fish and Wildlife Service regarding how to define critical

habitat has made its way to the Office of Management and Budget (OMB) for review. In March 2012, PLC [commented](#) on the proposed policy. There are both positive and negative implications to FWS' proposal. Amongst the positives: it could raise the bar for when a species is considered to be threatened or endangered in a "significant portion" of its range. Under the ESA, "any species which is in danger of extinction throughout all or a significant portion of its range" is to be "protected." However, the definition of "significant portion of its range" has never been well-defined and has been the subject of extensive litigation. FWS' new policy would raise the threshold for when a species is considered to be threatened or endangered in a "significant portion" of its range. Unfortunately, once a species is determined to be threatened or endangered in a "significant portion of its range," the new policy would extend "protections" to not just that portion of the range, but to the entire population. Current policy allows a species to be listed or delisted in only a portion of their range, a policy we support.

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JUDICIARY

Court Victory for Wild Horse Management

A recent [ruling](#) from the 9th Circuit Court of Appeals upheld the BLM's gather and removal of excess horses and burros from the Twin Peaks herd management area. The 9th Circuit upheld every aspect of the BLM's gather, which was challenged by self-proclaimed horse "advocates." By BLM's estimations in 2010, horse populations had reached 2,300 (plus 282 burros)—about three times the "appropriate management level" for that area. BLM rounded up over 1,600 horses and 160 burros in summer of 2010. When horse "advocates" challenged the gather, a District Court ruling upheld the BLM's actions. The horse "advocates" appealed, but the 9th Circuit has upheld the district court ruling. This victory should clear the way for future gathers, say intervenors in the case.

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Ruling on Working Dogs Protects Ranchers from Liability

In a recent ruling of the Colorado Supreme Court, ranchers with working dogs will be exempt from liability when their "predator control dogs on public lands" cause injury. [Click here](#) to read the ruling in the case, *Robinson v. Legro*. In it, the Court holds: "the working dog exemption applies when a bite occurs on the dog owner's property or when the dog is working under the control of the dog owner".

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Small Horse Gather Planned in Southwest UT

As reported [last month](#), a group of 13 ranchers in central and southwestern Utah have filed a lawsuit against BLM for its mismanagement of wild horse populations that is directly harming their operations. This month, BLM [announced](#) that it would gather 200 horses off the area (the Bible Springs Complex) this summer, and then slowly (over 10 years) gather more until reaching "appropriate management level" (AML). However, the removal of 200 head this summer is not expected to match the rate of reproduction, so reaching AML even in 10 years would be difficult at this rate. Horses in the area are thought to exceed 2,000—and current AML is 80-170 horses. The plaintiff ranchers

formed a nonprofit organization, the Western Rangeland Conservation Association. WRCA has received commitments for over \$10,000 in contributions from ranchers, friends of ranchers, PLC, Utah Cattlemen's, Utah Farm Bureau, and Beaver, Iron and Emery counties. The nonprofit is still taking donations, which go directly toward the suit. The ranchers' complaint states that BLM's failure to perform its horse management duties "has resulted in an excessive wild horse population, which has severely damaged the public and private rangeland resources and has caused damage and injury to Plaintiffs, who are private landowners and federal and state grazing permittees".

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Judge Rejects Allotment Road Lawsuit

U.S. Magistrate Judge Paul Papak this month rejected all the claims of a radical anti-grazing group in Oregon focused on blocking BLM from maintaining roads crucial to rancher access to allotments in eastern Oregon. The group challenged road maintenance on 576 miles of roads across 3 million acres of public land, claiming that NEPA assessments were required for projects such as routine ditch cleaning, rock removal, and addition of gravel. Habitat "protection" of sage grouse—a non-listed species, at least for the moment—was one of the drivers group's claims.

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MORE NEWS

PLC Increases Media Outreach

Check out our [Op-Ed archives](#) page on the PLC website. And, if you haven't been following us on Facebook, then you might not know we've started a weekly blog, which is viewable both on Facebook and on our website at [this link](#) (you can also find it in the lower right-hand box on the homepage at www.publiclandscouncil.org). Also check the homepage for news releases, video and audio clips, issue pages, PLC events, and more.

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Upcoming Events

- NCBA Summer Conference: July 30 – August 2, 2014 ([click here](#) for info)
- PLC Annual: Mark your calendars for our next Annual Meeting in Ignacio (near Durango), Colorado, Sept. 3rd-6th, 2014.
- ASI Convention: January 28-31, 2015 ([click here](#) for info)

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Nick Theos PLC Scholarship

As reported in [April](#), Nick Theos, a founding member of PLC and great supporter of the livestock industry, passed away on April 11th, 2013 at the age of 92. The Theos family has requested that memorial donations be made to PLC; all such donations will go to the newly-created Nick Theos PLC Scholarship Program. The Scholarship will enable young people to attend our annual Legislative Conference in Washington, DC. PLC kicked off the scholarship with an initial \$500, and since then the donations have been steadily coming in. The running total to date exceeds \$3,500. We are very grateful for the generosity of:

Brice Lee
Charlie Wynn and Toulia Theos
Colorado Wool Growers Association
Colorado PLC
Daryl Bonyor Resources
Dean and Sharon Rhoads
Elena and Zoie Theos
Etchart Livestock, Inc.
Jean Brown Living Trust
Jim Magagna
Joe and Margaret S. Hinson
John Cheney
John and Sheryl Etchart
Julie Hansmire
Harper Livestock
Megiel and Rome Inda
Mike Harper Livestock
Nick and Toni Sampinos
Pole Mountain Cattlemen's Association
Reuben and Stephanie Oldland
Sharon Klingle Smith
Skye and Penny Krebs
Vermillion Ranch LTD

Everyone who knew Nick knew his passion for involving younger generations in PLC's activities in order to ensure the industry's future vitality. We are sure he would be proud to know he is still contributing in this way to PLC's and industry's success. Donations to the Nick Theos PLC Scholarship may be sent to:

Public Lands Council
1301 Pennsylvania Ave NW, Suite 300
Washington, DC 20004

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PLC's Sage Grouse Database

For peer reviewed research, legal information and state/regional plans on grazing and Sage Grouse, visit our database at: www.grazingforgrouse.com.

American Sheep Industry Association News

Go to www.sheepindustrynews.org.

Link to IBLA Decisions

To find the decisions of the Interior Board of Land Appeals over the last three months, [click here](#).

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