United States Department of Agriculture
Forest Service
Glenwood Ranger District
505-539-2481
P.O. Box 8
Glenwood, NM 88039
FAX: 505-539-2485

File Code: 2210

Date: December 4, 2003

Terrell & Charlene Shelley

Dear Mr. and Mrs. Shelley,

This letter will serve as your Annual Operating Instructions (AOI's) for the 2004 grazing year. In addition, this letter is to document actions that need to be taken this year to keep the Forest Service and this allotment in compliance with previous commitments from environmental assessments, allotment management plans and guidelines and recommendations for wildlife and plant species, that are threatened or endangered.

The Annual Operating Instructions are a part of the Term Grazing Permit as provided in Part 2, Section 8. They comply with the standards and guidelines found in the Forest Plan, including the 1996 Forest Plan Amendment. It also complies with the Endangered Species Act as found in the Biological Assessment and/or on-going grazing consultation for this allotment. Any additional information collected during the year may be incorporated into the Annual Operating Instructions.

Permited Numbers:

175 Cattle (cow/calf) 3/1/03 – 4/15/03
175 Cattle (cow/calf) 8/1/03 – 10/15/03
175 Cattle (cow/calf) 11/1/03 – 2/28/04
5 Horses (saddle) 3/1/03 – 4/15/03
5 Horses (saddle) 12/1/03 – 2/28/04

Your allotment includes 7,734 acres.

Your 2004 grazing schedule is listed below:

Number and class of livestock	Dates Authorized
72 Cattle (cow/calf)	3/1/04 to 4/15/04
175 Cattle (cow/calf)	8/1/04 to 10/15/04
175 Cattle (cow/calf)	11/1/04 to 2/28/05
5 Horses (saddle)	3/1/04 to 4/15/04
5 Horses (saddle)	12/1/04 to 2/28/05

Pasture	Time Frame	Comment

Rim Rock/ Point/ Rock Spring	3/1/04-4/15/04	
Shelly Park/ Points/ Rim Rock	8/1/04-10/15/04 11/1/04-2/28/05	

The pasture move dates shown above are an estimate, and may need to be changed on the basis of actual range conditions. Due to the current drought it is vital to monitor actual conditions closely, and notify the Forest Service promptly if it appears that livestock will need to be moved sooner or later than estimated above. Dates may only be adjusted with prior approval of the Forest Officer.

To facilitate livestock moves, gates may be opened two days prior to the scheduled move date only when moving into an adjacent pasture. Gates must be closed and the grazed pasture entirely cleaned of livestock no later than five days following the scheduled move date. Grazed pastures must be kept clean of livestock following the pasture move.

Salt or mineral supplement locations should be rotated annually and avoid areas where cattle concentrations could cause excessive vegetation trampling, soil loss or disturbance to sensitive species or habitats and locations closer than 1/4 mile from a water source.

Monitoring will be conducted in partnership with the permittee during the grazing season and will be used to develop the grazing strategy for next year's Annual Operating Instructions. It is important for you to help us with monitoring of your grazing permit. With the current drought and the continuation of forest litigation within the range program your assistance in monitoring will become increasingly more important. This monitoring generally includes compliance with your AOI's, livestock utilization, overall range condition & trends and completion of pending permit modifications.

The main monitoring data will consist of minimum stubble height measurements. Minimum stubble height requirements are based upon the concept that specific plants in specific areas can tolerate a given amount of herbage removal. To meet the ecological objectives for the allotment, grazing pressure should be removed when minimal stubble-height requirements are reached (Krueger, 1998). Stubble height will be measured in the key monitoring areas shown below for this allotment. Adherence to minimum stubble height requirements *is mandatory, and is a key factor* in adjusting grazing management.

Adjustments in numbers, rotation schedule, or season of use will be made if minimum stubble height requirements are met. Cattle will be moved to the next scheduled pasture or off the allotment if other pastures are not available when minimum stubble height requirements are met. The option to return livestock to a pasture that has received adequate plant re-growth will be considered if all resource objectives can be met.

The minimum stubble height requirements set for this allotment will be **2.**5 **inches on Blue grama** grasses within fair condition range during the growing season (May 1 through Sept 30) and **2.0 inches on Blue grama** grasses within fair condition range during the dormant season (October 1 through April 30) and **2.5 inches on Blue grama** grasses within poor condition range

during the grazing year. Holechek and Galt's Grazing Intensity Guidelines can be used to draw correlations between qualitative utilization categories, forage use by weight and average stubble height measurements (Holechek and Galt, 2000). A minimum stubble height of 2.5 inches on Blue grama correlates to 30% utilization. The allowable use on key browse species will be fifty percent. The minimum stubble heights will be monitored in the following key areas:

Key Monitoring Areas

Pasture	Area	Important Plant Species	Comments/Descriptions
Points	C1, C2, P1	Blue grama	
Rimrock.	P2	Blue grama	
Shelly Park	P3, P4	Blue grama	
Rock Springs	P5	Blue grama	

Range improvements on your allotment need to be maintained to proper Forest Service standards. A complete list of these improvements is listed in your grazing permit. If additional improvments are needed during the year, before any of these improvements can be implemented, archeological and biological clearances will be completed.

These Instructions are subject to administrative review, pursuant to 36 CFR 251; and any appeal of these Instructions 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 Instructions. If you file an appeal, you may reqest 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 Instructions 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 R. Andre, Forest Supervisor, Gila National Forest, 3005 E. Camino del Bosque, Silver City, New Mexico, 88061-7863, within 45 days of the date of these Instructions. A copy of the notice of appeal must be filed simultaneously with Jacqueline A. Buchanan, Acting District Ranger, Glenwood Ranger District, P. O. Box 8, Glenwood, New Mexico, 88039-9704.

If you have any questions or concerns please feel free to contact the district range personel at 539-2481.

Sincerely,

_____ _____

JACQUELINE A. BUCHANAN Date
Acting District Ranger

I have reviewed and agree with these Annual Operating Instructions.

_____ _____

Permittee Date

36 CFR 251 REGULATIONS

TITLE 36 - - PARKS, FORESTS, AND PUBLIC PROPERTY

CHAPTER II - - FOREST SERVICE, DEPARTMENT OF AGRICULTURE

PART 251 - - LAND USES - - Table of Contents

Subpart C - - Appeal of Decisions Relating to Occupancy and Use of National Forest System Lands

Sec. 251.90 Content of notice of appeal.

(a) It is the responsibility of an appellant to provide a Reviewing Officer sufficient narrative evidence and argument to show why a decision by a lower level officer should be reversed or changed.

(b) An appellant must include the following information in a notice of appeal:

(1) The appellant's name, mailing address, and daytime telephone number;

(2) The title or type of written instrument involved, the date of application for or issuance of the written instrument, and the name of the responsible Forest Service Officer;

(3) A brief description and the date of the written decision being appealed;

(4) A statement of how the appellant is adversely affected by the decision being appealed;

(5) A statement of the facts of the dispute and the issue(s) raised by the appeal;

(6) Specific references to any law, regulation, or policy that the appellant believes to be violated and the reason for such an allegation.

(7) A statement as to whether and how the appellant has tried to resolve the issue(s) being appealed with the Deciding Officer, the date of any discussion, and the outcome of that meeting or contact; and

(8) A statement of the relief the appellant seeks.

(c) An appellant may also include one or more of the following in a notice of appeal: a request for oral presentation (Sec. 251.97); a request for stay of implementation of the decision pending decision on the appeal (Sec. 251.91); or, in those States with a Department of Agriculture certified mediation program, a request for mediation of grazing permit cancellation
or suspensions pursuant to Sec. 251.103.

[54 FR 3362, Jan. 23, 1989; 54 FR 13807, Apr. 5, 1989, as amended at 54 FR 34510, Aug. 21, 1989;
64 FR 37846, July 14, 1999]