

§ 4300.1

PROTESTS AGAINST A GRAZING PERMIT APPLICATION

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REINDEER CROSSING PERMIT

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

TRESPASS

4300.90 That is a trespass?

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GENERAL INFORMATION

§ 4300.1 What is a reindeer?

Reindeer, *Rangifer tarandus*, are a semi-domesticated member of the deer family, Cervidae. They are essentially the same animal as their wild cousins, the caribou, but tend to be smaller than caribou. Reindeer and caribou are different subspecies of the same family, genus, and species. The term "reindeer" includes caribou that have been introduced into animal husbandry or have joined reindeer herds, the offspring of these caribou, and the offspring of reindeer.

§ 4300.2 Is there a special form for my application?

All applications you submit to BLM must be on a BLM-approved form and in duplicate. The forms to be used in this part are the Grazing Lease or Permit Application (Form 4201-1), the Reindeer Grazing Permit (Form 4132-2), and the Range Improvement Permit (Form 4120-7).

BEFORE YOU APPLY FOR A REINDEER GRAZING PERMIT

§ 4300.10 On what types of public land can I obtain a reindeer grazing permit?

(a) You may apply for public lands that are vacant and unappropriated.

(b) You may apply for public lands which have been withdrawn for any purpose, but the Department or agency with administrative jurisdiction of the withdrawn lands must give its prior consent, and may impose terms or conditions on the use of the land.

(c) If the lands you apply for are within natural caribou migration routes, or if they have other important values for wildlife, BLM will consult with the Alaska Department of Fish

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and Game before issuing a permit. BLM may include such lands in a permit at its discretion, and a permit will contain any special terms and conditions to protect wildlife resources.

§ 4300.11 Who qualifies to apply for a permit?

Natives, groups, associations or corporations of Natives as defined by the Act of September 1, 1937 (50 Stat. 900) qualify. If you are a Native corporation, you must be organized under the laws of the United States or the State of Alaska. Native corporations organized under the Alaska Native Claims Settlement Act also qualify.

§ 4300.12 What is the definition of a Native?

Natives are:

(a) Native Indians, Eskimos, and Aleuts of whole or part blood living in Alaska at the time of the Treaty of Cession of Alaska to the United States, and their descendants of whole or part blood; and

(b) Indians and Eskimos who, between 1867 and September 1, 1937, migrated into Alaska from Canada, and their descendants of whole or part blood.

APPLYING FOR A GRAZING PERMIT

§ 4300.20 How do I apply for a permit?

You must execute a completed application for a grazing permit (Form 4201-1) and file it in the BLM office with jurisdiction over the lands for which you are applying.

§ 4300.21 What must I include in my application?

(a) You must include a certification of reindeer allotment to you, signed by the Bureau of Indian Affairs, if you are to receive a herd from the Government. If you obtain reindeer from a source other than the Government, you should state the source and show evidence of purchase or option to purchase.

(b) Your initial application must list the location of and describe the improvements you own in the application area. You must have this statement verified by the Bureau of Indian Affairs before you submit it to BLM.

§ 4300.22 What fees must I pay?

You must pay a \$10 filing fee with each application. No grazing fee will be charged.

§ 4300.23 After I file my application, can I use the land before BLM issues my permit?

No. You cannot use the land until BLM issues you a permit. Generally, BLM will issue a permit within 120 days after receiving an application and will keep you informed if there are delays in meeting that timeframe.

§ 4300.24 Does my filed application mean that no one else can file an application?

No. The filing of your application will not segregate the land. Anyone else may file an application and BLM may dispose of the lands under the public land laws.

§ 4300.25 Does my filed application mean I will automatically receive a permit?

No. BLM issues grazing permits at its discretion. Our decisionmaking is based on resource management guidelines developed in land use plans and in consultation with other State and Federal resource management agencies.

PROTESTS AGAINST A GRAZING PERMIT APPLICATION

§ 4300.30 Can someone else protest my permit application?

(a) Yes, anyone may file a protest with BLM. The protest does not have to be in a particular format nor on a BLM-approved form but it must:

- (1) Be filed in duplicate with BLM;
- (2) Contain a complete description of all facts upon which it is based;
- (3) Describe the lands involved; and
- (4) Be accompanied by evidence of service of a copy of the protest on the applicant.

(b) If the person protesting also wants a grazing permit for all or part of the land described in the protested application, the protest must be accompanied by a grazing permit application.