

BLM grazing regulations: How the process works.

Are you familiar with the Bureau of Land Management (BLM) grazing permit process? Are you concerned about the security of your existing permit? When could a grazing permit be cancelled or not renewed? In reading the BLM public grazing regulations – outlined in the Code of Federal Regulations at 43 CFR 4100 – you may get lost in translation. Some parts are difficult to follow and this summary may help.

Why is there grazing on public lands?

The Taylor Grazing Act of 1934 essentially mandates the BLM to strengthen the stabilization of the livestock industry through public land grazing. In addition, the Federal Land Management and Policy Act of 1976 ensures long-term stability and use of public lands by the livestock industry.

To qualify for a public grazing permit, a person must:

- Own or control ‘base property’ (private land capable of serving as a base operation for livestock use).
- Be a citizen of the United States or have properly filed a valid declaration of intention to become a citizen or a valid petition for naturalization; or
 - Be a group or association authorized to conduct business in Oregon, all members of which are qualified to be permittees; or
 - Be a corporation authorized to conduct business in Oregon.
- Have a satisfactory record of performance (compliant with terms and conditions of existing permit; or, haven’t within the past three years had a permit canceled; or, not barred from holding a permit by a court of competent jurisdiction).
- Submit an application including all information requested by the BLM in order to determine that all the preceding qualifications have been met.

When could a grazing permit be canceled (during the permitted term of use)? There are three regulatory reasons a grazing permit could be canceled: unresolved repeated willful trespass; unauthorized subleasing of grazing use on an allotment; or, violations of any part of the grazing regulations. It is a rare occurrence – and a two-year notification process – to have a permit canceled mid-term of use.

When could a grazing permit not be renewed (at the end of permitted term of use)?

The grazing regulations list the following “Prohibited Acts,” which could have an adverse effect on permit renewal.

- Violation of permit special terms and conditions.
- Unauthorized failure to make substantial grazing use for two consecutive years.
- Unauthorized supplementation.
- Failure to comply with the terms, conditions, and stipulations of cooperative agreements.
- Failure to install, maintain, modify, or remove a range improvement.
- Allowing livestock on an allotment without a permit or in violation of the grazing permit’s terms and conditions.
- Unauthorized cutting, burning, spraying, destroying, or removing vegetation.
- Damaging or removing property of the U.S.
- Harassing, injuring, or killing permitted livestock.
- Littering.



- Interfering with lawful users or uses.
- Making a known false statement on a BLM grazing program form.
- Repeatedly failing to successfully pay grazing bills.
- Failure to complete required reclamation actions.
- Failure to close gates during livestock use.

It is a rare occasion to have a grazing permit not renewed. Speaking out against the BLM or showing support for anti-federalists are not prohibited acts and an existing grazing permit, or a future opportunity for a grazing permit, is not jeopardized by exercising first amendment rights. The BLM continues to value the positive working relationships with permittees and the cooperative nature by which the agency supports the ranching industry.

For more information on the BLM grazing regulations, please call or come into a BLM office. You can also go online to: www.blm.gov/grazing/final/.

