



Testimony of

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On behalf of:

National Cattlemen's Beef Association
Associated with the Public Lands Council

Before the:

United States Committee on Energy and Natural Resources
During the Full Committee Hearing to Examine the Impacts of the COVID-19
Pandemic on Users of Public Lands, Forests, and National Parks

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TESTIMONY OF ETHAN L. LANE
UNITED STATES COMMITTEE ON ENERGY AND NATURAL RESOURCES
HEARING TO EXAMINE THE IMPACT OF COVID-19 ON PUBLIC LANDS USERS
366 DIRKSEN SENATE OFFICE BUILDING
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Chairman Murkowski, Ranking Member Manchin, and Members of the Committee:

Thank you for the opportunity to provide testimony today as the Committee examines impacts experienced by a broad range of sectors during the COVID-19 pandemic.

My name is Ethan Lane. Currently, I serve as Vice President of Government Affairs of the National Cattlemen's Beef Association, and previously served as Executive Director of the Public Lands Council. NCBA is the beef industry's oldest and largest national marketing and trade association representing American cattlemen and women who provide much of the nation's supply of food and own or manage a large portion of America's private property. Additionally, NCBA is an affiliate of the Public Lands Council, supporting their work to further priorities of America's public lands ranchers who hold federal grazing permits and operate within cooperative grazing agreements to produce food and fiber while improving management of public lands across the West.

The testimony I offer today outlines both impacts germane to this Committee's jurisdiction, as well as the larger needs of the livestock industry considered by other committees on which Members of this Committee serve. Without question, COVID-19 has had profound impacts on the global economy and has highlighted the American role in the global economy and social dynamic. This Committee has held a series of hearings related to COVID-19 impacts related to the energy industry, minerals supply chains, and U.S. Territories, which have offered prescient insights into the variety of concerns facing those who interact with public lands on a routine basis.

In April 2020, economists estimated COVID-related impacts to the cattle industry alone at more than \$13 billion. This loss is compounded across other agricultural commodities. We thank the Members of this Committee for your involvement in the swift and responsive assistance Congress provided to individuals, businesses, and federal agencies to ensure these financial losses were significantly mitigated. As Congress debates next steps in assistance for American agriculture producers, public lands can and should be a key factor in your analysis.

In the cattle industry, producers who had cattle prepared to imminently enter the food supply chain saw the first impacts as processing facilities made adjustments in preparation for and in response to COVID-19 effects on their workforce. A significant portion of the financial loss attributed to the pandemic was related to this first wave of impacts, from which our domestic food supply is still recalibrating. Given ongoing adjustments in production and consumer trends, we have prepared for the effects of the pandemic that still are yet to come.

In the United States, approximately 40 percent of the Western cattle herd and 50 percent of the nation's sheep herd spend at least part of their production cycle on public lands. Following the

first wave of COVID-19 impacts, our first priority for federal lands permittees was to ensure they would be able to turn out on their allotments on time. Delays in turnout would stress private forage resources that are operated in careful balance with a producer's permitted forage use on federal lands. Delays would also cause a significant interruption in the important fuels management function provided by livestock grazing on public lands. Across the West, federal lands have experienced acute and escalating impacts from intense wildfire, so delays in application of grazing as a key fire prevention tool could have been truly catastrophic. We appreciate the swift and thoughtful federal agency response; the Washington Offices of both the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) issued direction to their field staff to utilize all tools and technologies at their disposal to safely monitor range conditions and conduct socially-distanced meetings with permittees prior to approval of grazing permits. This is one of the positive outcomes of COVID-19: agency staff became adept at conducting the necessary meetings to finalize allowable grazing on permits over a variety of technological platforms. The use of technology has not previously been heavily featured in field activities like grazing permit Annual Operating Instruction meetings, so we were pleased to see the concerted effort agency officials undertook to conduct normal agency functions. The vast majority of permittees were able to turn their livestock out on time, with minimal disruption.

Our next priority was preparation for the upcoming wildfire season. Members of this Committee know well the challenges faced by the USFS, BLM, States, and other land managers during a normal fire season. Careful training and instruction are imperative to ensure the safety and survival of the first responders who are a key part of the long-term health of our public lands. This training is critical, particularly since USFS, BLM, and many state agencies rely on seasonal employees. These seasonal employees often fight alongside volunteer forces, many of which are comprised of local volunteers like ranchers, county commissioners, and rural fire response teams. As this Committee heard during the testimony of federal agencies in June 2020¹, federal assistance through the Coronavirus Aid, Relief, and Economic Security (CARES) Act was critical in ensuring firefighters had the resources and training they needed to face the 2020 wildfire season.

A key factor in ensuring safety of wildfire firefighters and the health of natural resources lies in the success of reducing the overall wildfire risk. Managed grazing is a logical and effective tool, as environments are assessed to determine appropriate stocking rates and ranchers work throughout the grazing season to optimize forage consumption. In part, this optimization targets healthy growth of native perennial grasses as well as timely and concentrated grazing on invasive annual grasses, both of which encourage healthier biomes for wildlife and associated species while taking deliberate steps toward a more healthy and manageable fire regime. This is particularly important in a year where much of the West is under some level of elevated drought risk², which drastically increases the risk of catastrophic wildfire. Because livestock producers were able to turn out on time, the allotments will be less fireprone – resulting in benefits for both the ecosystem and those who manage it.

¹ Testimony of Amanda Kaster, Acting Deputy Assistant Secretary for Lands and Minerals, Department of Agriculture, Senate Committee on Energy and Natural Resources “Wildfire Management in the Midst of the COVID-19 Pandemic”, June 9, 2020

² United States Drought Monitor released July 16, 2020. <https://droughtmonitor.unl.edu/>

Further, decreased fire risk is imperative for those who suffer from respiratory conditions, including those arising following COVID-19 infection. In June, the Centers for Disease Control (CDC) issued new recommendations³ for practitioners related to wildfire smoke for COVID-19 patients. While the CDC's recommendations focused on the actions individuals could take to prevent impacts to their own health, the guidance underscores the need to prevent conditions that would exacerbate the significant carbon emissions and particulate dispersal as a result of a catastrophic wildfire. During the initial stages of COVID-19, some regions issued guidance that prescribed fires, which are used as a tool to mitigate wildfire risk by reducing buildup of fine fuels, should be discontinued. NCBA understood the motivation to decrease immediate impacts to those suffering from respiratory impacts at that time, and accordingly urged agencies to continue to conduct fuels management activities using tools that would not have the same kind of particulate output. In cases where landscapes would have been close to a municipality and prescribed fire was delayed or cancelled, grazing should be considered as a prime replacement. As the Committee continues to engage with federal and state agencies, we urge you to highlight the use of grazing as a nimble, targeted natural resource management tool.

While grazing is unquestionably a natural resource management tool, it is also a cornerstone activity for rural economies and American food security. As we look to the end of summer and early autumn, public lands ranchers will need the same level of attention and investment from Congress and federal agencies. Western cattle producers often manage their operations to calve in the spring when the weather is beginning to clear, and ship cattle to the next production phase in the fall. According to our producers who sold cull cattle or other stock this spring, expected prices dropped between 30 and 50 percent. Given the production impacts this year prior to and during calving season, many of these normal production targets were interrupted. Some cattle producers are holding their cattle back to account for previous delays further down the production cycle, but in order to hold these cattle back from the next phase of production, they need somewhere for those cattle to graze. For producers who hold grazing permits on federal allotments, this means that they will move their cattle from the allotment at the specified time, based on the permit conditions, and will feed their cattle until such a time that the cattle may be able to move to the next phase in the production cycle.

There may be a need for access to additional forage, including vacant allotments or other available allotments that were not grazed during the summer season. NCBA and our partners have worked with Congress and the U.S. Department of Agriculture to provide emergency access to acres enrolled in the Conservation Reserve Program, highlighting the parallel between the economic impacts of a natural disaster like flood or fire and a global pandemic. We are thankful for the leadership of Senators Thune, Ernst, and Smith in this effort, and although the bill is not in this Committee's jurisdiction, I urge Members of this Committee to support the effort.

Congress, and this Committee, have the opportunity to take parallel action for federal allotments as well; across the West, hundreds of allotments that are likely suitable for livestock grazing stand idle. For every season these lands are ungrazed and unutilized, the risk of catastrophic

³ CDC "Wildfire Smoke and COVID-19: Frequently Asked Questions and Resources for Air Resource Advisors and Other Environmental Health Professionals", June 5, 2020. <https://www.cdc.gov/coronavirus/2019-ncov/php/smoke-faq.html>

wildfire increases. Grasses and fine forbs build up. Native perennial grasses are crowded out. Ground-dwelling species lose habitat. When the landscape does burn, often it burns so hot and so fast that organic matter is sterilized and regrowth potential is severely limited. This Committee is acutely aware of the challenges facing land managers and ecosystems in post-fire remediation. The best possible scenario is prevention. In California alone, there are hundreds of vacant allotments⁴, and California is not unique. Most of these allotments are inactive and unavailable because the agencies have failed to keep pace with the assessments required under the National Environmental Policy Act (NEPA). We know that NEPA analysis is an important tool that allows land managers to make management decisions about a particular ecosystem. This Committee has the opportunity to provide improved legislative tools to allow the agencies to undertake more efficient NEPA that accounts for a more comprehensive ecosystem view, or to employ specialized NEPA completion teams. The Committee, and Congress, also has the ability to direct agencies to utilize contractors to conduct NEPA, which has been an approach employed by agencies in NEPA analysis for other land use activities. Grazing and management of potential allotments should be no different.

Another issue of grave importance is the rise of recreational use of public lands. First and foremost, ranchers recognize and wholeheartedly endorse the concept of multiple use of public lands. The principle of multiple-use management is at the core of the statutory and ideological principle by which 650 million acres of federal land is managed in this country. Throughout COVID-19, there have been multiple reports that a public with a dramatic and abrupt increase in time at home led to a dramatic increase in recreational use of these lands, after the initial lockdown. As Americans searched for any opportunity to safely get outside and recreate while maintaining responsible social distancing, lands and natural resources were the obvious choice for many.

Ranchers are often the first line of welcome for those seeking to enjoy the lands ranchers have caretaken for so long, but this increased use has consequences. New users may be unaware of the rules, and other users ignore signage because enforcement officials are not on hand. Those who are unaware or simply unwilling to follow good practice have impacted both the health of landscapes and other users. Ranchers see the impacts when large volumes of recreational vehicles ignore signage, encircling critical watering holes used by livestock and wildlife alike. Off-road vehicle use and new “trails” affect soil quality and forage health. These effects, while caused solely by recreation and other users, do not affect the ability of recreationalists to access these lands. The ultimate price for these impacts is paid grazing permit holders. These permittees are held accountable for range condition on a regular basis, and as the only quantifiable use on any given allotment, are often saddled with all of the economic and regulatory burden associated with impacts they had no way to prevent.

Multiple-use management is an important principle, and this Committee must be aware of the distribution of impacts, particularly as Congress is poised to abdicate their authority and involvement in the increase of the federal estate through conversation of funding for the Land and Water Conservation Fund. Federal lands are a key portion of our nation’s identity, and user conflicts will only continue to grow as federal agencies are allowed to dramatically expand their

⁴ Forest Service Recessions Schedule, 2020.

land holdings. These impacts and their associated costs must not be balanced on the back of the American rancher.

Finally, it must be said that the COVID-19 crisis has only served to further illustrate the critical role that federal grazing permit holders play in managing the federal estate. As the American economy ground to a halt, and federal agencies implemented plans to reduce or eliminate all non-essential in-person services, Western ranchers answered the call. No matter the extenuating circumstances, cattle and sheep must be fed. Water sources must be maintained. Throughout the most pivotal moments, including the current pandemic, more than 250 million acres of the federal estate was still stewarded by the ranchers that depend on it for their livelihood. This is the true legacy of 22,000 federal grazing permit holders. No matter the conditions, these men and women care for this resource as if it is their own, and while all other services ceased, their efforts did not. From the most fundamental need for food security, to the dollars that remain in rural communities as a result of agriculture production, to cost savings for the American taxpayer by avoidance of costs associated with catastrophic wildfire, public lands grazing does it all.

Today, we have a unique story to tell. Throughout COVID-19, industries – including those at this table – have come to Congress to ask for sizeable financial and regulatory assistance. Public lands grazers have certainly faced challenges, and will continue to do so for years to come. Despite these challenges, ranchers were on the land, managing the forage, ensuring wildlife had water and forage. Ranchers were the ones ensuring the local feed mills, shops, and fuel pumps had continuous business. We fix fence, roads, water features. We are the eyes and ears on the landscape. We are reliable. We are consistent. We are essential.

As the Committee considers future policy long after COVID has subsided, I urge the Committee to remember that while it may be tempting to develop policy and chase novel uses of public lands, public lands grazers give more back to the landscape than they consume.

Thank you for the opportunity to address the Committee and for the Members' continued commitment to healthy public lands.