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Environmental groups sue to overturn last-minute granting of grazing permit to Hammond Ranches

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By [Maxine Bernstein | The Oregonian/OregonLive](#)

Four environmental advocacy groups on Thursday sued the U.S. Interior Secretary and federal Bureau of Land Management, seeking to overturn the Jan. 19 decision to grant Hammond Ranches Inc. a 10-year grazing permit on the final day of the former President Donald Trump's administration.

[The suit](#) alleges that the decision was "tainted by political influence," and "rushed and truncated public process," by awarding the permit without opportunities for public participation required by law. It further accuses the federal government of granting the permit to the Hammonds over other applicants who were qualified and bypassing an administrative appeal process.

"The January 19, 2021 decision — made on the very last day of former Secretary (David) Bernhardt's tenure at the Department of the Interior — was an end run around the laws that provide proper oversight of America's public lands," said Greta Anderson, deputy director for Western Watersheds Project, in a statement. "The secretary's involvement is a clear signal that this decision was motivated by politics, not science. That is not how public lands should be managed."

Western Watersheds Project, Oregon Natural Desert Association, Wildearth Guardians and Center for Biological Diversity filed the suit in U.S. District Court in Pendleton.

In one of his last acts before leaving office, outgoing Interior Secretary David Bernhardt last month [granted Hammond Ranches Inc. a 10-year grazing permit](#), curtailing any potential administrative appeals in the face of vehement opposition from environmental advocacy groups.

The permit covers four land allotments called Hammond, Mud Creek, Hardie Summer and Hammond Fenced Federal Range and allows cattle grazing on more than 26,000 acres of public lands neighboring Malheur National Wildlife Refuge about 45 to 70 miles south of Burns, near the town of Frenchglen.

In February 2014, the federal Bureau of Land Management had rejected the Hammonds' renewal application, citing the criminal convictions of father Dwight Hammond Jr. and son Steven Hammond for setting fire to public lands.

In December 2019, [U.S. District Judge Michael H. Simon of Portland revoked the eastern Oregon grazing permit for Hammond Ranches Inc.](#) after finding that [a renewal order by former Interior Secretary Ryan Zinke](#), issued on Zinke's last day in office in early 2019, was an "abuse of discretion."

The renewal followed [Trump's pardon of the Hammonds in July 2018](#). Dwight Hammond Jr. and Steven Hammond had been convicted of arson and were serving out five-year mandatory minimum sentences for setting fire to public land where they had grazing rights. Both were convicted of setting a fire in 2001, and the son was convicted of setting a second fire in 2006.

Last year, on New Year's Eve, the Interior Secretary's principal deputy assistant took over the matter from the local Bureau of Land Management office, according to the suit, and issued a proposed decision to return grazing rights to Hammond Ranches for 10 years, citing among other reasons their "extensive historic use" of the allotments and what the federal agency characterized as their "past proper use of rangeland resources."

The suit alleges that Bernhardt issued a final decision in place of the land management bureau after "purporting to review and resolve 160 protests from the public in less than one business day following the Martin Luther King Jr. Day weekend." It accuses the federal government of failing to consider the environmental consequences of the decision.

"It's important to remember that federal grazing permits are a privilege, not a right. The law doesn't contain an exception for political favors," said Marc Fink, a senior attorney at the Center for Biological Diversity. "These federal agencies are charged with protecting our public lands, and this beautiful place includes fragile populations of sage grouse, redband trout and other animals that need protecting."

Last month, W. Alan Schroeder, attorney for Hammond Ranches Inc., said in a statement on behalf of the Hammond family: "The Hammond family wishes to extend their sincerest appreciation and thanks to the many individuals and organizations who have supported them, their livelihood and the agricultural industry as a whole. They look forward to helping manage the natural resources in a responsible and productive manner. Everyone's efforts have truly been a blessing."