

**RESOLUTION REGARDING THE REQUIREMENT FOR
COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT FOR THE
RENEWAL OF GRAZING PERMITS ON PUBLIC LANDS**

WHEREAS, the Bureau of Land Management (BLM) and the U.S. Forest Service (USFA) are currently in the process of renewing term grazing permits on public or federal lands, and

WHEREAS, there is currently an issue regarding whether a term permit itself can be renewed without National Environmental Policy ACT (NEPA) compliance or with a categorical exclusion, and

WHEREAS, there is also a question whether the terms and conditions, as opposed to the permit itself, can be renewed without NEPA compliance or via a categorical exclusion, if there is no change in the terms and conditions in the permit, and

WHEREAS, there is a question whether, if the terms and conditions in a term permit change, NEPA compliance is required, and

WHEREAS, NEPA only applies to major federal actions significantly impacting the human environment.

THEREFORE BE IT RESOLVED, NACO take the following positions:

1. Renewal of a term grazing permit does not require NEPA compliance as such renewal is required pursuant to the Taylor Grazing Act and the Administrative Procedures Act.
2. Renewal of the terms and conditions in a term grazing permit, if there are no changes to those terms and conditions and if the allotment is meeting all Rangeland Health Standards, may be completed via a categorical exclusion.
3. Renewal of the terms and conditions in a permit, if there are changes in those terms and conditions, requires NEPA compliance.

Passed, Approved and Adopted this 4th day of April, 2008, by the Board of Directors of the Nevada Association of Counties.

Attest:

Jeffrey Fontaine
Executive Director

Jim Baushke
President