

**§ 9264.0-3**

operations conducted on public lands under the 1872 Mining Law.

[65 FR 70132, Nov. 21, 2000]

**Subpart 9264—Range Management**

**§ 9264.0-3 Authority.**

(a) The provisions of this subpart are issued under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*) and section 2 of the Taylor Grazing Act of 1934 (43 U.S.C. 315 *et seq.*).

(b) The provisions of § 9264.7 of this title are issued under section 8 of the Wild Free-Roaming Horse and Burro Act of 1971 (16 U.S.C. 1331 *et seq.*).

**§ 9264.1 Grazing administration—exclusive of Alaska.**

Persons performing the following prohibited acts on public and other lands under Bureau of Land Management control may be subject to criminal penalties under § 9264.1(k) of this title:

(a) Allowing livestock or other privately owned or controlled animals to graze on or be driven across those lands without a permit or lease or in violation of the terms and conditions of a permit or lease, either by exceeding the number of livestock authorized, or by allowing livestock to be on these lands in an area or at a time different from that designated;

(b) Installing, using, maintaining, modifying, and/or removing range improvements without authorization;

(c) Cutting, burning, spraying, destroying, or removing vegetation without authorization;

(d) Damaging or removing United States property without authorization;

(e) Molesting livestock authorized to graze on these lands;

(f) Littering;

(g) Violating any provision of 43 CFR part 4700 concerning the protection and management of wild free-roaming horses and burros;

(h) Violating any Federal or State laws or regulations concerning conservation or protection of natural and cultural resources or the environment including, but not limited to, those relating to air and water quality, protec-

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tion of fish and wildlife, plants, and the use of chemical toxicants;

(i) Interfering with lawful uses or users;

(j) Knowingly or willfully making a false statement or representation in base property certification, grazing applications, and/or amendments thereto;

(k) Penalties. (1) Under section 2 of the Taylor Grazing Act of 1934 (43 U.S.C. 315 *et seq.*), any person who willfully violates the provisions of § 9264.1 of this title or of approved special rules and regulations is punishable by a fine of not more than \$500.

(2) Under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*), any person who knowingly and willfully violates the provisions of § 9264.1 of this title or of approved special rules and regulations may be brought before a designated United States magistrate and is punishable by a fine of not more than \$1,000 or imprisonment for no more than 12 months, or both.

[45 FR 31276, May 12, 1980, as amended at 47 FR 41713, Sept. 21, 1982]

**§ 9264.2 Grazing administration—Alaska; livestock. [Reserved]**

**§ 9264.3 Grazing administration—Alaska; reindeer. [Reserved]**

**§ 9264.7 Wild free-roaming horse and burro protection, management, and control.**

(a) *Prohibited acts.* In accordance with section 8 of the Wild Free-Roaming Horse and Burro Act (16 U.S.C. 1338), any person who:

(1) Willfully removes or attempts to remove a wild free-roaming horse or burro from the public lands, without authority from the authorized officer, or

(2) Converts a wild free-roaming horse or burro to private use, without authority from the authorized officer, or

(3) Maliciously causes the death or harassment of any wild free-roaming horse or burro, or

(4) Processes, or permits to be processed, into commercial products the remains of a wild free-roaming horse or burro, or