

Chapter 107

RANGELAND HEALTH ASSESSMENTS

Original Senate File No. 7

AN ACT relating to agriculture; creating the rangeland health assessment program; providing for rangeland health assessments; requiring matching funding; granting rulemaking authority; making conforming amendments; providing an appropriation; requiring reporting; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 11-2-207 is created to read:

11-2-207. Rangeland health assessments.

(a) The rangeland health assessment program is hereby created. The director shall provide for the cooperation and participation with the University of Wyoming, state agencies, county governments, federal agencies and private landowners in the assessment of the condition of the health of Wyoming grazing lands. The rangeland health program shall include, but not be limited to:

(i) The necessity for a rangeland health assessment for a particular area of Wyoming grazing lands, including the impact on state, federal, local and private property;

(ii) The rangeland health assessment shall be done only with the voluntary cooperation and participation of all participants, including the private landowner, the state grazing lessee and the federal grazing permittee or lessee;

(iii) The rangeland health assessment shall be conducted on federal or state managed lands only under a memorandum of agreement with the federal or state land management agency and with the participation of that federal or state land management agency;

(iv) The rangeland health assessment shall include, as necessary, establishment of rangeland monitoring, compliance with federal agency standards and guidelines and participation in the incorporation of assessment outcomes into any federal or state decision affecting livestock grazing;

(v) The rangeland health assessment shall include any protections necessary for the management of soil erosion and vegetation loss.

(b) The director is authorized to contract with the University of Wyoming, institutions of higher education and other qualified state and local governmental agencies to:

(i) Conduct rangeland health assessments as provided pursuant to subsection (a) of this section;

(ii) Conduct rangeland health assessments on previously established enclosures which exclude livestock grazing to determine what effect the elimination of grazing has had on the quality of the rangeland. These assessments may include an assessment of nearby grazed rangeland as provided

in paragraph (i) of this subsection to assist in the evaluation of the effect of excluding grazing.

(c) The director shall establish matching funds for any contract entered into pursuant to subsection (b) of this section.

(d) The director may accept additional matching funds to augment the planned rangeland health assessment to:

~~(i) Facilitate multiple use of the resource;~~ [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 10, 2010.]

(ii) Identify tools and strategies for resource use that best promote rangeland health;

(iii) Facilitate the efficacy of the rangeland study.

(e) The director shall establish priorities for the distribution of available funding, including consideration of:

(i) Applications that include multiple resource partners;

(ii) Amount and variety of funding sources;

(iii) Timing and urgency of the project.

(f) The director is authorized to adopt rules and regulations necessary to implement this section.

Section 2. W.S. 9-4-218(a)(intro) and by creating a new paragraph (vi) is amended to read:

9-4-218. Federal natural resource policy account created; purposes.

(a) There is created an account known as the "federal natural resource policy account." Funds within the account may be expended by the governor on behalf of the state of Wyoming and its local governments, to take any of the actions specified in this subsection in response to federal land, water, air, mineral and other natural resource policies which may affect the tax base of the state, wildlife management, state species, recreation, private property rights, water rights or leasehold rights. Funds also may be expended for preparing and participating in environmental impact statements and environmental assessments, including analysis of economic or social and natural or physical environmental effects on the human environment. Funds also may be expended for coordinating and participating in rangeland health assessments pursuant to W.S. 11-2-207. The governor may expend funds from the federal natural resource policy account for:

(vi) Development of rangeland health assessments in compliance with W.S. 11-2-207.

Section 3.

(a) There is appropriated to the department of agriculture for the period beginning with the effective date of this act and ending June 30, 2012 the following amounts, and these appropriations shall only be expended for the

purpose of providing for the coordination and participation by the department of agriculture in rangeland health assessments as follows:

(i) Twenty thousand dollars (\$20,000.00) from the federal natural resource policy account to the department of agriculture to develop the rangeland health assessment program;

~~(ii) Two hundred thousand dollars (\$200,000.00) from the general fund to the department of agriculture to participate in and to contract for rangeland health assessments;~~ [LANGUAGE SHOWN AS STRICKEN VETOED BY GOVERNOR MARCH 10, 2010.]

(iii) One hundred thousand dollars (\$100,000.00) from the general fund to the department of agriculture to be expended to contract with the University of Wyoming to provide training and technical assistance relating to rangeland assessment and data collection and to assist in the education and promotion related to the coordination and participation in rangeland health assessments.

(b) Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2012. Any request for an appropriation for this program shall be included in the department's exception budget request for the 2013-2014 biennium.

Section 4. No later than January 1, 2012, the department of agriculture shall report to the joint agriculture, public lands and water resources interim committee and joint appropriations interim committee regarding all amounts expended to implement this act as well as the department's progress in implementing this act.

Section 5. This act is effective July 1, 2010.

Approved March 10, 2010.