



**FOREST SERVICE MANUAL
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FSM 2200 - RANGELAND MANAGEMENT

CHAPTER 2230 - GRAZING PERMIT SYSTEM

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Associate Deputy Chief

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Posting Instructions: Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was 2200-2019-2 to 2210.

New Document	2230	9 Pages
Superseded Document(s) by Issuance Number and Effective Date	2230 (Amendment 2200-2005-3, 07/19/2005)	40 Pages
	2230 (Amendment 2200-2004-3, 04/22/2004)	42 Pages
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Digest:

2230 - Changes the chapter title from “Grazing and Livestock Use Permit System” to “Grazing Permit System.”

2230.6 - Moves direction concerning Forest Service lack of legal responsibility to construct and/or maintain fences to prevent livestock from straying onto or from National Forest System lands from this section and incorporates it into FSM 2240.6.

2231 - 2231.84 - Moves procedural direction on term grazing permits and incorporates it into FSH 2209.13, chapter 10.

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Digest--Continued:

2232 - 2232.3 - Moves procedural direction on grazing agreements and incorporates it into FSH 2209.13, chapter 20.

2233 - 2233.6 - Moves procedural direction on temporary grazing permits and incorporates it into FSH 2209.13, chapter 30.

2234 - 2234.6 - Moves procedural direction on livestock use permits, combines it with temporary permits, and incorporates it into FSH 2209.13, chapter 30. Chapter 40 of FSH 2209.13 is now maintained in reserved status.

2235 - 2235.3 - Moves procedural direction on other permits and memoranda of understanding and incorporates it into FSH 2209.13, chapter 50.

2236 - Moves procedural direction on grazing permit and agreement records and incorporates it into FSH 2209.13, chapter 60.

2237 - 2237.03 - Moves procedural direction on compensation for permittee interest in rangeland improvements and incorporates it into FSH 2209.13, chapter 70.

2238 - 2238.6 - Moves procedural direction on grazing fees and incorporates it into FSH 2209.13, chapter 80.

2239 - 2239.9 - Moves procedural direction on rangeland management decision-making, including analysis, inventory, and monitoring efforts to conduct site-specific environmental analyses, and incorporates it into FSH 2209.13, chapter 90.

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2230.1 - Authority

Refer to 36 CFR 222, subparts A and C, and FSM 2201 for a description of the authority and direction on administering the grazing and livestock use permit system on National Forest System (NFS) lands.

2230.2 - Objectives

In addition to the objectives set forth at FSM 2202, objectives of grazing permits are to:

1. Ensure livestock grazing is conducted in compliance with applicable laws, regulations, land management plans (LMPs), and permit terms and conditions.
2. Ensure authorized livestock grazing provides for healthy, diverse, sustainable rangelands, which meets or moves toward the desired conditions contained in programmatic and project-level decisions.
3. Ensure consistency in administration of permitted livestock grazing activities among different units of the National Forest System (NFS) to the extent practical.
4. Ensure permittees understand and comply with resource management objectives and other requirements associated with the administration of grazing permits.
5. Provide permittees with a reasonable expectation of the scope, extent, and duration of the grazing privilege on NFS lands, recognizing that adjustments may occur due to changes in law or regulation, rangeland resource conditions, management emphasis, or due to new information obtained following the issuance of the permit.

2230.3 - Policy

In addition to the policies set forth in FSM 2203, the policies regarding grazing permits are to:

1. Issue grazing permits to authorize livestock grazing at levels that are designed to achieve and maintain LMP goals and objectives.
2. Issue and administer grazing permits in accordance with applicable law, regulation, and policy.
3. Issue grazing permits only to individuals, corporations, partnerships, or other entities who meet all applicable eligibility and qualification requirements.
4. Acknowledge that grazing permits represent use privileges, not property rights, which may be cancelled, suspended, or modified, in whole or in part, by the Forest Service without triggering the requirement to pay just compensation under the Fifth Amendment.

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5. Execute grazing agreements with State-recognized grazing associations, where possible and practical, to facilitate more integrated management of rangeland resources on NFS lands and on lands owned or controlled by the grazing association and its members.
6. Encourage the transfer and application of sound land management practices from NFS lands to other lands through demonstration, and by incorporating, when economically feasible, these other lands into logical rangeland management units with NFS lands.
7. Charge a grazing fee for each head month of grazing authorized on NFS lands and require payment in advance of the grazing season, except in the few cases where free grazing is expressly provided.
8. Give grazing lessees of the base property priority for annual temporary grazing or livestock use permits, for up to 3 years, when an appropriate lending institution holds the escrow waiver and is foreclosing on the base property.
9. Provide compensation for the current permittees' interests in authorized permanent rangeland improvements on NFS lands in the sixteen contiguous Western States as well as on the national grasslands in Texas, in cases where a permit is cancelled, in whole or in part, in order to devote the lands covered by a permit to another public purpose that precludes livestock grazing as provided in FSM 2248.
10. Suspend or cancel a grazing permit, in whole or in part, in accordance with procedures set forth in FSH 2209.13, section 16. When criminal action is suspected, contact and cooperate with local law enforcement personnel.
11. Promptly adjust stocking levels of permitted livestock, to protect or improve rangeland resource conditions, when and if necessary. Do not wait until the expiration or waiver of grazing permits before making stocking level adjustments deemed necessary as a result of allotment monitoring data.
12. Negotiate and execute memoranda of understanding with agencies (interagency agreements with a Federal agency) to authorize grazing for specific research projects or administrative purposes.
13. Develop grazing permits or other legal authorizations with Indian tribes to authorize grazing of tribal or tribal member livestock on NFS lands under the expressed terms and conditions of applicable treaties that specifically recognize off-reservation treaty rights or privileges.

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2230.4 - Responsibility

See FSM 2204 for responsibilities and delegations of authority for administering the grazing permit system.

The Washington Office Forest Management, Rangeland Management, and Vegetation Ecology (FMRMVE) Staff annually computes applicable grazing fee rates, grazing values, and indices including unauthorized use and transportation use rates and furnishes them to the Regional Foresters prior to the start of each grazing fee year on March 1.

Within the limits of delegated authority and Chief's policy, the Regional Foresters may prescribe special grazing permit provisions and requirements for Region-wide use in issuing grazing permits.

The Forest/Grassland/Prairie Supervisors may include provisions and requirements in grazing permits as necessary to obtain proper management of livestock and resources.

2230.5 - Definitions

See FSM 2205 for definitions of terms used in this chapter.

2230.6 - Consistency between Regulatory Authority and Policy Implementation

Manual (FSM) chapters generally contain information and direction on the laws and regulations that the Forest Service is charged with implementing in the management of NFS lands. Handbook (FSH) chapters contain the policies and procedures necessary to carry out those responsibilities in an orderly and proper manner on NFS lands.

Each of the following 2230 Manual sections is numbered to correspond with the same Grazing Permit Administration Handbook chapter that details agency implementing direction.

For example, section 2231 on Term Grazing Permits corresponds with chapter 10 in the Grazing Permit Administration Handbook (on Term Grazing Permits).

FSM section 2232 and FSH chapter 20 both deal with Grazing Agreements, and all the following chapters have the same correlation.

2231 - TERM GRAZING PERMITS

The objectives of issuing grazing permits are to:

1. Provide for the orderly and proper utilization of forage resources by livestock, and for coordination of livestock grazing with other multiple uses and values.

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2. Manage grazing allotments and permitted livestock operations to meet or move toward desired rangeland vegetation conditions across the landscape.
3. Provide stability for livestock operations dependent on NFS lands and other livestock operations in the vicinity.
4. Manage for sustainable rangelands to provide for the continued presence of family ranches and farms and contribute to the social and economic structure of the rural communities of which they are a part.
5. Provide opportunities that support the continued presence of working ranches and farms as they are necessary to maintain the open spaces that are needed for vistas, recreation opportunities, and to retain habitat and migration corridors for native species.

Types of term grazing permits include:

1. Term Grazing Permit (FSH 2209.13, ch. 10).
2. Term Grazing Permit with On-and-Off Provisions (FSH 2209.13, ch. 10).
3. Term Private Land Grazing Permit (FSH 2209.13, ch. 10).
4. Grazing Agreement (FSH 2209.13, ch. 20).

See FSH 2209.13, chapter 10 for direction on issuing and administering term grazing permits to qualifying individuals, corporations, partnerships, and other legal entities.

2232 - GRAZING AGREEMENTS

See FSH 2209.13, chapter 20 for direction on policies and procedures for issuing and administering grazing agreements. As referenced in section 2231, grazing agreements are a type of term grazing permit that are issued to qualifying grazing associations and grazing districts.

2233 - TEMPORARY GRAZING AND LIVESTOCK USE PERMITS

See FSH 2209.13, chapter 30 for direction on policies and procedures for issuing and administering temporary grazing permits and livestock use permits.

All these types of *annual* grazing permits are authorized on the Temporary Grazing and Livestock Use Permit form (FS-2200-05). The same form (FS-2200-02) is used to apply for all types of temporary grazing and livestock use permits.

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2234 - LIVESTOCK USE PERMITS

This section was formally combined with section 2233 in the year 2000, and chapter 40 of the Grazing Permit Administration Handbook is held in Reserve status.

See FSH 2209.13, chapter 30 for direction on issuing and administering livestock use permits.

2235 - TRIBAL TREATY AUTHORIZATIONS AND SPECIAL USE PERMITS

See FSH 2209.13, chapter 50 for direction on policies and procedures for issuing and administering grazing in accordance with tribal treaty and other reserved rights.

Also see FSH 2209.13, chapter 50 for direction on cooperating with recreation and special uses personnel in administering incidental grazing uses authorized through issuance of certain types of special use permits.

2236 - GRAZING PERMIT RECORDS

Authorized officers shall maintain a grazing permittee case file (2230) and permanent electronic record for each person, organization, or other entity currently holding a grazing permit or participating in a memorandum of understanding, which authorizes grazing on NFS lands or other lands under Forest Service control. These case and electronic files are permanent records that should not be destroyed.

Where grazing agreements are involved, the grazing association shall be responsible for maintaining individual association member case files (2230), which shall be freely available to the Forest Service for inspection and copying in accordance with the terms of the grazing agreement. See FSH 2209.13, chapter 20 for further direction on grazing agreements.

See FSH 2209.13, chapter 60 for direction on policies and procedures for maintaining permittee hard-copy case files and FSH 2209.15 for maintaining permittee electronic records. Chapter 60 also contains direction on maintaining range improvement (2240) case files and records as well as grazing allotment (2210) case files and electronic records.

2237 - COMPENSATION FOR PERMITTEE INTEREST IN RANGE IMPROVEMENTS

See FSH 2209.13, chapter 70 for direction on policies and procedures for the limited circumstances where permittees may be compensated for their financial interest in range improvement construction.

2238 - GRAZING FEES

See FSH 2209.13, chapter 80 for all discussions on policies and procedures concerning grazing fee formulas and grazing fees. It includes detailed direction on identifying, managing, and

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charging for excess and unauthorized grazing use (see chapter 10, sec. 16.4 for penalties and permit actions, when appropriate).

Except in a very few limited situations where there is no charge for grazing (FSH 2209.13, ch. 10 and 30), a fee must be charged for grazing livestock on NFS lands and other lands under Forest Service control that is equitable both to the United States and to the holders of grazing permits.

2239 - RANGELAND MANAGEMENT DECISION MAKING

See FSH 2209.13, chapter 90 for discussion on the policies and procedures concerning the process for conducting analysis, inventory, and monitoring for site-specific allotment planning decisions, in conformance with LMP direction.