

To: Director Tracy-Stone Manning

From: Melissa Shawcroft

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RE: Some Perspective on More than Three Decades as a BLM Range Specialist

In the fall of 1992, I began my career with the BLM in Colorado's San Luis Valley as a Range Management Specialist. Over the last 32 years, my primary duty has been to administer approximately 70 grazing allotments and oversee about 50 grazing permits and to protect the very special, "Rio Grande Natural Area."

The Rio Grande Natural Area is a seven mile stretch of the Rio Grande River and is one the treasures of the San Luis Valley. This is an arid area with primarily ephemeral waters to support the wildlife and the Rio Grande is important as one of the few permanent waters. It is essential to the biodiversity of the area. In this area BLM has documented beaver, river otter, rabbits, deer, and elk. This section of the river is full of bird life, migratory birds and raptors, herons, the threatened Western Yellow-billed Cuckoo, and the endangered Southwestern Willow Flycatcher (It is estimated that there are only 900 remaining breeding pair of the Willow Flycatcher).

Unfortunately, this area is also highly attractive to cattle and though the west side of the river is BLM managed land, the east side is unfenced private land. Throughout my career at BLM, it has been my duty to curb the illegal overgrazing on this stretch of the river.

Less Time in Field – More Time Behind a Computer

"Back in the day" as they say, far more time was devoted to boots on the ground. In later years, I have found that management does not want me in the field and has taken steps to limit my field time to one day per week. Not only does this limit the amount of long term monitoring such as doing allotment trend studies (which are no longer getting done) but also the amount of time available for allotment compliance inspections.

At the same time, the range program has been saddled with more and more administrative duties, with more and more complicated computer programs and technology for the BLM range staff to master just to be able to keep up with BLM internal administrative demands.

The range specialist has become loaded down with basic administrative duties that were once common for an office secretary (a position that largely disappeared) to perform. These administrative duties consist of such things as preparing and filing credit card statements, compiling monthly vehicle reports, drafting travel authorizations, preparing risk management assessments for office desk/computer work, in addition completing annual trainings for everything under the sun.

As a result, in a very short-staffed program, it is now next to impossible for the range specialist to perform their actual job in the field as they once did.

Public Land Health Lost in the Shuffle

So, the range specialist is considered lucky if they even make it to the field once per week but are encouraged to do even less with that time. For example, if at any time we are instructed to be in the field to observe ongoing continuous livestock trespass incidents it is now called “monitoring” the situation. As a result, we monitor and monitor and monitor decades-long trespass cases only to spend a huge amount of the taxpayer’s money on wasted observations that end up going nowhere.

No Action on Trespass

The San Luis Valley is known for the extensive amount of unresolved livestock trespass cases, causing several allotments to not meet the standards for public land health. Yet, over the last 30+ years, basically next to nothing has been initiated by the BLM in resolving the livestock trespass problem other than an occasional phone call.

Since 1999 when first determined that the heavily trespassed La Sauces allotment was not meeting standards due to livestock trespass, there has not been any concrete action taken on the trespasser. No livestock impoundments have been attempted nor very few citations issued that would make the trespasser to stand up and take notice in changing their ways.

Instead, BLM issues tiny trespass fines via the administrative process used for permittees to people who do not have permits – an exercise that is largely useless and promotes ridicule from the trespasser.

Nor has this vacant allotment (no permittee tied to it) been offered to the public to graze under a fee-based program. Instead, for more than 20 years it has been grazed free of charge by the one trespasser living in the immediate area. The irony is that BLM uses the very fact that the allotment was not meeting standards due to livestock trespass as the basis to deny BLM permittees any requested temporary grazing use of the allotment.

This “see no evil” posture is not limited to the La Sauces allotment. This is a BLM-wide issue as managers say they do not wish to have another Bundy situation. As a result, BLM would rather ignore ongoing livestock trespass, no matter how damaging, than taking action for fear of inviting public scrutiny.

Trespass Evidence Uploaded to the Cloud

For the last few years, the entire field staff is instructed to gather livestock trespass information and uploaded into the “cloud” in a program called Survey 123. The GIS specialist is the first person to see the data and then makes the first decision on whether the data collected includes enough evidence to pursue. The GIS person then makes the decision on whether to contact management as to whether there is a legitimate trespass based on the evidence collected by the staff.

However, the data often does clearly identify or record cattle brands. Nor are animals counted correctly as to a specific breed, sex, and other identifiable markings such as ear tags etc. As a result, most often the data collected is thrown out by the GIS specialist.

From what I can tell, this is the result that the BLM wants rather than having an experienced range specialist gathering the trespass evidence and processing it. The BLM has bypassed the range specialist and reviews the data deciding if or when action is to be taken.

As a result, BLM discourages range specialists from even creating or maintaining a trespass log, outside of Survey 123. For example, last August I was directed to “limit the entries on the [trespass] register to instances where an actual trespass notice was issued.” This creates a sort of chicken-and-egg problem of how can notices be issued if the trespass is never recorded?

Even sending emails dealing with trespass is frowned upon. BLM’s attitude with respect to cattle trespass seems to be “no documentation, no problem.”

No Improvement for Degraded Lands

When allotments are determined to be failing meeting standards due to livestock grazing, little is done to remedy the situation other than stalling tactics. For instance, after many grazing allotments were found to not be meeting standards, their grazing plans were revised to incorporate rest periods to help offset the effects from grazing impacts and to move towards meeting the standards. However, the subsequent National Environmental Policy Act (NEPA) Environmental Assessments (EAs) did not reveal the mandatory yearlong allotment rest that these allotments were supposed to allow. Nor does the “Current Management Action” (or what is considered Alternative B in the EA) even reveal to the individual permittee what the current management or grazing system on that allotment actually was. Instead, the EAs often propose less frequent mandatory yearlong allotment rests as if this was the first go around.

Furthermore, these EAs are not made available to the public on the BLM planning website nor are they sent to the BLM staff or even the interdisciplinary (ID) Team for that allotment. Therefore, the current grazing plan for the failing allotment is typically never completely analyzed, nor a viable assessment made.

Use of DNAs (Determination of NEPA Adequacy)

The BLM or District consistently uses DNAs to tier to their Resource Management Plans and other EA’s or programmatic environmental assessments without any site specific analysis which would be necessary to analyze the impacts to the resources from the proposed action in that specific area. Many range improvements are constructed in this way without any site specific analysis as are required by Council on Environmental Quality NEPA regulations.

Desertification of the Range

Over the past 32 years of working in the San Luis Valley, I have noticed that the number of ephemeral livestock watering sources in the valley have totally dried up. In the 1970’s and 80’s there was a big push to develop springs, construct reservoirs or tanks, catchments, and anything else that might provide a temporary water source for livestock. However, most of these range improvements dried up long ago and are no longer capturing rainwater.

Now there is a big reliance on drilling new wells. These wells are very costly and BLM lands are not always conducive for drilling wells due to elevation and terrain. The overall effect of the desertification of the rangelands is that livestock distribution becomes a big factor with livestock

basically hanging out at the only source of water they do have instead of spreading out to make use of more country and more vegetation.

In my eyes, this is a big factor for rangelands not meeting public health standards and in the end, it becomes a question of what really should be the carrying capacity of the allotment.

Ethic of Silence

The agency promotes the term “transparency” but in all actuality it is the opposite. If one is to step out of line and bring forward a wrong or insinuate that something was not handled correctly by management, you are instantly marked and labeled. If you blow the whistle as was the case for me in 1995 or so when I went to OSHA about my safety and the livestock trespass problems along the Rio Grande, you are marked for the rest of your career. A good employee of the BLM is one that keeps quiet and does as they are told, whether right or wrong.

The old BLM saying which remains in use today is that “risk management” means you take chances and hope you don’t get caught.

Agency Mission

There was a time in the beginning of my career in the early 1990’s when the staff met weekly to discuss, address, and update the staff on ongoing resource issues such as non-permittee and permittee livestock trespass, trash dumping, long term camping, illegal wood cutting, road closures, livestock impoundment etc. and who had received a citation or fine.

Now, weekly staff meetings basically revolve around internal happenings within the agency consisting of employee round robins discussing work schedules in relation to meetings, time off, teleworking, doctor/dental appointments, trainings, dirty refrigerators, timesheets, uniforms, and general office politics. It appears that the more jovial an employee happens to be at these weekly staff meetings the more they are liked and supported by management and are considered part of the office TEAM.

If one mentions ongoing resource issues such as livestock trespass and the need for it to be addressed, the meeting quickly becomes a downer and there is a quick exchange of a deer in the headlight looks from management and then an abrupt change in the subject matter as if the subject was taboo.

Today, managers are not hired or trained to deal with external conflicts as they once were when managers had a range background and were accustomed to dealing with contentious situations. Now, most contentious situations are internal and the “outside” ones are for the most part ignored.

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