



File Code: 2230

Date: May 11, 2004

Robert and Judy Prosser
Bar T Bar Ranch, Inc.
P.O. Box 190
Winslow,, AZ 86047

Dear Bob and Judy,

This letter and enclosures comprise the 2004 Annual Operating Instructions (AOI) for the Bar T Bar Range Allotment and are part of the Term Grazing Permit. Your annual application of April 29, 2004 is approved.

You applied to use 8,301 Head Months (HMs). This equates to approximately 52% of permitted numbers. You applied for, and I approved 7,749 HMs of nonuse. Nonuse is approved for resource protection to allow for recovery of the forage resource from drought and high levels of forage utilization by elk.

We are still in an extreme drought recovery situation and will have to take particular care in our management so as to protect the resource. This may involve additional reductions in cattle numbers, accelerating pasture moves, and possibly early removal of cattle from the National Forest, if conditions warrant.

The following schedule is tentative and is designed to be flexible. Dates, pastures, and timing of moves may vary, depending on available forage or other resource concerns. Changed conditions may cause a further alteration of this schedule in order to prevent resource damage.

| Pastures | From | To | Number |
|----------------------------------------------|-------|-------|--------------------------------|
| Sawmill/Cow Hill/North Grapevine | 05/07 | 10/01 | 298 yearling heifers, 20 bulls |
| Lakes/Broomy/West Green Howard/East Melatone | 05/14 | 10/15 | 250 cows, 15 bulls |
| Lost Eden/Hay Lake/Lost Eden | 05/19 | 10/01 | 130 registered cows, 3 bulls |
| Moqui/Wilkens | 06/02 | 10/20 | 250 cows, 15 bulls |
| Fisher/East Service | 06/10 | 10/20 | 125 cows, 8 bulls |
| Moqui/Wilkens | 06/10 | 10/20 | 100 cows, 6 bulls |
| Lost Eden/Baucom | 06/15 | 11/01 | 250 cows, 5 bulls |
| East Green Howard | 06/20 | 11/01 | 75 cows, 8 bulls |
| Cow Hill/Red Hill | 06/15 | 11/15 | 130 yearling heifers |
| Red Hill/Quail | 06/25 | 10/25 | 60 yearling bulls |
| West Green Howard | 07/01 | 10/1 | 15 horses |
| Horse Pasture | 07/01 | 10/01 | 15 horses |



The following is a list of Best Management Practices (BMP's) developed for this AOI:

- One of the main goals for livestock grazing practices on the Bar T Bar Allotment is to maintain or improve water quality.
- The location, timing, and intensity of livestock grazing activities should be controlled with the objective of achieving soil cover to prevent accelerated erosion and to protect water quality.
- Structural range improvements, such as fences, water developments, trail, and corrals should be planned, constructed, and utilized in a manner to enhance or maintain water quality.
- Land treatments to manage vegetation or practices to reduce erosion should be planned, implemented, and maintained to minimize adverse impacts on water quality.
- Livestock management activities, such as parasite control, feed, and salting should be done in a manner that protects water quality.
- Monitor and enforce permittee compliance with terms and conditions of the grazing permit.

The Coconino National Forest LMP states that "no new high stock density stock control grazing cells are (to be) initiated until monitoring and evaluation of the Red Hill Cell has been completed." The evaluation of the Red Hill Cell has been completed. The proposed grazing schedule calling for use of Quayle Hill is consistent with this direction. The Cell is not "new", and the forage utilization proposed does not reach the level considered as high intensity.

I agree that the Diablo Trust proposal (dated 2/2/98) for monitoring forage utilization is acceptable and will be followed in 2004. Our wildlife biologists will review the locations proposed for monitoring. You and the Diablo Trust will ensure that the procedures as outlined in the proposal are followed and that the Forest Service receives copies of all the monitoring forms. I am enclosing a copy of the monitoring form.

The enclosure *Mitigation for the Mexican Spotted Owl and Peregrine Falcon on Grazing Allotments for Annual Operating Plans* has been made a part of the AOI. To avoid impacting spotted owl Protected Activity Centers (PACs) and peregrine eyries, the enclosed mitigation measures must be adhered to during the breeding season (March 1 to August 31), and in the locations that have been specified by the wildlife biologist.

The enclosure *-T- Range Management* indicates when prior approval is needed from the Forest Service before undertaking activities that are part of the range permit or the Long Lake ditch system. The enclosure shows what types of activities need to be coordinated with District personnel so that appropriate clearances can be completed in a timely manner.

I appreciate the problems you are undergoing regarding grazing in and around the subdivisions, both old and new. I encourage you to continue discussing the situation with the homeowner associations for each of the involved subdivisions, stating the efforts you are making to control livestock use in the subdivisions, and what the associations could do to help resolve the problem.

The attached document, *Mitigation for Chiricahua Leopard Frogs*, is part of the 2004 AOI for the Bar T Bar Allotment. You are expected to follow this mitigation during your time on the allotment. Some of the mitigation measures apply to all aquatic areas, whether or not Chiricahua leopard frogs are present. At this time, no Chiricahua leopard frogs have been found on the allotment, however additional surveys will be conducted.

Caution needs to be used during any activities that potentially could start a fire. All vehicles should be equipped with a serviceable water bucket, shovel, and axe for use in extinguishing camp and forest fires. All open camp and branding fires (when allowed), are required to have a fire ring down to mineral soil at least ten feet in diameter, and must be handled in a safe manner.

Please notify District personnel prior to use of any heavy equipment, so that we can arrange a time to have a prevention patrolman inspect your equipment on site. All state and local fire regulations and restrictions will be observed.

The Annual Operating Instructions are a part of the Term Grazing Permit, as provided in Part 2, Section 8(a). If you fail to comply with any of the terms and conditions specified in Parts 1, 2, and 3 of your Term Grazing Permit, we may suspend or cancel your permit, in whole or in part, after written notice. This is found in Part 1, Section 3 of your Term Grazing Permit. The AOI complies with the standards and guidelines found in the LMP.

The Annual Operating Instructions have been reviewed by District Wildlife Biologists and found consistent with the Endangered Species Act, as amended, and with all conditions agreed to in consultation with the US Fish and Wildlife Service. We will be consulting on the new NEPA document in the near future. If additional mitigations are required, we will inform you as soon as possible.

The Annual Operating Instructions are appealable and subject to review under 36CFR 251.82(a)(3), Grazing and livestock use permits issued under 36 CFR part 222, subpart A: appealable decisions apply to written decisions of Forest Service line officers related to issuance, denial, or administration of written instructions to occupy and use National Forest System lands.

If you have any questions or need any additional information, feel free to contact Jerry Gonzales at (928 - 354-2216).

Sincerely,

/s/ Larry G. Sears

LARRY G. SEARS
District Ranger

cc: Carol Boyd, S.O.

DIABLO TRUST

02/05/98

DIABLO TRUST MANAGES FOR SPECIFIC WATERSHED VALUES AS THEY RELATE TO ITS LANDSCAPE VALUES

PASTURE GRAZE MONITORING KEY AREAS SPOTTED OWL HABITAT

PLOT# _____ LOCATION _____

DATE _____ MONITORER(S) _____

PASTURE _____ ACRES _____ KEY AREA ACRES _____

L/S CLASS & NO. _____ L/S CONDITION _____

DATES GRAZED _____ ADAs _____ AUMs _____

RECOVERY PERIOD _____ days DATE OF LAST GRAZE _____

WEATHER _____

PRECIPITATION: GAUGE _____ EST _____ WIND _____

AVG: _____ BELOW AVG: _____ ABOVE AVG: _____

WATER # _____ WATER CONDITION _____

GRAZE LEVEL BEFORE L/S 0-20 _____ 20-40 _____ 40-60 _____ 60-80 _____ 80-100 _____

GRAZE LEVEL AFTER L/S 0-20 _____ 20-40 _____ 40-60 _____ 60-80 _____ 80-100 _____

GROWTH RATE Cool Seasons fast _____ slow _____ dormant _____

GROWTH RATE Warm Seasons fast _____ slow _____ dormant _____

PLANT VIGOR Warm Seasons below average _____ average _____ above average _____

PLANT VIGOR Cool Seasons below average _____ average _____ above average _____

SPECIES _____

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

_____ present: _____ occurrence: _____ seeded: _____ stubble height _____ L M H

LIVESTOCK DISTRIBUTION _____

GENERAL COMMENTS _____

INSTRUCTIONS:

1. Plot: # or name Location: Sec.#, road#, distance from road, compass reading to post
GPS reading if possible.
2. Date: the day of monitoring Monitorer person or persons doing the monitoring
3. Pasture: name of pasture its acres, and the acres of the key area
4. L/S Class: cows & calves or yearlings L/S Condition: poor fair good excellent
5. Dates grazed mo/day/yr - mo/day/yr
ADA's: animal days per acre formula/ number of animals times number of days divided by acres =
AUM's: animal unit months formula/ number of animals times number of days divided by 30.4 =
6. Recovery period: number of days since last graze Date of last graze: mo/day/yr
7. Weather: during graze period wet, dry, windy, snow, cold, hot what happened
8. Precipitation: rain gauge contact USFS for closest gauge amount, or best estimate, was it windy
9. Water#: how many waters in pasture Water condition: full, low, puddles from rain
10. Graze level: on key species, percent utilization, before livestock
11. Graze level: on key species, percent utilization, after livestock
12. Growth rate: of plants check fast, slow or dormant for both warm and cool season plants
13. Plant vigor: check below, average, or above for both warm and cool season plants
14. Species: list the key species in plot or area and check off if present, if they seeded, what is the
percent of occurrence in area and measure the stubble height. Then circle L M or H for light,
moderate, or heavy use of that species.

Mitigation for the Mexican Spotted Owl and Peregrine Falcon On Grazing Allotments for Annual Operating Plans

The following mitigation measures apply to the Buck Springs, Bar-T-Bar, Willow Valley, Baker Lake/Calf Pen, Apache-Maid, Beaver Creek, Lost Eden, Fossil Creek, Buckhorn, 13 Mile Rock, Walker Basin, and Hackberry/Pivot Rock Allotments.

The purpose of the mitigation measures is to improve and protect habitat for prey species such as birds and small mammals in sensitive areas, and to protect nesting birds from disturbance associated with gathering or construction activities. Thank you for your cooperation.

1. Follow these guidelines to meet the intent of the grazing guidelines listed in the Mexican Spotted Owl Recovery Plan:
 - A. Continue to monitor grazing use by livestock and wildlife in "key grazing" areas such as riparian areas (MA12), meadows (MA9), pine/oak types (MA3), and aspen (MA5). If cattle show an increasing utilization trend, then change management strategies to reduce the trend. If wild ungulates show an increasing utilization trend, the Forest Service will work with the Game and Fish Department to reduce this trend.
 - B. Continue to implement and enforce grazing utilization standards to improve range conditions in "key areas" over time, and to strive for good to excellent conditions.
 - C. Continue to restore good conditions to degraded riparian communities by maintaining or promoting three age classes in woody vegetation. If the mid-age class is absent, 5% utilization or less is required to promote three structural stages. If all three classes are present, utilization of 20% or less of woody vegetation is acceptable.
2. To reduce animal concentrations and trampling of vegetation which may impact prey species forage and cover, follow these guidelines for placing salt, mineral blocks or food supplements.
 - A. Do not place these items in riparian areas, mountain meadows, or non riparian drainages in ponderosa pine unless being used for a watershed restoration project.
 - B. Do not place these items in spotted owl habitat or near peregrine falcon nesting areas. The attached map shows areas (shown as mitigation) where salt, supplemental feeding, or mineral blocks should not occur.
 - C. Rotate salt and mineral supplement sites regularly.
3. To eliminate potentially disturbing activities in spotted owl habitat or near peregrine nesting areas during their breeding season, do not allow the following types of activities in areas displayed in red on the map between March 1 and August 31 without prior consultation with the district Range Staff.
 - A. Spring branding or fall gathering.
 - B. Construction activities such as: new construction of fences, corrals, or buildings, or cleaning or construction of tanks.

-T- RANGE MANAGEMENT

In the past there has been confusion on when the permittee needs prior approval from the Forest Service to do work on the range permit or the Long Lake ditch system. Adding to the confusion is the Chavez Pass off road vehicle closure area. Hopefully the following tables will help reduce the confusion and lead to better management. The approvals are based on the need to get Archaeological Clearances and Biological Evaluations completed for the projects. Depending on the activity, approval for other reasons may be needed.

DITCH MANAGEMENT

| Activity Description | Activity Outside Closure | Activity Inside Closure |
|------------------------------------------|---------------------------------|--------------------------------|
| Non-motorized ditch inspection | No prior approval | No prior approval |
| Motorized ditch inspection | No prior approval | Need prior approval |
| Ditch maintenance within disturbed area | No prior approval | Need prior approval |
| Ditch maintenance outside disturbed area | Need prior approval | Need prior approval |

RANGE PERMIT MANAGEMENT

| Activity Description | Activity Outside Closure | Activity Inside Closure |
|-------------------------------|---------------------------------|--------------------------------|
| Cattle grazing | No prior approval | No prior approval |
| Grazing management | No prior approval | No prior approval |
| Fence maintenance | No prior approval | No prior approval |
| Stock pond cleaning or repair | Need prior approval | Need prior approval |
| Cattle guard maintenance | No prior approval | Need prior approval |
| Cattle guard installation | Need prior approval | Need prior approval |
| Spring cleaning | Need prior approval | Need prior approval |
| Pipeline maintenance | No prior approval | |
| Pipeline construction | Need prior approval | Need prior approval |
| Driveway maintenance | Need prior approval | Need prior approval |
| Well maintenance | No prior approval | |
| Well installation | Need prior approval | Need prior approval |
| Drinker maintenance | No prior approval | |
| Corral maintenance | No prior approval | No prior approval |
| Corral construction | Need prior approval | Need prior approval |
| Fence removal | No prior approval | No prior approval |

Mitigation For Chiricahua Leopard Frogs

Live fish, crayfish, bullfrogs, leopard frogs, salamanders, or other aquatic organisms shall not be moved among livestock tanks or other aquatic sites.

If a site is identified as occupied by Chiricahua leopard frogs, water shall not be hauled to the site from another aquatic site or tank that supports leopard frogs, bullfrogs, crayfish, or fish.

If Chiricahua leopard frogs are found on the allotment, the permittee shall be required to clean any equipment, boots, etc. used at an aquatic site and treat with a 10 percent bleach solution, or allow such equipment, boots, etc. to dry thoroughly, before using the same equipment, boots, etc. at another aquatic site on the allotment. These methods will help to ensure that Chytrid fungus is not spread to additional aquatic sites, and are good methods regardless of Chiricahua leopard frog presence.

All ranch hands, construction personnel, and others implementing the proposed action shall be given a copy of these terms and conditions, and informed of the need to comply with them.

At least 60 days prior to maintaining or cleaning out livestock tanks, the permittee shall inform the Coconino of planned activities. The Coconino shall survey the tank for Chiricahua leopard frogs¹ and if frogs are found, shall work with the U.S. Fish and Wildlife Service to develop and implement a plan to minimize take of frogs. Measures to minimize take should include salvage and temporary holding of frogs, limiting disturbance and work areas to the minimum area practicable, leaving stands of emergent vegetation in place, and/or measures to minimize the likelihood of disease transmission. Plans to minimize take shall be approved by the USFWS.
