Wild Wild West: The Case For Tradable Grazing Rights

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The recent news about Nevada rancher Cliven Bundy standing up to the Federal government over cattle grazing rights seemed to many a story of tiny David standing up to the evil Goliath. What you probably didn’t know about the story was that Bundy and others like him are recipients of federal welfare handouts, who got upset when the dole was reduced a little bit. If you knew the full story of how grazing on federal land operates, you’d surely join my partner and me as we affirm that The United States federal government should substantially reform its agriculture and/or food safety policy in the United States.

OBSERVATION 1. We offer the following DEFINITIONS.

**Policy**: “a high-level overall plan embracing the general goals and acceptable procedures especially of a governmental body” (*Merriam Webster Online Dictionary, copyright 2016* [*http://www.merriam-webster.com/dictionary/policy*](http://www.merriam-webster.com/dictionary/policy))  
  
**Substantial**: “large in amount, size or number” (*Merriam Webster Online Dictionary, copyright 2016* [*http://www.merriam-webster.com/dictionary/substantially*](http://www.merriam-webster.com/dictionary/substantially)*)*

**Agriculture:** “the science, art, or practice of cultivating the soil, producing crops, and raising livestock and in varying degrees the preparation and marketing of the resulting products” (*Merriam Webster Online Dictionary, copyright 2016* [*http://www.merriam-webster.com/dictionary/agriculture*](http://www.merriam-webster.com/dictionary/agriculture))

OBSERVATION 2. INHERENCY, the structure of the Status Quo. Two key FACTS

FACT 1. Ranchers on welfare

Taxpayers subsidize cattle ranching on 235 million acres of federal land

Prof. Andrew Gulliford 2016 (*professor of history and Environmental Studies at Fort Lewis College* ) Privatize public lands? Start with grazing fees. 10 May 2016 <https://www.hcn.org/articles/privatize-public-lands-start-with-grazing-fees>

These self-styled “patriots” don’t really believe that *all*Americans should have a slice of the nation’s public lands. They want ranchers to gain more control without paying for it, though right now, ranchers already use our public lands at a highly subsidized rate. This is how it works: The Bureau of Land Management and the U.S. Forest Service charge fees for ranchers to run a cow-calf on public land; effective March 1of this year, grazing fees were raised to $2.11 per A.U.M., or animal unit month, which is equivalent to one cow and calf or five sheep. Though this is a 25 percent hike over last year’s $1.69 fee, it is still woefully below fair market value.  The fee change will affect 8,000 permits on Forest Service lands and 18,000 permits on BLM leases, covering a total of 235 million acres. Both the Public Lands Council and the National Cattlemen’s Beef Association support the fee increase. But some ranchers resent paying a penny more, while some environmental groups regard any public-lands grazing as welfare ranching and a waste of the West. Why? Because, in 2014, the BLM and Forest Service spent $144 million on grazing programs and earned a piddling $19 million in lease income. We’ve got an Old West legacy persisting in a New West economy. “Taxpayers are getting a raw deal regarding grazing,” says Travis Bruner, executive director of the Western Watersheds Project. “Americans are supporting a narrow welfare program for the benefit of Western livestock operations.”

FACT 2. 10-year grazing permits

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

To be eligible for a permit or lease on one of BLM’s allotments, livestock operators are required to own or control private “base property” that can serve to support the livestock with water, or necessary feed. Under USFS guidance, permits are issued to purchasers of permitted livestock or base property. (GAO 2005, 12) Grazing is administered primarily through issuance of 10-year term permits for discrete grazing allotments. The 10-year permits can be renewed without competition.

OBSERVATION 3. The HARMS. Poor management of federal grazing rights leads to several problems:

HARM 1. Endless conflict

The armed standoff created by the Bundys was only the latest event in decades of conflict over federal land

NATIONAL GEOGRAPHIC 2016 (journalist Brian Clark Howard) 16 Jan 2016 “Why Federal Lands Are So Wildly Controversial in the West“ <http://news.nationalgeographic.com/2016/01/160104-oregon-protest-malheur-national-wildlife-refuge/>

Federal ownership of land in the western United States has triggered conflicts for decades. On Saturday,  a group of about 20 armed protesters [occupied the headquarters of a National Wildlife Refuge](http://www.nbcnews.com/news/us-news/fbi-seeks-peaceful-end-armed-standoff-oregon-federal-building-n489606) in rural eastern Oregon, seeking return of federal lands to local ranchers and loggers.   The federal government manages these lands in an effort to balance environmental protection and conservation with permitted uses. In response, ranchers, private land owners, and some local and state governments have fought for more control over how the land is used. In some cases, this has led to high-profile protests like the one that erupted Saturday.

HARM 2. Taxpayer rip-off

At least $120 million per year lost through the current federal grazing permit system

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

1. Receipts from grazing fees were $125 million less than federal appropriations in 2014. Total federal appropriations for the USFS and BLM grazing programs in fiscal year 2014 were $143.6 million, while grazing receipts were only $18.5 million. Appropriations for the BLM and USFS grazing programs have exceeded grazing receipts by at least $120 million annually since 2002. Had the federal government charged the average private forage market rate for non-irrigated lands in the western states, grazing receipts would have been on average $261 million, greatly exceeding annual appropriations.

HARM 3. Environmental damage

Cattle ranching is damaging to arid Western lands

Tove Danovich 2016 (journalist) “In Parts of the West, Grazing Cattle Are Making the Drought Worse” <http://www.takepart.com/article/2016/02/04/drought-cattle-rangelands> (brackets added)

Yet there are many who believe public lands are no place for cattle even during the best times. “Livestock grazing is very damaging in the arid West,” [public lands program director at the Center for Biological Diversity, Randi] Spivak said. She said it requires nearly 14 acres of land to feed a cow and calf for one year in the West versus just two acres in the East. “They need that many more acres to roam around and find the grasses they like to eat,” Spivak explained. “The very grasses that prevent invasive species from growing and that wildlife need for cover.”

OBSERVATION 4. The PLAN, implemented by Congress, the President, the Bureau of Land Management, the Forest Service and any other federal agency owning grazing land

1. Federal land grazing rights are converted into transferable property rights and sold at public auction. Base property requirements, mandatory usage requirements, and ranching participation requirements are repealed.

2. Federal expenditures on land maintenance for the benefit of cattle grazing are canceled and become the responsibility of the grazing permit holder.

3. Funding through existing agencies and existing budgets with net reduction in federal spending through cancellation of subsidies.

4. Enforcement through existing grazing enforcement mechanisms. Violators subject to fines or imprisonment.  
5. Plan takes effect as existing grazing permits expire, starting 1 year after an affirmative ballot. Whenever an existing permit reaches its 10-year expiration, it will be converted, but no existing permits will be terminated early.  
6. Affirmative speeches may clarify

OBSERVATION 5. SOLVENCY. Transferable grazing rights are the answer.

We need transferable grazing property rights and removal of restrictions on their use

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

At the same time, more policy reforms are needed to lower the transaction costs among competing groups for federal rangeland resources. Reforms are needed to accommodate a host of different values, including non-grazing environmental values, and permits should be recognized as secure and transferable property rights. Moreover, grazing permits should be allowed to migrate to their highest-valued use, whether that is cattle grazing or tortoise habitat. This suggests that US federal rangeland policy should be reformed to eliminate the base property requirements, the use-it-or-lose-it requirement, and the requirement that grazing permit holders must be in the business of grazing livestock.

OBSERVATION 6. ADVANTAGES

ADVANTAGE 1. Ending conflict

Tradable grazing rights would solve conflicts over grazing on federal land

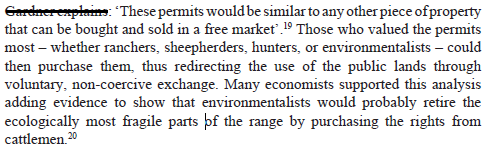
Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 21 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-western-rangelands> (“Nelson” is Dr. Robert H. Nelson, PhD in economics; formerly worked in Office of Policy Analysis of the US Dept of the Interior)

The establishment of formal grazing rights would likely promote more responsible rangeland management and alleviate the bitter conflicts that are common over grazing. “The lack of any clear rights on federal rangelands has resulted in blurred lines of responsibility which have been as harmful to the environment as they have been to the conduct of the livestock business,” writes Nelson. He argues that the creation of secure and transferable grazing rights on federal lands “offers the best means available for resolving the severe gridlock and polarization that have beset federal rangelands for the past quarter century or more.” Environmental groups “would have a realistic way to accomplish their goals, other than by seeking to influence the exercise of government command-and-controls”—that is, they could trade instead of raid, allowing the debate over western land use to no longer be resolved solely by federal regulations, bureaucratic planners, or judges, but rather “by the competitive workings of the marketplace.”

ADVANTAGE 2. Environmental protection

Environmentalists would buy grazing permits and retire them to preserve ecologically fragile range land

Dr. Mark Sagoff 2003 (PhD philosophy; Member, Science Advisory Board, Committee on the Valuation of Ecosystem Services, U.S. Environmental Protection Agency ) "Cows are Better than Condos, or How Economists Help Solve Environmental Problems" ENVIRONMENTAL VALUES Vol 12 No. 4 <http://www.environmentandsociety.org/mml/sagoff-mark-cows-are-better-condos-or-how-economists-help-solve-environmental-problems>



2A Evidence: Tradable Grazing Rights

OPENING QUOTES / AFFIRMATIVE PHILOSOPHY

Mismanagement of the western range: A tragedy from the past that lingers today

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

“There is perhaps no darker chapter nor greater tragedy in the history of land occupancy and use in the United States than the story of the western range,” according to a 1936 US Department of Agriculture report (1936: 3). In the late nineteenth and early twentieth centuries, overgrazing was common on the public domain rangelands of the western United States. US land policies gradually encouraged more settlers to venture westward, where they were met with vast open rangelands on which they grazed livestock, primarily cattle and sheep. Today, this unregulated system of open-range grazing is often seen as the root cause of severe range depletion, erosion, and other devastating environmental consequences.

The angry ranchers aren’t anti-government heroes: They’re trying to get free money from the government

Ryan McMaken 2016 (has degrees in economics and political science from the University of Colorado, and was the economist for the Colorado Division of Housing from 2009 to 2014 ) Oregon and the Problem of Federal Lands 4 Jan 2016 <https://mises.org/blog/oregon-and-problem-federal-lands>

There is always the temptation to immediately side with whomever it is that's on the receiving end of the federal government's heavy-handed court system and regulatory state. However, in none of these cases have the private sector ranchers been advocating for anything we might call "free markets." Indeed, the federal grazing programs have long been a subsidy scheme for a small number of favored ranchers.

Bundy’s no hero: He refused to pay the already subsidized fees required for grazing on federal land

US NEWS & WORLD REPORT 2016. (journalist Keith Ridler with Associated Press) 21 Jan 2016 “2 brothers leading an armed group that has taken up residence for nearly 3 weeks at a national wildlife refuge in Oregon plan to hold a signing ceremony Saturday for ranchers to tear up federal grazing contracts” <http://www.usnews.com/news/us/articles/2016-01-21/key-things-to-know-about-federal-land-grazing-in-the-west>

Their father, rancher Cliven Bundy, for years has refused to pay grazing fees or follow regulations on federal land in Nevada where he runs cattle. Federal authorities are widely seen as having backed down from trying to enforce rules in 2014. They had been rounding up Cliven Bundy's cattle when he put out a call and armed groups showed up.

BACKGROUND & DEFINITIONS

What federal agencies have grazing land? Bureau of Land Management, US Forest Service mostly, plus a few others

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

As one of the major multiple uses, grazing occurs on large expanses of BLM and USFS acreage in the West. Other federal agencies with a land base, including the National Park Service, Fish and Wildlife Service, Department of Defense (Army, Army Corps of Engineers, Air Force and Navy), and Bureau of Reclamation, often permit some livestock grazing on their lands as well, but their landholdings are small in comparison.

INHERENCY

Existing laws that govern federal grazing fees: PRIA and Executive Order 12548

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

In 1978 the Public Rangelands Improvement Act (PRIA) was passed, which provided a formula for setting grazing fees on both Forest Service and BLM lands in 16 western states. After a trial period of seven years, this formula was made permanent by Executive Order 12548 (Feb. 14, 1986). Executive Order 12548 established a fee minimum of $1.35 per Animal Unit Month (AUM), and provided that annual fee adjustment could not exceed 25 percent of the previous year’s fee. (Vincent 2012, 3) The application of the PRIA fee formula has ultimately led to BLM and USFS grazing fees that increasingly diverge from rates charged by private landowners as well as other federal and state agencies.

Status Quo management of grazing rights on federal land is doomed to fail

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

This essay examines the US federal grazing system and explores its ability—or inability—to resolve competing demands through negotiation rather than conflict. Federal grazing policies in the United States have largely proven unable to reconcile conflicting demands on the western range. In many cases, existing policies may even exacerbate the problem. The central issue, this essay will argue, is the security and transferability of property rights to rangeland resources. In particular, conflicts over grazing on federal lands are the product of poorly defined grazing rights and restrictions on the transferability of grazing permits.

3 restrictions on Status Quo grazing permits: 1) use it or lose it 2) base property rule 3) livestock owners only

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

First, the use-it-or-lose-it provision requires ranchers to graze livestock on their permitted allotments or risk losing their grazing privileges (Nelson,1997). If permittees abandon grazing activities on a significant portion of an allotment, the BLM would have an obligation to transfer the permit to another rancher willing to use the allotment for grazing purposes. While under some conditions grazing allotments can be “rested” for short periods, permittees cannot end grazing altogether on permitted allotments. This clearly creates obstacles for environmental groups attempting to acquire grazing permits for non-grazing purposes. Second, the base property requirements under the Taylor Grazing Act create similar barriers to trade. That is, groups seeking to acquire grazing rights must purchase or already own qualifying private base properties to which grazing privileges can be assigned (Nelson, 1997: 674–75). Moreover, unlike the grazing system on state trust lands in the United States, grazing rights are not determined by competitive bidding (Fretwell, 2015). This requirement raises the cost of trading grazing rights and restricts who can hold federal grazing permits. Third, federal grazing permits have generally been restricted to those operating in the livestock business. In 1995, new BLM regulations sought to eliminate this requirement. The regulations, however, were challenged in court by the livestock industry. The US Supreme Court upheld the BLM regulations in Public Lands Council v. Babbitt (2000), but the use-it-or-lose-it requirement effectively limits grazing permits to livestock owners (Epperson, 2001).

Federal subsidy: US government spends more on grazing land than it collects from the ranchers

US NEWS & WORLD REPORT 2016. (journalist Keith Ridler with Associated Press) 21 Jan 2016 “2 brothers leading an armed group that has taken up residence for nearly 3 weeks at a national wildlife refuge in Oregon plan to hold a signing ceremony Saturday for ranchers to tear up federal grazing contracts” <http://www.usnews.com/news/us/articles/2016-01-21/key-things-to-know-about-federal-land-grazing-in-the-west>

For the BLM and Forest Service, grazing fees are based on something called an animal unit month, or AUM. That's defined as the amount of forage needed to sustain one cow and her calf, one horse, or five sheep or goats for a month. That's set through a Congressionally mandated formula. Currently, the cost is $1.69 per AUM. Grazing contracts typically run 10 years. The BLM said that in fiscal year 2014, it spent $34.3 million on livestock grazing administration and collected $12.1 million in grazing fees. Environmental groups say federal grazing fees are kept artificially low resulting in a subsidy for ranchers.

Part of the subsidy: ½ the fee income is turned around and spent on land improvement for ranching

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

Not all of the grazing fees that are collected get returned to the U.S. Treasury. Federal law requires that 50 percent of all grazing revenue, for both BLM and USFS, goes into range rehabilitation and improvement funds. Activities that can be funded include, but are not limited to, constructing fences to contain livestock, installing water tanks, building impoundments to improve access to water for livestock, and seeding to improve vegetation and forage.

Market rates would be much higher than current federal grazing fees: It would be at least $10.25

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

In order to cover direct appropriation costs for the BLM and USFS programs, the grazing fee would have had to be set at $10.25 per AUM based on 2012 figures. This calculation is based on using the 2012 inflation-adjusted appropriations for BLM and USFS of $158.9 million (Table 7), and total AUMs of 15.5 million (Table 4). Other federal agencies as well as state agencies administering grazing programs in the West sometimes charge rates that are considerably higher than the $10.25 per AUM. If the BLM and USFS had charged private markets rates, on average between 2002 and 2012, grazing receipts would have amounted to $261 million annually. This is based on applying private grazing fee rates to non-irrigated land to the corresponding number of AUMs for each of those years.

Actual fee today for grazing is $1.69

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

The minimum fee that can be charged is $1.35 per AUM. Since 1981, the federal grazing fee has ranged from $1.35 per AUM to $2.31 per AUM. The federal grazing fee in 2015 was $1.69 (Glaser, Romaniella, and Moskowitz, 2015).

Conservation efforts are blocked under current grazing permit rules

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

Legal disputes from livestock associations have challenged the ability of environmental groups to acquire base properties without the intent to graze. Several of the cases described above are controversial among local ranchers and ranching communities concerned with the decline of traditional rural life. Moreover, ranchers often view the emergence of environmental values on the federal rangeland as a threat—even when its goals are accomplished through trading instead of raiding.

Tradeable rights would solve for conflict and environmental protection but Congress and bureaucrats are slow to adapt

Shawn Regan 2014 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) 22 Apr 2014 A PEACEABLE SOLUTION FOR THE RANGE WAR OVER GRAZING RIGHTS <http://www.perc.org/articles/peaceable-solution-range-war-over-grazing-rights>

To some extent this change is already under way. In many Western states, laws now allow water rights to be sold or leased for environmental or recreational uses. As a result, some environmental groups simply pay farmers and other water right holders to leave water in-stream to protect fish and wildlife habitat. Grazing buyouts represent a similar evolution in federal land-leasing. But agencies are slow to adapt, and Congress remains unwilling to cut through the knot of competing interest groups and lawsuits. Cliven Bundy's battle will continue to capture headlines and rile emotions—and for good reason. But this standoff overshadows the ways others are resolving similar disputes over land use in a cooperative manner, making the wild, wild West a little less violent—but perhaps just as wild.

A/T “There’s no subsidy, private lands cost more because they provide more services” – State lands don’t provide the services and they cost more too

Jes Burns & Tony Schick 2016 (journalists) Oregon Public Broadcasting, 6 Jan 2016 “Controversial Federal Grazing Fees Not A Great Deal For Anyone” <http://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/federal-grazing-fees/>

In Idaho, for example, lands can go out for potential competitive bids at prices as high as $8. And those bids take place for the right to lease that land for the next 10 or 20 years. The state of Oregon is charging more than $15 this year. And you’d expect some of those similar out-of-pocket expenses to be required on state land as they are on federal land.

HARMS / SIGNIFICANCE

Bureau of Land Management has 15,739 grazing permits and US Forest Service has 5,711 (but some ranchers hold permits from both)

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

In 2013, the BLM issued 15,739 permits to livestock operators and there were 5,711 livestock operators who had permits to graze in the national forest system. The numbers of USFS and BLM permits and livestock permittees are not directly additive, but due to a number of livestock operators who have permits from both agencies and/or more than one grazing permit per agency, the total number of livestock operators is likely to be fewer than 21,540. This compares to the approximately 800,000 ranchers and cattle producers in the United States. (Statistic Brain, 2012). The number of operators benefitting from the USFS and BLM grazing program in the West is therefore less than 2.7 percent of the nation’s total livestock operators.

Net taxpayer cost: >$120 million / year

Dr. Christine Glaser, Chuck Romaniello and Karyn Moskowitz 2015. (Glaser – doctorate from Univ. of Munich; master’s degree in economics from Univ. of Mainz, Germany. Romaniello - MS in Agricultural Economics from the Univ of Arizona. He worked as a natural resource/agricultural economist at the Univ of Arizona. Moskowitz – MBA in Environmental Management) COSTS AND CONSEQUENCES – The Real Price of Livestock Grazing on America’s Public Lands, Jan 2015 <https://www.biologicaldiversity.org/programs/public_lands/grazing/pdfs/CostsAndConsequences_01-2015.pdf>

The difference between appropriations and receipts was $128.4 million in 2002, and reached its highest level of $145.2 million in 2004. Its lowest leve1of $120.2 million was reached in 2007. The percent of receipts to appropriations was 18 percent in 2002, dipped to 9 percent in 2004, rose again to18 percent in 2006, and decreased to 13 percent in 2013. The difference between appropriations and receipts is a measure of the cost to taxpayers of the grazing program. The direct federal subsidy of the BLM and USFS livestock grazing programs exceeded $120 million every year for the past 12 years.

GAO and CBD studies show: Taxpayer cost for grazing programs = $115 million to $125 million / year

LOS ANGELES TIMES 2016 (journalist Alexandra Zavis) 6 Jan 2016 “Oregon standoff: Who's really getting hurt by federal grazing laws?” <http://www.latimes.com/nation/la-na-oregon-standoff-federal-grazing-laws-20160106-story.html>

A report by the Government Accountability Office, a nonpartisan investigative arm of Congress, determined that the two agencies spent $132.5 million on their grazing programs during the 2004 fiscal year but the receipts were just $17.5 million -- a difference of $115 million. Other studies have estimated that the cost to taxpayers is even higher. The Center for Biological Diversity, an environmental group, found that federal appropriations for these grazing programs amounted to $143.6 million in 2014 but said the agencies collected only $18.5 million -- a difference of $125 million.

Status Quo grazing policies promote conflict

LOS ANGELES TIMES 2016 (journalist Alexandra Zavis) 6 Jan 2016 “Oregon standoff: Who's really getting hurt by federal grazing laws?” <http://www.latimes.com/nation/la-na-oregon-standoff-federal-grazing-laws-20160106-story.html>

Ranchers have long complained that the government’s growing emphasis on protecting the environment is leading to more aggressive restrictions on grazing, timber harvesting and mineral extraction on the federally owned lands that have sustained their families and an iconic way of life for generations. “All of that makes the ranchers feel like they are under siege, and they push back,” said John Freemuth, a professor of public policy at Boise State University in Idaho.

Low grazing fees create a disincentive to ensure good care for the land

Eric Pianin 2014 (journalist) 8 May 2014 “Why Grazing Fees Are the Third Rail of Western Politics” <http://www.thefiscaltimes.com/Articles/2014/05/08/Why-Grazing-Fees-Are-Third-Rail-Western-Politics>

Environmentalists and other critics of the program say the fees have been kept artificially low for far too long, and that they foster abuse and degradation of fragile public lands. [Livestock grazing takes up more federal land](http://www.blm.gov/wo/st/en/prog/grazing.html) than any other commercial use, covering more than 155 million acres. “From our perspective it’s a bit of a perversion of a market situation,” said Bobby McEnaney, senior lands analyst for the Natural Resources Defense Council. “Grazing on federal lands is certainly a challenge and we appreciate the difficulty that many ranchers face to try to make operations work.” “But the fact the fee is so artificially low acts as a disincentive to ensure that those lands are being used in the most sustainable way possible,” he added.

P.E.E.R. study: Half the grazing lands are degraded, 16% have failed

JES BURNS AND TONY SCHICK 2016 (journalists with Oregon Public Broadcasting)  *January 7, 2016 “*Before Oregon’s armed takeover, a long-brewing dispute over rangeland health“ <http://www.pbs.org/newshour/updates/what-is-environmental-health-and-why-did-it-trigger-oregons-armed-takeover/>

In 2014, the organization Public Employees for Environmental Responsibility (PEER) released rangeland health data it obtained from BLM under the Freedom of Information Act. The data, according to the group, had “until now been scattered among BLM field offices, incomplete, inconsistent, error-prone, and poorly maintained.” That database showed near half of grazing allotments contained acres that did not meet federal land health standards. PEER found about 16 percent of allotments failed because of livestock grazing.

A/T “Ranchers are good stewards of the land” – Sometimes they are, sometimes not

Tony Schick and Jes Burns 2016 (journalists with Oregon Public Broadcasting) 29 Feb 2016 “Backlog Grows For Rangelands Awaiting Environmental Health Checkup” <http://earthfix.info/news/article/backlog-grows-for-rangelands/>

Wayne Elmore, who retired from the BLM in 2003 and now does contract work, has worked for more than 40 years in range management based in Prineville, Oregon. Across the state he has seen, as he calls it, the good, the bad and the ugly. He met ranchers who knew more about ecology than college professors. He also met some who let their cattle overgraze public lands their whole lives and they never knew the difference. “They immediately think because you bought and lived in a rural area and you had cows or horses, that that automatically makes you a philosopher and a reader of the land,” Elmore said.

A/T “Status Quo range lands are healthy” – They get passing grades because the standards are lowered

Tony Schick and Jes Burns 2016 (journalists with Oregon Public Broadcasting) 29 Feb 2016 “Backlog Grows For Rangelands Awaiting Environmental Health Checkup” <http://earthfix.info/news/article/backlog-grows-for-rangelands/>

Last year, the public land Ketscher’s cattle graze got its first new grade for rangeland health in 13 years. It’s now passing. But the new grade has less to do with healthier vegetation and more to do with a change in standards. In 2015, the BLM decided Buzzard Creek’s flow was too intermittent to support year-round vegetation in the first place, spokesman Michael Campbell said. Thirteen years after declaring livestock had impaired 300,000 acres because one creek’s vegetation was too damaged, then failing to fully act on the finding, the agency decided that creek’s vegetation was not significant enough to count.

SOLVENCY / ADVOCACY

Conservation groups want to buy grazing allotments and then retire them, but under Status Quo it’s not effective

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

Once a group buys a rancher’s grazing permit, they often request that the federal land agency retire it. This requires that the BLM or Forest Service agree to formally change the area’s management plan to cancel grazing on the allotment. Even if conservation groups can convince the federal land agencies to retire permits they have acquired, the retirements are not guaranteed, nor are they permanent. The area management plans come up for revision every 10 or 15 years, in which case the agencies could re-open the allotments for grazing. Only Congress can permanently retire a grazing permit (Reese, 2005).

Idaho is currently doing the plan on state-owned grazing lands. Result: about $8 per AUM on the open market

Jes Burns & Tony Schick 2016 (journalists) Oregon Public Broadcasting, 6 Jan 2016 “Controversial Federal Grazing Fees Not A Great Deal For Anyone” <http://www.opb.org/news/series/burns-oregon-standoff-bundy-militia-news-updates/federal-grazing-fees/> (brackets added)

In Idaho, for example, lands can go out for potential competitive bids at prices as high as $8. And those bids take place for the right to lease that land for the next 10 or 20 years. The state of Oregon is charging more than $15 this year. And you’d expect some of those similar out-of-pocket expenses to be required on state land as they are on federal land. Probably the biggest challenge is changing the formula the feds use, or even throwing it out completely. [Univ. of Idaho professor Neil] Rimbey said bidding on permits, like they do in Idaho, would get closer to reflecting what the actual market value of the grazing is. But that would require a change to a law that has essentially been the same since 1966.

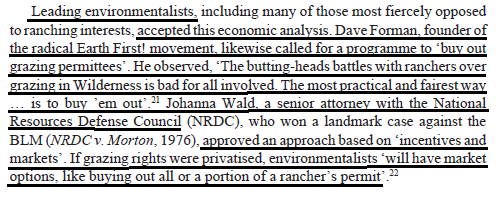
Legally transferable rights would allow environmental conservation and improve the land and its productivity

Dr. Robert H. Nelson 1996 (PhD in economics; formerly worked in Office of Policy Analysis of the US Dept of the Interior) How To Reform Grazing Policy 1 Dec 1996 <https://cei.org/studies-issue-analysis/how-reform-grazing-policy>

If “forage access” rights were defined and made legally transferable to any new owner, environmental organizations could purchase the forage rights to federal lands which are now available only to ranchers. Environmental groups seeking to reduce livestock grazing on federal lands would have a realistic way to accomplish their goals. A clear delineation of rights would also encourage existing ranchers to invest in long-run improvement of the land and its productivity. Equally important, the debate over western land-use would no longer be resolved by government planners, but by the competitive workings of the marketplace. Changes in rangeland use would be made through voluntary transactions between existing rights holders—ranchers—and those who wish to see changes on western lands.

Environmentalist agree: Tradable grazing rights are the fairest way to protect the environment and solve conflict

Dr. Mark Sagoff 2003 (PhD philosophy; Member, Science Advisory Board, Committee on the Valuation of Ecosystem Services, U.S. Environmental Protection Agency ) "Cows are Better than Condos, or How Economists Help Solve Environmental Problems" ENVIRONMENTAL VALUES Vol 12 No. 4 <http://www.environmentandsociety.org/mml/sagoff-mark-cows-are-better-condos-or-how-economists-help-solve-environmental-problems>



A/T “More Study Needed” – More study is impossible. Too much land, not enough resources

JES BURNS AND TONY SCHICK 2016 (journalists with Oregon Public Broadcasting)  *January 7, 2016 “*Before Oregon’s armed takeover, a long-brewing dispute over rangeland health“ <http://www.pbs.org/newshour/updates/what-is-environmental-health-and-why-did-it-trigger-oregons-armed-takeover/>

Collecting information like the amount and type of vegetation covering a grazing allotment is expensive — it requires site visits or high resolution aerial photographs. Federal land managers don’t have the resources to do it for all 270 million acres of public grazing land. “The problem becomes, on a given site, if you want to make some sort of management recommendation, ideally you have reliable data that’s been collected over time and collected consistently over time in the same way,” said Kari Veblen, a professor of rangeland ecology at Utah State University.

DISAVANTAGE RESPONSES

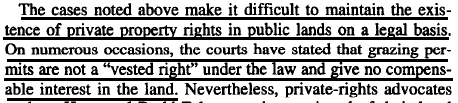
Ranchers would benefit from secure property rights in grazing permits

Shawn Regan 2016 (Director of Publications and a Research Fellow at Property & Environment Research Center; M.S. in Applied Economics from Montana State Univ and degrees in economics and environmental science from Berry College) “MANAGING CONFLICTS OVER US FEDERAL RANGELANDS” 8 Jan 2016 <http://www.perc.org/articles/managing-conflicts-over-rangelands_fraser_ranching-realities>

At least in theory, ranchers could stand to benefit from allowing trades with environmental groups to occur. A study of federal grazing permits by economists Myles Watts and Lorraine Egan in 1998 found that as the value of the federal rangeland has increased along with new and evolving demands for environmental uses, grazing permit values have declined (Watts and Egan, 1998).This result, however, is seemingly backwards. Increased rangeland value should cause grazing permit values to increase, yet that is not the result observed in the West today.10 “If the rights to grazing permits were secure and transferable,” Watts and Egan explain, “then grazing permits values would not decrease in value as non-commercial uses become more desired” (Watts and Egan, 1998: 171). In fact, the opposite would happen. Permits would become more valuable as competing groups bargained for gains from trade. However, since grazing rights cannot be traded in market institutions based on property rights, they are liable to be raided through political institutions, casting uncertainty on their value today.

A/T “Destroying property rights of existing permit holders when they can’t renew” – Current permits have no property rights

Leigh Raymond 1997 (PhD candidate at Univ. Calif.-Berkeley) “Viewpoint: Are grazing rights on public land a form of private property?” JOURNAL OF RANGE MANAGEMENT <https://journals.uair.arizona.edu/index.php/jrm/article/viewFile/9241/8853>



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