

Attachment 1, Section D - “Rules of Thumb” that apply to processing relinquishments:

- Preference for all or a part of the forage use authorized by a permit or lease may be relinquished.
- After the BLM has received a properly executed letter of relinquishment (Attachment 1, Section C), the existing permit or lease is terminated automatically without further notice to the extent of the relinquished preference and permitted use. If preference 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. Changes to the existing authorization’s terms and conditions will require a proposed decision and possibly a National Environmental Policy Act (NEPA) analysis.
- Preference for suspended use must be relinquished in proportion to or to a greater extent than the preference 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 preference to other applicants; and, (2) to avoid the need to issue a permit or lease that specifies preference for only suspended grazing use.
- 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.
- 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.