



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: 2210-1

Date: May 22, 2003

Mr Hugh B McKeen

Dear Mr. McKeen,

I am pleased that the meeting held on May 17, 2003 on the Cedar Breaks Allotment resulted in an action plan that will allow livestock to remain on the allotment for the time being. I believe the wealth of knowledge of all the participants can only assist us in developing range management grazing strategies to get us through these challenging drought-like conditions.

With this letter, I am withdrawing my April 29, 2003 decision in which livestock would be removed from the allotment by May 30, 2003 and making a new decision. Your 2003 AOI is now amended to include the following attached management agreement.

Briefly, the attached agreement states that: you are authorized to graze 110 cattle on the South Cedar Breaks Pasture for 30 days. After the 30 days cattle will be placed back into the East CCC Pasture for at least two weeks. Monitoring will indicate or determine how long cattle can be kept in the East CCC pasture.

On April 14, 2003, we installed 6 key monitoring locations and conducted monitoring to ascertain the forage conditions in the South Cedar Breaks pasture. In order to achieve the grazing objective in the above agreement, it is required that we manage to the stubble height minimums of 1.5 inches on Blue grama.

The above-described key areas, previously established, are on the outside perimeter of the "breaks" that are targeted for use. If any two key areas exceed stubble heights, cattle will be required to be moved into the next scheduled pasture. I am reiterating that the above listed timeframes are estimates from the field review. However, if stubble height is met or exceeded prior to the 30 days in South Cedar Breaks, and/or two weeks in East CCC, cattle will be moved/removed immediately.

Before the scheduled use in the Community and River Pasture occurs, key areas will need to be established there. Use in excess of the standards defined in this letter is a violation of this AOI amendment.

This decision/instructions are 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 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 this decision. A copy of the notice of appeal must be filed simultaneously with Larry D. Raley, District Ranger, Glenwood Ranger District, P.O. Box 8, Glenwood, New Mexico, 88039-9704.

Sincerely,

Larry D Raley
District Ranger

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]

May 17, 2003

Grazing Agreement: Hugh B, McKeen & Forest Service

Mr. McKeen will place 110 head of cattle into the South Cedar Breaks pasture by 5/24/03. These cattle will be kept in this pasture for approximately 30 days or until the minimum stubble height guide of 1.5 inches is reached or exceeded on key areas adjacent to the breaks country.

These cattle must be kept primarily on the SCB country adjacent to the monitoring locations (Alma Flat Well and Stout Mesa). It is suggested to use supplement, salting and temporary water and fence to insure proper distribution in break country.

After 30 days cattle will be placed back in the East CCC Pasture for at least 2 weeks. Monitoring will indicate or determine how long can be kept in this pasture for additional days. Recovery of grazed pastures and rainfall patterns will determine next scheduled move. In the event of low rainfall in July, cattle will be scattered across areas where stubble height levels permit grazing. (This includes Community and River Pastures).

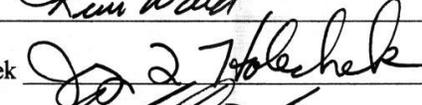
Jackie Buchanan



Russell Ward



Dr. Jerry Holechek



George Douds



Hugh B. McKeen

