Data Submitted (UTC 11): 11/28/2020 11:00:00 AM
First name: Wes
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Organization: Medora Grazing Association
Title: President
Comments: RE: 36 CFR Part 22 - Proposed Rule, Assessing Fees for Excess and Unauthorized Grazing.The Medora Grazing Association strongly opposes the implication that this proposed rule applies to the National Grasslands. Under authority of title III of the Bankhead Jones Farm Tenant Act of 1937, the Soil Conservation Service (SCS) in 1938 took over management of the L.U. lands as part of its general program for conservation and improved land use. The SCS proceeded to make agreements with Cooperative Grazing Associations and districts that control land use and tenure because they own or lease the land or have other definable rights to it. The same applies to this day - with the US Forest Service and the Grazing Associations under a Grazing Agreement.The US Forest Service has authorized the Grazing Association to administer the livestock grazing program on the National Grasslands covered by the Grazing Agreement. This includes assessing fees for excess and unauthorized grazing through the Grazing Associations' Rules of Management. If the Grazing Association finds that excess and unauthorized grazing has occurred on the National Grasslands under their Grazing Agreement, the Grazing Association will address the violation according to their Rules of Management, including determining whether the violation was willful or not and any fees for excess and unauthorized use.The proposed rule change, Section 222.5 (h), refers to the "permittee". Under the Grazing Agreement with the US Forest Service, the Grazing Association is the "permittee". However, the Grazing Association does not own base property and it does not own/graze livestock. This further illustrates that the proposed rules does not apply to the National Grasslands.The Medora Grazing Association requests that the rule be amended to specifically note that the National Grasslands is excluded from the application of this proposed rule.Sincerely, Wes ObrigewitchPresident, Medora Grazing Association