

land users to have reasonable access to their lands or timber rights.

(82 Stat. 919 (16 U.S.C. 1241 *et seq.*))

[43 FR 20007, May 10, 1978]

PART 213—ADMINISTRATION OF LANDS UNDER TITLE III OF THE BANKHEAD-JONES FARM TENANT ACT BY THE FOREST SERVICE

Sec.

213.1 Designation, administration, and development of National Grasslands.

213.2 Authority for Chief, Forest Service, to group, define, and name national grasslands.

213.3 Protection, occupancy, use, administration, and exercise of reservations.

213.4 Prior rules and regulations superseded.

AUTHORITY: 50 Stat. 525, as amended; 7 U.S.C. 1010-1012.

§213.1 Designation, administration, and development of National Grasslands.

(a) The land utilization projects administered by Department of Agriculture designated in paragraph (e) of this section hereafter shall be named and referred to as *National Grasslands*.

(b) The National Grasslands shall be a part of the National Forest system and permanently held by the Department of Agriculture for administration under the provisions and purposes of title III of the Bankhead-Jones Farm Tenant Act.

(c) The National Grasslands shall be administered under sound and progressive principles of land conservation and multiple use, and to promote development of grassland agriculture and sustained-yield management of the forage, fish and wildlife, timber, water and recreational resources in the areas of which the National Grasslands are a part.

(d) In the administration of the National Grasslands the resources shall be managed so as to maintain and improve soil and vegetative cover, and to demonstrate sound and practical principles of land use for the areas in which they are located. The Chief of the Forest Service shall, to the extent such action is feasible provide that policies for management of the Federally-owned lands exert a favorable influence for se-

curing sound land conservation practices on associated private lands.

(e) National Grasslands in the following States and counties are hereby grouped and designated as indicated:

State in which grassland is located	National grassland	Counties where located
California	Butte Valley	Siskiyou.
Colorado	Pawnee	Weld.
	Comanche ..	Baca, Los Animas, Otero.
Idaho	Curlew	Oneida, Power.
Kansas	Cimarron	Morton, Stevens.
Nebraska	Ogjala	Dawes, Sioux.
New Mexico	Kiowa	Colfax, Harding, Mora, Union.
North Dakota	Cedar River	Grant, Sioux.
	Sheyenne ...	Ransom, Richland.
	Little Mis-	Billings, Golden Val-
	souri.	ley, McKenzie, Slope.
Oklahoma	Rita Blanca	Cimarron.
Oklahoma-Texas	Black Kettle	Roger Mills (Okla.), Hemphill (Tex.).
Oregon	Crooked River.	Jefferson.
South Dakota	Buffalo Gap	Custer, Fall River, Jackson, Pennington.
	Grand River	Corson, Perkins, Ziebach.
	Fort Pierre ...	Jones, Lyman, Stanley.
Texas	Lyndon B. Johnson.	Montague, Wise.
	Rita Blanca	Dallas.
	Caddo	Fannin.
	McClellan Creek.	Gray.
Wyoming	Thunder Basin.	Campbell, Converse, Crook, Niobrara, Weston.

[25 FR 5845, June 24, 1960, as amended at 27 FR 12217, Dec. 11, 1962; 28 FR 6268, June 19, 1963; 41 FR 38164, Sept. 9, 1976; 56 FR 8280, Feb. 28, 1991]

§213.2 Authority for Chief, Forest Service, to group, define, and name national grasslands.

The Chief, Forest Service, is authorized to group the national grasslands into administrative units, define, change or modify their boundaries, and to provide such specific designations therefor as he finds necessary and desirable for effective and economical administration thereof and for public and official reference thereto.

[33 FR 12370, Sept. 4, 1968]

Forest Service, USDA

§ 215.1

§ 213.3 Protection, occupancy, use, administration, and exercise of reservations.

(a) The rules and regulations applicable to the national forests as set forth in title 36, Code of Federal Regulations, or as hereafter amended, supplemented, or promulgated, are hereby adopted as the rules and regulations to govern the exercise of reservations in conveyances to the United States and to prevent trespasses on and otherwise regulate the protection, use, occupancy, and administration of the National Grasslands and all other lands administered by the Forest Service under the provisions of title III of the Bankhead-Jones Farm Tenant Act insofar as is practical and consistent with said act: *Provided*, That Forest Service officers may continue under delegated authority to acquire lands, to make exchanges, to grant easements and enter into leases, permits, agreements, contracts and memoranda of understanding involving such lands under such terms and conditions and for such consideration, fees or rentals as authorized by title III of the said Act.

(b) Existing valid rights, reservations easements, leases, permits, agreements, contracts and memoranda of understanding affecting these lands shall continue in full force and effect so long as they remain valid in accordance with the terms thereof.

[27 FR 9217, Sept. 18, 1962]

§ 213.4 Prior rules and regulations superseded.

Except as provided in § 213.3, the rules and regulations heretofore issued for the land utilization projects are hereby superseded as to all such projects administered by the Forest Service, but not as to such project lands administered by other agencies.

[27 FR 9217, Sept. 18, 1962]

PART 215—NOTICE, COMMENT, AND APPEAL PROCEDURES FOR NATIONAL FOREST SYSTEM PROJECTS AND ACTIVITIES

Sec.

- 215.1 Purpose and scope.
- 215.2 Definitions.

- 215.3 Proposed actions subject to notice and comment.
- 215.4 Actions not subject to notice and comment.
- 215.5 Notice and comment on proposed actions.
- 215.6 Response to comments received on proposed actions.
- 215.7 Decisions subject to appeal.
- 215.8 Decisions not subject to appeal.
- 215.9 Notice of decisions.
- 215.10 Implementation of decisions.
- 215.11 Who may participate in appeals.
- 215.12 Where to file appeals.
- 215.13 Appeal time periods and process.
- 215.14 Content of an appeal.
- 215.15 Dismissal of appeal without review.
- 215.16 Informal disposition.
- 215.17 Formal disposition.
- 215.18 Appeal deciding officer authority.
- 215.19 Appeal reviewing officer authority.
- 215.20 Policy in event of judicial proceedings.
- 215.21 Applicability and effective date.

AUTHORITY: 16 U.S.C. 472, 551; sec. 322, Pub. L. 102-381, 106 Stat. 1419 (16 U.S.C. 1612 note).

SOURCE: 58 FR 58910, Nov. 4, 1993, unless otherwise noted.

§ 215.1 Purpose and scope.

(a) *Purpose.* The rules of this part have two purposes. First, this part establishes a process by which persons or organizations may receive notice and be provided opportunity to comment on proposed actions implementing national forest land and resource management plans prior to a final decision by the responsible official. This includes notice of and opportunity to comment on nonsignificant amendments of land and resource management plans that are made in conjunction with those proposed actions. Second, this part provides for prompt administrative review of project and activities implementing forest plans and establishes who may appeal decisions on planned actions, the kind of decisions that may be appealed, the responsibilities of the participants in an appeal, and the procedures that apply.

(b) *Scope.* The process established in this part constitutes the final administrative opportunity for the public to influence National Forest System project decisionmaking prior to implementation. The rules of this part complement, but do not replace, numerous other opportunities to participate in and influence agency decisionmaking