

Kingston Allotment Annual Operating Provisions
 Black Range Ranger District, Gila National Forest
 2006 grazing season

1. PASTURE USE SCHEDULE

We have approved your application to graze 40 head of cattle on the Kingston Allotment for the 2006 grazing season. At our annual validation meeting we developed the following grazing rotation schedule:

| <i>PASTURE</i> | <i>ON</i> | <i>OFF</i> | <i>NUMBER</i> |
|----------------|-----------|------------|---------------|
| South Trujillo | 03/01/06 | 03/31/06 | 40 |
| Mineral Creek | 04/01/06 | 07/15/06 | 40 |
| Cave Creek | 07/16/06 | 10/31/06 | 40 |
| South Trujillo | 11/01/06 | 01/15/07 | 40 |
| North Trujillo | 01/16/07 | 02/28/07 | 40 |
| South High | Rested | Rested | Rested |
| North High | Rested | Rested | Rested |
| South Percha | Rested | Rested | Rested |
| Kingston | Rested | Rested | Rested |

The above schedule is an estimate and may be modified at any time during the grazing season if the utilization levels are met, if water availability is inadequate, or for other resource management reasons. If allowable use levels are met early in the scheduled pasture, cattle will be required to be moved to another area of the pasture, moved to another pasture, or removed from the Forest.

Cattle are to be completely removed from a pasture by the off date. I will allow you two weeks prior to the off date to begin moving cattle into the next pasture. If two weeks is not adequate, you must request additional time from this office. Please notify this office when you begin to move cattle and when a pasture rotation is complete.

2. UTILIZATION STANDARDS

The following utilization standards will be applied on the Kingston Allotment:

- Riparian areas are not to exceed 20% of current year's growth.
- 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.
- Uplands with Threatened & Endangered species are not to exceed 25% of current year's growth of perennial grasses.

3. KEY AREA MONITORING

Key areas for monitoring are identified as riparian areas and transect cluster locations. In addition to the cluster sites, we have identified other upland sites which are listed below. Mexican spotted owl protected and restricted habitat will be monitored for compliance with the MSO recovery plan and consultation guidance criteria.

- South Trujillo pasture – Vicinity of Ruby Tank
- North Trujillo pasture – Cluster # TC1
- South Percha/Log Cabin – Vicinity of Rice Tank and Cluster # SC3
- Kingston pasture – Vicinity of the BloodGood area
- Mineral Creek pasture – Cluster CM1
- Cave Creek pasture – Escondido Mesa & Telegraph Ridge (sec. 30 between N. Percha & Fence Spring).

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, as outlined in Part 3 section VI of your Term Permit, 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.

Permit modification #05-02 issue to reconstruct 2.5 miles of the South Perch/Kingston pasture fence (improvement #2176) has expired as of 12/31/05. You have informed us that this fence reconstruction is not complete. I will extend your modification for 6 months to expire 06/30/06. Please do all you can to complete this fence reconstruction in a timely manner. You were issued 1.25 miles of fence materials in 2000, and we will provide you with an additional 1.25 miles of fence materials to complete the project.

You have informed us of the need to rebuild both the Ingersol corral (imp. #002155) and the Sawpit corral (imp. #002169). Please let us know when you plan to rebuild these corrals and we will initiate some permit modifications and complete the necessary archaeological and biological surveys.

5. SPECIAL MANAGEMENT INSTRUCTIONS

The following restrictions will be implemented so that management remains in compliance with the Endangered Species 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.

Because of the listing of the Chiricahua leopard frog as a threatened species by the U.S. Fish and Wildlife Service, an analysis was completed for all Gila allotments. We have determined that livestock grazing on the Kingston Allotment has the potential to adversely affect the Chiricahua leopard frog. As a result of this determination, the U.S. Fish and Wildlife Service will prepare a draft Biological Opinion, which may modify grazing management practiced to minimize the level of affect an action will have on a listed species. However, this determination has not yet resulted in any changes to your grazing permit. As the permittee of the Kingston Allotment, you have applicant status which allows you the opportunity to provide comments to the draft Biological Opinion. This office will keep you informed on the process.

The Endangered Species Act requires that actions funded or carried out by the federal government go through the consultation process to insure these actions do not jeopardize the continued existence of a listed species. Please notify this office of any planned earth disturbing activities involving riparian areas, dirt tanks, or other sources of open water.

6. OTHER INSTRUCTIONS

The permittee must obtain permission from this office, 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.

The Annual Operating Instructions are a part of the Term Grazing Permit as provided for in Part II, Section 8(a). 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 Kingston 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 Kingston 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