

**Forest Service Manual
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**FSM 2200 – Rangeland Management
Chapter 50 – Rangeland Cooperation**

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Approved by: Christopher French, Deputy Chief National Forest System

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

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Digest:

Chapter 2250: Changes chapter title from “Range Cooperation” to “Rangeland Cooperation” and sets forth direction. Revises, recodes and organizes chapter in its entirety.

Section 2250.1: Revises authorities by adding a cross-reference to the general Rangeland Management authorities in the FSM 2200 zero code chapter.

Section 2250.4: Removes specific responsibilities and adds a cross-reference to FSM 2204, exhibit 01 Delegation of Authority where specific responsibilities for range cooperation are set out.

Section 2250.5: Removes definitions and adds cross-reference to the definitions listed in FSM 2205.

Section 2251: Changes section title from “Cooperation with National Forest Livestock Associations at Local Level” to “Cooperation with National, State and Local Livestock Associations, Grazing Associations, Professional Societies, and other Non-Governmental Organizations and sets forth direction. Revises and simplifies specific requirements for

recognizing and working with national forest livestock associations at the local level, and revises captions accordingly. Removes obsolete codes and captions 2251.6 through 2251.8.

Section 2251.2: Clarifies the difference between livestock associations and grazing associations. Explains the roles of livestock associations and emphasizes that livestock associations are not eligible to hold term grazing permits; instead, a permit is issued to each of the individual members of the livestock association.

Section 2251.4: Expands on the role of membership and participation in professional societies, and the value of attendance, certification, and the necessity of employee involvement to chart the course of the rangeland management profession.

Section 2252: Changes section title from “Cooperation with State and National Livestock Organizations” to “Interagency Cooperation” and sets forth direction throughout section.

Section 2252.1: Establishes code, caption and sets forth direction on “Cooperation Regarding Modification of Permitted Livestock Grazing Activities” and sets forth direction. Expands on the importance of coordination when permittees run on both BLM and Forest Service allotments, and the need to look at the effects on the year-round livestock operation when proposing to modify either agency’s permit.

Section 2252.2: Establishes code, caption and sets forth direction on “Regarding Control of Animal Disease.” Expands the discussion on cooperating with other agencies to control animal disease and introduces the topic of diseases dangerous to humans.

Section 2252.21: Establishes code, caption and sets forth direction on “Cooperation Regarding Contagious Diseases.” Inserts this new section to expand on the discussion of certain contagious diseases that are dangerous to humans, and how to deal with effects of the disease if livestock become infected during the permitted use season.

Section 2252.22: Establishes code, caption and sets forth direction on “Cooperation Regarding Transmissible Diseases.” Inserts this new section to discuss management requirements for permittees and Agency employees concerning livestock transmissible diseases.

Section 2252.3: Establishes code, caption and sets forth direction on “Cooperation Regarding Estray Livestock.” Provides direction on cooperating with other agencies regarding estray livestock. References FSH 2209.13, chapter 80 for policy and procedure dealing with excess and unauthorized use. Reinforces the role of law enforcement personnel when dealing with estray livestock.

Section 2252.4: Establishes code, caption and sets forth direction on “Cooperation Regarding Noxious Weeds and Invasive Species.” Provides direction on cooperating with other agencies and parties concerning management and control of noxious weeds and invasive species.

Explains the role of Rangeland Management specialists in cooperating with other program areas to control noxious weeds and invasive species. Adds information on funds available for treatment.

Section 2253: Changes section title from “Interagency Cooperation” to “Cooperation Through Specific Memorandum of Understanding or other Formal Documentation” and sets forth direction. Incorporates direction on formal memoranda of understanding and other written documentation from section 2253 and direction on interagency cooperation from section 2254 into this section. Updates the caption of this section to accurately reflect the combined contents and expands the list of Memorandum of Understandings and agreements to add recent approved cooperative efforts.

Section 2254: Removes code, caption and direction on “Grazing Advisory Board” and obsolete direction concerning grazing advisory boards as the authority under the Federal Land Policy and Management Act expired on December 31, 1985.

Section 2255: Removes code, caption and direction on “Cooperation on Animal Diseases” from this section and recodes to section 2252.1.

Section 2256: Removes code, caption and direction on “Cooperation on Estray Livestock” from this section and recodes to section 2252.3.

Section 2257: Removes code, caption and direction on “Cooperation on Pesticides.”

Section 2258: Removes code, caption and direction on “Cooperation on Range Insects.”

Section 2259: Removes code, caption and direction on “Cooperation on Noxious Farm Weeds” from this section and recodes direction to section 2252.4.

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2250.1 – Authority

See FSM 2201 for authorities for rangeland management. The authority for rangeland cooperation can be found in Title 36 of the Code of Federal Regulations at 36 CFR §222.7 and direction on cooperating in the control of estray or unbranded livestock, animal diseases, noxious farm weeds, and use of pesticides can be found at CFR §222.8.

2250.2 – Objectives

In addition to the objectives set forth at FSM 2202, the objectives of rangeland cooperation are to:

1. Promote integrated planning, development, and use of rangelands on geographically interrelated public, State, Tribal, and private lands under the principles of ecosystem management.
2. Encourage open communication and active participation in the Federal land management planning and decision-making process by permit holders, grazing associations and districts, private landowners, Indian tribes, environmental organizations, State and Federal agencies, and other individuals interested in the management of National Forest System (NFS) lands.

2250.3 – Policy

In addition to the policies set forth at FSM 2203, the policies of rangeland cooperation are to:

1. Provide leadership in improving the administration of rangeland resources while promoting cooperation between parties responsible for, or interested in, the management of these resources.
2. Cooperate with interested parties to develop and implement decisions that will benefit all lands within a logical geographic area, regardless of ownership.
3. Develop and maintain a strong relationship with the livestock industry by working with local, State, and national livestock organizations.
4. Communicate and cooperate with local residents and organizations in the rural communities in which agency employees live and work.
5. Share technical information and skills regarding the management of rangelands to private landowners, and users of private and State rangeland resources through coordination with the State Forester, State Department of Agriculture employees, State wildlife management personnel, and other involved State agency staff.

6. Cooperate with other government agencies, academic institutions, and professional societies and organizations through the exchange and standardization of information related to rangelands.

7. Demonstrate sound rangeland management on NFS lands and other lands under Forest Service control by using the best available scientific information. Share information and experience with local user groups and other interested members of the public.

8. Be supportive of groups of individual permittees who have organized as an informal livestock association (not to be confused with formal grazing associations who are issued a grazing agreement), to pool resources, collaborate on livestock management, rangeland improvement maintenance, and so forth on allotments where those permittees run in common. Be willing to meet with the group to enhance allotment wide planning and coordination to improve management on common grazing allotments.

2250.4 – Responsibility

See FSM 2204, exhibit 01 Delegations of Authority for responsibilities for rangeland cooperation.

2250.5 – Definitions

See FSM 2205 for definitions of terms used in rangeland management cooperation.

2251 – Cooperation with National, State and Local Livestock Associations, Grazing Associations, Professional Societies, and other Non-Governmental Organizations

Cooperate with external groups and committees in accordance with USDA Regulation 1041-001, the Federal Advisory Committee Act, and other applicable laws and regulations, including the Forest Service employee responsibilities and conduct set forth in FSM 6174. FSM 1626 provides additional guidance on public involvement programs.

2251.1 – Cooperation with National, State, and County Livestock Industry Associations

Forest Service representatives should participate in livestock organizations by attending meetings and activities, learning about the organization goals and objectives, articulating agency positions, and encouraging involvement with and from organizations with rangeland management planning and decision-making proposals. Permittees are represented by these organizations, are often active members, and many serve in key State and national leadership positions.

2251.2 – Cooperation with Local Livestock Associations

Livestock associations can be formal or informal groups of term permit holders who either graze their livestock on the same allotment(s), or who mutually agree to combine some or all of their livestock operations (such as hiring a rider, buying salt, or selecting bulls) in order to facilitate communication amongst themselves, reduce costs, and improve allotment management. It is preferable that livestock associations document these agreements, in writing, so that the Forest Service is aware of their roles and duties and the association members share a common understanding of their respective responsibilities and obligations.

The livestock association does not hold a grazing permit. The Forest Service shall continue to issue individual term grazing permits to livestock association members. The term permit holders are responsible for compliance with the terms and conditions of their individual permits.

2251.3 – Cooperation with Grazing Associations and Grazing Districts

Grazing associations and grazing districts are organized under state statutes for the purpose of cooperative management of permitted livestock grazing activities. The Forest Service authorizes grazing use to the grazing association through issuance of a grazing agreement. The grazing association, in turn, distributes grazing use to its members, issues member permits, and administers permitted use. See FSH 2209.13, chapter 20 for further direction.

Do not confuse local livestock associations with grazing associations, which are legal entities established under State law.

2251.4 – Cooperation with Professional Societies

Rangelands are of interest to a variety of scientific disciplines, research entities, academic institutions, agricultural businesses and organizations, and professional societies.

As the first Chief of the newly-created U.S. Forest Service in 1905, Gifford Pinchot recognized the strong values of forming professional societies and becoming actively involved in their mission and organizational intent. Forest Service employees are encouraged to become members of these professional and scientific organizations and to actively participate, attend, and help direct the workings of the Society(s) that represents their profession.

Participation must conform with the Standards of Ethical Conduct for Employees of the Executive Branch, found at 5 C.F.R. Part 2635, especially the sections related to misuse of official positions and participation in outside activities, and USDA supplementary ethics regulations at 5 C.F.R. Part 8301. Questions should be directed to the USDA, Ethics Office. See FSM 6174 for more information regarding employee responsibilities and conduct.

2251.5 – Cooperation with Other Non-Governmental Organizations

Many other organizations are interested in the management of NFS rangelands. Forest Service employees are encouraged to participate in the meetings and field tours of these organizations to discuss rangeland management, projects, or proposals of mutual concern, share information and best available science, and encourage these organizations to take advantage of the public involvement opportunities throughout the planning process. Employees must follow ethics regulations at 5 C.F.R. Part 2635 and 5 C.F.R. Part 8301 and contact the USDA Ethics office with questions.

2252 – Interagency Cooperation

The Forest Service collaborates with other government agencies to improve coordination in the management of rangelands and livestock grazing.

2252.1 – Cooperation Regarding Modification of Permitted Livestock Grazing Activities

Changes in permitted livestock grazing on NFS lands, such as seasons or numbers, may affect livestock grazing on nearby lands administered by the Bureau of Land Management (BLM). The authorized officer shall notify the BLM of any proposed permit modifications and provide the BLM with a reasonable opportunity to comment and discuss the proposed changes.

The same requirement to coordinate with the BLM should apply when proposing to make temporary changes of seasons or numbers due to annual climatic conditions. For example, a decision to delay entry to a NFS allotment due to a late, wet spring may directly affect the BLM allotment used by the permittee first and may also directly affect the time when the cattle must vacate the private land pastures below. Coordination with all parties involved in the year-round operation is imperative.

These same principles apply to lands administered by other Federal and State agencies.

2252.2 – Cooperation Regarding Control of Animal Disease

The Forest Service cooperates with the Animal and Plant Health Inspection Service (APHIS), and other Federal, State, and county agencies in the control or management of animal diseases (See 36 CFR §222.8).

2252.21 – Cooperation Regarding Contagious Diseases

Examples of contagious animal diseases are mad cow disease (bovine spongiform encephalopathy), and brucellosis in cattle. Sheep diseases include scabies and sore mouth.

Cooperation includes enforcement of quarantine regulations issued by APHIS or State agencies. Animals under quarantine restrictions shall not be allowed to enter NFS lands until the quarantine is lifted or until the hold order is rescinded. Grazing permit holders are required to comply with such quarantine regulations while their livestock are on NFS lands or other lands under Forest Service control.

The authorized officer shall ensure that carcasses of animals on NFS lands that die from a contagious disease, threaten to contaminate water, or become a public nuisance shall be properly disposed of in accordance with applicable Federal or State law or regulation. Most Allotment Management Plans and Annual Operating Instructions (or similar document) address the disposal of dead animals, but that has typically applied to such situations as an animal dying of “natural causes” or being struck by lightning. In such cases, burying and burning to dispose of dead animals should only be used under limited circumstances. Instead, the permittee needs to remove the animal. If complete removal is not logistically feasible or doing so would result in resource damage due to the necessity of overland travel, the permittee should ensure the carcass is positioned away from areas such as established recreational facilities, water sources or other sensitive or high use areas.

However, if it is suspected and confirmed that a contagious disease has killed one or many animals on NFS lands, the State veterinarian or other responsible official may require burying or burning on-site immediately in order to prevent further spread of the disease.

2252.22 – Cooperation Regarding Transmissible Diseases

Most transmissible livestock diseases (for example trichomoniasis) can be controlled using vaccinations. Statutes can vary from State to State, but testing for known transmissible diseases is usually required by most States with each State having requirements relative to disease prevention and/or resolving disease outbreaks. It is the responsibility of the permittee to follow state requirements relative to vaccination, treatment and testing of livestock (see 36 CFR §222.4(a)(6)).

Forest Service involvement is limited to the Agency’s cooperating with State Veterinarians. This can be as simple as providing a list of Forest Service permittees to the State veterinarian so that the State can follow up to ensure State livestock health requirements are being followed.

Any enforcement of the State statutes must be carried out by State officials, and agency personnel may assist with providing information to permittees and responsible State and county officials.

2252.3 – Cooperation Regarding Estray Livestock

The Forest Service shall cooperate with State livestock brand boards, sanitary boards, or other appropriate agencies in determining ownership of estray (stray) or unbranded livestock in accordance with the law of the State where they are located.

Stray or unbranded animals are usually unauthorized livestock – animals not owned by the holder of a grazing permit. See FSH 2209.13, chapter 80 for procedures concerning unauthorized livestock.

Locating and identifying unauthorized livestock is usually done by rangeland management personnel, but all efforts to remove the stray animals, including notices of violation, mandatory court appearances, or impoundment, will involve agency law enforcement personnel. Any animals that are impounded by the Forest Service may be sold or otherwise disposed of or should be released to the proper State or county authority for immediate possession and subsequent disposition in accordance with State law.

Livestock boards or local and county authorities may be limited on budgets and staffing. Cooperation to remove offending animals may involve requests of the Forest Service to assist with contract issuance or to reimburse them for a portion of funds expended or costs incurred.

2252.4 – Cooperation Regarding Noxious Weeds and Invasive Species

FSM 2900 provides the Forest Service policy on managing invasive species using integrated pest management techniques in close coordination and cooperation with State and Federal agencies, permittees, and adjacent landowners. It is to the benefit of all landowners to control, eradicate, or prevent the spread of noxious weeds and invasive species on rangelands.

The Wyden Amendment (16 U.S.C. §1011a) authorizes the Forest Service to enter into cooperative agreements to benefit resources within watersheds on NFS lands. Agreements may be with willing Federal, Tribal, State, and local governments, private and non-government entities, and landowners to conduct activities on public or private lands.

Funding for the treatment of noxious weeds and invasive species can be made available through RBF, conservation practices, and usually through annual Congressional appropriations.

Treatment can be carried out by certified agency personnel but is often through agreements with many other partners, often with county weed and pest control districts. Grazing permittees can be authorized to do control work on their individual allotments through the AOI (or similar document) if they are certified applicators.

2253 – Cooperation Through Specific Memoranda of Understanding or other Formal Documentation

The Forest Service frequently works together with other government agencies on issues of mutual interest and concern through the negotiation and execution of a memorandum of understanding (MOU) identifying each party's respective rights and responsibilities. MOUs must conform to the requirements set forth in FSM 1530 and 1540.

Some examples of agencies and the types of rangeland management matters that the Forest Service often cooperates on include, but are not limited to:

- BLM on interagency cooperation on rangeland monitoring, management, and research.
- APHIS related to aspects such as animal diseases, animal damage management, insect management and so forth.
- NASS for computing annual grazing fees.
- NRCS on operation of standard soil surveys, development of ecological site descriptions, rangeland improvement specifications and so forth.