

**Forest Service Manual  
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**FSM 2200 – Rangeland Management  
Chapter - Zero Code**

**Amendment No.:** 2200-2024-1

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**Duration:** This amendment is effective until superseded or removed.

**Approved by:** Christopher French, Deputy Chief National Forest System

**Date approved:** June 11, 2024

**Responsible Staff:** Forest Management, Range Management, and Vegetation Ecology (FMRMVE)

**Last Change:** 2200-2005-8 to Contents and Chapters Zero Code, 10, 30, 40, 50, and 70

**Superseded Document(s):** 2200 Zero Code, 2200-2005-8, September 09, 2005

**Digest:**

**FSM 2200:** Changes the title from “Range Management” to “Rangeland Management” and sets forth direction.

**Section 2201:** Revises the Authority section to expand the list of Federal laws, regulations, and Executive Orders pertaining to the administration of National Forest System (NFS) rangeland resources and provides a brief explanation of each.

Removes all laws, regulations, and Executive Orders pertaining to noxious weeds and invasive species and relocates them under the proper file designation of FSM 2900 in the current Forest Service filing system.

**Section 2201.5:** Establishes code and caption on “Ownership of Federal Lands” to refer the reader to useful references for understanding Federal land ownership and management authority.

**Section 2202:** Consolidates objectives for national forests and national grasslands into one section.

**Section 2203:** Consolidates policies for national forests and national grasslands into one section.

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**Section 2204:** Consolidates responsibilities and delegations of authority into one section.

**Section 2205:** Establishes code, caption, and consolidates all definitions previously included in the different chapters of the Rangeland Management Manual (FSM 2200) and the Grazing Permit Administration Handbook (FSH 2209.13) into one location.

**Section 2206:** Adds additional references for more information about rangeland management.

**Section 2207:** Establishes code, caption, and sets forth direction on “National Forms” and provides a list of all the national standard forms for use in rangeland management and grazing permit administration in one central location.

**Section 2208:** Establishes code and caption for “Regional Forms” and reserves the section for future use.

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## 2201 – Authority

Authority to manage National Forest System (NFS) rangeland resources is derived from laws enacted by Congress that authorize the Secretary of Agriculture (the Secretary) to administer NFS lands and resources. This authority allows for the issuance of necessary regulations. Many of these authorities have subsequently been delegated from the Secretary to the Chief of the Forest Service.

### 2201.1 - Laws

The principal statutes that influenced early rangeland management policy, govern management of rangeland resources on NFS lands and/or influence requirements related to that management include, but are not limited to, the following statutes. Except where specifically stated, these statutes apply to all NFS lands and resources.

**1. United States Constitution, Article IV, Section 3, Clause 2.** The Federal Government's authority over public lands is set forth in the Property Clause of the United States Constitution, granting Congress the power to "dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

**2. Organic Administration Act of 1897 (16 U.S.C. §§473-75, 477-78, 479, 480-82, 551.).** Provided the main statutory basis for the management of forest reserves in the United States and authorized the establishment of regulations governing the occupancy and use of forest reserves. In addition, the Act provides for the establishment of regulations to focus on conserving their timber and water resources for future generations.

**3. Title III of the Bankhead-Jones Farm Tenant Act (BJFTA) of 1937 (7 U.S.C. §§1010, 1011, 1012).** Authorizes the Secretary to develop a program of land conservation and land utilization in order to correct maladjustments in land use. Applies only to land utilization projects and other acquired lands that would later become the national grasslands.

**4. Granger-Thye Act of 1950 (16 U.S.C. §§580g, 580h, 580k, 580l).** Authorizes the Secretary to issue permits for grazing on NFS lands for a period of time not to exceed 10 years provided that such permits do not limit or restrict any right, title, or interest of the United States in NFS lands or resources. Authorizes the Secretary to use a portion of grazing fees for range improvement projects on NFS lands.

Section 11 of the act authorizes the use of funds for seeding and protective fencing projects on lands outside the NFS under certain circumstances (FSM 2204, ex. 01).

**5. Multiple Use-Sustained Yield Act (MUSY) of 1960 (16 U.S.C. §§528-531).** Authorizes the Secretary to, among other things: administer national forests for outdoor

recreation, range, timber, watershed, and wildlife and fish purposes; to develop the surface renewable resources of the national forests for multiple use and sustained yield of several products and services to be obtained from these lands, without impairment of the productivity of the land; and to cooperate with interested state and local governmental agencies and others in the development and management of the national forests.

**6. Wilderness Act of 1964 (16 U.S.C. §§1131-1136).** Authorizes the Secretary to administer certain congressionally designated NFS lands as wilderness. Section 4(d)(4)(2) of the act authorizes the continuation of grazing subject to reasonable regulations if the activity was established prior to the area's designation.

The Colorado Wilderness Act of 1980 (Pub. L. 96-560, section 108, Congressional Grazing Guidelines) provides additional clarification on grazing in wilderness areas pertaining specifically to the issues of stocking levels, number and type of improvements, use of motorized equipment, and emergency situations (FSM 2244 and FSM 2320).

**7. National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. §§4321-4347), as amended by the Fiscal Responsibility Act of 2023, Title III, Sec. 321.** Establishes the Council on Environmental Quality (CEQ). Requires the Federal government to utilize a systematic, interdisciplinary approach in planning and decision-making impacting the human environment; develop procedures in consultation with CEQ to ensure environmental values are given appropriate consideration in decision-making, and to provide a detailed statement on the environmental impacts of proposed major Federal actions significantly affecting the quality of the human environment.

**8. Wild and Free-Roaming Horses and Burros Act (WFRHBA) of 1971 (16 U.S.C. §§1331-1340).** Authorizes the Secretary of the Interior and the Secretary of Agriculture to, among other things: protect and manage wild free-roaming horses and burros on lands they administer to achieve and maintain a thriving natural ecological balance; maintain a current inventory of wild free-roaming horses and burros to determine whether an overpopulation exists and, if so, whether excess animals should be removed; establish a joint advisory board to provide advice on wild horse and burro management and protection issues; and assess civil or criminal penalties.

**9. Forest and Rangeland Renewable Resources Planning Act (RPA) of 1974, as amended by the National Forest Management Act (NFMA) of 1976 (16 U.S.C. §§1600-1606 and §§1607-1614).** Authorizes the Secretary to develop land management plans (LMPs) for units of the NFS using a systematic, interdisciplinary approach to achieve integrated consideration of physical, biological, economic, and other sciences. Resource plans, permits, contracts, and other instruments authorizing the use and occupancy of NFS lands must be consistent with the LMPs.

Section 10 Title 16, Section 1609, defines “National Forest System” as including all National Forest lands reserved, withdrawn, and acquired, and the National Grasslands and land utilization projects.

**10. Federal Land Policy and Management Act (FLPMA) of 1976 (43 U.S.C. §§1701-2, 43 U.S.C. § 1732 and 43 U.S.C. §§1751-1752 relate to FS grazing).** Title IV authorizes the Secretary of the Interior and Secretary of Agriculture to:

- a. Develop a formula for grazing fees equitable to both the United States and to the holders of grazing permits;
- b. Establish the Range Betterment Fund (RBF);
- c. Issue grazing permits for a term of 10 years (or less where it is in the best interest of sound land management to do so);
- d. Cancel, suspend, or modify a grazing permit for violations of grazing regulations or for violations of permit terms and conditions;
- e. Grant the holder of an expiring permit first priority for a new permit subject to the satisfaction of certain conditions;
- f. Develop allotment management plans; and
- g. Provide a permit holder with reasonable compensation for the adjusted value of permanent improvements constructed by him/her if the grazing land is devoted to another public purpose, including disposal.

43 U.S.C §§ 1751 and 1752 apply only to national forests in the sixteen contiguous Western States. The sixteen contiguous Western States are listed in chapter 2205, Definitions.

In 2015, the National Defense Authorization Act for Fiscal Year 2015 (Pub. L. 113-291) amended section 402 of FLPMA. The authorities and requirements related to that amendment are now codified at 43 U.S.C. §1752 and include direction relative to the priorities and timing for completion of environmental analyses and authority for the continuation of terms under a new permit. Similar direction and authorities were first provided under the Rescissions Act of 1995, which the Forest Service interprets as having been substantively superseded by the NDAA amendments and codified into 43 U.S.C. §1752.

**11. Public Rangelands Improvement Act (PRIA) of 1978 (43 U.S.C. §§1901-08).** Authorizes the Secretary of the Interior and the Secretary of Agriculture to:

- a. Inventory and identify current public rangeland conditions and trends on a continuous basis;
- b. Manage, maintain, and improve the rangeland condition so that they become as productive as feasible; and
- c. Temporarily establish a formula for the calculation of grazing fees, which subsequently became the basis for the present fee system under Executive Order 12548.

PRIA applies only to national forests in the sixteen contiguous Western States.

**12. Agricultural Credit Act of 1987, as amended by the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. §§5101-06).**

Section 282 of the 1994 Act provides for formal mediation of grazing permit cancellation and suspension actions, on NFS lands in States that have a United States Department of Agriculture certified mediation program, as a part of the existing administrative appeals process. This is the legislative authority for the mediation regulations at 36 CFR. Subpart B.

According to the Act, “to be certified as a qualifying State, the mediation program of the state *must* provide mediation services” to qualifying individuals involved in agricultural loans. 7 U.S.C. § 5101 (c)(1)(A) (emphasis added). Those individuals include agricultural producers, creditors of producers (as applicable), persons directly affected by actions of the Department of Agriculture, and any other persons involved in an issue for which mediation services are provided by a mediation program described in paragraph (1)(B). 7 U.S.C. § 5101 (c)(2)(A). Those persons described in paragraph (1)(B) include those persons involved in one or more of the following issues: wetlands determinations, compliance with farm programs, agricultural credit, rural water loan programs, grazing on Nation Forest System land, pesticides, lease issues, family farm transition, farmer-neighbor disputes, and “such other issues as the Secretary or the head of the department of agriculture of each participating State considers appropriate for better serving the agricultural community and persons eligible for mediation ...” (7 U.S.C. §5101(c)(1)(B)).

**13. Administrative Procedure Act (APA) of 1946 (5 U.S.C. §§551-59, 701-706),** as amended in 2004. The APA sets forth standards governing judicial review of decisions made by federal administrative agencies. Pursuant to the APA, final agency decisions may be set aside if “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.”

**14. Independent Offices Appropriation Act of 1952, as amended (31 U.S.C. §9701).** This Act provides authority for agency heads to charge fees for services or benefits provided by the agency that are fair and based on fair market value and cost to the Government. Office of Management and Budget (OMB) Circular No. A-25 further defines this

authority and requires agencies to establish user fees based on market prices, sufficient to recover the full cost to the federal government.

## **2201.2 - Regulations**

The following regulations provide direction for the management of rangeland resources and administration of livestock grazing activities on NFS lands and other lands under Forest Service control:

- 1. Title 36, Code of Federal Regulations, Part 213.** These regulations govern the administration of activities on national grasslands and land utilization projects.
- 2. Title 36, Code of Federal Regulations, Part 222, Subpart A.** This subpart governs grazing and livestock use on NFS lands and other lands under Forest Service control and implements Title IV, sections 401 and 402 of the Federal Land Policy and Management Act of 1976 (FLPMA).
- 3. Title 36, Code of Federal Regulations, Part 222, Subpart B.** This subpart implements Chapter 82 of the Agricultural Credit Act of 1987, as amended by the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. §§5101-5106) with regard to mediation of term grazing permit disputes.
- 4. Title 36, Code of Federal Regulations, Part 222, Subpart C.** This subpart implements section 6 of the Public Rangelands Improvement Act of 1978 (PRIA) with regard to general procedures (222.50) establishing the formulas used to calculate fees charged for grazing on national forests in the sixteen contiguous Western States (222.51), on national grasslands (222.52), non-competitive fees in the Eastern forests (222.53), and competitive bidding in the Eastern forests (222.54).
- 5. Title 36, Code of Federal Regulations, Part 222, Subpart D.** This subpart implements section 404 of the Wild and Free-Roaming Horses and Burros Act of 1971 (WFRHBA) with regard to the management of wild free-roaming horses and burros on NFS lands and other lands under Forest Service control.
- 6. Title 36, Code of Federal Regulations, Section 261.7, Subpart A.** These regulations establish prohibitions related to livestock use on NFS lands which generally involve law enforcement actions and may be subject to a fine and/or imprisonment.
- 7. Title 36, Code of Federal Regulations, Part 262, Subpart B.** These regulations govern the impoundment and disposal of unauthorized livestock on NFS lands.
- 8. Title 36, Code of Federal Regulations, Part 293.7.** These regulations govern the administration of livestock grazing and other uses and activities in congressionally designated wilderness areas.

### 2201.3 - Departmental Regulations

1. **Secretary's Order of February 1, 1905.** The Secretary directed the Chief of the Forest Service, in implementing the Transfer Act of 1905, that the administration of the Forest Reserves must clearly bear in mind that all land is to be devoted to its most productive use for the permanent good of the whole people and not for the temporary benefit of individuals or companies; that the permanence of the resources of the reserves was indispensable to continued prosperity, largely of the agricultural, lumbering, mining, and livestock interests; and that the Chief was to see to it that the wood, water, and forage of the reserves was conserved and wisely used. The directive further states:

*In the management of each reserve, local questions will be decided upon local grounds, and where conflicting interests must be reconciled, the question will always be decided from the standpoint of the greatest good of the greatest number in the long run.*

2. **Secretary's Administrative Order of December 24, 1953 (19 FR 74, Jan. 6, 1954).** The Secretary transferred the land utilization projects (now national grasslands) from the Soil Conservation Service (now the Natural Resources Conservation Service) to the Forest Service, effective January 2, 1954.

3. **Secretary's Administrative Order of 1960 (25 FR 5845, June 24, 1960).** A Secretary of Agriculture Administrative Order on June 20, 1960, designated 3,804,000 acres of the former land utilization project lands to be officially called National Grasslands, effective July 1, 1960. The Order stated that the 19 established National Grasslands were to be part of the National Forest System for administration under the Bankhead-Jones Farm Tenant Act.

4. **Secretary's Administrative Order of 1963 (28 FR 6268, June 19, 1963).** The Secretary reaffirmed the Bankhead-Jones Farm Tenant Act philosophy that the national grasslands were to be managed:

*Under sound and progressive principles of land conservation and multiple use, and to promote development of grassland agriculture and sustained-yield management of the forage, fish and wildlife, timber, water, and recreational resources in the areas of which they are a part, and*

*So as to maintain and improve soil and vegetative cover, and to demonstrate sound and practical principles of land use for the areas in which they are located, the Chief of the Forest Service shall, to the extent such action is feasible, provide that policies for management of the federally owned lands exert a favorable influence for securing sound land conservation practices on associated private lands.*

**5. USDA Departmental Regulation, 9500-005, Environmental Compliance Policy on Range, April 21, 1988).** Establishes USDA policy to:

- a. Protect and enhance rangeland ecosystems;
- b. Contribute to the social and economic well-being of people and communities that depend on rangelands for their livelihoods;
- c. Improve the productivity of soil, water, plant, livestock, and wildlife resources of the nation's rangelands;
- d. Support national and international cooperation designed to improve rangeland condition and productivity;
- e. Provide research and technology to enhance rangeland conservation and productivity;
- f. Promote and facilitate cooperation and coordination among public agencies, private organizations, and individuals;
- g. Provide technical, managerial, and education assistance programs to rangeland owners and other users to encourage conservation practices;
- h. Provide periodic inventories of the nation's rangeland resources;
- i. Manage the rangeland resources of the NFS in an economically and ecologically sound manner for multiple use and for the development and demonstration of effective rangeland management; and
- j. Recognize and emphasize the current and future full income potentials of the nation's rangeland resources created by varied and changing public values, expectations, and demands.

**2201.4 - Executive Orders (EOs)**

1. **Executive Order 11246 (September 24, 1965).** Requires contractors and similar entities doing business on behalf of the Forest Service to comply with Title VI of the 1964 Civil Rights Act and applicable USDA regulations.
2. **Executive Order 12548 (February 14, 1986).** Indefinitely extends the formula established in the Public Rangelands Improvement Act (PRIA) to calculate grazing fees on national forest lands in the eleven contiguous Western States. The grazing fee formula from 1978 through 1985, established in PRIA, specified that the fee equaled the \$1.23 base value multiplied by the sum of the forage value index, the beef cattle prices index, and the prices paid index, all divided by 100. The formula was later applied to

national forest lands in all 16 Western States and added a base value of \$1.33 for national grasslands in the nine Great Plains States.

The EO also provided that the change in the grazing fee shall be limited to not more than plus or minus 25 percent from the previous year's fee, and that the minimum grazing fee shall not be less than \$1.35 per animal unit month (in the BLM) and per head month (in the Forest Service).

## **2201.5 - Ownership of Federal Lands**

Questions related to the authority, history and extent of federal land ownership may, in part, be answered by reviewing resources compiled by the Congressional Research Service (CRS) which include, but are not limited to:

1. Congressional Research Service Report RL34267. *Federal Land Ownership: Constitutional Authority and the History of Acquisition, Disposal, and Retention*, by Kristina Alexander and Ross W. Gorte.
2. Congressional Research Service Report R42346, *Federal Land Ownership: Overview and Data*, by Carol Hardy Vincent and Laura A. Hanson.

The listed CRS reports should not be considered legal advice for responding to assertions or questions regarding private property rights related to Federal public lands. Legal questions should always be discussed with the Office of the General Counsel before any public or private responses are provided.

## **2202 - Objectives**

Objectives of the rangeland management program for National Forests and National Grasslands (NFS lands) are to:

1. Manage rangeland vegetation to protect basic soil and water resources, provide for ecological integrity, improve or maintain environmental quality, and meet public needs for interrelated resource uses.
2. Integrate management of rangeland ecosystems to achieve multiple use and sustained yield management of renewable resources in an environmentally sound and cost-effective manner to meet public needs.
3. Provide for livestock forage, wildlife food and habitat, soil productivity, water quality, recreation, climate change resiliency and other resource values dependent on rangeland ecosystems across all NFS lands.

4. Contribute to the economic and social well-being of people engaged in agricultural operations by providing opportunities for economic diversity (including promoting grassland agriculture) and by promoting stability for communities that depend on NFS lands for their livelihood.
5. Encourage cooperation across boundaries to sustain working and natural landscapes which aid in supporting the presence of working ranches and farms and retention of open spaces that are needed for vistas, recreation opportunities and habitat and migration corridors for native species.
6. Maintain and develop subject matter experts on rangeland ecology, botany, and the application of livestock grazing and browsing to facilitate the restoration, conservation, and management of NFS lands.
7. Administer the national grasslands under principles of land conservation and utilization to correct maladjustments in land use, and thus assist in controlling soil erosion, reforestation, preserving natural resources, protecting fish and wildlife, developing and protecting recreational facilities, mitigating floods, preventing impairment of dams and reservoirs, developing energy resources, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public land's safety and welfare (Bankhead-Jones Farm Tenant Act, 7 U.S.C. 1010).
8. Employ management practices on NFS lands that are designed in a manner that could facilitate landscape approaches to resource management. Design management practices that are practical and can be easily adopted by landowners and/or partners of intermingled and/or adjacent lands when they are interested in doing so.

## **2203 - Policy**

The following policies provide broad governing principles to guide the rangeland management program:

1. Manage rangeland vegetation in coordination with other agency resource values and uses.
2. Use appropriate methods, such as grazing and browsing use by livestock or wild ungulates, prescribed fire, and mechanical or chemical treatments, for managing rangeland vegetation.
3. Identify, inventory, and monitor rangeland resources and values, including riparian, upland, and other critical areas, to determine which areas are and are not meeting or are moving toward achieving desired conditions and LMP objectives.

4. Implement and monitor measures to restore, maintain, and enhance resilient and productive plant communities, water quality, and soil stability including approaches that aid in climate change mitigation.
5. Maintain or improve the habitat of threatened, endangered, or sensitive species of plants and animals.
6. Provide forage use opportunities on NFS lands to qualified livestock operators.
7. Issue term permits, generally for 10-year periods, with appropriate terms and conditions to allow use of rangeland vegetation and promote stability of livestock enterprises consistent with LMPs.
8. Coordinate, cooperate, and consult with grazing permittees (which includes grazing associations and districts), and other affected parties, in establishing rangeland vegetation objectives and developing allotment management plans.
9. Emphasize permittee responsibility and accountability for meeting terms and conditions of permits (which includes grazing agreements), allotment management plans, and annual operating instructions (or other similar documents).
10. Manage wild free-roaming horse and burro populations in a thriving natural ecological balance within desired population levels for all established territories.
11. When making decisions implementing rangeland management activities consider socio-economic effects while exploring ways to provide equitable opportunities, reducing barriers for underserved individuals/entities, and improving support for underserved communities.
12. Coordinate rangeland management activities and resolve conflicts by promoting voluntary cooperation among agencies, groups, and individuals responsible for the management of rangeland resources on other lands not subject to the jurisdiction of the Forest Service.
13. Encourage user groups to assist in administering rangeland resources on NFS lands, where such groups clearly demonstrate the experience and ability to participate in resource management in the public interest.
14. Demonstrate management flexibility and innovation in the design and implementation of rangeland management activities on NFS lands that will promote improvement in resource management on intermingled and/or adjacent lands.
15. Use a collaborative approach to optimize rangeland management expertise within the Forest Service by recruiting and retaining strong diverse candidates, involving

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permittees and others in training and monitoring efforts, participation in professional societies, and interacting with stakeholders, industry groups and other organizations.

**2204 – Responsibility**

Per FSM 1235.42, the Deputy Chief, NFS provides program direction and leadership for the rangeland management program. Consistent with that directive, the Deputy Chief, NFS delegates responsibilities to the regional foresters (RF), forest/grassland supervisors (F/GS), and district rangers (DR) for particular components of the rangeland management program as expressly set out in exhibit 01, herein:

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**Delegation of Authority**

Key

Y - Yes (May be Delegated to)

N - No (May Not be Delegated to)

<u>Authority</u>	<u>May be Delegated to</u>		
	RF	F/GS	DR
1. Establishing national policy for inventory, analysis, monitoring, and management of rangeland vegetation.	N	-	-
2. Establishing national policy for allotment management planning and for administering livestock use.	N	-	-
3. Establishing national policy for implementing the grazing fee system.	N	-	-
4. Establishing national policy for managing wild free-roaming horses and burros.	N	-	-
5. Establishing national policy for betterment of rangeland condition.	N	-	-
6. Establishing national standards for expenditures of money from the Range Betterment Fund or other improvement funds.	N	-	-
7. Approving cooperative rangeland improvement projects on lands outside the NFS under the authority of Section 11 of the Granger-Thye Act.	N	-	-
8. Annually collecting indices to compute grazing values and grazing fees, including those for excess and unauthorized use.	N	-	-
9. Establishing national procedures for the administration of grazing permit violations.	N	-	-
10. Coordinating and cooperating with national livestock and environmental organizations, government agencies, and professional societies to promote sound rangeland management.	Y	N	-
11. Prescribing specific grazing permit provisions and requirements for region-wide use.	Y	N	-

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<u>Authority</u>	<u>May be Delegated to</u>		
	RF	F/GS	DR
12. Establishing region-wide policy for evaluation and monitoring, rangeland analysis, and expenditure of Range Betterment Funds.	Y	N	-
13. Establishing policy and standards for land use practices on national grasslands and land utilization projects.	Y	N	-
14. Establishing the policy for installment payments of grazing fees.	Y	Y	N
15. Establishing base property ownership requirements within the limits of national and regional policy to qualify for a term permit.	Y	Y	N
16. Establishing upper and lower limits, and approving special limits within regional policy.	Y	Y	N
17. Approving agreements with the Bureau of Land Management under the 1966 memorandum of understanding (FSM 1531.12b).	Y	Y	N
18. Approving agreements and memoranda of understanding with Bureau of Land Management, Natural Resources Conservation Service, and Cooperative State Research, Education, and Extension Service prepared under the November 1980 agreement.	Y	Y	N
19. Approving plans and entering into agreements with appropriate state and local agencies for control of stray and unbranded livestock, noxious weeds, and forage-destroying insects.	Y	Y	N
20. Entering into local agreements with other Federal agencies concerning implementation of rangeland management practices on public or private lands.	Y	Y	N
21. Closing areas to livestock grazing or opening previously closed areas and establishing or terminating livestock driveways.	Y	Y	N
22. Administering the Wild and Free-Roaming Horses and Burros Act including, but not limited to, de-populating herds and adjusting or abolishing territory boundaries.	Y	Y	N

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<u>Authority</u>	<u>May be Delegated to</u>		
	RF	F/GS	DR
23. Determining the priority and timing for completion of any required environmental analyses to satisfy the requirements of 43 U.S.C. §1752(i), NEPA, and other applicable laws.	Y	Y	Y
24. Establishing grazing association audit schedules.	Y	Y	N
25. Determining the adjusted value of permanent range improvements; negotiating and settling cases involving compensation for permittee interests.	Y	Y	N
26. Issuing permits, grazing authorizations, or agreements to Indian tribes on the basis of rights reserved or granted by treaty.	Y	Y	N
27. Approving applications for and issuing, modifying, suspending, and cancelling non-standard grazing permits in the form of grazing agreements.	Y	Y	N
28. Approving applications for and issuing, modifying, suspending, and cancelling grazing permits and livestock use permits.	Y	Y	Y
29. Negotiating and authorizing exchanges of grazing uses with Federal and state agencies.	Y	Y	Y
30. Issuing bills of sale to purchasers of impounded livestock.	Y	Y	Y
31. Establishing range allotments or modifying allotment boundaries.	Y	Y	Y
32. Approving and modifying allotment management plans, annual operating instructions (or similar documents), and wild free-roaming horse and burro territory management plans.	Y	Y	Y
33. Including provisions and requirements in grazing permits as necessary to obtain proper management of livestock and rangeland resources.	Y	Y	Y
34. Approving non-use of term permits in accordance with agency policy.	Y	Y	Y

**Forest Service Manual 2200 – Rangeland Management**  
**Chapter – Zero Code**  
**Amendment: 2200-2024-1**  
**Effective date: June 11, 2024**  
**2204 - Exhibit 01—Continued**

<u>Authority</u>	<u>May be Delegated to</u>		
	RF	F/GS	DR
35. Executing waivers of term grazing permits and confirming escrow waivers of term grazing permits.	Y	Y	Y
36. Recognizing and withdrawing recognition of local livestock associations and approving special rules. Permits are issued to individual members, but not to the livestock association itself.	Y	Y	Y
37. Determining annual allowable administrative costs and conservation practice requirements/projects on national grasslands.	Y	Y	Y
38. Determining and approving fee credits on national grasslands and the Eastern forests.	Y	Y	Y
39. Issuing bills for collection for grazing fees.	Y	Y	Y
40. Approving refund or credit of unused fees.	Y	Y	Y
41. Approving free (no charge) for some uses under a livestock use permit.	Y	Y	Y
42. Approving permit modifications for construction of rangeland improvements, ensure completion to specification, and enter improvement data in allotment databases and files, and on the permittee's "Range Improvement Inventory & Maintenance Responsibility" record in the grazing permit.	Y	Y	Y

## 2205 - Definitions

**Active Allotment.** An active allotment is one where there is a current term grazing permit in effect or a transition between term grazing permits is occurring.

**Actual Use.** A report of the actual livestock grazing use. Actual use may be expressed in terms of animal unit months or animal months. A record of actual use contains dates and numbers of livestock gathered or moved, notes about partial removals and death losses, and it may also include information about grazing problems involving water or livestock distribution, salting records, or forage conditions (see Smith et al. 2012).

**Adaptive Management.** A system of management practices based on clearly identified intended outcomes and monitoring to determine if management actions are meeting those outcomes; and, if not, to facilitate management changes that will best ensure that those outcomes are met or re-evaluated. Adaptive management stems from the recognition that knowledge about natural resource systems is sometimes uncertain (see 36 CFR 220.3).

**Adjusted grazing value.** On national grasslands and Eastern national forests, the unadjusted grazing value less land use practices (on national grasslands) or fee credits (on Eastern National Forests). The adjusted grazing value is the amount due shown on the bill for collection, essentially becoming the grazing fee for that year.

**Administered to Standard.** A grazing allotment/pasture is considered to be administered to standard when the following have been satisfied during a respective fiscal year:

1. An agency employee qualified in grazing permit administration issues a bill for collection and ensures the bill is paid prior to turnout (or ensures any non-use that is requested by the permittee or required by the Agency is documented and approved when appropriate);
2. a qualified agency employee visits the allotment/pasture(s) and determines if direction found in the following types of documents is being followed:
  - LMPs, allotment management plans, annual operating instructions, grazing permits, livestock use permits, and other relevant documents (example, biological opinions).
3. A qualified agency employee documents that:
  - the permittee is in compliance with the relevant direction or;
  - if the permittee is not in compliance with the relevant direction, that steps are taken to correct the situation before the next grazing season.

**Adoption Fee.** A fee that partially recovers Forest Service costs incurred in removal of wild horses and burros from territories, processing adoption applications, providing medical

examinations and vaccinations, and feeding and handling the animals during the adoption procedure.

**Age of Majority.** The age when a person acquires all the rights and responsibilities of being an adult. In most States, the age is 18.

**Allotment.** means a designated area of land available for livestock grazing.

**Allotment Management Plan (AMP).** A document that implements a decision as part of a term grazing permit through specifying the program of action designed to reach a given set of objectives for an allotment or combination of allotments. It is prepared in consultation with the permittee(s) involved and:

1. Prescribes the manner in, and extent to, which livestock operations will be conducted in order to meet the multiple-use, sustained yield, social and economic, and other needs and objectives as determined for the lands involved.
2. Describes the location, ownership, and general specifications for the rangeland improvements in place, or to be installed and maintained, on the land to meet the livestock grazing and other objectives of land management.
3. Contains such other provisions relating to livestock grazing and vegetation management objectives as may be prescribed by the authorized officer, consistent with applicable law.

**Animal -Month (AM).** A month's tenure upon range by one animal. Must specify kind and class of animal. Not synonymous with animal-unit month.

**Animal Unit (AU).** Considered to be one mature cow of about 1,000 pounds, either dry or with calf up to 6 months of age, or their equivalent, consuming about 26 pounds of forage per day on an oven-dry basis. Five sheep or goats are the general equivalent of one cow.

**Animal Unit Month (AUM).** The amount of oven-dry forage required by one animal unit for one month based on a forage allowance of 26 pounds per day. Not synonymous with *animal-month*. The term "AUM" is commonly used in three ways: a) stocking rate, as in "X acres per AUM", b) forage allocations, as in "X AUMs in Allotment A", or c) utilization, as in "X AUMs taken from Pasture B."

**Annual Operating Instructions (AOIs).** Detailed Forest Service approved instructions for livestock grazing administration to be implemented in a given year on a given allotment. This annual implementation document (or similar document) is based on and is consistent with terms and conditions in the term grazing permit, AMP, other applicable documents, and current resource conditions based on monitoring.

**Apparent Trend.** An assessment, using professional judgment, based on a one-time observation. It includes consideration of such factors as plant vigor, abundance of seedlings and young plants, accumulation or lack of plant residues on the soil surface, and soil surface characteristics (i.e. crusting, gravel pavement, pedestalled plants, and sheet or rill erosion) (see Interagency Technical Reference 1734-4).

**Assessment.** An analysis and interpretation of the social, economic, or ecological characteristics of an area using scientific principles to describe existing conditions as they affect sustainability. (see FSM 1905).

**Authorized Officer.** A Forest Service line officer with the authority to take certain actions related to rangeland management on NFS lands and other lands under Forest Service control.

**Authorized Use.** Use specified on the annual bill(s) for collection and verified by permittee's payment of fees.

**Base Property.** Land and improvements owned and used by the permittee for a farm or ranch operation and specifically designated by the permittee to qualify for a term grazing permit. At a minimum, base property must have a source of livestock water and contain facilities for handling livestock.

**Base Year.** The year in which a fee system is established, or the year established as base of a data series.

**Benchmark.** A permanent reference point, in range inventory and effectiveness (trend) monitoring, it is used as a point where changes in vegetation, in response to applied management through time, are measured (Adapted from “A Glossary of Terms Used in Range Management.” Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005).

**Best Management Practices for Water Quality.** State and national approved methods, measures, or practices selected by an agency to meet its nonpoint source control needs. BMPs include but are not limited to structural and nonstructural controls and operation and maintenance procedures. Some States have issued BMPs for grazing, some have not, and some are voluntary. Some have been developed by the grazing industry for voluntary application. BMPs can be applied before, during, and after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters (see 36 CFR 219.19).

**Cancellation.** Action taken to permanently invalidate a grazing permit, in whole or in part.

**Capability.** The ability of a unit of land, based on defined physical and biological attributes, to support a particular use or suite of products while maintaining ecosystem sustainability.

**Carrying Capacity.** The average number of livestock and/or wildlife that may be sustained on a management unit compatible with management objectives for the unit. In addition to site

characteristics, it is a function of management goals and management intensity (Synonymous with grazing capacity).

**Closed Allotment.** A closed allotment is a designation for an area of land formerly holding active allotment status, but where there has been a formal decision to close the allotment lands to permitted livestock grazing. Once closed, the allotment can only be authorized for livestock use and occupancy upon completion of a new NEPA analysis and decision. Closed allotments, although no longer officially available for livestock use, do require retention of all pertinent records in the hard copy and corporate database files for historical purposes.

**Combined Allotment.** When an existing allotment is combined into another allotment, it is shown in the electronic database of record as ‘combined.’ This designation indicates that it no longer exists as a stand-alone allotment while retaining the allotment records for historical purposes. The acres of the combined allotment have been added to the acres of the active allotment it was combined with.

**Compliance Inspection.** On-the-ground evaluation of the current status of permittee management in meeting the terms and conditions of the grazing permit, including any specific instructions from the AMP and AOI. Compliance includes items such as maintenance of assigned improvements, completing pasture moves based on allowable use, assuring that rotation systems are followed, and timely removal from the allotment.

**Conservation Practices.** A type of land use practice consisting of structural and nonstructural rangeland improvements that may be implemented by grazing associations and direct permittees on national grasslands and land utilization projects, subject to the approval of the authorized officer.

**Critical area.** An area which must be treated with special consideration because of inherent site factors, size, location condition, values, or significant potential conflicts among uses.

NOTE: A critical area is not a key area because it is not representative of the grazing use on a pasture or allotment.

**Deferment.** The delay of grazing to achieve a specific management objective. A strategy aimed at providing time for plant reproduction, establishment of new plants, restoration of plant vigor, a return to environmental conditions appropriate for grazing, or the accumulation of forage for later use.

**Deferred Grazing.** The deferment of grazing in a non-systematic rotation with other land units.

**Deferred-Rotation.** Any grazing system which provides for a systematic rotation of deferment among pastures.

**Desired Condition.** A desired condition is a description of specific social, economic, and/or ecological characteristics of the plan area, or a portion of the plan area, toward which management of the land and resources should be directed. Desired conditions must be described in terms that are specific enough to allow progress toward their achievement to be determined, but do not include completion dates. (36 CFR 219.7(e)(1)(i)).

**Ecological Integrity.** The quality or condition of an ecosystem when its dominant ecological characteristics (for example, composition, structure, function, connectivity, and species composition and diversity) occur within the natural range of variation and can withstand and recover from most perturbations imposed by natural environmental dynamics or human influence (36 CFR 219.19).

**Ecological Site.** An ecological site is a conceptual division of the landscape, defined as a distinctive kind of land based on recurring soil, landform, geological, and climate characteristics that differs from other kinds of land in its ability to produce distinctive kinds and amounts of vegetation and in its ability to respond similarly to management actions and natural disturbances. (see USDA NRCS 2013).

**Ecological Site Description (ESD).** The documentation of the characteristics of an ecological site. The documentation includes the data used to define the distinctive properties and characteristics of the ecological site; the biotic and abiotic characteristics that differentiate the site (i.e., climate, physiographic, soil characteristics, plant communities); and the ecological dynamics of the site that describes how changes in disturbance processes and management can affect the site. An ESD also provides interpretations about the land uses and ecosystem services that a particular ecological site can support and management alternatives for achieving land management. (see USDA NRCS 2013)

**Ecological Status.** The degree of similarity between the existing vegetation (all components and their characteristics) and existing soil conditions compared to the potential natural community and the desired soil condition on a site (see FSH 2090.11).

**Ecological Type.** A category of lands with a distinctive (i.e., able to be mapped) combination of landscape elements. The elements making up an ecological type are climate, geology, geomorphology, soils, and potential natural vegetation. Ecological types differ from each other in their ability to produce vegetation and respond to management and natural disturbances (see Terrestrial Ecological Unit Inventory Technical Guide: Landscape and Land Unit Scales, USDA Forest Service, Gen Tech Report WO-68, 2005).

**Ecological Units.** Map units designed to identify land and water areas at different levels of resolution based on similar capabilities and potentials for response to management and natural disturbance. These capabilities and potentials derive from multiple elements: climate, geomorphology, geology, soils and potential natural vegetation. Ecological units should, by

design, be rather stable. They may, however, be refined or updated as better information becomes available (see Terrestrial Ecological Unit Inventory Technical Guide: Landscape and Land Unit Scales, USDA Forest Service, Gen Tech Report WO-68, 2005).

**Effectiveness Monitoring.** Long term monitoring collected to determine the effectiveness of management actions in meeting or moving toward desired conditions.

**Eleven Western States.** The States of Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming used to calculate the forage value index (36 CFR 222.51 (b)(1)).

**Escrow Waiver of Term Grazing Permit Privileges.** A form (FS-2200-13) executed by a permittee and verified by a lender that waives all privileges (except the privilege of continuing to graze livestock) to the United States in recognition of a mortgage agreement for land, livestock, or both, by and between the permittee and the lender. Until the escrow waiver is released by the lender, the permittee cannot waive the grazing privilege, and in any foreclosure action, the lender will be recognized as the preferred applicant. The authorized officer confirms and accepts the escrow waiver form for filing.

**Excess and Unauthorized Use Rate.** The annual fee charged for excess or unauthorized livestock use.

**Excess Animals.** Wild and free-roaming horses or burros that authorized personnel have removed or must remove, pursuant to law, to preserve and maintain ecological balance in coordination with other resources and activities.

**Excess Livestock.** Any livestock owned by the holder of a grazing permit, but grazing on NFS lands in greater numbers, or at times or places other than permitted in the grazing permit or authorized on the annual bill for collection.

**Fair Market Value (FMV).** This definition applies only to grazing fees; the monetary amount that is reasonably expected for use of rangeland. Expressed as an amount per month, it is usually established by competitive conditions. For NFS grazing, FMV is the difference between the total costs associated with livestock grazing of privately leased grazing lands, and the total non-fee costs of livestock grazing NFS land.

**Fee Credit.** The value of range improvements required by an authorized officer on Eastern national forests or as conservation practices on national grasslands and land utilization projects, which are credited against the annual grazing value in the determination of a grazing fee. Not to be confused with refund or credit of annual grazing fee paid.

**Forage Reserve Allotment.** A forage reserve allotment is a formal designation for an allotment where there has been a decision made to manage the area for periodic authorization of livestock use and occupancy but where the available grazing capacity is not annually obligated

under a term grazing permit. Forage is normally to be made available in response to needs or opportunities related to other allotments or term grazing permit situations such as drought or other acts of nature, displacement due to wildfire or prescribed fire, opportunities to enhance rangeland resources through short-term rest, or litigation or consultation needs.

**Frequency.**

1. Frequency used as a term when describing grazing management - The number of times forage plants are defoliated during the grazing period (see Reed, Floyd, Roy Roath, and Dave Bradford. 1999. The Grazing Response Index: A Simple and Effective Method to Evaluate Grazing Impacts. Rangelands 21(4): 3-6).
2. Frequency used as a term when describing monitoring/measurement for trend - The ratio between the number of sample units that contain a species and the total number of sample units (see “A Glossary of Terms Used in Range Management.” Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005).

**Grant Process.** The procedure designed to identify an applicant(s) to receive a term grazing permit when grazing capacity becomes available and there is no preferred applicant.

**Grazing Agreement.** A type of term grazing permit that authorizes eligible grazing associations and grazing districts organized under State law to graze livestock on NFS lands. It includes provisions for the associations to issue grazing permits to association members and administer the permits in conformance with applicable law, regulation, LMP and AMP direction, the terms and conditions of the grazing agreement, and the association’s rules of management and bylaws.

**Grazing Association.** An organization of NFS grazing users to which a grazing agreement has been issued. Grazing associations are organized under State statutes for the purpose of cooperative management of permitted livestock and to administer the livestock grazing use distributed to its members through association-issued permits. Grazing associations may also be referred to as grazing districts. See definition of *Livestock Association* for comparison.

**Grazing Association Member.** An individual who belongs to a grazing association or grazing district which is recognized by the Forest Service through the issuance of a grazing agreement.

**Grazing Fee.** The annual charge per head month for grazing use of NFS lands. The grazing fees are set by formula and determined annually (36 CFR 222 Subpart C).

**Grazing Intensity.** The cumulative effects grazing animals have on rangelands during a particular time period. Grazing intensity should not be confused with percent utilization of forage (see Holechek, J. L., de Souza Gomes, H., Molinar, F., & Galt, D. (1998). Grazing intensity: Critique and approach. Rangelands, 20(5), 15-18).

**Grazing Period.** The length of time grazing livestock or wildlife occupy a specific land area. (See “A Glossary of Terms Used in Range Management.” Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005).

**Grazing Permit.** A standard form or other approved document, signed by a line officer, authorizing livestock to use NFS lands or other lands under Forest Service control for the purposes of livestock production.

1. **Term Permit.** A permit issued for up to 10 years with priority for issuance of a new term permit at the end of the term. Types include:

a. **Term Grazing Permit.** Authorizes livestock grazing on NFS lands on a charge basis for commercial livestock production.

b. **Term Grazing Permit with On-and-Off Provisions.** Permits with specific provisions on rangeland only part of which is NFS lands or other lands under Forest Service control. This permit is used to authorize grazing on NFS lands when the logical grazing unit also includes intermingled private and/or other lands predominantly owned or controlled by the permittee and who waive the authority and responsibility to specify overall season of use and livestock numbers on those lands for livestock grazing purposes to the United States for the full period the permit is to be issued.

c. **Term Private Land Grazing Permit.** Permits issued to persons who own or control private rangeland parcels within NFS grazing allotments (where they do not hold a term grazing permit) predominantly surrounded by NFS lands and who waive the authority and responsibility to specify overall season of use and livestock numbers on those lands for livestock grazing purposes to the United States for the full period the permit is to be issued.

d. **Grazing Agreement.** Permits issued to eligible grazing associations and grazing districts organized under state law to graze livestock on NFS lands and includes provision for the association to issue grazing permits to association members and administer the permits in conformance with applicable law, regulation, LMP and AMP direction, the terms and conditions of the grazing agreement, and the association’s rules of management and bylaws.

2. **Temporary Grazing Permit.** A permit issued on NFS lands for a period not to exceed one year, with no priority for reissuance.

**Grazing Value.** The annual value for grazing livestock on NFS system lands, as calculated annually by the indices set forth in the grazing fee formulas.

**Head Month.** One month's occupancy of the rangeland by one mature animal. For grazing fee purposes, it is a month's occupancy of rangeland by one weaned or adult cow (with or without calf at side), bull, steer, heifer, horse, bison, burro, mule, ewes (with or without lamb(s) at side), rams, or goats (see definition of Mature Animal). Head months are to be used only for grazing fee calculation, charging, and collection purposes.

**Herd Unit.** An area of land within a wild horse and burro territory that is designated as a territorial habitat of one or more stallions/jacks, and their mares/jennies, and progeny, all ranging as one band of animals. A herd unit identifies land area boundaries used by the herd under varying conditions necessary for survival and reproduction.

**Implementation Monitoring.** Short-term monitoring to collect information used to determine if management actions are implemented as designed and if those management actions achieved the annual effect expected.

Items which may be documented through implementation monitoring include but are not limited to: actual use (livestock numbers and days), condition of rangeland improvements, forage utilization levels, and wildlife observations.

**Indicator.** A measure or measurement of an aspect of a sustainability criterion. A quantitative or qualitative variable that can be measured or described and, when observed periodically, shows trends. Indicators are quantifiable performance measures of outcomes or objectives for attaining criteria designed to assess progress toward desired conditions. (see FSM 1905).

**Inventory.** A process of collecting data by surveying an area and documenting contents, conditions, or values of natural resources, for specific purposes such as planning, evaluation, or management. An inventory activity may include an information needs assessment; planning and scheduling; data collection, classification, mapping, data entry, storage and maintenance; product development; evaluation; and reporting phases (see FSM 1940.5). The level of inventory should be commensurate with identified issues being addressed, and the resources available.

**Key Area.** A relatively small portion of a range selected because of its location, use or grazing value as a monitoring point for grazing use. It is assumed that key areas, if properly selected, will reflect the overall acceptability of current grazing management over the range.

**Key Species.** (1) Forage species whose use serves as an indicator to the degree of use of associated species. (2) The species which must, because of their importance, be considered in the management program.

**Land Management Plan (LMP).** A document that provides management direction for an administrative unit of the NFS. The forest or grassland land management plan establishes plan components that provide guidance for the development of project-level NEPA decisions and

subsequent AMPs and AOIs for that administrative unit. A land management plan does not authorize any project or activities. (Refer to 36 CFR 219 for Forest Service planning regulations).

**Land Use Practices.** Practices imposed upon permittees as conditions of their grazing permits on national grasslands. The costs of these practices are deducted from the annual grazing value to determine the annual grazing fee. Land use practices include:

1. **Conservation Practices.** The protection, planning, and land treatment and rangeland improvement measures (structural and nonstructural) the Forest Service requires in carrying out the provisions of a grazing permit or grazing agreement. Some examples include fences, water developments, and prescribed fire.

2. **Administrative Activities.** Allowable administrative and program management activities carried out by a grazing association or grazing district functioning under a grazing agreement which would otherwise be an expense incurred by the Forest Service. Some examples include permit issuance, billings, and oversight of approved rangeland improvement projects.

**Landscape Assessment.** Interdisciplinary inventory, analysis, and assessment of ecological units for use in revision or amendment of LMPs or for use in project-level planning. Landscape assessments are not decisions subject to NEPA.

**Livestock.** Domesticated animals raised in an agricultural setting to produce commodities such as meat, leather, and wool. Also defined as foraging animals of any kind kept or raised for use or pleasure.

**Livestock Association.** A group of individual term permit holders informally operating together under certain rules established by them for sharing resources to better manage the rangeland resources on NFS lands or other lands under Forest Service control. Livestock associations may be formed when two or more permittees elect to informally combine some part of their management operations under written rules in order to gain efficiencies of scale, such as purchasing salt or hiring a range rider. Unlike grazing associations (see definition), livestock associations are seldom formally established under state laws.

**Livestock Use Permit** (FSH 2209.13, ch. 30). A permit issued for a period not to exceed one year and with no priority for reissuance and that authorizes grazing use for purposes other than livestock production on NFS lands. Livestock use permits are issued for trailing livestock across NFS lands, for use of leased sires by permittees, to allow research studies, or for vegetation treatments to meet specific rangeland vegetation objectives.

**Lower Limit.** An established minimum number of livestock that can be permitted to graze on NFS lands or lands under Forest Service control under a term grazing permit. Lower limit restrictions are not applied to term permits with on-and-off provisions or to term private land permits.

**Maintenance of Rangeland Improvements.** The timely repair of rangeland facilities to a condition adequate to ensure proper functioning of the facility which will perpetuate its life and protect or improve the rangeland resource. Satisfactory maintenance of improvements is a mandatory term and condition of the permit for grazing on NFS lands.

**Mature Animal.** For purposes of determining the appropriate fee for grazing livestock on NFS lands or lands under Forest Service control, animals are deemed mature if they are weaned and at least 6 months old upon placement on NFS lands. FSH 2209.13, chapter 80, further defines mature animals when year-round permits are issued.

**Member.** Any person who belongs to a grazing association or grazing district and who has been issued a grazing permit by the association or district.

**Modify.** To revise the terms and conditions of an issued permit.

**Monitoring.** A systematic process of collecting information to evaluate changes in actions, conditions, and relationships over time and space or progress toward meeting desired conditions or plan objectives. (see FSM 1905).

**Nine Great Plains States.** The States of Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming in which the indices are collected to determine the annual grazing value on the 17 national grasslands in those States (FSH 2209.13, ch. 80).

**Non-use.** The absence of some or all of the permitted livestock for the current grazing season on a specific allotment.

**Objective.** A concise, measurable, and time-specific statement of a desired rate of progress toward a desired condition or conditions. Like desired conditions, objectives are aspirations and not commitments or final decisions approving projects and activities, and should consider reasonably foreseeable budgets (FSM 1905, 36 CFR 219.7).

**Occupancy and Use of NFS Lands.** Occupancy is gaining or having physical possession of, or license in, real property in the absence of legal right or title. Use is the privilege to enjoy the benefits of real property, but the holder of the privilege does not hold title to the property.

**Open Range.** Rangeland in States where cattle may roam freely regardless of land ownership and where there are "open range" laws. Those wanting to keep animals off their property must erect a fence to keep animals out. The fence out requirement also applies to public roads and lands.

Land in open range that is designated as part of a "herd district" reverses liabilities, requiring the owner of animals to fence them in or otherwise keep them on the person's own property.

**Other Lands under Forest Service Control.** Private, state, or other agency lands over which the Forest Service has been given control through lease, agreement, waiver, or otherwise.

**Permanent Summary Record.** An abstract of the permit case history which includes information on previous and current grazing permits.

**Permitted Livestock.** Livestock authorized by a written Forest Service permit. This may include:

1. Livestock currently being grazed under a permit, or
2. Livestock grazed under a permit which occupied NFS lands during the preceding permitted season of use, including their offspring retained for herd replacement.

**Permittee (permit holder).** Any legal entity (individual, partnership, corporation, organization, Indian tribe, etc.) meeting eligibility and qualification requirements that has been issued a written authorization for use and occupancy of an area of NFS lands, and/or lands controlled by the Forest Service, for the purpose of grazing livestock.

**Permitted Use.** The number of animals, class of livestock, period of use, and place of use specified in part 1 of the grazing permit. See also *Authorized Use*.

**Protocol.** Repeatable instructions for inventory, monitoring, and assessment activities for such tasks as assessing information needs, and collecting, mapping, classifying, analyzing and evaluating, and applying information (see FSM 1940.5).

**Range Betterment Fund.** Fifty percent or \$10,000,000 per year, whichever is greater, of all moneys received by the United States as fees for grazing domestic livestock on public lands (other than from ceded Indian lands) under the Taylor Grazing Act ([43 U.S.C. 315 et seq.](#)), and the Act of August 28, 1937 ([43 U.S.C. 1181d](#)), and on lands in national forests in the sixteen contiguous Western States. The funds are credited to a separate account in the Treasury, one-half of which is authorized to be appropriated and made available for use in the district, region, or national forest from which such moneys were derived, as the respective Secretary may direct after consultation with district, regional, or national forest user representatives, for the purpose of on-the-ground range rehabilitation, protection, and improvements on such lands, and the remaining one-half is used for on-the-ground range rehabilitation, protection, and improvements as the Secretary concerned directs. Any funds so appropriated are in addition to any other appropriations made to the respective Secretary for planning and administration of the range betterment program and for other range projects.

**Rangeland.** Land on which the indigenous vegetation (climax or natural potential) is predominantly grasses, grass-like plants, forbs, or shrubs and is managed as a natural ecosystem. If plants are introduced, they are managed similarly. Rangeland includes natural

grasslands, savannas, shrublands, many deserts, tundras, alpine communities, marshes and meadows. (See “A Glossary of Terms Used in Range Management.” Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005).

**Rangeland Analysis.** The systematic collection and evaluation of rangelands, their elements, and their relationships – vegetation, soils, topography, hydrology, precipitation patterns, climatic conditions, wildlife and fish habitats, and other values and uses.

**Rangeland Health.** The degree to which the integrity of the soil, the vegetation, the water, and air as well as the ecological processes of the rangeland ecosystem is balanced and sustained. Integrity is defined as: Maintenance of the structure and functional attributes characteristic of a particular locale, including normal variability (See “A Glossary of Terms Used in Range Management.” Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005).

**Rangeland Improvement.** Any activity or program on or relating to rangelands that is designed to improve or increase rangeland condition and forage production, improve vegetative composition, control patterns of ungulate use, provide water, stabilize soil and watershed conditions, and provide habitat for livestock and wildlife. The term includes, but is not limited to, structures, treatment projects, and use of mechanical means to accomplish the desired results or conditions. Rangeland improvements may include the following:

1. **Nonstructural.** Practices and treatments undertaken to treat rangeland not involving construction of improvements. Examples include but are not limited to such practices and treatments as prescribed burns, seeding, fertilizing, mowing, furrowing, or similar practices relating to the vegetation or soil.
2. **Structural.** Improvements requiring construction or installation to improve the rangeland, facilitate management, control distribution and movement of livestock or wildlife, or all of the above. These improvements fall into the following two categories:
  - a. **Permanent.** Rangeland improvements installed or constructed which are a longer- lasting part of the landscape like dams, ponds, pipelines, wells, certain tanks, fences, and trails.
  - b. **Temporary.** Short-lived or portable improvements that can be easily removed, like troughs or tanks, pumps, electric fences, and other structures.

**Rangeland Resources.** The natural resources of rangeland ecosystems that include healthy watershed and plant communities that provide habitat for wildlife and forage for grazing and browsing ungulates.

**Rangeland Resource Inventory.** The systematic acquisition of inventory data that characterizes the vegetation, soil, and other components of rangeland ecosystems.

**Reference Site.** A site permanently established and sampled to provide a standard baseline that can be used to study natural ecosystems and to evaluate and extrapolate the effects of management activities.

**Resilience.** The capacity of a system to absorb disturbance and reorganize while undergoing change but still retaining essentially the same function, structure, identity, and feedbacks. Resilience is a critical concept in incorporating disturbance regimes into desired conditions (see FSH 1909.12; USDA Forest Service 2006, USDA National Resources Conservation Service 2013).

**Rest.** To leave an area of grazing land un-grazed or unharvested for a specific time, such as a year, a growing season, or a specified period required within a particular management practice.

**Rest-Rotation.** A grazing management scheme in which rest periods for individual pastures, paddocks or grazing units, generally for the full growing season, are incorporated in a grazing rotation.

**Restoration.** The process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Ecological restoration focuses on reestablishing the composition, structure, pattern, and ecological processes necessary to facilitate terrestrial and aquatic ecosystems sustainability, resilience, and health under current and future conditions (36 CFR 219.19).

**Riparian.** Related to, living or located in conjunction with water bodies, water courses, seeps, and springs. A transition between the aquatic ecosystem and the adjacent terrestrial ecosystem, identified by soil characteristics or distinctive vegetation communities that require free or unbound water (FSM 2526.05). Riparian ecosystems often occupy distinctive landforms, such as flood plains or alluvial benches.

**Rules of Management.** A set of policies, procedures, and practices, including eligibility requirements, developed by a grazing association or grazing district and approved by the authorized officer, which govern the grazing use both on NFS lands covered by a grazing agreement and private, State, or other agency lands under the jurisdiction of a grazing association.

**Seasonal Utilization.** The amount of utilization that has occurred before the end of the growing season (see Interagency Technical Reference 1734-3, page 1).

**Sixteen Contiguous Western States.** The States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming (43 U.S.C. 1902(i)).

**Special Limit.** An approved number of livestock greater than the established upper limit, approved for grazing permits with term status. See Upper Limit.

**Stubble.** The basal portion of herbaceous plants remaining after the top portion has been harvested by mowing or by grazing animals.

**Stubble height.** The height of forage plants remaining after grazing has occurred; average stubble height includes both grazed and un-grazed plants.

**Successional Base Property.** Base property which is leased for the purposes of facilitating the lessee's ability to transition to owning the leased base property within a specified period of time and in compliance with the guidelines set forth at FSH 2209.13.

**Suitability.** The appropriateness of a particular area of land for applying certain resource uses. A unit of land may be suitable for a variety of individual or combined management practices.

**Suspension.** Temporary withholding of a term grazing permit privilege, in whole or in part.

**Sustainability.** The capability to meet the needs of the present generation without compromising the ability of future generations to meet their needs. For purposes of this part, "ecological sustainability" refers to the capability of ecosystems to maintain ecological integrity; "economic sustainability" refers to the capability of society to produce and consume or otherwise benefit from goods and services including contributions to jobs and market and nonmarket benefits; and "social sustainability" refers to the capability of society to support the network of relationships, traditions, culture, and activities that connect people to the land and to one another, and support vibrant communities. (see 36 CFR 219.19).

**Term Period.** The duration for which term grazing permits are issued. Term grazing permits are normally issued for up to 10 years, the maximum duration allowable by law.

**Terrestrial Ecosystem Survey/Terrestrial Ecosystem Unit Inventory (TES/TEUI).** The systematic examination, description, classification, mapping and interpretation of terrestrial ecosystems. A terrestrial ecosystem is an integrated representation of soil, climate and vegetation as modified by geology, geomorphology, landform, and disturbance processes. (Terrestrial Ecological Unit Inventory Technical Guide: Landscape and Land Unit Scales, USDA Forest Service, Gen Tech Report WO-68, 2005.)

**Territory Plan.** An operational plan for managing one or more herd units of wild free-roaming horses and burros. The plan describes desired population level, detailed management practices, interagency coordination, scheduling, and monitoring requirements for managing each herd unit, within the direction established in the LMP.

**Timing.** The time that grazing occurs in relation to the phenological stage of plant development. Grazing during the early growth period, reproductive period, or dormant period may provide differing responses within the plant depending upon the stage of development.

**Transitory Range.** Lands which temporarily produce forage as a result of fire, logging, or other events.

**Transportation Costs, Wild Horses, and Burros.** All costs incurred in moving animals beyond the Forest Service/Bureau of Land Management facility where they are prepared for adoption. See FSM 6531 for collection procedures.

**Transportation Livestock.** Livestock used as pack and saddle stock for travel on NFS lands.

**Trend.** The direction of change in an attribute as observed over time.

**Unadjusted grazing value.** On national grasslands and Eastern national forests, the grazing value multiplied by the total number of head months grazing applied for equals the grazing fee paid to the U.S. Treasury that grazing year.

**Unauthorized Livestock.** Any cattle, sheep, goat, hog, bison, or equine not defined as a wild free-roaming horse or burro, or any other livestock or exotic ungulate which is not authorized by Forest Service permit (or bill for collection). Noncommercial pack and saddle stock used by recreationists, travelers, other forest and grassland visitors for occasional trips, and livestock trailed over an established driveway, when there is no overnight stop on NFS land, do not fall under this definition.

**Upper Limit.** An established maximum number of livestock that can be permitted to graze on NFS lands or other lands under Forest Service control under a term grazing permit, other than those permitted under term private land grazing permit.

**Utilization.** The proportion or degree of the current year's forage production that is consumed or destroyed by animals (including insects). The term may refer either to a single plant species, a group of species, or to the vegetation community as a whole (see Interagency Technical Reference (ITR) 1734-3, page 133).

**Vacant Allotment.** A vacant allotment has no term grazing permit currently issued for the allotment. Depending on the project-level NEPA decision, a vacant allotment may be made available for short-term use and occupancy by livestock under a temporary permit or annual authorization, a livestock use permit, or a modification to a term grazing permit on other allotments. If there is no project-level NEPA decision or it does not provide for authorized livestock use, the involved lands may still be made available for short-term use in emergency situations such as drought or fire displacement by decision of the authorized officer.

**Validation of a Permit.** The issuance of the bill for collection, payment of fees, and placement of 90 percent of permitted livestock on the permitted area for at least a majority of the permitted grazing season the first grazing season after the permit is issued.

**Waived Lands.** Private, State, and/or other federal agency lands within a grazing allotment that are owned or controlled by the permittee and where the authority and responsibility to specify overall season of use and livestock numbers on those lands for livestock grazing purposes have been waived to the Forest Service for the full term of the permit.

**Waiver of Term Grazing Permit.** A form (FS-2200-12) completed by the holder of a term grazing permit which surrenders all privileges, provided under the permit, back to the United States. If the holder of the term permit has sold base property and/or permitted livestock to another individual or entity, the waiver can be executed in favor of the purchaser to apply for the permit.

**Wild Free-Roaming Horses and Burros.** All unbranded and unclaimed horses and burros and their progeny using NFS lands on or after December 15, 1971. This also includes all excess horses and burros removed from NFS lands by the Forest Service, but which have not lost status as wild and free roaming (FSM 2264).

This does not include any horse or burro introduced onto NFS lands on or after December 15, 1971, by accident, negligence, or willful disregard of private ownership. Such feral animals are unauthorized livestock. Animals that stray from other lands onto NFS lands are not considered wild free-roaming horses and burros and are not under Forest Service protection, unless they stray from a Bureau of Land Management wild free-roaming horse or burro herd area.

**Wild Horse and Burro Territory.** NFS land identified by the Chief as the territorial habitat of wild free-roaming horses and/or burros when the Wild Horses and Burros Protection Act was passed.

## 2206 - References

Helpful texts and other aids include but are not limited to:

1. "A Glossary of Terms Used in Range Management." Fourth Edition, edited by the Glossary Update Task Group, Society for Range Management, Thomas E. Bedell, Chairman. 1998. Third Printing 2005
2. A User Guide to Assessing Proper Functioning Condition and the Supporting Science for Lotic Areas, Technical Reference 1737-15, 1998, Department of the Interior, Bureau of Land Management, National Applied Resources Science Center, Denver, CO. A joint Bureau of Land Management, Natural Resource Conservation Service, and Forest Service publication.
3. A User Guide to Assessing Proper Functioning Condition and the Supporting Science for Lentic Areas, Technical Reference 1737-16, 1999, Department of the Interior, Bureau of Land Management, National Applied Resources Science Center, Denver, CO. A joint Bureau of Land Management, Natural Resource Conservation Service and Forest Service publication.
4. Facilities for Handling, Sheltering, and Trailing Livestock, 8724-2809, September 1987. Society for Range Management, 1839 York Street, Denver, CO 80206. From the

Vegetative Rehabilitation Workshop. Prepared by the Missoula Technology and Development Center, USDA, Forest Service.

5. Facilities for Watering Livestock and Wildlife, MTDC 89-1, January 1989. Society for Range Management, 445 Union Street, Suite 230, Lakewood, CO 80228. The Vegetative Rehabilitation Workshop. Prepared by Missoula Technology and Development Center, USDA, Forest Service.

6. Fences, 8824-2803, July 1988. Society for Range Management, 445 Union Street, Suite 230, Lakewood, CO 80228. From the Vegetative Rehabilitation Workshop. Prepared by the Missoula Technology and Development Center, USDA, Forest Service.

7. Grazing Management for Riparian-Wetland Areas, Technical Reference 1737-14, 1997, Department of the Interior, Bureau of Land Management, National Applied Science Center, Denver, CO. A joint Bureau of Land Management, Natural Resource Conservation Service, and Forest Service publication.

8. Herbaceous Stubble Height as a Warning of Impending Cattle Grazing Damage to Riparian Areas, Hall, Frederick C.: Bryant, Larry. 1995. Gen. Tech. Rep. PNW-GTR-362. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 9p.

9. Monitoring the Vegetation Resources in Riparian Areas, Winward, Alma H. 2000. Gen. Tech. Rep. RMRS-GTR-47. Ogden, UT: U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station.

10. National Range and Pasture Handbook, Natural Resources Conservation Service's Grazing Lands Technology Institute, Fort Worth, Texas, Larry D. Butler, James B. Cropper, Rhett H. Johnson, Arnold J. Norman, and Patrick L. Shaver, September 1997.

11. Revegetation Equipment, 8042-2501, February 1980. Contact the Superintendent of Documents, U.S. Government Printing Office, Washington D.C. 20402. Stock No. 001-001-00518-5.

12. Riparian Wetland Soils, Technical Reference 1737-19, September 2003. Department of the Interior, Bureau of Land Management, National Science and Technology Center, Denver, CO. A joint Bureau of Land Management, Natural Resource Conservation Service and Forest Service publication.

13. Sampling Vegetation Attributes, Interagency Technical Reference, 1996. Cooperative Extension Service, U.S. Department of Agriculture, Forest Service and Natural Resources Conservation Service, and U.S. Department of the Interior, Bureau of Land Management BLM/RS/ST-96/002+1730.

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**Chapter – Zero Code**

**Amendment:** 2200-2024-1

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14. Utilization Studies and Residual Measurements, Interagency Technical Reference. 1996. Cooperative Extension Service, U.S. Department of Agriculture, Forest Service and Natural Resources Conservation Service, and U.S. Department of the Interior, Bureau of Land Management. BLM/RS/ST-96/004+1730.

**2207 – National Forms**

**2207.1 - Standard Forms for Rangeland Management and Grazing Permit Administration**

The following standard forms are available for field use nationally. These forms are available electronically on the Forest Service Intranet.

FS-2200-01	Refund, Credit, or Transfer Application
FS-2200-02	Application for Temporary Grazing or Livestock Use Permit
FS-2200-05	Temporary Grazing or Livestock Use Permit
FS-2200-05a	Special Terms and Conditions
FS-2200-10	Term Grazing Permit
FS-2200-10a	Special Terms and Conditions: Responsibilities for Maintenance of Structural and Nonstructural Improvements
FS-2200-10b	Special Terms and Conditions: Management Practices
FS-2200-10e	Special Terms and Conditions: On-and-Off Provision
FS-2200-11	Term Private Land Grazing Permit
FS-2200-11a	Special Terms and Conditions
FS-2200-12	Waiver of Term Grazing Permit
FS-2200-13	Escrow Waiver of Term Grazing Permit Privileges
FS-2200-16	Application for Term Grazing Permit

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FS-2200-17	Application for Term Private Land Grazing Permit
FS-2200-25	Ownership Statement by Corporation, Partnership, or Other Legal Entity
FS-2200-28	Notice of Intent to Impound Unauthorized Livestock (owner unknown)
FS-2200-29	Notice of Intent to Impound Unauthorized Livestock (owner known)
FS-2200-30	Notice of Sale of Impounded Livestock
FS-2200-31	Bill of Sale of Impounded Livestock

## **2208 – Regional Forms**

### **2208.1 - Regional Forms for Rangeland Management and Grazing Permit Administration [Reserved]**

## **2209 – Rangeland Management Handbooks**

### **2209.1 - Internal Service-Wide Handbooks**

The following handbooks provide direction for implementing agency service-wide policies and procedures.

#### **2209.13 - Grazing Permit Administration Handbook**

This Handbook provides instructions for the issuance and administration of grazing permits.

#### **2209.14 - Rangeland Ecosystems Analysis, Inventory, and Monitoring Handbook**

This Handbook provides instructions for conducting inventories, analysis, and monitoring of rangeland vegetation ecosystems.

#### **2209.15 - Rangeland Management Annual Reports Handbook**

This Handbook provides instructions for processing Rangeland Management Annual Reports

FS-2200-A	Range Allotment Management Status Report
FS-2200-B	Range Improvement Accomplishment Report

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FS-2200-E Wild and Free-Roaming Horses and Burros on Public Lands (Biennial)

FS-2200-J Annual Grazing Statistical Report

**2209.16 - Allotment Management Handbook**

This Handbook provides instructions for the management of grazing allotments.

**2209.2 - Internal Regional Handbooks**

The following handbooks provide direction for supplementing and implementing agency policies and procedures at the regional level.

**2209.21 - Rangeland Analysis and Management Handbook [Reserved]**

**2209.22 - Structural Rangeland Improvement Handbook [Reserved]**

**2209.23 - Nonstructural Rangeland Improvement Handbook [Reserved]**