



REGULATORY ROUND-UP

Issue 6 – June 30, 2022

Climate Change

[USDA Resilience in Western Ranching: What does resilience mean to western ranchers?](#) This Story Map highlights the challenges facing western rangelands management and solutions towards adaptive actions that can increase resilience to climate change and its impacts. This online resource is a comprehensive graphic look at all aspects of changes ranchers are experiencing from the economy to ecosystems. It was developed by an interdisciplinary group of researchers from University of Arizona, the University of Colorado, the University of California, Utah State University, the USDA Agricultural Research Service, and Northern Plains and Southwest Climate Hubs.

Wildfire Management

[Request for Information \(RFI\) Regarding Wildfire Crisis Implementation Plan](#) comments due in Federal Register by **July 6, 2022**.

[Action, Mitigation and Implementation \(AIM\) Grant Program](#) proposals due **July 1, 2022**. This is a partnership between the non-profit, Coalitions and Collaboratives, Inc., and the U.S. Forest Service that supplies grant opportunities to “accelerate fire adaptation concepts and reduce the risk from wildfire for communities across the U.S.”

[Joint Chiefs’ Landscape Restoration Partnership](#) proposals due by **August 5, 2022** for FY2023. This partnership between USDA’s Natural Resources Conservation Service and U.S. Forest Service helps improve forest health on public and private lands.

Congressional Budget Office **[Wildfires](#)** Report June 2022.

[USFS pause on prescribed burning to conduct 90-day review](#) (May – Aug) of protocols, decision support tools and practices. According to USFS 90% of prescribed burns are conducted September to May.

ESA

U.S. Fish and Wildlife Service rescinds the 2020 habitat definition rule effective June 25, 2022.

The 2020 habitat definition rule, quoted from the [Federal Register](#), is “unclear and confusing and inconsistent with the conservation purposes of the Act [ESA].”

The full 2020 definition text to be deleted and not replaced in [50 CFR 424.02](#) definitions is: “Habitat for the purposes of designating critical habitat only, habitat is the abiotic and biotic setting that currently or periodically contains the resources and conditions necessary to support one or more life processes of a species.”

One of the most important ecological aspects for the rationale for rescinding the rule is thus stated: “the “habitat” definition rule eliminated from possible designation as critical habitat any area that does not “currently or periodically” contain something deemed a necessary “resource or condition” even though it would do so as a result of natural transition following a disturbance (e.g., fire or flood), in response to climate change, or after reasonable restoration. Because most species are faced with extinction as a result of habitat degradation and loss, it is more consistent with the purposes of the Act to avoid limiting the Services' ability to designate critical habitat to protect the habitats of listed species and support their recovery.”

The end result is that as the USFWS, states “elimination of this definition, and **relying instead on the statute** [([16 U.S.C. 1532\(5\)\(A\)](#)), 5(A)(i) and 5(A)(ii)], **the implementing regulations** [[50 CFR 424.12](#)], **existing case law** (including *Weyerhaeuser*), and the **best scientific data available**, is the most transparent and reasonable action” ([USFWS 87 FR 37757, June 24, 2022](#)).

Experimental Populations Proposed Rule comments due August 8, 2022. The proposed rule change of [50 CFR part 17, subpart H](#) is intended “to allow for experimental populations to be introduced into habitat outside of the historical range of the species under appropriate circumstances” ([USFWS 87 FR 34625, June 7, 2022](#)).

Arizona eryngo (*Eryngium sparganophyllum*) listed as endangered. The designated critical habitat is 12.7 acres within Pima and Cochise counties. This plant species is native to Arizona and New Mexico in the United States, and to Sonora and Chihuahua in Mexico. The rule is effective July 11, 2022. ([USFWS 87 FR 35431, June 10, 2022](#))

Grazing

U.S. Forest Service finalizes [Assessing Fees for Excess & Unauthorized Grazing Rule](#) effective date is August 8, 2022.

Wildlife and Habitat

[Recovering America’s Wildlife Act of 2022](#). Passed the House. This Act, “amends the Pittman-Robertson Wildlife Restoration Act to make supplemental funds [\$1.3B by 2026 and thereafter] available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies. The purpose is to avoid the need to list



species, or recover species currently listed as a threatened species or an endangered species, under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or under State law” (H.R.2773 – 117th Congress (2021-2022)).

National Fish and Wildlife Foundation [America the Beautiful Challenge 2022](#) grant full proposals due by **July 21, 2022**. NFWF under cooperative agreements with DOD, NRCS, USFS will offer \$85 million in grants within 4 different categories. 1) Large landscape restoration implementation on state, public, tribal or private lands (\$1-5 M). 2) Planning, collaboration and engagement (\$200k - \$1M). 3) Buffer and benefit public lands (\$250k - \$1.5M). 4) Private forests, rangelands and farmland grants (\$200k - \$500k).

Online Planning Tools

[Forests to Faucets 2.0](#) a tool that allows planners to identify important forest watersheds that serve drinking water supply.

[LANDFIRE Map Viewer](#). The [multi-partner LANDFIRE Program](#) provides spatial layers and databases that describe vegetation, wildland fuel, fire regimes and ecological models. This data also includes a yearly set of fuel capable datasets that model fire behavior factors.

[BLM Dingell Act Priority Access List Portal](#) allows public to nominate areas that need improved recreational public access. **Nominations close June 30, 2022**. Sorry for the late notice. For more information on this and the Dingell Act please visit <https://www.blm.gov/press-release/blm-invites-public-nominations-open-lands-recreational-access>.

NEPA

The [Council on Environmental Quality \(CEQ\)](#) issued an Interim Final Rule on June 29, 2021. This rule extends the deadline for Federal agencies to develop or update their NEPA implementing procedures to conform to the current CEQ regulations to September 14, 2023.

WOTUS

EPA/Army Corps Sponsored Southwest WOTUS Regional Roundtables video recordings

Arizona Farm Bureau (Southwest) June 2, 2022 — [View roundtable recording here](#)

Amigos Bravos (Southwest), June 13, 2022 — [View roundtable recording here](#)