

# FEDERAL LANDS

## 1. FEDERAL LANDS LEASE HOLD TAX ('96)

**WHEREAS:** The United States government remits payment in lieu of taxes, money on federal land to state and county governments; and

**WHEREAS:** The United States government also remits a portion of the federal grazing fee to the state and county where the federal land is located to be used for schools and roads; and

**WHEREAS:** A state lease hold tax on federal grazing fees could call into legal question the continuation of those federal payments; and

**WHEREAS:** Ranchers grazing livestock on federal land do not have a lease, only a permit to graze livestock on federal lands.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association opposes state leasehold tax on federal lands.

## 2. WILDERNESS DESIGNATION (Amended'08)

**WHEREAS:** The National Forest Service is about to finalize the Land and Resource Management Plan for the National Grasslands; and

**WHEREAS:** The National Grasslands in South Dakota are managed for multiple use; and

**WHEREAS:** The South Dakota Stockgrowers are concerned that a Wilderness designation would adversely affect livestock grazing and the economic health of the ranching interests and the local economy; and

**WHEREAS:** Wilderness designation limits noxious weed management and the ability of adjacent landowners to control noxious weeds, prairie dogs and other pests; and

**WHEREAS:** Current management over a long period of time has produced these natural areas, which Wilderness designation would not improve.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association is opposed to any increase in Wilderness Designation areas.

## 3. STEWARDSHIP OF PUBLICLY HELD LANDS ('01)

**WHEREAS:** Federal and State entities manage approximately one-third of all land in the United States; and

**WHEREAS:** Government and recreational interests are striving to enact more stringent and crippling regulations upon private landowners; and

**WHEREAS:** All private and public landowners have an inherent responsibility to care for and manage their land.

**THEREFORE, BE IT RESOLVED:** All publicly held land shall be in full compliance with any new statute(s) and/or executive/departmental order(s) concerning the stewardship (management, conservation, control of weeds and pests) of land and water prior to private landowners being held liable.

#### **4. RESEARCH NATURAL AREAS ('02)**

**WHEREAS:** Black Hills National Forest Plans revision amendment is proposing Research Natural Areas (RNAs) which are managed the same as wilderness but without Congressional designation; and

**WHEREAS:** South Dakota Stockgrowers Association policy requests no new wilderness in South Dakota.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association believes that the U.S. Forest Service should not designate RNAs where fire control and other management cannot take place.

#### **5. FEDERAL LAND ACQUISITIONS ('02) (Amended'08)**

**WHEREAS:** The sale of ranches to expand a National Park is not like any sale between individuals for it becomes a permanent loss of part of South Dakota. It becomes federal land, over which South Dakota has no control over its weeds, pests, fires, settlement, roads, crimes or possible future assignment to become a United Nations World Heritage Site, as has happened to Mammoth Cave and Carlsbad Caverns; and

**WHEREAS:** Our Founding Fathers sought to protect the states from federal encroachment by granting to the new federal government only the power to buy land from the states for certain constitutionally approved buildings, and any such loss of state sovereignty had to be approved by the legislature of the state so involved. (Art. I, Sec. 8, Clause 17, U.S. Constitution).

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association request that the South Dakota Legislature fulfill its constitutional responsibility by addressing any federal land expansion in South Dakota.

#### **6. Grazing Allotment Land Trades (amended '16)**

**WHEREAS:** All property rights rely on the existence and retention of private property; and

**WHEREAS:** The public trust and public good are the primary consideration for governmental decision making; and

**WHEREAS:** Third parties and non-government organizations are not subject to the open meeting law.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association opposes any grazing allotment land trade that reduces private property in value or acreage.

**BE IT FURTHER RESOLVED:** The public trust and openness of decision making be protected by involving no third party or non-governmental organization in the property exchange process.

**BE IT FURTHER RESOLVED:** The South Dakota Stockgrowers Association insist that local government agencies, including but not limited to townships, county, school board, and fire districts, be given due respect and consideration in decisions regarding the trading of private and Grazing Allotment land.

#### **Defining Grazing Allotment Lands**

**Whereas,** the Federal Government maintains Allotments,

**Whereas,** the Federal Government calls the Allotments, Permits, and

**Whereas,** These allotments are private property, and

**Whereas,** the federal government and Public Lands Council call these lands with allotments, public lands,

**Now Therefore Be It Resolved,** Lands with allotments (private property) shall be called grazing allotment lands.

## **7. FUEL MANAGEMENT PLAN ('02)**

**BE IT RESOLVED:** The South Dakota Stockgrowers Association demands that the Federal Land Management Agencies implement a proactive fuel management plan to reduce wildfire risk which would include, but not be limited to: commercial and pre-commercial thinning, grazing and logging.

## **8. AG PRODUCTION ON FEDERAL LANDS ('06)**

**WHEREAS:** Historical use of federal, state and local government lands have generated revenue for the agricultural industry and governmental interests by leasing these lands for agricultural purposes.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association supports the use of these lands for production agriculture.

## **9. FEDERAL LAND GRAZING FEES IN SOUTH DAKOTA (Amended 02)**

**WHEREAS:** the Federal Government manages approximately 6.5% of the total land area of South Dakota and

**WHEREAS:** the Federal Congress has established and directed federal managed lands in South Dakota administered by the U.S. Forest Service and the US Department of Interior including lands acquired under the Bank-Head Jones Act should promote economic stability in areas where these lands are located, and

**WHEREAS:** Federal land use is a vital component of the economy of South Dakota, and

**WHEREAS:** Cash receipts from use fees on federal lands by South Dakota state law are shared with local school districts and counties for road maintenance, and

**WHEREAS:** The federal fees charged for grass, hay, timber, and minerals harvested on federal lands is a use system for the protection and development of public benefits including watershed, wild game production, hunting, recreation and leisure time enjoyment of open space and water.

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association supports a uniform fee formula, based on the Reagan Executive Order 12548, for livestock grazing that will recognize the allotment holder's economic ability to pay and maintain economic stability and will enhance, promote, and protect grazing values on federally managed lands and not be administered as the single economic element to ensure economic return to the U.S. Treasury.

## **10. EQUAL ACCESS TO JUSTICE ACT ('11)**

**WHEREAS:** The Equal Access to Justice Act has been used by Environmental activist groups to fund lawsuits,

**NOW THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association supports legislation which would limit the ability of such environmental groups to access EAJA funds.

## **11. RS 2477 AND SECTION LINE ROADS ('10)**

**WHEREAS:** The federal government including the Forest Service, and Bureau of Land Management have new travel management policies, and

**WHEREAS:** The Forest Service and the Bureau of Land Management do not recognize the existing RS 2477 roads and section line roads provided for by South Dakota State Statute, now

**THEREFORE, BE IT RESOLVED:** The South Dakota Stockgrowers Association request that the State Attorney General, on behalf of the State of South Dakota, require federal land policy to comply with RS 2477 and section line roads.

## **12. CONSERVATION MANAGEMENT AREAS (14')**

**WHEREAS:** The South Dakota Wild Grassland Coalition is proposing Conservation Management Area Legislation for consideration by Congress which will manage the areas designated similar to Wilderness Areas; and,

**WHEREAS:** The South Dakota Stockgrowers Association policy requests no new wilderness in South Dakota.

**THEREFORE BE IT RESOLVED:** The South Dakota Stockgrowers Association believes that the U.S. Congress should not designate Conservation Management Areas wherein multiple-use management will be restricted.

## **13. MULTIPLE USE CONCEPT (Revised '98)**

**WHEREAS:** The general public is being introduced to the idea that livestock grazing conflicts and reduces wildlife; and

**WHEREAS:** A seven year study at North Dakota Grassland Research Center of Streeter, North Dakota, clearly shows that wildlife production increases (particularly waterfowl) under proper grazing management systems.

**THEREFORE BE IT RESOLVED:** The South Dakota Stockgrowers Association strongly support the multiple use concept which will continue to improve wildlife production, build a coalition of users, and increase the economic benefits for all counties in the state of South Dakota.

**THEREFORE BE IT RESOLVED:** USDA Forest Service should continue management of the National Grasslands for multiple use including a fair plan for domestic livestock grazing.

## **14. FIRE DAMAGES CAUSED BY GOVERNMENT AGENCIES ('15)**

**Whereas:** Fire is used by many governmental land management agencies as a prescribed management tool, and

**Whereas:** Government agencies and their staff have not accepted the same legal and financial responsibility for damages caused by prescribed burns that escaped to private lands, and

**Whereas:** Prescribed burns that escape prescribed boundaries cause serious damage to surrounding property, financial hardships to private landowners, local governments, and local fire departments.

**Now Therefore Be it Resolved:** The South Dakota Stockgrowers Association supports legislation that would hold agencies and their employees accountable for decisions made and liable for damages caused to private land by prescribed burns, and to pay those damages in a timely manner,

**Be it Further Resolved:** The South Dakota Stockgrowers Association supports legislation that requires government agencies to seek input from local government agencies and fire departments, and to notify the same, prior to setting any prescribed fires, and

**Be It Further Resolved:** The South Dakota Stockgrowers Association supports full accountability of the United States Forest Service and their employees responsible for the Pautre Fire which burned 16,000 acres of grass on private and public land in 2013, and that payment for damages be made to those private landowners.