

Section A - Guiding principles to process a relinquishment:

1. The BLM attaches permitted use and preference to privately owned or leased base property. Terms and conditions included on the permit or lease specify the forage use authorized by the permit or lease and other specific parameters of grazing use (including where, when, by how many animals, what kind of animal, etc.).
2. A grazing "relinquishment" is the voluntary and permanent surrender by an existing permittee or lessee, (with concurrence of any base property lienholder(s)), of their priority for a livestock forage allocation on public land (their preference) as well as their permission to use this forage (their grazing permit or lease), in whole or in part.
3. After the BLM has received a properly executed letter of relinquishment (Attachment 1, Section C), the existing permit or lease terminates automatically without further notice to the extent of the relinquished preference and permitted use. If permitted use for all grazing use authorized by the permit or lease is not relinquished, the BLM will modify the relevant permit or lease to authorize livestock use commensurate to the retained grazing use and will include the appropriate terms and conditions. In this circumstance, preference for the retained permitted use remains attached to the base property. Changes to the existing authorization's terms and conditions will require a proposed decision and review of the existing National Environmental Policy Act (NEPA) analysis for adequacy.
4. Relinquishments do not require the consent or approval by the BLM.
5. A relinquishment does not obligate the United States to compensate the relinquishing party for the adjusted value of their interest in authorized range improvements used in conjunction with a permit or lease (see Section 402(g) of FLPMA as codified at 43 CFR 4120.3-6(c)).
6. The BLM's receipt of a relinquishment is not a decision for purposes of protest and appeal under 43 CFR 4160. However, any modification of the existing permit or lease or the issuance of a new permit or lease that results from the relinquishment will require a review for NEPA adequacy and be implemented by a grazing decision that may be protested and appealed under 43 CFR 4160.
7. The BLM will not be a party to any agreement or contract that involves third-party compensation to a permittee or lessee for submitting a relinquishment to the BLM.
8. The availability of forage for livestock grazing is a BLM decision determined through the Land Use Plan (LUP) process pursuant to Section 202 of the Federal Land Policy and Management Act (FLPMA). The BLM's receipt of a relinquishment does not close areas to livestock grazing nor does it change the existing land use plan decisions regarding livestock grazing use within the planning area.
9. The LUP decisions that specify where livestock grazing will and will not be authorized on public land must be in compliance with statutory and regulatory requirements.

10. The LUP decisions that permit livestock grazing on public lands are not permanent and may be revisited at any time through the plan amendment or revision process.
11. If the base property to which the permitted use and preference is attached is encumbered or otherwise used to secure a financial or other obligation, then the preference holder must obtain the written consent of the base property lienholder(s) or entity(ies) holding the security interest and certify, on the letter of relinquishment. The BLM will not recognize as valid, or be bound by, any provisions that purport to make a relinquishment conditional upon specific action(s) by the Bureau. If such provisions accompany a proposal of relinquishment, the proponent will be informed that the relinquishment will not be processed and that the BLM will continue to administer their grazing preference and permit or lease on public lands accordingly.
12. Suspended permitted use must be relinquished in proportion to or to a greater extent than the permitted use for the active use that is being relinquished. This is required: (1) to allow for appropriate application of 43 CFR 4110.3-1 (b)(1) and (2) if BLM decides to award all or a part of the relinquished permitted use to other applicants; and, (2) to avoid the need to issue a permit or lease that specifies permitted use for only suspended permitted use.
13. Processing of a relinquishment is not appealable; however, if as part of processing that relinquishment range improvement projects have been identified for removal or relocation, the BLM, (after conducting appropriate NEPA), will issue a decision related to those range improvements. The BLM decision will identify who is responsible for the removal, relocation and maintenance of the range improvements and supplement, modify or terminate the relevant Cooperative Rangeland Improvement Agreements and Range Improvement Permits as appropriate. That decision may be appealed under 43 CFR 4160. Similarly, a decision to issue a modified permit/lease to authorize grazing use retained by the relinquishing party, or a decision to issue a new permit/lease to an applicant for use of the livestock forage made available due to the relinquishment may be appealed under 43 CFR 4160.
14. Upon relinquishment, the BLM will update the operator case records accordingly, provide a copy of this documentation to the relinquishing party for their records, and if applicable, offer them a modified permit or lease by decision under 43 CFR 4160 to authorize them the grazing use that was retained after relinquishment.

Section B - Topics to inform and discuss with the person that is considering the relinquishment of their grazing preference and permitted use:

1. The BLM's receipt or administrative processing of a relinquishment is not a decision to remove livestock grazing on the allotment(s) for which the operator had preference and permitted use. The BLM uses the Land Use Plan (LUP) process to decide upon land management goals and objectives and how uses and activities will be managed to achieve these goals and objectives.
2. The forage made available due to the relinquishment will be allocated to other grazing use applicants (43 CFR 4110) provided that BLM has determined through a land health evaluation and determination (43 CFR 4180), that the forage is available on a sustained yield basis for livestock grazing and that such use conforms to the decisions of the land use plan.
3. The BLM may continue to authorize livestock grazing on an allotment after accepting a permitted use and preference relinquishment. The BLM may offer alternative options to maintain grazing such as implementation of a revised grazing management plan, a permitted use reduction or suspension, and/or temporary nonuse. Such actions would allow the current preference and permit holder to retain some or all of their forage allocation and afford them the opportunity to resume livestock grazing while still providing for resource recovery.
4. The BLM will address the interest and obligation that the relinquishing party has in range improvements constructed under Cooperative Range Improvement Agreements or Range Improvement Permits as part of the relinquishment process. In most cases, prior to obtaining preference and a permit, the relinquishing party accepted interest in and maintenance responsibility for specific range improvements located on public lands within their area of use. The relinquishing party may also have interest in range improvements located on lands they own or lease within their area of use. The relinquishing party may hold water rights for specific range improvement projects within their area of use and upon the relinquishment may lose their ability to prove beneficial use. All of these issues will be addressed and understood prior to processing the relinquishment. To address such issues, the BLM will obtain a written agreement that specifies which range improvements will be removed, how the affected area will be rehabilitated, and details of the dispossession of livestock watering rights to preserve them for future management needs.
4. After-the-fact billing or other issues not directly pertinent to grazing management (e.g. rights-of-way) will be addressed and resolved prior to the authorized officer processing the relinquishment.

Section C - Example Letter of Relinquishment:

Date

Bureau of Land Management
_____ Field Office
1234 Artemisia Drive
Western Town, Western State 87654

Attn: _____, Field Manager

Re: Relinquishment of Grazing Permitted Use

Dear Sir or Madam:

 I We *(list complete name and address)* herein relinquish to the Bureau of Land Management (BLM) all part of my permitted use for livestock grazing use on public lands that is attached to the following-described base property: *(include common name and legal subdivision)*

[Enter a complete description of the base property to which the permitted use is attached. If permitted use is attached to various parcels of land or water, indicate the Animal Unit Months (AUM) of forage attached to each parcel.]

The extent of the permitted use being relinquished is for _____ AUMs active and _____ AUMs suspended* permitted use, such use having been made by _____cattle_____ sheep_____ horses or burros, and/or _____ goats in the following-described allotments or pastures:

[Indicate the number of AUMs and class of livestock. Describe the pastures or allotments involved as necessary, their BLM numbers as applicable, and provide any other data required to clarify the use being relinquished. *In addition suspended AUMs must be relinquished in proportion to, or to a greater extent than the level of active AUMs being relinquished.]

 I We understand that upon acceptance of this letter of relinquishment by the Bureau of Land Management, the permitted use and preference specified above will no longer be attached to the base property described above and that BLM will document its records, and administer BLM lands, accordingly.

I We certify that I We own or control the base property herein described and have the legal authority to relinquish the permitted use and preference specified above.

(Check applicable block, below)

The base property described in this relinquishment is not encumbered.

Consent of base property encumbrancer or lien holder attached.

Consent of base property owner attached (*when requester is other than the base property owner*)

I understand and agree that when BLM's Authorized Officer acknowledges receipt of this relinquishment by signing below on the appropriate line, the permitted use and preference described in this letter is relinquished and no further notice or action is required by the BLM.

If I have retained active permitted use and preference following relinquishment, I herein request that the BLM issue to me a grazing permit or lease that reflects the changes caused by the relinquishment. I will cooperate with the BLM in making application or completing/providing other documentation that the BLM determines is needed for this purpose.

The attached list showing number, name and location of project identifies the affected range improvements on public lands associated with my relinquished permitted use and preference. I hereby surrender and forfeit all of my right, title and interest in and to these range improvements.

I acknowledge that if the BLM reallocates this permitted use and preference, I may reapply to the BLM for its use and be considered along with other applicants as provided under the BLM grazing regulations (43 CFR Part 4100). I understand, however, that my application will not receive preferential consideration as against other applicants based on my previous preference for this use.

Please indicate your receipt of this relinquishment below and return a complete copy of this letter to me at your earliest convenience and retain a copy for your records.

Sincerely,

Signature of Permittee or Lessee

Date

Consent of Lienholder or Entity
Holding Security Interest

Date

Attachment: Listing of Range Improvements by Name and Number of Surrendered and Forfeited Range Improvements Use in Conjunction with the Relinquished Permitted Use and Preference

cc: Lienholder
Owner (*when requester is other than the base property owner*)

TO BE COMPLETED BY BLM

I hereby acknowledge receipt of relinquishment as requested above.

Signature of BLM Authorized Officer

Date

Section D – Questions to consider before allocating forage and the concurrent award of grazing preference and issuance of a permit/lease to other applicants:

- 1) If the affected area is meeting land health standards and achieving land use plan goals and objectives, should the permitted use made available due to the relinquishment be awarded to other qualified applicants under applicable procedures set forth under 43 CFR 4110 and 4130?

Consider:

- ✓ Reallocating all or part of the permitted use to other permittees on the allotment if the allotment is a group or community allotment.
 - ✓ Stocking this allotment with livestock from another allotment with unmet resource objectives that could be furthered by a modified grazing treatment.
 - ✓ Combining this allotment with another adjacent allotment that has unmet resource objectives to reduce the overall grazing pressures by all classes of large ungulates.
 - ✓ Allowing livestock grazing on the allotment but authorize the use only on a non-renewable basis.
- 2) If the affected area is not meeting land health standards and livestock are a significant factor, could the following result in significant progress toward meeting land health standards within an acceptable timeframe?

Consider:

- ✓ Construction of range improvements.
- ✓ Changing grazing management.
- ✓ Combining this allotment with another adjacent allotment to reduce the overall grazing pressures by all classes of large ungulates.
- ✓ Allowing livestock grazing on the allotment but authorize the use only on a non-renewable basis.