



FLEXIBILITY IN LIVESTOCK GRAZING MANAGEMENT

IM 2018-109

Instruction Memorandum

UNITED STATES DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 WASHINGTON, D.C. 20240-0036
[http://www.blm.gov \(/\)](http://www.blm.gov)

September 27, 2018

In Reply Refer To:
 4120 (220) P

EMS TRANSMISSION 09/28/2018
 Instruction Memorandum No. 2018-109
 Expires: 09/30/2021

To: All State Directors (Except AK and ESO)
 From: Assistant Director, Resources and Planning
 Subject: Flexibility in Livestock Grazing Management

Program Area: Livestock Grazing Administration.

Purpose: This Instruction Memorandum (IM) provides guidance for use of the National Environmental Policy Act (NEPA) alternatives to provide flexibility in livestock grazing use and to analyze the effects of grazing use adjustments under various circumstances and conditions. In addition, this IM provides a framework and tools to develop grazing permits that provide flexibility to make adjustments in grazing use to account for changing conditions.

Flexibility in livestock grazing management is one component of the outcome based grazing (OBG) concept. The Bureau of Land Management (BLM) initiated 11 OBG demonstration projects and will use the knowledge and experience gained from those projects to provide or update guidance for developing objectives, monitoring plans, and using flexibility in grazing use to achieve objectives. Field offices must develop locally relevant NEPA alternatives in consultation, coordination, and cooperation with permittees, appropriate state agencies, and interested parties.

Administrative or Mission Related: Mission Related.

Policy Action: This IM updates and supplements information contained in Handbook 4120-1 (Rel. 4-73, June 20, 1984) regarding the use of flexibility for managing livestock grazing on public lands managed by the BLM. The BLM may authorize grazing permits and leaseholders (permittees) to exercise flexibility by making adjustments in their livestock grazing use to accommodate changes in weather, forage production, effects of fire or drought, or other temporary conditions when flexibility is included in an allotment management plan (AMP) or its functional equivalent.[1] Allowing permittees flexibility to adjust their grazing use will provide more timely and responsive adjustments to changing conditions in order to achieve identified resource and operational objectives. There is no need for further authorization to exercise flexibility when it is included in the permit terms and conditions. However, the permittee must inform the BLM beforehand of their intent to make adjustments to the grazing use and the parties must communicate and coordinate with each other when making the allowed adjustments.

The appropriate time to create flexibility in a grazing permit or AMP is when processing a permit for renewal. One or more alternatives in the NEPA analysis for processing a grazing permit or an AMP must describe and analyze the grazing management adjustments to account for changing conditions. The described flexibility then becomes a term and condition of the grazing authorization (permit, lease) when the decision to incorporate the flexibility is issued. The alternative(s)

describing flexibility must also include the objectives and a monitoring plan that identifies when adjustments are appropriate and how progress is measured toward achieving these objectives. Consultation, cooperation, and coordination are required during development of these alternatives with permittees, affected state agencies, other landowners in the affected allotment(s), and interested members of the public as defined in 43 CFR 4100.0-5. This mandatory consultation, cooperation, and coordination may occur with all parties simultaneously or in separate meetings. If the authorized officer selects the alternative analyzing such flexibility, the authorized officer will include the description of flexibility in the decision to issue the permit in accordance with 43 CFR 4160.

The following examples illustrate OBG flexibilities in grazing management and the type of management action(s) that can be utilized. These examples are meant only to be illustrative in nature.

- A district has fluctuating and changing forage production. An alternative could be developed and analyzed that allows the permittee additional livestock grazing use, temporarily increasing the permitted use (active animal use months) as long as the objectives that were analyzed—in accordance with the permit renewal process and applicable land health standards—are being achieved.
- A permittee is normally scheduled to move to higher elevation range based on average vegetation stage and soil condition. Flexibility for the adjustment of this date could be provided for those years when forage growth is delayed or soils at the higher elevations are unusually saturated. Optional management actions could include reducing the number of livestock that are released on the lower range, delaying dates of use in the lower range, or adjusting the amount of use in future years to ensure achievement of objectives.
- Monsoon and winter rains occur after the authorized season of use. As a result, spring green up is early and fuel-loading risk is increased. In order to adapt to this change in condition, the season of use could be adjusted to allow the permittee earlier grazing use with the intent of utilizing available forage and meeting the desired outcome of reducing fire risk. Flexibility in this example would be provided in the terms and conditions of the permit and allow for appropriate use and reduction of the fuel load.
- Some permittees may want to coordinate grazing on their private lands with their public land permits in a formal management plan. Including private land in the formal management plan for grazing on the public land is at the discretion of the permittee or private land owner/lessee. Incorporating or integrating private land management with the public land management has the potential to increase the opportunities to exercise flexibility to adjust grazing use to meet needs of other resource uses, such as wildlife nesting/fawning or overwintering. If grazing on non-BLM land outside of allotments is to be formally integrated with the public land management, contact the local Natural Resource Conservation Service to determine the extent of their participation in development of an integrated plan.

Cooperative rangeland monitoring is a key component for implementing strategically sound grazing flexibility in OBG authorizations and all instances where flexibility is being utilized. The BLM rangeland professionals should continue to work with livestock permittees to develop clearly defined monitoring plans that will be included as terms and conditions of the livestock-grazing permit. Tools and a template for developing cooperative monitoring plans can be found in IB 2018-006 (<https://www.blm.gov/policy/ib-2018-006> ([/policy/ib-2018-006](https://www.blm.gov/policy/ib-2018-006))) or by using other robust BLM, state, and/or locally developed resources.

The cooperative monitoring plans must describe the objectives and desired outcomes to be monitored, including the progress/achievement of land health standards. They must also include monitoring methods and protocols; a schedule for collecting data; the responsible party for data collection and storage; an evaluation schedule; and a description of the anticipated use of the data (e.g., adjusting season-of-use, assessing habitat, determining trends). Provisions for adjusting any of these components must be described in the monitoring plan.

The method to communicate the triggers used for adjusting livestock grazing use must be provided in the cooperative monitoring plans and permit compliance documentation. Permittees and lessees must also document their use of grazing flexibility actions when informing the BLM of their intent to make an adjustment or at the end of the grazing year in an actual use report.

Time Frame: This IM is effective immediately.

Budget Impact: It is likely that more coordination will be required when incorporating flexibility into a grazing permit, compared to standard permit processing, especially when developing an AMP plan and a NEPA alternative that describes the flexibility. The extra coordination will include identifying the types of actions that may be taken, the criteria, circumstances for exercising the flexibility to take those actions, and developing the monitoring plan to ascertain whether

the flexibility is consistent with resource and operational objectives. Less time may be needed by BLM staff to monitor and coordinate adjustments for each change in conditions over the life of the permit. While there will be no direct monetary impacts, the additional time needed to develop alternatives for exercising flexibility will impact other Bureau operations.

Background: In the past, the BLM has usually used the term flexibility as it relates to an allotment management plan or its functional equivalent as described in 43 CFR 4120.2(a)(3) (October 2005). However, the BLM can also exercise flexibility in grazing management by using non-renewable permits and leases (4130.6-2), particularly when additional forage is available. The agency can also use the permit renewal processes described in this IM to outline how amount of livestock use or season of use may be adjusted, if identified criteria are met.

Coordination: This IM was developed in coordination with the Department of the Interior Solicitor's Office.

Contact: If you have questions, please feel free to contact Dick Mayberry, Rangeland Management Specialist at 202-912-7229 or by email at rmayberr@blm.gov (<mailto:rmayberr@blm.gov>).

Signed by:
Kristin Bail
Assistant Director
Resources and Planning

Authenticated by:
Robert M. Williams
Division of Business Resources, WO-850

[1] An AMP functional equivalent is an activity plan developed by another agency or permittee that prescribes grazing management and is approved by the authorized officer, or a plan developed by the BLM for other activities that also includes grazing management prescriptions.

[VIEW ALL POLICIES](#)

[Return to the Policies \(/media/blm-policy/Instruction%20Memorandum\)](#)

[FISCAL YEAR](#)

2018

