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### Subpart 4190—Effect of Wildfire Management Decisions

- 4190.1 Effect of wildfire management decisions.

AUTHORITY: 43 U.S.C. 315, 315a-315r, 1181d, 1740.

SOURCE: 43 FR 29067, July 5, 1978, unless otherwise noted.

### Subpart 4100—Grazing Administration—Exclusive of Alaska; General

#### § 4100.0-1 Purpose.

The purpose is to provide uniform guidance for administration of grazing on the public lands exclusive of Alaska.

[49 FR 6449, Feb. 21, 1984]

#### § 4100.0-2 Objectives.

(a) The objectives of these regulations are to promote healthy sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote the orderly use, improvement and development of the public lands; to establish efficient and effective administration of grazing of public rangelands; and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands.

(b) These objectives will be realized in a manner consistent with land use plans, multiple use, sustained yield, environmental values, economic and other objectives stated in the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. 315, 315a-315r); section 102 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701) and the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901(b)(2)).

[60 FR 9960, Feb. 22, 1995, as amended at 71 FR 39503, July 12, 2006]

#### § 4100.0-3 Authority.

(a) The Taylor Grazing Act of June 28, 1934 as amended (43 U.S.C. 315, 315a through 315r);

(b) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*) as amended by the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 *et seq.*);

(c) Executive orders that transfer land acquired under the Bankhead-Jones Farm Tenant Act of July 22, 1937, as amended (7 U.S.C. 1012), to the Secretary and authorize administration under the Taylor Grazing Act.

(d) Section 4 of the Oregon and California Railroad Land Act of August 28, 1937 (43 U.S.C. 1181d);

(e) The Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901 *et seq.*); and

(f) Public land orders, Executive orders, and agreements that authorize the Secretary to administer livestock grazing on specified lands under the Taylor Grazing Act or other authority as specified.

[43 FR 29067, July 5, 1978, as amended at 49 FR 6449, Feb. 21, 1984; 49 FR 12704, Mar. 30, 1984; 50 FR 45827, Nov. 4, 1985; 61 FR 4227, Feb. 5, 1996; 71 FR 39503, July 12, 2006]

#### § 4100.0-5 Definitions.

Whenever used in this part, unless the context otherwise requires, the following definitions apply:

The *Act* means the Taylor Grazing Act of June 28, 1934, as amended (43 U.S.C. 315, 315a-315r).

*Active use* means that portion of the grazing preference that is:

- (1) Available for livestock grazing use under a permit or lease based on livestock carrying capacity and resource conditions in an allotment; and
- (2) Not in suspension.

*Activity plan* means a plan for managing a resource use or value to achieve specific objectives. For example, an allotment management plan is an activity plan for managing livestock grazing use to improve or maintain rangeland conditions.

*Actual use* means where, how many, what kind or class of livestock, and how long livestock graze on an allotment, or on a portion or pasture of an allotment.

*Actual use report* means a report of the actual livestock grazing use submitted by the permittee or lessee.

*Affiliate* means an entity or person that controls, is controlled by, or is under common control with, an applicant, permittee or lessee. The term "control" means having any relationship which gives an entity or person authority directly or indirectly to de-

termine the manner in which an applicant, permittee or lessee conducts grazing operations.

*Allotment* means an area of land designated and managed for grazing of livestock.

*Allotment management plan (AMP)* means a documented program developed as an activity plan, consistent with the definition at 43 U.S.C. 1702(k), that focuses on, and contains the necessary instructions for, the management of livestock grazing on specified public lands to meet resource condition, sustained yield, multiple use, economic and other objectives.

*Animal unit month (AUM)* means the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month.

*Annual rangelands* means those designated areas in which livestock forage production is primarily attributable to annual plants and varies greatly from year to year.

*Authorized officer* means any person authorized by the Secretary to administer regulations in this part.

*Base property* means: (1) Land that has the capability to produce crops or forage that can be used to support authorized livestock for a specified period of the year, or (2) water that is suitable for consumption by livestock and is available and accessible, to the authorized livestock when the public lands are used for livestock grazing.

*Cancelled or cancellation* means a permanent termination of a grazing permit or grazing lease and grazing preference, or free-use grazing permit or other grazing authorization, in whole or in part.

*Class of livestock* means ages and/or sex groups of a kind of livestock.

*Consultation, cooperation, and coordination* means interaction for the purpose of obtaining advice, or exchanging opinions on issues, plans, or management actions.

*Control* means being responsible for and providing care and management of base property and/or livestock.

*District* means the specific area of public lands administered by a District Manager or a Field Manager.

*Ephemeral rangelands* means areas of the Hot Desert Biome (Region) that do not consistently produce enough forage