April 12, 2021

The Honorable Robert Rivas
California State Assembly
State Capitol
Sacramento, CA 95814

RE: Assembly Bill 434 (Public lands: grazing leases) - Oppose

Dear Assemblymember Rivas:

On behalf of our millions of members and supporters in California, we write to express our strong opposition to AB 434 as amended on April 7, which would expand and entrench commercial livestock grazing across our state parks, wildlife areas and state trust lands, threatening to turn some of California's most prized wildlands into pastures.

This harmful legislation is a misguided attempt by the sponsors to leverage the unprecedented wildfire season in 2020 to extend long-term commercial grazing leases onto state public lands that were specially designated for biodiversity conservation and recreation, elevating resource exploitation over the public interest. This unnecessary bill would subvert responsible land management policy, thwart science-based fire mitigation strategies, undermine wildlife protection, and degrade recreational opportunities on parks, wildlife areas and other vital habitats statewide. Amendments to the bill do not remedy these fundamental flaws.

AB 434 is unnecessary as California state agencies already have authority to use grazing for vegetation management.

The Department of Parks and Recreation (California State Parks) and the California Department of Fish and Wildlife (CDFW) already have authority to use livestock grazing as a land management tool on parks and wildlife areas, but where appropriate. Fuels management can be and is already an objective in existing grazing leases, contracts and permits. Similarly, state trust

lands administered by the State Lands Commission are already leased for grazing management where suitable, often as part of larger federal grazing allotments.

More importantly, there is no evidence that replacing these existing authorities with expanded commercialized grazing leases would make a meaningful contribution to statewide fire management strategies. Our parks, wildlife areas and state trust lands comprise less than three percent of California's land base, and a large proportion of them are sparse deserts that experience wildfire infrequently due to their long fire return intervals.

AB 434 is misguided and countermands existing state agency authorities and resource management goals.

AB 434 would elevate commercial grazing *everywhere* on California parks, wildlife areas and state trust lands where grazing might reduce fire fuels, overriding existing law and practice that allows professional land managers and scientists to determine where prescribed, targeted grazing is the most effective management approach.

Currently, when prescribed grazing is part of an integrated management plan, it usually involves short-term, intensive use targeted at the appropriate time in the annual growth cycle to remove the desired amount of vegetation. Land managers often hire grazing/browsing animals to achieve this goal when it is determined to be the right tool for the job.

AB 434 would reduce this current management flexibility by requiring the use of long-term commercial grazing leases over other grazing management options. CDFW grazing permits would be eliminated in favor of commercial grazing leases that generally last five to 20 years, while the length of California State Parks leases would likewise be extended to 20 years. These long-term grazing leases would likely preclude other beneficial fuels reduction activities, such as mechanical methods, hand removal of larger diameter vegetation, and/or prescribed fire.

AB 434 would be burdensome, impractical and counterproductive for addressing fire on state lands.

Developing and implementing new commercial livestock grazing on state lands would be administratively onerous due to high enforcement and other costs, and impossible in much of California where state lands are isolated within other landownerships, including national parks, national preserves, national monuments and other federal reservations. Grazing on these parcels may be federally prohibited or otherwise subject to federal land management regimes. Moreover, attempts to graze state inholdings enveloped within national parks, national preserves and national monuments would directly conflict with a variety of federal conservation mandates for those surrounding lands.

Furthermore, a large proportion of California parks, wildlife areas and state trust lands are in the Mojave Desert,[1] Sonoran Desert,[2] and sagebrush steppe[3] where livestock grazing has been demonstrated to *exacerbate* wildfire through the spread of invasive annual grasses that fuel larger, hotter and more frequent blazes than occurred naturally. In California's extensive ponderosa pine forests, livestock grazing has dramatically reduced resilience to wildfire by eliminating the fine fuels that carry low intensity and rejuvenating ground fire, releasing dense thickets of competing ponderosa pine seedlings that drive high-intensity, devastating stand replacing crown fires that have become common in the state.[4]

Where ecosystems have evolved with fire, state resource agencies are working to expand the use of prescribed burns for vegetation management, which is, by far, the most effective ecological process to promote biodiversity and a naturally attenuated fire regime.

AB 434 would imperil native species and degrade sensitive habitats, watersheds and ecosystems on state conservation lands.

The scientific record is replete with the myriad deleterious impacts of commercial livestock grazing and grazing infrastructure (e.g., fences, corals, troughs, etc.) on western ecosystems,

[1] Brooks, M. L. and K. H. Berry. 2006. Dominance and environmental correlates of alien annual plants in the Mojave Desert, USA. J. Arid Environments 67 (Suppl.): 100-124.

[2] Brooks, M. L. and D. A. Pyke. 2001. Invasive plants and fire in the deserts of North America. Pages 1–14 *in* K.E.M. Galley and T.P. Wilson (eds.). Proc. Invasive Species Workshop: the Role of Fire in the Control and Spread of Invasive Species. Fire Conference 2000: the First National Congress on Fire Ecology, Prevention, and Management. Misc. Publ. No. 11, Tall Timbers Research Station, Tallahassee, FL; M. L. Brooks, C. M. d'Antonio, D. M. Richardson, J. B. Grace, J. E. Keeley, J. M. DiTomaso, R. J. Hobbs, M. Pellant, D. Pyke. 2004. Effects of invasive alien plants on fire regimes. BioScience 54 (7): 677–688; J. A. Hall, S. Weinstein, and C. L. McIntyre. 2005. The Impacts of Livestock Grazing in the Sonoran Desert: A Literature Review and Synthesis. The Nature Conservancy. Tucson, AZ.

[3] Reisner et al. 2013; S. T. Knick, Dobkin, D. S., Rotenberry, J. T., Schroeder, M. A., Vander Haegen, W. M., Van Riper III, C. 2003. Teetering on the edge or too late? Conservation and research issues for avifauna of sagebrush habitats. The Condor 105(4): 611-634; Brooks et al. 2004; D.A. Pyke, Chambers, J. C., Pellant, M., Knick, S. T., Miller, R. F., Beck, J. L., Doescher, P. S., Schupp, E. W., Roundy, B. A., Brunson, M., McIver, J. D. 2015. Restoration Handbook for Sagebrush Steppe Ecosystems with Emphasis on Greater Sage-grouse Habitat—Part 1. Concepts for Understanding and Applying Restoration. U.S. Geological Survey Circular 1416. U.S. Geological Survey. Reston, VA; *see* J.C. Chambers, Beck, J. L., Campbell, S., Carlson, J., Christiansen, T. J., Clause, K. J., Dinkins, J. B., Doherty, K. E., Griffin, K. A., Havlina, D. W., Henke, K. F., Hennig, J. D., Kurth, L. L., Maestas, J. D., Manning, M., Mayer, K. E., Mealor, B. A., McCarthy, C., Perea, M. A., and Pyke, D.A. 2016. Using Resilience and Resistance Concepts to Manage Threats to Sagebrush Ecosystems, Gunnison Sage-grouse, and Greater Sage-grouse in their Eastern Range: A Strategic Multi-scale Approach. Gen. Tech. Rep. RMRS-GTR-356. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station. Fort Collins, CO.

[4] Allen, C. D., M. Savage, D. A. Falk, K. F. Suckling, T. W. Swetnam, T. Schulke, P. B. Stacey, P. Morgan, M. Hoffman, J. T. Klingel. 2002. Ecological restoration of southwestern ponderosa pine ecosystems: a broad perspective. Ecological Applications 12(5): 1418–1433; Belsky and Blumenthal 1997; C. F. Cooper. 1960. Changes in vegetation, structure, and growth of southwestern pine forests since white settlement. Ecological Monographs 30(2): 129-164.; W.W. Covington and M. M. Moore. 1994. Southwestern ponderosa forest structure: changes since Euro-American settlement. Journal of Forestry 92(1): 39-47; W.W. Covington, P. Z. Fulé, M. M. Moore, S. C. Hart, T. E. Kolb, J. M. Mast, S. S. Sackett, M. R. Wagner. 1997. Restoring ecosystem health in ponderosa pine forests of the southwest. Journal of Forestry 95(4): 23-29.

including species imperilment;[5] soil compaction and erosion;[6] riparian degradation, channelization of wet meadows, and defilement of natural seeps and springs;[7] reduced water quality (fecal coliform, sedimentation)[8] and water quantity,[9] and higher water temperatures; impacts to mycorrhizal communities;[10] shifts in plant community composition;[11] and introduction and propagation of invasive species.[12]

Commercial livestock grazing systematically eliminates native vegetation and often during critical times of the year when wildlife need those resources for shelter, nesting, rearing young, foraging and escaping predators.[13]

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[5] Wilcove, D. S., D. Rothstein, J Dubow, A Phillips, E. Losos. 1998. Quantifying threats to imperiled species in the United States: assessing the relative importance of habitat destruction, alien species, pollution, overexploitation and disease. BioScience 48(8): 607-615; C.H. Flather and L. A. Joyce. 1994. Species endangerment patterns in the United States. Gen. Tech. Rep. RM-241. USDA-Forest Service. Fort Collins, CO; B. Czech, P. R. Krausman, and P.K. Devers. 2000. Economic associations among causes of species endangerment in the United States. BioScience 50(7): 593-601; Bureau of Land Management/U.S. Forest Service. 1995. Rangeland Reform '94 Final Environmental Impact Statement. U.S. Dept. Interior, Bureau of Land Management. Washington, DC.

[6] Fleischner, T. L. 2010. Livestock Grazing and Wildlife Conservation in the American West: Historical, Policy and Conservation Biology Perspectives. Pages 235-265 *in* J. DuToit, R. Kock, and J. Deutsch (eds.). WILD RANGELANDS: CONSERVING WILDLIFE WHILE MAINTAINING LIVESTOCK IN SEMI-ARID ECOSYSTEMS. Zoological Society of London/ Blackwell Publishing Ltd. Oxford, UK; A. J. Belsky and D. M. Blumenthal. 1997. Effects of livestock grazing on stand dynamics and soils in upland forests of the interior West. Cons. Biol. 11: 315-327.

[7] J. B. Kauffman. 2002. Lifeblood of the West: riparian zones, biodiversity, and degredation by livestock." Pages 175-176 *in* G. Wuerthner and M. Matteson (eds.). WELFARE RANCHING. Island Press. Covelo, CA; A.J. Belsky, A. Matzke, S. Uselman. 1999. Survey of livestock influences on stream and riparian ecosystems in the western United States. Journal Soil & Water Conservation 54(1): 419-431; E. Chaney, W. Elmore, and W. S. Platts. 1993. Livestock grazing on western riparian areas. Northwest Resource Information Center. Eagle, ID (fourth printing; published by the Environmental Protection Agency); J. B. Kauffman and Krueger, W.C. 1984. Livestock Impacts on Riparian Ecosystems and Streamside Management Implications... A Review. Journal of Range Management 37(5): 430-438.

[8] Suk, T., J. L. Riggs, B. C. Nelson. 1986. Water contamination with giardia in backcountry areas *in* Proc. of the National Wilderness Conference. Gen. Tech. Rep. INT-212. USDA-Forest Service, Intermountain Res. Stn. Ogden, UT: 237-239.; J. Carter. Stink water: declining water quality due to livestock production. Pages 189-192 *in* G. Wuerthner and M. Matteson (eds.). WELFARE RANCHING. Island Press. Covelo, CA.

[9] *See* G. Wuerthner. 2002. Guzzling the West's water: squandering a public resource at public expense. Pages 185-187 *in* G. Wuerthner and M. Matteson (eds.). WELFARE RANCHING. Island Press. Covelo, CA.

[10] Bethlenfalvay, G. J. and Dakessian, S. 1984. Grazing effects on mycorrhizal colonization and floristic composition of the vegetation on a semiarid range in northern Nevada. J Range Manage 37: 312–316; *see also* M. van der Heyde, L. K. Abbott, C. Gehring, V. Kokkoris, M. M. Hart. 2019. Reconciling disparate responses to grazing in the arbuscular mycorrhizal symbiosis. Rhizosphere 11.

[11] Fleischner, T. L. 1994. Ecological costs of livestock grazing in western North America. Conservation Biology 8(3): 629-644; E. L. Painter, E. L. 1995. Threats to the California flora: ungulate grazers and browsers. Madroño 42(2): 180-188; D. Donahue 1999.THE WESTERN RANGE REVISITED: REMOVING LIVESTOCK FROM PUBLIC LANDS TO CONSERVE NATIVE. Univ. Oklahoma. Norman, OK.

[12] Kimball, S. and P. M. Schiffman. 2003. Differing effects of cattle grazing on native and alien plants. Conservation Biology 17(6): 1681-1693; M. D. Reisner, Grace, J. B., Pyke, D. A., Doescher, P. S. 2013. Conditions favouring Bromus tectorum dominance of endangered sagebrush steppe ecosystems. Journal of Applied Ecology 50(4): 1039-1049; R. Rosentreter. 1994. Displacement of rare plants by exotic grasses. Pages 170-175 *in* S. B. Monsen and S. G. Kitchen. Proc. Ecology and Management of Annual Rangelands. Gen. Tech. Rep. 313. U.S. Forest Service Intermountain Research Station. Ogden, UT; Brooks and Berry 2006; Brook and Pyke 2001; Brooks et al. 2004; *see also* A. J. Belsky and J. L. Gelbard. 2000. Livestock grazing and weed invasions in the arid west. Oregon Natural Desert Association. Bend, OR.

[13] Donahue 1999; Fleischner 2010; Fleischner 1994.

Along with acute and broadscale harm to native habitats and the wildlife that depend on them, AB 434 would also threaten imperiled species. For example, state public lands provide vital habitat for mountain lions, which are candidates for state endangered species status across a wide swath of the Central Coast and southern California. AB 434 would increase the likelihood of conflicts between domestic livestock and these imperiled carnivores, leading to increased mountain lion depredations on the very lands that were set aside for their conservation. The bill's expansion of commercial grazing would also result in displacement of the native ungulates that mountain lions depend on for prey.

AB 434's fundamental flaws cannot be fixed with amendments.

Amendments to AB 434 will not resolve its inherent policy problems. Regardless of the April 7 amendments or any additional changes the bill may undergo, it would still endeavor to elevate commercial resource use on California conservation lands, putting managers in a position where they would be pressured to allow grazing even where it may not be appropriate. This is antithesis to preserving these public lands for all Californians to enjoy.

Even though AB 434 was amended to remove the automatic presumption that commercial grazing is consistent/compatible with the purpose/use for which the parks and CDFW lands were acquired, the legislation still threatens to entrench long-term commercial use of these public lands that is *per se* incompatible with their conservation and recreational purposes. Though the amended bill references approved management plans with habitat objectives, such plans are not required, and even if they were, AB 434 would still be unnecessary and restrictive of current management approaches, risking far more environmental damage than potential benefits. Similarly, the amended requirements for some undefined form of monitoring do not solve underlying problems posed by the bill and introduce a host of additional questions, including whether and how grazing use might be modified based on monitoring where lessees now have an expectation of continued access to support their *commercial* grazing operation.

Both the presence of livestock and the damage that commercial grazing can cause to parks, wildlife areas and other public lands are well known and threaten visitor experiences and other public values. More productive fire management strategies are available, including prescribed burns. For all these reasons, we oppose AB 434.

Thank you for your consideration.

Sincerely,

Rachel Norton, Executive Director
California State Parks Foundation

Neal Desai, Senior Director of Field Operations
National Parks Conservation Association

Brian Nowicki, CA Climate Policy Director
Center for Biological Diversity

Sofia Rafikova, Policy Coordinator
Planning and Conservation League

Debra Chase, CEO
Mountain Lion Foundation

Brandon Dawson, Policy Advocate
Sierra Club California