

Bureau of Land Management, Interior

§ 4300.60

more important than grazing. Your permit can be modified or reduced in size or canceled by BLM to allow for:

(a) Protection, development and use of the natural resources, e.g., minerals, timber, and water, under applicable laws and regulations;

(b) Agricultural use;

(c) Applications for and the acquisition of homesites, easements, permits, leases or other rights and uses, or any disposal or withdrawal, under the applicable public land laws; or

(d) Temporary closing of portions of the permitted area to grazing whenever, because of improper handling of reindeer, overgrazing, fire or other cause, BLM judges this necessary to restore the range to its normal condition.

§ 4300.51 Will I be notified if another use, disposal, or withdrawal occurs on the land?

Yes. If there is a settlement, location, entry, disposal, or withdrawal on any lands described in your permit, BLM will notify you and will reduce your permit area by the amount of the area involved.

§ 4300.52 Can other persons use the land in my permit for mineral exploration or production?

Yes. Unless the land is otherwise withdrawn, the land in your permit is subject to lease or leasing under the mineral leasing laws and under the Geothermal Steam Act, and mineral materials disposal under the Materials Act. Also, it can be prospected, located, and purchased under the mining laws and applicable regulations at 43 CFR Group 3800.

CHANGES IN THE SIZE OF THE PERMIT AREA

§ 4300.53 Can BLM reduce the size of the land in my permit?

Yes. BLM may reduce it at any time but must notify you at least 30 days before taking this action. BLM can reduce the area when:

(a) BLM determines that the area is too large for the number of reindeer you are grazing; or

(b) When disposal, withdrawal, natural causes, such as drought or fire, or any other reason in § 4300.50 so requires.

§ 4300.54 Can BLM increase the size of the land in my permit?

Yes. BLM may increase the area on its own initiative or by your request if BLM determines that the area is too small for the number of reindeer you are grazing. BLM will give you at least 30 days' notice of this action.

§ 4300.55 What if I don't agree with an adjustment of my permit area?

You must contact BLM within the notice period to show cause why the area should not be adjusted. After the BLM field office manager makes a decision on the adjustment, you have the right to appeal that decision to the Interior Board of Land Appeals (IBLA) under 43 CFR part 4. The IBLA makes the final decision.

PERMIT RENEWALS

§ 4300.57 How do I apply for a renewal of my permit?

You must submit an application for renewal, using the same form as the original application, between four and eight months before the permit expires. A \$10 filing fee must accompany the application.

§ 4300.58 Will the renewed permit be exactly the same as the old permit?

At its discretion, BLM may offer you a renewed grazing permit with such terms, conditions, and duration that it determines are in the public interest.

ASSIGNING YOUR PERMIT TO ANOTHER PARTY

§ 4300.59 If I want to assign my permit to another party, when must I notify BLM?

You must file a proposed assignment of your permit, in whole or in part, in duplicate with BLM within 90 days of the assignment execution date. No particular format is required. The assignment is effective when BLM approves it.

§ 4300.60 What must be included in my assignment document?

Assignments must contain:

(a) All terms and conditions agreed to by the parties;

§ 4300.61

(b) A showing under §§ 4300.11 and 4300.12 that the assignee is qualified to hold a permit;

(c) A showing under § 4300.21(a) regarding a reindeer allotment; and

(d) The assignee's statement agreeing to be bound by the provisions of the permit.

§ 4300.61 Can I sublease any part of the land in my permit?

No.

CLOSING OUT YOUR PERMIT

§ 4300.70 May I relinquish my permit?

Yes. You may relinquish the permit by filing advance written notice with BLM. Your relinquishment will be effective on the date you indicate, as long as it is at least 30 days after the date you file.

§ 4300.71 Under what circumstances can BLM modify, reduce or cancel my permit?

(a) BLM may cancel the permit if:

(1) BLM issued it improperly through error as to a material fact;

(2) You fail to comply with any of the provisions of the permit or the regulations of this part; or

(3) Disposal, withdrawal, natural causes, such as drought or fire, or any other reason in § 4300.50 so requires.

(b) BLM will not cancel the permit for failure to comply until BLM has notified you in writing of the nature of your noncompliance, and you have been given at least 30 days to show why BLM should not cancel your permit.

(c) BLM may modify or reduce a permit in accordance with § 4300.50.

§ 4300.72 May I remove my personal property or improvements when the permit expires or terminates?

(a) Yes. Within 90 days of the expiration or termination of the grazing permit, or within any extension period, you may remove all your personal property and any removable range improvements you own, such as fences, corrals, and buildings.

(b) Property that is not removed within the time allowed will become property of the United States.

43 CFR Ch. II (10-1-03 Edition)

REINDEER CROSSING PERMITS

§ 4300.80 How can I get a permit to cross reindeer over public lands?

(a) BLM may issue a crossing permit free of charge when you file an application with BLM at least 30 days before the crossing is to begin. Lands crossed may include lands under a grazing permit.

(b) The application does not have to be on a BLM-approved form nor in a particular format, but it must show:

(1) The number of reindeer to be driven;

(2) The start date;

(3) The approximate period of time required for the crossing; and

(4) The land to be crossed.

(c) You must comply with applicable State and Federal laws on livestock quarantine and sanitation when crossing reindeer on public land.

TRESPASS

§ 4300.90 What is a trespass?

(a) A trespass is any use of Federal land for reindeer grazing purposes without a valid permit issued under the regulations of this part; a trespass is unlawful and is prohibited.

(b) Any person who willfully violates the regulations in this part will be deemed guilty of a misdemeanor, and upon conviction is punishable by imprisonment for not more than one year, or by a fine of not more than \$500.

Group 4600—Leases

PART 4600—LEASES OF GRAZING LAND—PIERCE ACT

Subpart 4600—General

Sec.

4600.0-2 Objectives.

4600.0-3 Authority.

Subpart 4610—Procedures

4610.1 Evidence of ownership.

4610.1-1 Certificate of ownership for State or county lands.

4610.1-2 Certificate of ownership for private lands.

4610.2 Leases.

4610.2-1 Form of lease.

4610.2-2 Period of lease.

4610.2-3 Approval of lease; renewal.