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CHAPTER 10 - TERM GRAZING PERMITS

12.18 - Non-Governmental Organizations (NGOs) and Nonprofit Organizations (NPOs)
"To qualify, NGOs and NPOs must hold title to both permitted livestock and base property."

"They must actively manage the allotment and carry out normal annual livestock management operations."

"In most cases, NGOs and NPOs will not meet eligibility and qualification requirements, and very few will apply to hold term grazing permits."

Can you please provide the legal citation where it states in federal law that these organizations cannot hold a grazing permit unless they actively graze the allotment?

13.61 - Designation of a Forage Reserve Allotment
"Forage reserve allotments may be used in conjunction with authorized livestock use when there is a temporary loss of forage availability on another allotment or to resolve short-term resource concerns arising from a variety of factors on another area including but not limited to:
1. Drought,
2. Fire (either prescribed or wildfire),
3. Rangeland restoration activities,
4. Litigation"

It's a bad idea to initiate grazing on an ungrazed neighboring allotment during a drought, as that land would be suffering drought too. Initiating grazing on an ungrazed neighboring allotment after a wildfire is also a bad idea, as the cattle would compete with the wildlife displaced by the fire. Your primary strategy to deal with drought and wildfires should be to discontinue grazing until the land has recovered. In other words, your first obligation should be to protect publicly owned natural resources - not to satisfying grazing permittees. Grazing restrictions aren't a violation of your multiple use mandate when they are implemented to protect the land.

13.61 - Designation of a Forage Reserve Allotment
"All allotments that have become vacant should be evaluated for designation as a forage reserve allotment or, if possible, even brought back into active status."

Why shouldn't you also consider leaving the allotment vacant or closing it? There typically good reasons that these allotments aren't being used. If a rancher could easily run a profitable operation on one of them, then someone would likely be doing it.

13.7 - Official Agency Policy on Third Party Arrangements or Permit Buyouts by External Groups
"Buyouts that include permanent allotment retirement will not be recognized or accepted by the Forest Service because such agreements would impose restrictions on the Forest Service's management prerogatives."

Can you please provide the legal citation where it states in federal law that you are prohibited from closing an allotment after a ranch buyout?

16.42 - Offenses the Provide the Opportunity to Remedy and Comply
"3. Failure to Request Non-use or Taking Non-use without Approval. Term Grazing Permits may be suspended or cancelled, in whole or in part, if the term permit holder fails to graze at least 90 percent of permitted numbers without obtaining prior approval for non-use (Term Grazing Permit, Part 2, section 9)."

Can you please provide the legal citation where it states in federal law that permittees must graze at least 90 percent of their permitted numbers or risk losing the grazing permit?

16.6 - Permit Cancellation to Devote the Lands to Another Public Purpose
"Grazing permits may be cancelled in whole or in part where a decision has been made to devote certain NFS lands to another public purpose that precludes grazing by permitted livestock. Examples of devoting lands to another public purpose are expansion of an existing military reservation or training ground, expansion of a coal mine, development of a rare earth minerals mine, or a decision to vacate an allotment or portion of an allotment due to conflicts with other resource uses such as documented contacts with bighorn sheep."

The examples given for why a permit may be cancelled are too limited. For example, permits should be allowed to be cancelled because the grazing allotment is inherently unsuited for livestock grazing - such as a desert allotment. Or, it contains unique or sensitive wildlife habitat.

17.1 - Non-use for Personal Convenience of the Permittee
"Non-use status for personal convenience for full or partial numbers may be approved by the authorized officer for no more than three consecutive years, and for no more than four total years in any 10-year rolling period (which starts with the first year of personal convenience non-use). After three consecutive years, the permit must then be stocked with at least 90 percent of the permitted numbers on that fourth year or the permit will be permanently reduced to the actual numbers stocked on the allotment (see section 16.42). If the permit is then used for only that one year (year four), a subsequent application for non-use for personal convenience can only be approved for any one additional year in the following six years."

Can you please provide the legal citation where it states in federal law that you must approve personal non-use by a grazing permittee, and that even then it will be limited to three consecutive years?

CHAPTER 30 - TEMPORARY GRAZING AND LIVESTOCK USE PERMITS

33 - Temporary Grazing Permits

33.2 - To Use Forage Created by Unusually Favorable Climatic Conditions
"Recent precipitation patterns and vegetative trends should also be considered when deciding to increase livestock numbers or extend the season of use for an existing term grazing permittee in a year of above normal precipitation that produces abundant forage."

Why should the additional forage be allocated to livestock? Why not let the local wildlife take full advantage of it?

33.5 - During Drought or Other Acts of Nature
"Temporary grazing permits may be issued during drought or other acts of nature on allotments with excess capacity. When existing permittees have been displaced from their permitted allotments as a result of drought, wildfire, flood, or other acts of nature, the bill for collection should be used to authorize the use of forage on the other allotments."

This is a stupid idea. If the act of nature is a drought, then the neighboring allotments will be suffering drought too, and shouldn't be grazed. If the act of nature was a fire, then neighboring allotments should serve as havens for the displaced wildlife.

CHAPTER 90 - RANGELAND MANAGEMENT DECISION MAKING

94.3 - Annual Operating Instructions (AOIs) or Other Similar Documents
"The annual operating instructions (AOIs) or other similar documents specify those annual actions that are needed to implement the management direction set forth in the AMP or underlying decision for that grazing season. Actions in the AOI must be consistent with the AMP and the project-level decision."

AOIs are very important, so each Forest should be required to annually post them for all of their allotments on their individual Forest websites in order to keep the general public informed about what's going on. Information about specific grazing management decisions on our National Forest's should not be restricted to ranchers.

95 - Monitoring
"Allotment monitoring should be an open, cooperative, and inclusive process."

That includes involving the general public, not just the grazing permittees. This is especially important when the monitoring is being conducted by a 3rd party. All monitoring reports should be regularly posted to each Forest's website so they can be reviewed by the general public.