

Annual Operating Instructions

Silver Creek Allotment

Black Range Ranger District, Gila National Forest

2004 grazing season

1. PASTURE USE SCHEDULE

We have approved your application to graze 146 head of cattle (yearlings) on the Silver Creek Allotment. Total cattle numbers for the Silver Creek Allotment are not to exceed 146 head for the 2004 grazing season. The following is the grazing rotation schedule for the Silver Creek Allotment:

<i>PASTURE</i>	<i>ON</i>	<i>OFF</i>	<i>NUMBER</i>
Upper	Rested	Rested	Rested
Lower	03/01/04	09/30/04	146

The schedule above is an estimate, and may be modified at any time during the grazing season if the utilization levels, identified below, are met, if water availability is inadequate, or for other resource management reason. If allowable use levels are met early in the scheduled pasture, cattle will be required to leave the Forest. Cattle are to be completely removed from the Forest by the off date. I will allow you two weeks prior to the off date to begin moving cattle off the Forest. If two weeks is not adequate, you must request additional time from this office. Please notify this office, at least five days prior to moving your cattle from the Silver Creek Allotment.

2. UTILIZATION STANDARDS

The following utilization standards will be applied on the Silver Creek Allotment:

- Riparian areas are not to exceed 25% of current year's growth on woody riparian species.
- Upland sites grazed during the growing season are not to exceed 35% of current year's growth of perennial grasses.
- Upland sites grazed during the dormant season are not to exceed 40% of current year's growth of perennial grasses.

3. KEY AREA MONITORING

At our annual validation meeting, key areas for monitoring were identified as riparian areas and transect cluster locations. Additional key areas may be identified during the season based on routine monitoring.

The idea of a key area is to find a site that is representative of a larger area in which cattle obtain the majority of their required forage resources. Key area monitoring will avoid areas directly adjacent to permanent water sources, cattle trails, roads, and fence lines.

- Riparian areas will be monitored for use on riparian woody species as well as riparian herbaceous species.
- Upland areas will be monitored for use on perennial grass species.
- Mexican spotted owl protected and restricted habitat will be monitored to ensure that current management is providing cover for rodent prey species, the residual biomass that will support prescribed natural and ignited fires that would reduce the risk of catastrophic wildfire in the Forest, and regeneration of riparian trees.

District personnel will contact the permittees to coordinate site visits to monitor key areas. Permittee participation is encouraged. Forage utilization estimates will be consistent with the Forest Service Range Analysis Handbook methodology, and may also include FS Regional stubble-height standards, as well as other techniques generally accepted in the field of range management.

4. RANGE IMPROVEMENTS

Range improvements must be maintained to standard before cattle are allowed into a pasture. It is the permittee's responsibility to ensure that range improvements remain functional. This includes boundary fences in pastures not currently being grazed. Routine maintenance of existing improvements does not require written clearance; however, construction/reconstruction of new improvements must be authorized in writing from this office.

The realignment of fence #2037 (Silver Creek/Black Range Boundary Fence including a portion near the Great Republic Mine) has been identified as the priority range improvement this year. Archaeology surveys have been completed and historic sites have been marked, with red pin flags, and shown to you. The fence should be at least 50 ft. away from the marked sites. Gates must be placed where the fence crosses FR4081 and FR 4074K. The Forest Service will provide 2 ¼ miles of fencing materials, in addition to the 1 mile provided on 06/18/2002, however the Forest Service cannot provide materials for the ¼ mile portion of the fence that crosses private property. You said that you were willing to provide the materials for this portion. In addition the portions of the existing fence that are being rerouted must be removed. This project is scheduled for completion in June of 2004. After the completion of this project the Forest Service will determine the status of FR 4074K. Before any other work is done on this project, a permit modification must be initiated.

You also expressed a desire to construct one or two dirt tanks. Funding for 2004 may not allow for such improvements. However you should provide to the Forest Service a description (including location) of the proposed improvements so that they may try and budget them in for FY05.

The pipeline and drinker at the Straight Gulch rock header have been identified as being in critical condition. The Forest Service will try and provide materials as the budget allows.

5. SPECIAL MANAGEMENT INSTRUCTIONS

The following restrictions will be implemented so that management remains in compliance with the Endangered Species Act and the Clean Water Act. The instructions below relate to threatened, endangered, and proposed to be listed species as well as range/watershed conditions.

- No salt or mineral block may be placed in protected and restricted Mexican spotted owl habitat from February 1 to August 31, and no concentrations of livestock (i.e., corral use, traps, or large gatherings of livestock).
- Stock tanks must be surveyed for possible aquatic habitat before earth-disturbing maintenance is authorized.
- The Chiricahua leopard frog was listed as a threatened species in 2002 by the U.S. Fish and Wildlife Service. We have completed grazing consultation on your allotment regarding the effects of livestock grazing on the Chiricahua leopard frog. We determined that livestock grazing will either have no effect or will not adversely effect the Chiricahua leopard frog. As a result of this determination, there were no changes required of your grazing permit. The U.S. Fish and Wildlife Service concurred with this determination. Therefore, consultation has been completed. A copy of this consultation is on file with your local Ranger District.

6. OTHER INSTRUCTIONS

The permittee must obtain permission from the District Ranger before conducting earth-disturbing activities on the National Forest. The Forest Service will arrange inspections of project areas and will prepare appropriate environmental and cultural documents before earth-disturbing activities proceed. These activities include road/earthen tank maintenance, as well as construction/reconstruction of trails, roads, earthen tanks, etc. Do not conduct any earth-disturbing activities on the Forest without written clearance from this office.

Salt must be located at least ¼ mile from water, and preferably on ridges and/or areas of low use. Do not place salt blocks in the same location as the previous year, and locate blocks on hard ground not susceptible to erosion. Supplemental feeding, other than mineral or supplement block is not authorized on the National Forest.

Accurate records of your operation will aid in planning and determining the effectiveness of the grazing system. Please maintain reasonably accurate records of cattle numbers throughout the grazing season. We will require actual use records for the Silver Creek Allotment. This includes shipping tickets, as well as death loss.

The Annual Operating Instructions are a part of the Term Grazing Permit as provided for in Part 1, Section 3. These instructions comply with the standards and guidelines found in the forest Plan, including the 1996 Forest Plan Amendment. They also comply with the Endangered Species Act found in the Biological Assessment for the Silver Creek Allotment. Any additional information collected during the year may be incorporated into the Annual Operating Instructions.

This decision is subject to administrative review, pursuant to 36 CFR 251; and any appeal of this decision must be fully consistent with 36 CFR 251.90 (see enclosed copy of 36 CFR 251 regulations). In accordance with 36 CFR 251.84, if you file an appeal, I am willing to meet with you to discuss any concerns you may have with my decision. If you file an appeal, you may request an oral presentation in the appeal or at any time prior to closing of the appeal record (36 CFR 251.97). Additionally, if you file an appeal, you may request a stay of my decision in the appeal or at any time prior to closing of the appeal record (36 CFR 251.91).

A notice of appeal must be filed with Marcia Andre, Forest Supervisor, Gila National Forest, at 3005 E. Camino Del Bosque, Silver City, NM 88061, within 45 days of the date of this decision. A copy of the notice of appeal must be filed simultaneously with Tammy Randall Parker, District Ranger, Black Range Ranger District at 1804 Date Street, Truth or consequences, NM 89701.

We appreciate your cooperation in the management of the Silver Creek Allotment. If you have any questions regarding these instructions, please contact Ron Mortensen, Rangeland Management Specialist, or myself at (505)894-6677. Thank you.

Sincerely,

TAMMY RANDALL-PARKER
District Ranger