

**Forest Service Handbook
National Headquarters - Washington Office
Washington, DC**

**Forest Service Handbook 2209.13 – Grazing Permit Administration Handbook
Chapter 50 - Other Permits**

Amendment: 2209.13-2005-10

Effective date: September 09, 2005

Duration: This amendment is effective until superseded or removed.

Approved by: Frederick Norbury, Associate Deputy Chief

Date approved: September 09, 2005

Responsible Staff:

Last Change: 2209.13-2005-9 to 2209.13_contents

Superseded Document(s): 2209.13_contents, Amendment 2209.13-2005-9, July 19, 2005; 2209.13_zero_code, Amendment 2209.13-2005-1, July 19, 2005; id_2209.13-2005-4, August 16, 2005; id_2209.13-2005-5, August 16, 2005; 2209.13_30, Amendment 2209.13-2005-2, July 19, 2005; 2209.13_40, Amendment 2209.13-2005-3, July 19, 2005; 2209.13_50, Amendment 2209.13-2005-4, July 19, 2005; 2209.13_60, Amendment 2209.13-2005-5, July 19, 2005; 2209.13_70, Amendment 2209.13-2005-6, July 19, 2005; 2209.13_80, Amendment 2209.13-2005-7, July 19, 2005; id_2209.13-2005-3, July 19, 2005; 2209.13_90, Amendment 2209.13-2005-8, July 19, 2005

Digest: Following is an explanation of the changes throughout the directive by section.

2209.13: Removes all direction in the contents, zero code chapter, and chapters 30, 40, 50, 60, 70, 80 (including interim directive 2209.13-2005-3), and 90 which, were issued on July 19, 2005. Also removes interim directive chapters 10 and 20, which were originally issued on July 19, 2005, and subsequently revised and reissued on August 16, 2005, notices of which were published in the Federal Register on both dates (70 FR 41370 and 70 FR 48663). An additional correction notice was published on September 2, 2005 (70 FR 52361).

Reinstates direction previously issued to the 2209.13 contents under amendment number 2209.13-2004-2 (02/17/2004); 2209.13 zero code chapter under amendment number 2209.13-92-1 (08/03/1992); chapter 30 under amendment number 2209.13-92-1 (08/03/1992); chapter 40 under amendment number 2209.13-92-1 (08/03/1992); chapter 50 under amendment number 2209.13-92-1 (08/03/1992); chapter 60 under amendment number 2209.13-92-1 (08/03/1992); chapter 70 under amendment number 2209.13-92-1 (08/03/1992); chapter 80 under amendment number 2209.13-92-1 (08/03/1992); and chapter 90 under amendment number 2209.13-2004-1 (02/17/2004).

In accordance with the Deputy Chief, National Forest System letter to Regional Foresters dated September 9, 2005 (file code 2200); field units who issued supplemental direction to the July 19, 2005, amendments and July 19, 2005 and August 16, 2005, interim directives must remove those supplements and may reinstate any supplemental direction that corresponds to the Washington Office amendments being reinstated.

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51 - Other Permits and Memorandums of Understanding

See FSM 2235.

51.1 - Grazing Permits Issued in Accordance With Indian Tribe Treaties

See FSM 2235.1.

51.11 - Permits Issued in Accordance With Treaties to be Free

Any grazing permits issued to Indians under this section shall be free of charge.

51.12 - Procedure in Issuance

Authority to issue any permits under this section rests with the Regional Forester (FSM 2204.2). Regional Foresters shall consult with the Office of General Counsel (OGC) prior to issuance of permit. Period shall not exceed 10 years.

51.2 - Special Use Permits Where Grazing is Included as Incidental Use

Areas or activities covered by special use permits sometimes include provision for grazing as an incidental use. Special use permits authorize the incidental use of the forage resource under 36 CFR 251.50 (FSM 2722.14 and 2721.53).

Where forage use is the dominate use, it should be authorized by grazing permit rather than special use permit.

51.3 - Term Grazing Permits (Developing Ranges)

Developing ranges in the eastern National Forests require special consideration. Set the initial term (length) of the permit to accomplish the range improvements listed in the Allotment Management Plan. See FSM 2238 and FSH 2209.13, chapter 80, concerning grazing fees for developing ranges in eastern National Forests.

Upon completion of the range improvements, cancel the term grazing permit (developing ranges) and issue a regular term grazing permit. Refer to FSM 2238 and FSH 2209.13, chapter 80, for the appropriate grazing fees to charge after the development phase.

51.31 - Application and Issuance of Permits Covering Use on Developing Ranges

Application must be made on Form FS-2200-16, Application for Term Grazing Permit. Issue the the permit on Form FS-2200-10, Term Grazing Permit. These forms may have to be modified by striking those specifications that do not apply.

Include as part of the permit an approved Allotment Management Plan that lists needed structural and nonstructural range improvements to develop the range/pasture resource.

1. Grazing permits shall be issued in accordance with direction in FSM 2231 and guidelines in this handbook with the following exceptions:

- a. Ownership of base property and permitted livestock may not be required during the period when a term grazing permit (developing ranges) is issued.
- b. Permits under this provisions, in the eastern National Forests, may be advertised and solicited on a bid basis, but there is no provision for auction bidding.

2. Some reasons for deviating from regular grazing fees in the eastern National Forest are:

- a. To recognize increased costs on developing ranges where use might require heavy initial outlay of cash by the permittee for installation of required range improvements.
- b. To encourage harvest and use of the forage resource if no qualified applicants are available. Applicants who express a willingness to use the resource and become qualified may be recognized.
- c. To encourage use of livestock for vegetation management purposes.