

Capitol Reef National Park

Livestock Grazing and Trailing Fact Sheet



Enabling legislation and subsequent legislation and opinions

a. Grazing:

- Public Law 92-207 (92nd Congress, Dec 1971): Established Capitol Reef National Park and stated that grazing could continue in the 19 allotments within the park for the term of the current permit plus one 10-year renewal.
- Public Law 97-341 (97th Congress, Oct 1982): Extended grazing until December 31, 1994. It also called for studies to be conducted to assess impacts of grazing on park resources, visitor use, and local economies. Although no funds were appropriated by Congress, most of these studies were completed.
- A 1987 Solicitor's Opinion ruled that NPS could purchase permits based upon PL97-341 because the extension to 1994 "created a measureable, compensable benefit". At this time there were 19 allotments and 38 permittees in the park.
- Public Law 100-446 (100th Congress, Sep 1988): Repealed PL 97-341 and extended grazing privileges for the lifetime of permittees and their children born on or before December 1971 "under such terms and conditions as the Secretary of the Interior may prescribe". Grazing is to be managed to encourage the protection of natural and cultural resource values. This law is still in effect.
- Current Status: All but two permits were purchased in the 1980s and 1990s leaving two active allotments, the Hartnet and Sandy 3. Both permits are held by heirs of the original permit holder.

b. Trailing:

- Public Law 92-207 allows ranchers to trail herds on traditional courses used by them prior to the park's establishment. The "Secretary may promulgate reasonable regulations providing for the use of such driveways".
- A 1993 Solicitor's Opinion concluded that Congress did not intend to phase out stock trailing along traditional crossings within the park for ranchers who were using the stock trails in December 1971.
- Other ranchers seeking to use stock driveways require permission from the NPS. Permission may be denied if it is inconsistent with park management purposes.

Active Grazing Allotments

a. Hartnet Allotment:

- 70,760 acres on NPS lands; less than half of the area is grazeable, either because it is inaccessible to cattle or lacks sufficient vegetation.
- One permit holder; special use permit issued annually with fee of \$1.35/AUM.
- Season of use: October 15 through May 31 (7.5 months).
- Graze up to 163 cow/calf pairs for a maximum of 1141 AUMs.
- Capitol Reef took over management of the allotment from BLM in 2010.

b. Sandy 3 Allotment:

- 14,982 acres on NPS lands.
- One permit holder; special use permit issued annually with fee of \$1.35/AUM.

- Season of use is typically November 1 through April 1 (5 months).
 - Graze up to 82 cow/calf pairs for a maximum of 410 AUMs
 - Capitol Reef took over management of the allotment from BLM in 2000.
- c. Livestock Grazing and Trailing Background
- In 1994 the park hired a range conservationist who worked with and was trained by the BLM range staff.
 - In 1995 an Interagency Agreement was signed between BLM and Capitol Reef to coordinate grazing management activities in Capitol Reef. The Agreement called for BLM to administer livestock grazing in the park until the NPS had sufficient resources (funding and staffing) to assume management.
 - In 2000 the park took over management of the Sandy 3 allotment, and continued to cooperatively manage the Hartnet allotment with the BLM.
 - In 2005 the park's range conservationist retired. The position has not been refilled and the park does not have staff devoted specifically to range management.
 - In 2009 the BLM began an EA for grazing permits in the Hartnet allotment, intending to include the portion of the allotment on park lands. However, because Capitol Reef's 2001 General Management Plan states that grazing has significant impacts on park resources (vegetation, wildlife, and cultural resources) the park chose not to participate in the BLM's EA and subsequent FONSI. Therefore, park lands in the Hartnet allotment were not included in the EA. The BLM's EA was completed in April 2010.
 - In 2010, Capitol Reef took over management of the portion of the Hartnet allotment in the park.
 - In 2013 the park received funding to begin a Grazing Management Plan/EIS so it could develop a grazing management plan for livestock grazing and trailing in the park.
 - Planning efforts are moving forward with an anticipated Record of Decision in the Spring of 2017.

Livestock Trails

- There are six stock trails used in the spring and/or fall each year: Jones Bench, Grey Bench/Cathedral Valley, Highway 24, Oak Creek, Pleasant Creek, and Notom Road. Two less frequently used trails are Divide Canyon and Dry Bench.
- Capitol Reef has nine permit holders; five trail in spring and fall, and four trail only in the fall.
- Special use permits are issued each time a trail is used. No fee is charged.