

# Operating Standards for Alberta's Public Land Grazing Dispositions

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## Introduction

Public land grazing dispositions are land management tools that involve collaboration between the Government of Alberta and disposition holders. Public land management ensures that livestock grazing is managed in a manner that sustains environmental, economic and social benefits to the people of Alberta.

Grazing dispositions are legal instruments used in the management of public land and provide the administrative and management foundation between the Government of Alberta and the grazing disposition holder(s). Grazing disposition requirements support sustainable grazing and other land management values such as forestry, wildlife habitat, recreation, and industrial activity. Dispositions are issued under the *Public Lands Act*, *Forest Reserves Act*, Public Lands Administration Regulation, and Forest Reserves Regulation, and are administered and enforced by Alberta Environment and Parks (the Department) rangeland agrologists.

Grazing dispositions in Alberta occur on more than 8 million acres of public land. The dispositions used to administer grazing on public lands include:

- Grazing Leases
- Grazing Licenses
- Grazing Permits



- Head Tax Permits
- Forest Reserve Grazing Permits

Grazing licenses, leases, permits, and head tax permits are issued throughout the province under the authority of the *Public Lands Act* and Public Lands Administration Regulation.

Forest Reserve Grazing Permits are issued under the authority of the *Forest Reserves Act* and Forest Reserves Regulation. These permits authorize specified livestock grazing within forest reserve range allotments in the Rocky Mountains Forest Reserve.

Provincial Grazing Reserves are specified lands where the day to day administration is managed by an association. Grazing is authorized by a Head Tax Permit.

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Farm Development Leases and Cultivation Permits are agricultural dispositions that in some cases are grazed.

Grazing disposition holder rights and responsibilities differ depending on the type of disposition they hold. These differences may include length of tenure, transferability, recreational access conditions, and renewal. These differences are detailed in the 'Summary of Alberta's Public Land Grazing Dispositions' section located at the end of this document. Grazing dispositions are subject to cancellation or non-renewal for non-compliance with the requirements and conditions of the grazing disposition.

## Legislative Requirements of Grazing Disposition Holders

Grazing disposition holders have certain legal obligations that must be adhered to for the duration of the term of the disposition.

### What is considered livestock on Alberta's public lands?

- Cattle
- Horses
- Domestic sheep
- Bison (with special permission)

### Stock Return Form

The holder of a grazing disposition is required to **complete and submit a stock return form** annually to report livestock use of the grazing disposition (Public Lands Administration Regulation 54(1), Forest Reserves Regulation 15(1)). The submission of this form is required regardless of whether or not the disposition was grazed. The information collected is used to monitor and manage public land under grazing disposition. Generally, utilization is a requirement of holding the disposition, see the **Grazing Livestock** section for more information.

If any portion of the grazing disposition has been used for haying, the amount of hay removed from the disposition must be reported on the stock return form and included in the total **Animal Unit Months (AUMs)** used on the disposition. Grazing disposition holders must obtain written approval from the Department prior to haying. See the **Harvesting Hay on Grazing Dispositions** section for more information.

An **Animal Unit Month (AUM)** is the amount of forage required by one mature 1,000 pound cow and her suckling calf (an 'animal unit') for one month.

AUMs need to be adjusted for different sizes and types of livestock. See '[Grazing Adjustments for Healthy Rangelands](#)' available online, or talk with a rangeland agrologist for more details.



### Rent and Taxes

The grazing disposition holder must **pay all rents or fees** applicable to the disposition (Public Lands Administration Regulation 21(1)(2), Forest Reserves Regulation 20). Grazing disposition rent is calculated on the **billable AUMs** of the disposition.

Billable AUMs are the stocking rate for a specific area of land that reflects the maximum number of Animal Unit Months that can be supported given optimal livestock distribution.

## Stewardship and Range Management Requirements

Grazing disposition holders are responsible for understanding and applying the four principles of range management to maintain healthy functional rangeland and riparian ecosystems on public land. The Public Lands Administration Regulation section 53(1) and section 15(1)(b) of the Forest Reserves Regulation supports this requirement. This requires the disposition holder to exercise due diligence in following the principles of range management to steward the range resource in collaboration with the rangeland agrologist.

Rangeland agrologists can offer advice on the many range management tools available to conserve and protect the range resource. It is ultimately the responsibility of the grazing disposition holder to choose and implement the tools necessary to achieve stewardship of the range resource.

### Grazing Livestock

Grazing disposition holders must **utilize the disposition** to be eligible for renewal (Public Lands Administration Regulation 17 and Forest Reserves Regulation 15(1)).

There are circumstances when a disposition, or portion of, should not be grazed. These could include when events such as drought or fire occur, or under a management regime of a rest-rotational grazing systems. Rangeland agrologist engagement and approval is required for non-use.

## Principles of Range Management

1. Balance forage supply and demand
2. Avoid grazing during vulnerable periods
3. Distribute livestock evenly
4. Provide effective rest

## Livestock Ownership

The regulations (Public Lands Administration Regulation 55(1), Forest Reserves Regulation 16(1)) outline that grazing disposition holders **must be the owner of all livestock** grazing on the disposition. There are special circumstances where livestock owned by the disposition holder's next of kin or a co-management agreement is acceptable, but a written request and written approval from the Department must be obtained **PRIOR to any livestock other than the disposition holder's entry on to the disposition**. Assignment is the main tool available to allow other livestock on a disposition.

## Grazing Capacity

The stocking rate the disposition can support under current management. In cases of severe conditions, such as drought or fire, the department may adjust grazing capacity to protect the range resource.

## Fencing

The grazing disposition holder must **adequately fence the disposition** to confine livestock (Public Lands Administration Regulation 53(3); *Stray Animals Act* 37(1), Forest Reserves Regulation 15(1)). Fences must be maintained in a good and serviceable state of repair for the disposition to qualify for renewal. Non-compliance with fencing requirements may result in non-renewal or cancellation of the disposition agreement.



## Stocking Rates

The grazing disposition holder must stock the disposition within the grazing capacity and shall not exceed it (Public Lands Administration Regulation 53(1)(b), Forest Reserves Regulation 5). Rangeland agrologists determine grazing capacity as the number of AUMs the disposition can support.

## Supplemental Feeding<sup>1</sup>

Supplemental feeding or winter feeding is **not permitted unless it is approved** by a rangeland agrologist (*Public Lands Act* 102, Public Lands Administration Regulation 53(1)). There are risks and concerns associated with supplemental feeding (such as noxious weeds, introduction of invasive agronomic species, impacts on wildlife/species at risk, etc.) must be addressed prior to approval.

## Range Developments

Any grazing disposition **range development requires written approval** from the rangeland agrologist (Public Lands Administration Regulation 77, Forest Reserves Regulation 17). Developments would be considered undertakings that support the management of the range resource including but not limited to:

- Clearing
- Fenceline Clearing
- Control of woody re-growth and encroachment
- Creating dugouts or water developments
  - » Note that this may require approval under the *Water Act* and Wetland Policy
- Cross fences
- Tame pasture rejuvenation
- Trail Development
- Facility Development (Corrals/Holding Areas)

## Invasive Species

Grazing disposition holders must **control any noxious weeds and destroy any prohibited noxious weeds** found on their dispositions as listed in the *Weed Control Act* (*Public Lands Act* 63(b), Forest Reserves Regulation 19, *Weed Control Act* 2 and 3).

Invasive species problems and control options should be discussed with the rangeland agrologist.

**Control:** inhibit growth or spread, or destroy

**Destroy:** kill all growing parts or make reproductive plant parts non-functional

## Recreational Access

Grazing lease holders have the ability to set conditions for recreational access. Grazing leaseholders must **allow reasonable access** to the land for recreation (*Public Lands Act* 62.1).

What constitutes reasonable access and requirements of the recreational user are outlined in the Recreational Access Regulations.

Under Section 6(1) of the Recreational Access Regulations grazing leaseholders have the ability to deny access, or apply conditions to access, when:

- access would be anything other than foot access (i.e., motorized access, horseback riding, bicycling);
- livestock are present or a crop has not been harvested;
- a fire ban is in effect;
- access is for hunting unreasonably close to livestock;
- the proposed use is camping;
- a recreational management plan is in effect; or,
- the requested access would breach other disposition specific conditions that have been approved by the Local Settlement Officer.

<sup>1</sup> Supplemental feeding in the Rocky Mountains Forest Reserve is generally not enabled by Forest Reserve range management plans, for more information contact a forest reserve agrologist.



Recreational users must contact grazing leaseholders prior to accessing the grazing lease. The Government of Alberta provides an online Recreational Access Mapping Tool to facilitate contact between recreational users and leaseholders. This tool provides contact information, approved general access conditions, and disposition specific access conditions.

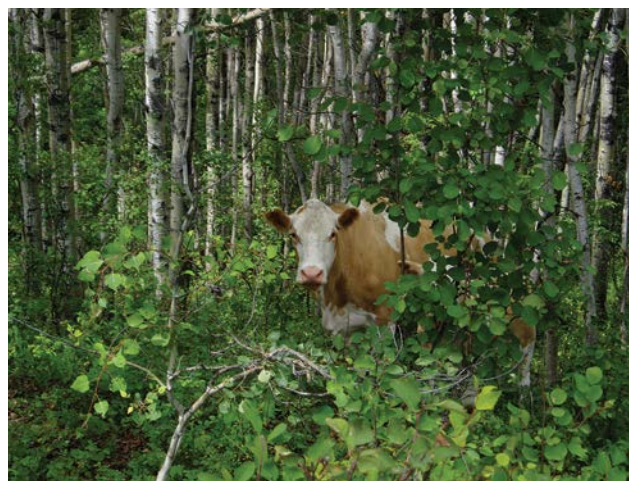
Grazing lease and holders must provide contact information via a Recreational Access Contact Information form (Recreational Access Regulation 4(1)). There is an option for leaseholders to opt out of the contact requirement and provide unlimited access.

### Harvesting Hay on Grazing Dispositions

A grazing disposition holder may cut a limited amount of hay for their livestock on the grazing disposition **pending application and approval** (Public Land Administration Regulation 57). The harvested amount of hay is limited based on the grazing capacity of the disposition and must not exceed three tonnes per animal unit per year. No cutting of hay is allowed in the Forest Reserve.

### Grazing Timber Integration

Where grazing and timber dispositions overlap the holder of a timber disposition may, subject to the terms of the timber disposition, enter and occupy the forested land for the purposes of cutting and removing timber from it (Public Lands Administration Regulation 60(1), Forest Reserves Regulation 1(h)). New planned activity by either disposition holder requires communication if the activity has potential to impact the other's interests. Grazing and timber disposition holders should work together to jointly develop a Grazing Timber Agreement to integrate grazing and timber activities on the land base.



### Exploration Access

Exploration approval holders are entitled to access grazing dispositions if they meet the requirements of the Exploration Dispute Resolution Regulation. Those requirements include advance notice, an opportunity for the grazing disposition holder to identify operational or land-use concerns, and a requirement for consent. If consent isn't granted, the exploration approval holder may apply to the Surface Rights Board for a right of entry order.

## Summary of Agricultural Public Land Grazing Dispositions

**Grazing Leases** are the most common public land grazing disposition. The standard tenure term is 10 years with the possibility for extended tenure for exemplary stewardship of up to 20 years for leases administered under the *Public Lands Act* and 30 years for leases within designated Heritage Rangelands. A grazing lease can be assigned or transferred as a whole or partially. To protect the interests of the leaseholder and provide reasonable access to recreational users, grazing leases are subject to the Recreational Access Regulation.

**Grazing Licences** are usually found in the Green (Forested) Area where forestry is the primary land use. Grazing licences can also be located in the White (Settled) Area in areas of high multiple use and where there are other important resource values.

Grazing licences are issued for a standard 10-year term. They are renewable and assignable to eligible parties.

**Grazing Permits** are issued on an annual basis for the exclusive use of livestock grazing on vacant public land. Grazing permits are generally located in areas with prominent resource concerns that may require changes in future land use.

The permit holder has no rights of assignment and the grazing permit expires on December 31 following the date of its issue. Where a decision to renew is made, grazing permits are renewed at the beginning of each year.



**Head Tax Permits** are authorizations issued on an annual basis for the non-exclusive right to graze livestock. They are normally issued on a first-come, first-served basis for livestock grazing when short term grazing, within a calendar year, is considered. Head Tax Permits are also issued annually to the grazing association responsible for grazing management on Provincial Grazing Reserves.

**Forest Reserve Preference Quota** defines the amount of forage that has been allocated within a geographic area (the range allotment) to a specific individual (person, company or combination). These allocations can be transferred or allocated in whole or in part (to a minimum of 100 AUMs). Forest Reserve Grazing Permits are issued in terms of 1 to 10 years to enable the use of these Preference Quotas.

1. Table refers to grazing dispositions on public land administered under the *Public Lands Act* and *Forest Reserves Act*.

	<b>Grazing Lease</b> (Public Lands Administration Regulation)	<b>Grazing License</b> (Public Lands Administration Regulation)	<b>Grazing Permit</b> (Public Lands Administration Regulation)	<b>Head Tax Permits</b> (Public Lands Administration Regulation)	<b>Forest Reserve Grazing Permits</b> (Forest Reserves Regulation) <sup>2</sup>	<b>Provincial Grazing Reserves</b> (Public Lands Administration Regulation)
<b>Party responsible for livestock management</b>	Lease Holder	License Holder	Permit Holder	Permit Holder	Permit Holder	Private association handles/manages the livestock
<b>Party responsible for fencing and range developments</b>	Lease Holder	License Holder	Permit Holder	Permit Holder	Permit Holder (rental credit may be available for certain cases)	Cost share basis Association is responsible for maintaining government assets
<b>Tenure length</b>	Maximum 20 years (30 in Heritage Rangelands) 10 years is standard Renewable	Maximum 10 years with Renewable	1 year permit Renewable	Specified Period of Time (not to exceed 12 months) Renewable	Permits ranging from 1-10 years in term are issued to enable use of the Preference Quota Renewable	Management agreement for up to 10 years Renewable
<b>Can the disposition holder apply conditions to recreational access?</b>	Yes, within regulatory parameters (Dispute resolution through Local Settlement Officer)	No	No	No	No	No (Conditions are outlined by a Local Settlement Officer on these areas)
<b>Is disposition holder engagement required for industrial exploration access?</b>	Yes (Refusal of access may be subject to a right of entry order application)	No	No	No	Yes	No
<b>Is disposition holder consent required for exploration access?</b>	Yes (Refusal of access may be subject to a right of entry order application)	No	No	No	No	No

<sup>2</sup> These permits are not issued under the *Public Lands Act*. They are issued under the *Forest Reserves Act*, and *Forest Reserves Regulation*.