

Congress Designates First Livestock-free Wilderness Area

by Mark Salvo and Andy Kerr

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In October 2000, the United States Congress passed two bills that added new acreage to the National Wilderness Preservation System; the new units are in Colorado and Oregon.¹ Although the bills were debated and presented to the President only one week apart, each bill treated livestock grazing in the new wilderness areas very differently. For the Oregon bill, conservationists had raised grazing in wilderness as a legislative issue that required congressional resolution. For the Colorado legislation, grazing was not an issue.

The Colorado Canyons National Conservation Area and Black Ridge Canyons Wilderness Act² established a new conservation area (reserved chiefly for recreation purposes) and the new Black Ridge Canyons Wilderness area of approximately 75,550 acres in western Colorado. Local conservation interests did not challenge wilderness grazing in the drafting of the bill. Not surprisingly, the Colorado legislation followed the trend of retaining grazing in Black Ridge Canyons—like every wilderness bill before it.

In Oregon, however, the Steens Mountain Cooperative Management and Protection Act³ set a new direction—it created the nation's first federal wilderness area that *explicitly excludes* domestic livestock grazing. Despite the express reservation of grazing in wilderness by the Wilderness Act⁴ and subsequent pro-grazing legislation and Congressional reports,⁵ the Steens Mountain legislation zoned 99,859 acres as livestock-free in the new 174,744-acre Steens Mountain Wilderness Area.

Oregon conservationists were adamant that livestock be prohibited to graze the fragile mountain meadows and federally designated “Wild and Scenic” rivers that descend from three sides of Steens Mountain. Major factors that helped force the legislation through Congress were:

1. Secretary of the Interior Bruce Babbitt threatened to recommend that President Clinton proclaim Steens Mountain as a national monument;
2. Ongoing litigation concerning livestock grazing in the Donner und Blitzen Wild and Scenic River corridor; and
3. A primarily urban congressional delegation.

Ultimately, conservationists won livestock-free wilderness in negotiations with local livestock interests who desperately wanted some private-public land exchanges to solidify their operations. The entire Oregon congressional delegation (five Democrats, two Republicans) supported the bill.

The great news is that Congress has become schizophrenic on the subject of grazing in wilderness; this presents a dramatic opening for conservationists to change the pro-grazing status quo. Livestock-free wilderness is the strongest protection available for public lands. The challenge and opportunity for the conservation community is to get no-grazing provisions (“Oregon language”) adopted in future wilderness legislation.

*Mark Salvo is director of the Sagebrush Sea Project in Chandler, Arizona (mark@sagebrushsea.org).
Andy Kerr is czar of The Larch Company in Ashland, Oregon (andykerr@andykerr.net).*

¹ The bills passed subsequent to the publication last summer of our article “Livestock Grazing in the National Park and Wilderness Preservation Systems” *Wild Earth* 10(2): 45–52, making some of the information therein, happily, out-of-date.

² Colorado Canyons National Conservation Area and the Black Ridge Canyons Wilderness (Oct. 24, 2000); Pub.L. 106-353.

³ Steens Mountain Cooperative Management and Protection Act (Oct. 30, 2000); Pub. L. 106-399.

⁴ 16 USC § 1133(d)(4) (1998).

⁵ Over the past twenty years, in both legislative and report language, Congress has reiterated its intent that grazing is a permanent use of Wilderness. See Colorado Wilderness Act of 1980, Pub. L. No. 96-560 § 108; Arizona Wilderness Act of 1984, Pub. L. 98-428 § 101(f)(1); Utah Wilderness Act of 1984, Pub. L. 98-428 § 301(a); Wyoming Wilderness Act of 1984, Pub. L. 98-550 § 501; Arizona Desert Wilderness Act of 1990, Pub. L. 101-628 § 101(f)(1) (all codified at 16 USCA § 1133 notes [1998]) and associated congressional reports.