

RANGELAND MANAGEMENT DIRECTIVES UPDATES
GRAZING PERMIT ADMINISTRATION HANDBOOK & RANGE MANAGEMENT MANUAL

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Document Description

This document contains a summary of the major changes being proposed to the Rangeland Management Directives and a brief description of why the changes are being proposed and/or what benefits are expected to be derived from making the respective changes. This document does not include an exhaustive list of the changes, but instead focuses on those that are considered to be the most notable. For a complete list of all of the changes being proposed please refer to the digests contained at the beginning of each chapter of FSM 2200, FSH 2209.13 and FSH 2209.16. For your convenience we have also developed a Rangeland Management Directives Master Digest that describes ALL of the changes being proposed and is organized by chapter and section. That document can be found on the Rangeland Management Directives webpage at <https://www.fs.fed.us/rangeland-management/directives.shtml>.

Introduction

The titles of most or all of the Chapters of the Rangeland Directives and many sections throughout the Chapters of the Rangeland Management Manual and Handbooks have been updated to add the word “land” to the end of the word “Range.”

This is due to the fact that the main audience for these documents is the Forest Service Rangeland Management Specialists who serve as the primary managers of the types of ecosystems called rangelands. These important ecosystems cover nearly 1/3 of this nation’s land surface and are dominant feature of landscapes throughout the world. These documents serve as the main source of updated regulations, policies, and procedures to be used by Forest Service Rangeland Management Specialists as they carry out all aspects of the management of rangeland vegetation to meet desired conditions. This includes a tremendous variation of wildlife habitats, soil and watershed conditions, impacts from invasive species, and use of prescribed fire as well as dealing with effects from large-scale wildfires. They are also the experts that issue and administer well over 6,000 term grazing permits nationally. However, it should be noted that permit administration only constitutes a portion of their primary duties.

The terms have been changed throughout these Rangeland Management Directives to reflect the encompassing nature of the uses, values, and the holistic responsibilities for today’s management of rangelands in the USDA Forest Service.

FSH 2209.13 Grazing Permit Administration Handbook – Major Changes Summary:

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What’s the Benefit to Adding the Change?
Chapter 10	Term Grazing Permits	
Sec. 11.2 (& Sec. 15.42)	Changes the expiration date for all term grazing permits to February 28 rather than the end of the calendar year (December 31).	This coincides with the Grazing Fee year so a 10 year term grazing permit is valid for ten full grazing seasons. This also provides for administrative efficiencies. For example, rangeland management specialists would be able to work with the permittee during the early part of the calendar year to complete the qualifications evaluations and reissuance process prior to the start of the next grazing season instead of trying to work during the busy field season.
Sec. 11.5	Terminates the use of all <u>livestock</u> association permits.	Clarifies that livestock associations are not to be confused with grazing associations and provides direction on how to properly authorize grazing for members of livestock associations (i.e., Existing term livestock association permits shall be allowed to expire, and no new ones shall be issued; and new term grazing permits issued to the individual livestock association members).
Sec. 11.52	Clarifies that private lands permitted under term permits with on-and-off provisions are also waived to the government for establishing permitted numbers and seasons of use, as well as for access to all private lands necessary for allotment administration.	Changes provide clarity on how grazing permits with on-and-off provisions are administered.
Sec. 11.54	Implements the use of Standard Grazing Agreements for grazing associations and grazing districts operating on: <ul style="list-style-type: none"> • All National Grasslands in Regions 2-8. • R1 Dakota Prairie Grasslands • Grazing associations operating on National Forests in Regions 1-6. • Grazing associations operating on National Forests in Regions 8 & 9. • Indian tribes exercising treaty rights for grazing livestock on National Forest System lands. 	Provides transparency, consistency, and predictability for Grazing Associations relative to grazing agreements while being responsive to the differences in issuances of grazing agreements on National Grasslands, on National Forests in the Western Regions, on National Forests in the Eastern and Southern Regions, and on NFS lands with Indian tribes exercising treaty grazing rights.
Sec. 12	<p>Expands the discussion of types of entities eligible to hold term permits.</p> <p>Provides examples of legal entities that do not meet or may not meet Forest Service eligibility requirements to be issued term grazing permits.</p> <p>Inserts examples of terminology and documents that do not meet or may not meet Forest Service eligibility requirements to be issued Forest Service term grazing permits.</p> <p>Continues ability of applicants to buy base property over time (7-10 years) and uses the term “successional” base property.</p> <p>Continues ability to buy livestock over time (3-5 years), and uses the term “successional” livestock instead of “share livestock” or “leased” livestock.</p> <p>Grandchildren as well as children can run up to 50% of the older generation’s term permitted numbers.</p> <p>After the permit is waived to children or grandchildren, the other generation can continue to run up to 50% of that generation’s numbers as they phase out of the family operation.</p> <p>Removes the term “husband and wife” as an entity and changes it to “married persons” as an entity.</p>	<p>Adds LLCs, LLFPs, etc. to assist with family estate planning needs.</p> <p>Describes considerations that should be taken into account in determining which types of entities are eligible to hold a Forest Service grazing permit.</p> <p>Clarifies the types of documents that do not satisfy Forest Service requirements to verify bona fide business transactions, legal entities, etc. required to obtain a grazing permit.</p> <p>Allows purchase over time as many deeded lands escalate rapidly in value. Allowed only in NG Associations and Grazing Districts now.</p> <p>Eliminates confusion of industry terms and agency terminology. Allowed only in NG Associations and Grazing Districts now.</p> <p>Helps families where the children left the ranch, but their kids want back in.</p> <p>Helps the older generation “phase out” of the operation as they turn it over, if that meets their needs.</p> <p>Updates the reference as most states now recognize same-sex marriages.</p>
Sec. 12.21	<p>Adds a Section on Conservation Easements and Agricultural Land Trusts.</p> <p>All members in a Conservation Easement family can hold individual term permits and can declare that same (undivided) ranch as their base property.</p> <p>Refers to the legal exceptions to ownership of base property and ownership of permitted livestock to hold a Term Grazing Permit specified in Chapter 20.</p>	<p>These allow ranches to remain in agricultural production (and tax base) in perpetuity. They did not exist, or were very seldom used, 30 years ago.</p> <p>Allows that more than one member of that ranch family can hold permits and declare the same land as base property.</p> <p>Incorporates by reference, the legal exception to ownership of base property and ownership of permitted livestock which is available to only those grazing association members on the Dakota Prairie Grasslands in R1 as provided by the Consolidated Appropriations Act of 2008.</p>
Sec. 12.22	Explains the U.S. Supreme Court’s rulings that corporations (and other entities) may be accorded certain rights, but they are not “people” and thus cannot have children.	Clarifies that business “entities” cannot have children that can run up to 50% of the entity’s permitted numbers. Provides suggestions how individuals might include their children in their operation by incorporating them into their legal entity.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
Sec. 12.3	<p>Adds the provision to allow the use of holding brands in states where this is a common practice.</p> <p>Explains the rare occasion when it may be allowed to approve documents where the individuals shown on the brand registration are separated by the word “or” while the same individuals owning the base property are listed on legal documents as separated by the word “and”.</p>	<p>The provision addresses limited instances where a permittee may own base property in one state and holds a grazing permit for an allotment in an adjacent state resulting in a need to utilize a “holding brand” to avoid the need to double brand owned livestock. Describes how this scenario is approached and clarifies that diligence must be used to ensure ownership and registration to avoid any attempts of permittees to run unowned livestock.</p> <p>The persons or entities reflected on the base property ownership document must match the persons or entities on the brand registration. In some states there may be conflicts with how multiple entities may be represented on brand registrations. Guidance is provided on how to address the conflict as well as when allowance of certain word combinations may be allowed when state statutes or policy do not allow resolution of the apparent conflict in the manner recommended in section 12.3.</p>
Sec. 13.6	Establishes Forage Reserves as an official type of grazing allotment.	Makes allotments available for occasional use; prevents vacating or closing.
Sec. 13.7	<p>Inserts the official Agency policy on Third-Party Buyouts by external groups and the policy against closing grazing allotments.</p> <p>Allows permits to be listed as total number of AUMs (but must have an average season and average number of head for purposes of waiver and non-use). Allows for a more flexible livestock operation (similar to Outcome-Based Grazing).</p>	<p>Directs line officers to maintain agency future authority and responsibility. The policy details direction to line officers regarding the process that must be followed when closing an allotment. The direction clarifies that such status should rarely be assigned to an allotment and must NOT be assigned to only satisfy the request of an external third party or entity who has no legal authority to manage National Forest System lands.</p> <p>Acknowledges that many areas have year-round allotments, multiple periods of use, and need this flexibility. Not all permits are high-elevation summer use.</p>
Sec. 14.2	Clarifies the definition of “Waived” private lands.	Explains that when the agency permits the numbers, and seasons, in allotments with intermingled ownerships, the other lands are “waived” to the FS for control of the grazing use (but only for the grazing use and administration).
Sec. 15.2	Deletes Issuance of Term Grazing Association Permits	Change reflects the common practice of entering into Grazing Agreements.
Sec. 15.43	Inserts the Archeological Discovery Clause on the back of the Term Grazing Permit (and in the Rules of Management), identical to timber sale contracts and road maintenance agreements, that allow permittees to complete required improvement maintenance without additional, new, advance cultural surveys.	Allows for permittees to perform the required annual maintenance of all improvements without more heritage surveys. However, if resources are discovered during maintenance efforts, work must cease and the permittee must notify the rangeland management specialist or authorized officer.
Sec. 15.5	Explains that validation of a term grazing permit requires that at least 90% of the permitted number of livestock must be grazed on the allotment for at least the majority of the grazing season in the first year following permit issuance.	Describes what is required to validate a term grazing permit and clarifies that validation occurs on livestock numbers, not season of use. Continues the requirement that validation <u>must</u> occur before the permittee has the ability to request non-use or to waive the permit to another entity.
Sec. 15.8	Inserts and updated table comparing term permits with on-and-off provisions and term private land permits.	The new table updates, simplifies, and compares the term grazing permit with on-and-off provisions to the term private land permit and accounts for the considerable management differences between most national forest grazing allotments and the intermingled land ownerships on many national grassland grazing allotments.
Sec. 16	Clarifies when a new analysis may be required and when the existing analysis may be sufficient.	Provides parameters that can be used to gauge whether proposed changes to a term grazing permit would require a new analysis to avoid redundant analysis and support reasonable program efficiencies.
Sec. 16.4	<p>Better defines the Uniform Suspension & Cancellation Guidelines so the same permit violation has the same penalty regardless of where it occurs and who the authorized officer is.</p> <p>The policy for excess and unauthorized use becomes “identical” or “very similar” to the BLM policy – except that the annual fee penalty for excess and unauthorized use is the average of the Private Land Lease Rates (PLLR) for the 17 western states instead of separate PLLRs for each of the 17 states (as BLM has).</p> <p>The policy for excess & unauthorized use becomes “identical” or “very similar” to the BLM policy – and establishes the fee penalty for excess and unauthorized use to be double the annual grazing fee for all grazing permits in the Eastern and Southern Regions.</p>	<p>Designed to assure that firm, fair, and consistent processes and actions take place wherever an infraction occurs and that all livestock permit holders are treated in the same professional manner.</p> <p>This update is responsive to the 2016, Government Accountability Office Final Report, GAO-16-559, titled “Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts.” The proposed excess and unauthorized grazing fees are based on the value of commercial forage, are better aligned with the approach taken by the Bureau of Land Management and serve as a better deterrent for those few operators who do not comply.</p>
Sec. 16.5	Better explanation of the formal Mediation process.	Discusses how and when mediation can be used, who is involved, and how the process <u>can</u> improve cooperation.
Sec. 16.53	Inserts a new section called “Informal Dispute Resolution”.	Provides a detailed description of the process created in Section 8 of PRIA to allow opportunities to informally resolve allotment management concerns and disputes.
Sec. 17.2	More discussion on allowing Non-Use for Resource Protection and increasing the flexibility to build back numbers after destocking herds.	Builds understanding of proper use and documentation of resource protection non-use. Explains that droughts and other severe acts of nature are different, and require flexibility in the responses.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
	Allows "phased-in" validation after periods of severe or prolonged drought, and with waivers based on sale of permitted livestock, especially if the entire herd has been sold.	Allows case-by-case flexibility to rebuild entire herds when necessary, and to phase in validation as full permitted numbers are purchased over time
	Allows up to 3 years of "trial" Temporary Permits when changing kind or class or livestock without officially modifying the Term Permit.	Responds to the belief on the part of many permittees, and range managers, that it takes 3 years for livestock to "learn" an allotment new to them.
Chapter 20 Grazing Agreements		
Sec. 22	Adds five new exhibits which are the Standard Grazing Agreements for grazing associations and grazing districts operating on: <ul style="list-style-type: none"> All National Grasslands in Regions 2-8. R1 Dakota Prairie Grasslands Grazing associations operating on National Forests in Regions 1-6. Grazing associations operating on National Forests in Regions 8 & 9. Indian tribes exercising treaty rights for grazing livestock on National Forest System lands. 	Provides transparency, consistency and predictably for Grazing Associations relative to grazing agreements while being responsive to the differences in issuances of grazing agreements on National Grasslands, on National Forests in the Western Regions, on National Forests in the Eastern and Southern Regions, and on NFS lands with Indian tribes exercising treaty grazing rights.
Sec. 22.2	Discusses the "very limited cases" when an Association member can withdraw their AUMs from the Association and be issued a Direct Permit. Notes that this cannot occur if it is in conflict with the Association Bylaws.	Provides for circumstances that need to be met before this can be considered, and then the Association BOD, the FS, and the member all have to agree.
Sec. 23.1	Clarifies and simplifies some of the wording and the clauses of the Grazing Agreements.	Some of the language carried forward from SCS days, and FS Special Use permit language, has been corrected, and in some cases omitted.
	Clarifies the roles of both parties in administering Grazing Agreements.	Further discusses the partnership roles between Associations and the FS.
Sec. 24.1	Clarifies that the rules of management (ROM) must include a section on the uniform suspension and cancellation guidelines since the association is subject to the same penalties for the 13 permit infractions, as are the direct permit holders, if they do not hold their members accountable. Provides a recommendation that this could be achieved by inserting the entire section 16.4 on Uniform Suspension and Cancellation Guidelines into the ROM.	Clarifies how associations can ensure their members are informed and aware of infractions and resulting penalties and encourages the use of uniform approaches to those penalties to facilitate a consistent and fair approach across associations. However, flexibility is still afforded to associations should they choose to incorporate by reference and insert a table or some other approach to describe the 13 infractions and related penalties.
Sec. 25.2	Proposes adjusting how Grazing Associations are billed to reduce the need for refunds or credits in subsequent fee years.	Adjustment would result in issuing installment billings to Grazing Associations, both the first bill and the second bill would be issued for 40% of the authorized use. A final bill will then be issued at the end of the grazing fee year for the remainder due, thereby eliminating any requests for refunds and reducing the need for credits in the subsequent fee year. This would lead to more efficient billing and bookkeeping for both the Association and the Forest Service.
Sec. 25.4	Allows for fee credits to be carried into future years by small Associations in order to complete big expensive rangeland improvement projects.	Establishes a process whereby small Associations with few members can deposit and save up fees over time for such things as drilling wells, as allowed by Congress in passage of the 2017 Consolidated Appropriations Act.
Chapter 30 Temporary Grazing & Livestock Use Permits		
Sec. 36.2	Livestock Use Permits must be issued for the use of Leased Sires since FS regulations do not allow for grazing of un-owned livestock on a Term Grazing Permit.	We have "informally" allowed use of leased sires in past years as this became a standard industry practice. But all animals on a Term Permit <u>must</u> be owned livestock. So this additional effort allows the practice to continue without changing FS regulations.
Chapter 50 Tribal Treaty Grazing Rights and Special Use Permits		
Secs. 50.2 – 50.6	Inserts historical context and several sections on various tribal rights.	Includes several new sections to better describe the various aspects of Native American treaties and the related rights or privileges resulting from those treaties.
Sec. 51	Expands the discussion on Tribal Treaty Grazing Rights and how those rights are exercised and administered.	This is a new Section, and explains the history and background of relationships between sovereign nations.
Secs. 52.1 – 52.5	Inserts several sections on various aspects of Tribal Ownership.	Includes several new sections to better clarify the types of Tribal Ownerships and how to administratively approach those types of ownerships related to livestock grazing and the requirements necessary to exercise treaty rights on NFS lands.
Sec. 54	Expands the discussion on how Special Use Permits for Incidental Grazing Uses are issued and administered.	Explains the few situations that require issuance of an exclusive-use Special Use Permit instead of a grazing permit.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
	Special Use Permittees such as Outfitter-Guides and Recreation Resorts that offer horseback riding need to be administered to the same forage utilization requirements on NFS lands as are required of Term Grazing Permittees.	Applies similar requirements for both types of permittees in regard to proper use and management of rangeland vegetation.
Sec. 56	Inserts a new Section on the administration of "Cow Camps" and how Archeological Stipulations for Properties exceeding 50 years of age may or may not be required or applicable.	Explains how cow camp maintenance requirements may or may not have to change after they reach 50 years of age.
Chapter 60 Records		
Sec. 61.1	Changes the caption from "Case File" to "Electronic Records" and revises the direction to be specific to electronic records.	Electronic records and databases did not exist 25-30 years ago.
Sec. 61.2	Affirms that Hard-Copy Paper Records remain the official files for permittee folders, allotment folders, and rangeland improvement records – in addition to establishing and maintaining duplicate electronic records.	Adding electronic records provides fast and efficient analysis capability. But paper-copy records are continued for each permittee, and each allotment, and for all improvement work conducted.
Sec. 66	Inserts a new section called "Requests for Records under the Freedom of Information Act".	Explains what FOIA is and why it came about, and serves as an easily-accessible source for rangeland management professionals for responding to requests for grazing records under FOIA.
Sec. 66.3	Inserts a new section providing guidance to employees on how to respond to requests to access information within 2230 permit files and 2210 allotment folders.	Ensures consistency and avoids confusion on how to respond to requests from current grazing permittees to access information in their own 2230 permit files and 2210 allotment folders, and how to correctly handle their requests for information from the 2230 and 2210 folders of other grazing permittees.
Chapter 70 Permittee Compensation for Rangeland Improvements		
Sec. 71.2	Reaffirms that when public lands are devoted to another purpose that precludes livestock grazing, the existing permittee can be compensated for his/her/their portion of constructed range improvements. This applies to Term Permittees on all National Forests in the 16 western states and also to Term Permittees on all National Grasslands.	This policy and procedure have been in effect for a long time. It only applies when the current permittee is the one who built the improvement(s). It now allows for the same provision for National Grassland term permittees.
Sec. 72	Clarifies who shall bear the cost of range improvement compensation.	Explains that the benefitting use, resource, or receiving agency shall bear the cost of range improvement compensation.
Chapter 80 Grazing Fees		
Sec. 81.2	Exhibit 02 was removed.	Exhibit 02 used a computation example that was incorrect. The exhibit was intended to provide an example for grazing seasons less than one month in length but is unneeded as one example fits all seasons.
Sec. 81.3	Bills are now mailed out 40-60 days in advance; they used to be sent out 35 days in advance of the approved on-date.	This is basically a requirement of the electronic database. Permittees still have to make sure they pay on time.
	Updates methods by which permittees may pay their grazing fee bills.	Payments may be made by check or credit card. They may be sent by mail, on-line, or delivered in person with the Bill for Collection in-hand.
	Only Grazing Associations and year-round allotment permittees can have split bills.	This is to minimize the cost of issuing bills and tracking payments. If the total bill is less than \$1,000, only issue one.
Sec. 81.5	Refunds are no longer allowed, unless the permittee paid the wrong amount.	This is mostly required by electronic database procedures. Long-standing policy to <u>not</u> approve refunds when livestock are removed early for marketing purposes stays the same.
	Procedures for allowing credits remain about the same, but good documentation is required.	To minimize issuance and processing costs, any credit due will nearly always be applied to the next year's bill
Sec. 81.7	Proposes that the fee charged each year for excess and unauthorized use on all National Forests and National Grasslands in the 16 Western States, as well as on the National Grasslands in Texas, will be the average of the private land lease rates for those 17 States (as computed annually by the National Agricultural Statistics Service for the Forage Value Index component of the grazing fee formula determination).	This update is responsive to the 2016, Government Accountability Office Final Report, GAO-16-559, titled "Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts." The proposed excess and unauthorized grazing fees are based on the value of commercial forage, are better aligned with the approach taken by the Bureau of Land Management and serve as a better deterrent for those few operators who do not comply.
	Proposes that the fee charged each year for excess and unauthorized use on all National Forests and Land Utilization Projects in the Eastern regions will be double the annual grazing fee for noncompetitive permits and competitive bid permits.	
Chapter 90 Rangeland Planning and Decision-Making		
Sec. 94.3	Explains the proper use of AOIs (or similar documents) in order to avoid losing court cases because they have been wrongly used as a decision document. AOIs are not required by law or regulation.	AOIs are simply the instructions for the allotment for that year, and are pulled from the AMP. They are not a legal requirement. When used, they can be the standard format, or other forms of documentation and communication.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
	Explains that spring permittee meetings, for applications and AOIs, may reference privileged or financial information; they are a business meeting between the 2 parties, and are not open to the public.	Because AOI and annual application meetings may include private business discussions, other parties should not be present. But procedures are discussed in cases where the permittee requests in advance that someone else be present.
Sec. 95.3	Expands the discussion on Cooperative Permittee Monitoring.	Notes the existence of the Five-Year Agreements with PLC. Discusses monitoring options, coordination, and how and when cooperative monitoring results are retained in the files for use.
Sec. 96	Provides direction on when new analysis might not be needed or required.	Discusses how resource analyses and monitoring results may be applied through administrative decisions and do not always require a new or updated NEPA process, analysis, or decision.
Sec. 97	Moves all information regarding allotment administration, inspections, monitoring, documentation, and compliance to FSH 2209.16, Allotment Administration Handbook.	The new Allotment Management Handbook contains guidance on how to manage grazing allotments and serves as a policy and procedure companion to the existing direction on how to administer Forest Service grazing permits. The removed section is better placed within the new handbook.

FSH 2209.16 Allotment Management Handbook – Major Changes Summary

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
The purpose of the Allotment Management Handbook is to provide assistance to forest officers in the management of rangelands, associated livestock grazing allotments, and other uses of rangelands. It details how to manage grazing allotments and serves as a policy and procedure companion to the existing direction on how to administer Forest Service grazing permits (provided in the Grazing Permit Administration Handbook FSH 2209.13).		
Secs. 10 – 10.17	Describes the status of grazing allotments, and the different types (categories) of grazing allotments, as well as other rangelands not included in grazing allotments.	Provides better clarification and differentiation among the various types of grazing allotments to inform program management and administrative approaches. Also provides an overview of other rangelands that are not part of grazing allotments and provides guidance for their management, use, and administration.
Secs. 10.5 – 10.54	Discusses the proper procedures for changing the status of allotments from one type to another.	Provides in-depth guidance on the proper procedures for modifying allotment status. Also included is a description of certain actions and procedures that should not be followed.
Sec. 16	Discusses situations involving conversions of kind, class, and weight of livestock.	Clarifies how to reasonably approach conversions of kind, class, and weight of livestock and inserts the Animal Use Conversion Table frequently found in regional range analysis handbooks.
Secs. 17 – 17.15	Includes a detailed discussion of forage reserves and forage reserve allotments.	Provides a description of forage reserves and forage reserve allotments, guidance on their use, and procedures relative to their creation and management.

FSM 2200 Rangeland Management Manual – Major Changes Summary

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
Zero Code	(contains the authorities, objectives, policies and delegations of authority)	
Sec. 2201	Updates the list of Laws, Regulations, and Executive Orders, and adds to the list, especially to include many more applicable to the National Grasslands after they were transferred to the Forest Service.	Added several older laws, not previously included, that deal with management of grazing permits and rangelands, from the Homestead Act of 1862 to the Agricultural Credit Act of 1987, which provides for use of mediation in grazing permit disputes. Also adds laws passed since 1991 (Rescissions Act, the Secure Rural Schools Act, and the Administrative Procedures Act, as amended).
Sec. 2203	Adds a section called Ownership of Federal Lands to serve as a reference source for employees and interested members of the public regarding the federal legislation and court rulings on federal ownership and management responsibility from the founding of the United States to the current time.	The Section discusses the federal government's abilities and authorities under the U.S. Constitution, and federal land acquisition, withdrawal, and disposal. It discusses federal laws and court decisions regarding livestock grazing and land ownership.
Sec. 2201.1	Inserts the official Agency policy on Third-Party Buyouts by external groups and the policy against closing grazing allotments.	Directs line officers to maintain the agency's authority and responsibility into the future, and not to close active or vacant grazing allotments. The policy details direction to line officers regarding the process that must be followed when closing an allotment. The direction clarifies that such status should rarely be assigned to an allotment and must NOT be assigned to only satisfy the request of an external third party or entity who has no legal authority to manage National Forest System lands.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
FSM 2210 Rangeland Management Planning		
	No significant changes.	
FSM 2220 Management of Rangelands (Reserved)		
	<i>This Section is Reserved.</i>	
FSM 2230 Grazing Permit System		
	No significant changes.	
FSM 2240 Rangeland Improvements		
Sec. 2240.3	Adds new and clarifies existing policies relative to rangeland improvements.	Examples of new or clarified policies include such things as: advanced coordination with journey level rangeland expertise on management decisions; improvement practices; and appropriate inventory and monitoring procedures within rangeland ecosystems; requirement for permittees to contribute to rangeland improvements with proportionate contributions of money; labor; or materials for cooperative rangeland improvements on NFS lands; reminder that rangeland improvements do not convey exclusive rights to use a rangeland improvement or the lands on which the improvement is located to a cooperator or permittee who performs the required rangeland improvement work on NFS lands; that maintenance responsibility should be assigned to the permittee (including grazing associations) as a term and condition of their grazing permit; and to require grazing permittees to maintain all assigned range improvements even during periods of nonuse and suspension.
Sec. 2240.6	Moves the policy, and supporting court cases, regarding construction and maintenance of National Forest boundary fences to FSM 2240 from FSM 2230.	The policy and supreme court cases regarding ownership of boundary fences on National Forest proclaimed boundaries remains the same; it is just moved from the chapter on Permits to the chapter on Improvements . All of the referenced court rulings precede the acquisition of the national grasslands and their addition to the National Forest System.
Sec. 2240.6	Explains the differing situations with land ownership patterns on the National Grasslands and how that sometimes affects construction and maintenance responsibility of boundary and division fences.	National Grasslands have only administrative boundaries, <u>not</u> proclaimed boundaries. The nature of intermingled land ownerships on NG units requires line officers to maintain cooperative working relationships, and to evaluate fence locations, fence construction, and resultant maintenance responsibilities on a case-by-case basis.
Sec. 2244	Inserts the reference to the 1980 Congressional Grazing Guidelines also found in FSM 2320 (Wilderness Management). Explains the congressional mandates for continuing grazing in wilderness areas if it occurred prior to proclamation (and it nearly always did), and the ability to reconstruct and maintain rangeland improvements in wilderness allotments.	If livestock grazing occurred prior to wilderness area proclamation, it is allowed to continue. All the restrictions and prohibitions that apply to other wilderness users do not automatically apply to grazing permittees. Line officers need to be familiar with Congress's intent; changes in wilderness users' views do not allow a change in the law or policy.
Sec. 2247.11	Clarifies the policy on how annual grazing fees are collected and deposited, then returned the following year to NF units for cooperative rangeland improvement projects. Explains where and how funds can be expended (no more than a 6% "overhead" is allowed), the cost-share policy on most improvements, and what RBF funds can and cannot be used for (never for maintenance).	Explains in more detail how fees are deposited in the U.S. Treasury and returned to the National Forests to install and conduct range improvements.
FSM 2250 Rangeland Cooperation		
	Removes most references and discussion concerning noxious weeds and invasive species the laws, regulations, and policy regarding their management has been relocated to Forest Service Manual FSM 2900.	Management and control of noxious weeds and invasive species is nearly always one of the duties carried out by the rangeland management specialist. But spread and control of noxious weeds is not a range and livestock problem any more than it is a management problem and control need for every other multiple use: recreation, wildlife, minerals, timber, watershed, wilderness, or any other program area.
2251.4	Describes the value of membership and participation in professional societies.	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 throughout the United States and around the world.
2252.2	Expands the discussion on cooperating with other agencies regarding control of animal diseases.	The section better clarifies how to cooperate with other agencies to control animal disease and introduces the topic of diseases dangerous to humans.
2252.21	Inserts a new section to expand on the discussion of certain diseases.	Provides guidance on how to address 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.

Chapter & Section	Proposed Change	Why Are The Changes Being Proposed / What's the Benefit to Adding the Change?
FSM 2270	Information Management and Reports	
	No notable changes.	