

2009

ANNUAL OPERATING INSTRUCTIONS (AOIs)

APACHE ALLOTMENT # 00651

List of Permittees:

Andrew Abeyta	Michael Sanchez
Charles Bagwell	Apache Livestock
Lee Bagwell	
Ben Breslin	
Norval Huffaker	
O. R. Maupin	

**CARSON NATIONAL FOREST
TRES PIERDAS RANGER DISTRICT**

Benjamin Romero, District Ranger

Date

Annual Operating Instructions (AOI's)

INTRODUCTION

The Annual Operating Instructions meeting was held on March 20, 2009 at the Conejos Peak Ranger District. Permittees that attended the meeting included O. R. Maupin, Lee Bagwell, Norval Huffaker, Ben Breslin, Andrew Abeyta, and Randy Scheffield. Wayne Yonemoto and Estevan Gallegos represented the U. S. Forest Service. The Annual Operating Instructions (AOI) is a decision and appeal document that is made part of the terms and condition of the Term Grazing Permit. The AOI includes guidance criteria described below that addresses annual resource conditions, livestock numbers, period of use, pasture rotations, monitoring and range improvement projects. The 2003 Rangeland Management Action Plan for the Santa Fe and Carson National Forests continues to be program guidance. The objectives of this strategic action plan continues to be a high priority and emphasizes collaboration, rangeland health, rangeland monitoring and permittee involvement. The environmental assessment decision for grazing permit issuance is scheduled for 2010. The livestock grazing fee is \$1.35/HM (Cattle) and \$0.27/HM (Sheep).

The dry weather pattern condition includes the following. Within the Southwest, the National Oceanic Atmospheric Administration (NOAA) 3-month forecast is increased chances of below normal precipitation Mar. through May, 2009, as well as, increased chances if above normal temperatures. The SPI definition that indicates the end-of-drought is for the SPI values to be positive 1.0 (or higher) for the past 12 months. The SPI for the past 12 months thru February is described as *Near Normal* (-0.74 to +0.74) so the end of drought has not occurred. Within the District, during the periods of Oct. to Dec., 2008 and Jan. to Feb., 2009, there were areas of favorable above normal precipitation and below normal temperatures.

The authorized eartag color is *purple*. All 843 cattle will be eartagged correctly with the authorized letter/number. The authorized use for the current grazing season is as follows:

Table 1 – Permittee Information and Season of Use (Term Permit/Annual Authorized Use Request Form)

Permittee Name	Permitted #	Permitted Season	Authorized #	Authorized Season	Eartag letter	Remarks
Charles Bagwell	207 c/c; 1000 e/l (50 c/c instead of 1000 e/l)	6/16 – 9/30	257	6/16 – 9/30		
Lee Bagwell	206 c/c; 1000 e/l (50 c/c instead of 1000 e/l)	6/16 – 9/30	256	6/16 – 9/30	B	
Norval Huffaker	76 c/c	6/16 – 9/30	76	6/16 – 9/30	H	
O. R. Maupin	77 c/c	6/16 – 9/30	77	6/16 – 9/30	M	
Michael Sanchez	118 c/c	6/16 – 9/30	40	6/16 – 9/30	T	
Ben Breslin	59 c/c	6/16 – 9/30	11	6/16 – 9/30	G	
Andrew Abeyta	385 e/l	6/16 – 9/30	440 e/l	6/16 – 9/30		

Total	1385 e/l; 743 c/c (or 843 c/c and 385 e/l)	6/16 – 9/30	717 c/c 440e/l	6/16 – 9/30		(Range readiness inspection determines the authorized livestock number) 717/743 is a 3% reduction 717/843 is a 15% reduction
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Range readiness inspections will determine whether range vegetation and soils meet the criteria for grazing and the final authorized livestock number and is tentatively scheduled for June 12, 2009.

Compliance with New Mexico Statewide Regulations, 21.30.6 NMAC, Bovine Trichomoniasis, effective June 17, 2005, becomes a term and condition of the United States Forest Service term grazing permit. We ask that you comply with the NM State Trichomoniasis regulations.

All livestock must be scheduled for counting prior to entering the Apache Allotment. Tres Piedras district range personnel must be notified 5 days prior to the time that livestock enter or leave the Carson NF.

Nonuse of a term permit must be requested in written form for all of the permitted numbers (*Total Nonuse*), or part of the permitted numbers (*Partial Nonuse*). Verbal applications will not be accepted. If a permittee is approved for “*total nonuse*”, the permittee is still responsible for maintenance of assigned range improvements.

ROTATION SCHEDULE

Initial distribution of your livestock is tentatively planned as follows (**actual dates will be based on range readiness determination**):

Table 2 - 6/16– 9/30 (107 days) – Tentative Rotation Schedule

Pasture	Tentative Dates (# of Days)	Days (min to max)	Actual Use	Reason for Adjustments
Cruces-Toltec	6/16 – 7/5 (20)	15 to 20		
Bonito	7/6 – 8/8 (34)	25 to 35		
Osier	8/9 – 9/10 (33)	25 to 35		
Apache	9/11 – 9/30 (20)	15 to 20		
Total	6/16 – 9/30; 107 days (Range readiness inspection determines the authorized entry date)			

- 1) **After a decision is made about trucking or trailing cattle, a tentative pasture rotation will be determined.**
- 2) Possibility of splitting the herd into Bonito and the Cruces-Toltec pastures to decrease the utilization levels in the Cruces riparian.

REVIEW OF 2008 MONITORING DATA

The 2008 monitoring information in the Allotment Study file was reviewed. The allotment was mostly dry through June but forage production improved after the July, August precipitation. Participants discussed areas of average to below average production and average to above average production, range

condition and range trend. Utilization guidelines (non-riparian guidelines) in 3 of 4 pastures (refer to 2008 Resource Condition Evaluation, Jan./Feb. Assessment for AOI) was met. The Association also uses this trailing route when exiting or entering the pasture from the Apache corral. The riparian guideline was met in Apache Creek. Dixie Creek, Arkansas Creek, and Osier riparian were not inspected after livestock use. Forest Service only monitored Apache pasture and utilization was 35%. Permittee Monitoring Utilizations: Cruces/Toltec: 25-40%; Bonito, 30-50%; Osier, 25-40%; Apache, 25-40%

2008 AOI COMPLIANCE

- End of season upland utilization guidelines were met in the Osier, Bonito, Cruces-Toltec and southern area of Apache. Riparian guidelines were met in Apache Creek.
- Livestock distribution was improved by herding cattle from the Cruces riparian to the Toltec uplands.

2008 ACTUAL USE

The Appendix of the AOI, references the permit. The appendix will contain permitted number, (period of use), authorized number (period of use), actual number (period of use); pasture rotation schedule and amendments to the AOI.

2008 Actual Use: 717 c/c; 385 e/l; 6/21– 9/30(total 102 days)

Cruces-Toltec 6/21 – 7/16 (26 days)

Bonito 7/17 – 8/16 (31 days)

Osier 8/17 – 9/14 (29 days)

Apache 9/15 – 9/30 (16 days) (Ewe/lambs left September 14)

MONITORING

Please contact Tres Piedras RD with any questions regarding monitoring and whether you wish to participate in the annual monitoring of your allotment. Your participation is encouraged.

The following monitoring assessments, evaluations and methods may be conducted on the allotment:

Weather update (SPI and temperature)

Soil moisture depth

Water availability

Reading paired annual production/utilization cages with supporting photos and documentation, Rapid Assessment Method, Cover/Frequency, Parker 3-Step, Grazing Response Index,

Key site map of the Allotment

Key forage list showing community type, species list and stubble height

Range readiness stubble ht./utilization guidelines

Grazing season monitoring stubble ht./utilization guidelines

End of season stubble ht./utilization guidelines

Range readiness documentation

Watershed health indicators

Monitoring Methods

Other monitoring methods that may be used on the allotment are: Parker 3-Step, Rapid Assessment Method (RAM), Ocular Estimate Method, Ocular Utilization by Dry Weight, Photo Point, Range Trend

Plot and Cover-Frequency.

UTILIZATION GUIDELINES

Within each pasture, grazing utilization would occur at 20% to 40% of the annual available forage (not to exceed 40%) and would be assessed at the end of the growing season.

(Utilization guidelines in the riparian area (Aguaje de la Petaca) includes leaving 4 inches of stubble height of the annual available forage when livestock exit the pasture). When proper use levels are reached within the pasture, livestock will be moved to the next scheduled pasture *unless other management considerations require livestock removal before proper use levels are reached.*

Table 3 - Key Forage Species:

Pasture Name	Key Forage Species	Stubble Height
Osier/ Bonito	Junegrass	2 – 4”
	Timothy	6 – 8”
	Mt. Muhly	4 – 6”
Apache/ Cruce-Toltec	AZ / Thurber Fescue	6 – 8”
	Kentucky Blue	4 – 6”
	Mt. Muhly	4 – 6”
	Sheep Fescue	4 – 6”
Riparian Areas	Red Top	4 – 6”
	Kentucky Blue	4 – 6”
	Sedges	4 – 6”

Total removal of all livestock from the pasture/allotment is required. A 3 day period will be allowed to remove stray(s) permitted livestock from the pasture/allotment.

Regular herding and riding management practices are important to achieve proper livestock distribution on the allotment, and to provide for the optimal duration of the grazing period. Salting practices are also described in the cattle operator instructions at the end of this AOI.

AOI OBJECTIVES

1. Continue to minimize grazing use in the riparian areas of the allotment with special emphasis on the Cruces riparian in order to meet the riparian standard each grazing season. Continue to herd livestock away from the riparian areas and use salt placement to improve livestock distribution.
2. Herd livestock to the Toltec area immediately upon entering the Cruces-Toltec.
3. Move sheep camps every 7 days to minimize impacts to the area.
4. Monitor riparian areas.
5. Limit number of days in Apache, Cruces-Toltec to 15 to 20 days. Limit Osier and Bonito number of days to 33 days.
6. Prevent Association excess use within Lagunitas and Apache .
7. Compliance with New Mexico Statewide Regulations, 21.30.6 NMAC, Bovine Trichomoniasis, effective June 17, 2005, becomes a term and condition of the United States Forest Service term grazing permit.”

Annual Authorized Use Request Form

Credits from previous year (above minimum dollar amount), if applicable, would apply to the current

bill. The final livestock numbers and entry date would be determined after range readiness inspections. Therefore, additional billing may be required after the first billing (that reflects the Annual Authorized Use Request form for 717 cow/calf; 385 ewe/lamb; 6/16 – 9/30. (3% (717/743) tentative voluntary reduction in livestock numbers).

PERMITTEE MANAGEMENT CONCERNS (Also refer to the Project Section)

1. Allotment road maintenance is needed. Roads have erosion and ruts.
2. ATV use is occurring in the wilderness area, (Cruces and Bonito) and Osier Creek area.
3. Lagunitas member is not repairing his assigned maintenance fence section at the area northwest of the trailhead. Members and FS need to inspect the fence section to resolve this issue.
4. Apache Creek drainage is used by private cattle trailing through the stateline gate in the spring and fall. The impacts (high utilization) were worse in fall, 2006. FS needs to change the crossing permit route.
5. Gates are being left open by hunters in the fall, leaving trash behind within the wilderness.

RANGE IMPROVEMENT PROJECTS AND MAINTENANCE

Range improvement projects maintenance labor/costs are the responsibilities of the permittee. Term permit assigned projects such as, allotment boundary fences, pasture boundary fences, cattleguards, earthen dam stock tanks, pit tanks and other structural improvements must be maintained prior to permittee entry onto the allotment. When allotments are in non-use the permittees are still required to maintain their assigned improvements.

The following are improvements which require special attention during the 2008 grazing season.

2008 Projects Completed: Continue repair of the stateline fence, particularly west of the Dixie canyon; Repair Bonito/Cruces fence.

Allotment maintenance projects: Repair fence with mainly posts at Apache/Osier, Osier/Cruces.

2009 Project Priority (new/maintenance): Construct small holding pens at Apache near top of the meadow with railroad ties/steel panels when CE is completed.

Future Desired Projects

Construct small holding pens at Apache near top of the meadow with railroad ties/steel panels when CE is completed.	Discussion
Reconstruct 1.0 mile of Bonito/Cruces fence after CE is completed	Discussion
FS issued 16 rolls of barb wire to Association in 2004 for the stateline fence that have not been installed yet.	Discussion

EXCESS USE AND UNAUTHORIZED USE

Permittees are encouraged to notify the Tres Piedras Ranger District of any known violation by permittees (excess use) or non-permittees (unauthorized use). Grazing permit holders who graze more livestock than authorized will receive a Notice of Non-Compliance, charged an excess use grazing fee, and the term permit may be suspended or cancelled in whole or part

TRAVEL MANAGEMENT

USFS Travel Management Plan was discussed. The travel management rule requires each Ranger District to designate those roads trails and areas open to motor vehicle use. Range permittee guidelines will be developed and will be included in the AOI in the future.

A second travel management meeting was held in Tres Piedras on March 21, 2007 (The first travel management meeting was held in Tres Piedras July 11, 2006). Attendees provided comments to the USFS regarding roads or trails that should remain open or closed; and access routes to range improvements that are needed within the allotment.

APPEAL RIGHTS

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. 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 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 the Forest Supervisor, Carson National Forest, 208 Cruz Alta, Taos, New Mexico 87571, Within 45 days of the date of this decision. A copy of the notice of appeal must be filed simultaneously with the Tres Piedras District Ranger, who was the deciding officer, and the address for mailing the appeal copy is Tres Piedras Ranger District, P.O. Box 38, Tres Piedras, New Mexico 87577.

Before you file a Notice of Appeal, I would ask that you contact me and then, together we would try to resolve any disagreements. I value your experience and knowledge of the allotment and appreciate the opportunity to discuss your concerns. If we cannot reach an agreement, you would exercise your appeal rights. Our discussion would ensure that we both understand the reasons for each of our positions regarding any issues. I look forward to working with you this season. I am confident that we will work effectively together to manage the resources in a manner that reflects good stewardship of the land and cattle.

ACTUAL USE INFORMATION

**APACHE ALLOTMENT
2009 GRAZING SEASON**

Attachment 1

Pasture	Planned Livestock Number & Class	Planned Use		Actual Use		Remarks
		Date on	Date Off	Date on	Date Off	
Cruces-Toltec	717 c/c & 385 e/l	6/16	7/5			
Bonito	717c/c & 385 e/l	7/6	8/8			
Osier	717 c/c & 385 e/l	8/9	9/10			
Apache	717 c/c & 385 e/l	9/11	9/30			

Number of Head counted on: _____.

Number of head lost: _____.

Additional Comments:

Table 1

Livestock Class	Poisonous Plants	Predators	Other	Total Losses

**UTILIZATION INFORMATION
APACHE ALLOTMENT
2009 GRAZING SEASON**

Attachment 2

Pasture	Head Months (HMs)	Animal Unit Months	Allowable Utilization (percent)	Date Monitored	Observed Utilization
Cruces-Toltec					
Bonito					
Osier					
Apache					

Appendix

Grazing Permittee Instructions for Cattle Operators on Tres Piedras Ranger District

1. Review the term grazing permit and become familiar with the terms and conditions prior to the grazing season.
2. Only livestock branded as shown on your application are permitted to enter the National Forest. The Forest Service (FS) and the permittees will agree to the counting locations, date, and time. Entering the allotment before your authorized entry date is not allowed until livestock are counted.
3. A Crossing Permit is required whenever livestock enter the National Forest. Crossing the District to/from a grazing allotment is only allowed within the authorized season.
4. Livestock found on other unauthorized allotments or in areas without prior authorization will result in the issuance of a Notice of Noncompliance that may impact your term permit.
5. The Annual Operating Instructions (AOI) pasture rotation dates are tentative. Therefore, you must consult with the District Office two weeks before the AOI tentative scheduled rotation dates for discussion and approval of the actual move dates and any AOI adjustments.

Management on the Range

1. The management objective is to obtain proper use throughout the grazeable portions of the range according to the management requirements of the Carson Forest plan.
2. Obtaining the best distribution of cattle on mountain ranges is made difficult because of their natural tendency to gather in openings, watering sites, drainages, riparian areas and meadows. Proper use will be determined by the percent of forage used within key area sites. With proper livestock distribution, a uniform pattern of use would occur. Utilization levels would vary between 20% to 40% (percent dry weight) in pasture key areas, and within the overall pasture's pattern of use.
3. Riding, herding and good salting practices will help. Frequent movement of salt within slight to light use areas is required to improve the pattern of use. Cattle should be moved to less utilized areas and heavier use should be avoided in the bottoms/meadows/openings that contain more desirable herbage.
4. When proper use levels are reached within each pasture, livestock grazing must end and livestock must exit. An early allotment exit would result in a partial refund/credit of the grazing payment. The grazing of more than one pasture at a time must be approved by the District Ranger. All cattle on the allotment would be handled as one herd. Moves between pastures may be handled as drifting moves where gates to the next successive pasture may be opened 2 days before the agreed scheduled move date. The exit pasture that the cattle are leaving must be cleaned-out within 3 days after the scheduled date for moving.

Salting

1. Salt must be placed in each pasture prior to cattle entering the pasture. Salt shall be located at least 0.5 miles to 1.0 miles away from streams, springs, earthen dam stock tanks and other sources of water in order to improve the livestock distribution within the pasture. Salt must be placed to minimize damage to vegetation and soil, within the tree line instead of in the middle of openings, in drainages/riparian or near roadways. Regular salt ground sites must not be established.

Range Improvement Projects

- 1. Range Improvement Projects assigned in your Term Grazing Permit require annual maintenance that is to be completed prior to placing livestock in the pasture unit. Allotment boundary fences must be maintained before the entry date and interior fences must be maintained before cattle enter the pasture.**
- 2. Acceptable maintenance means returning the improvement to its original functioning working order and using the equivalent materials. Particular attention, labor and time must be given to gates within the allotment to make certain that they are serviceable and can be opened and closed easily. The FS does not furnish materials or cost-share for maintenance projects.**
- 3. All lay-down fences should be let-down no later than October 20, or as soon as possible after cattle leave the allotment and adjoining allotments.**
- 4. Construction of new improvements or reconstruction of existing projects must have the approval of the District Ranger. During the AOI meeting and throughout the year suggestions for proposed projects are accepted.**

Special Attention Items

- 1. Written authorization from the District Ranger is required for vehicle travel in road closure areas. All cross-country travel where allowed must not cause ruts or down-cutting in the soil surface. Cross-country vehicular travel when the ground is wet is prohibited. This written authorization is only for vehicle travel necessary for your livestock operation on your allotment. Prudent use of this authority is asked when and where general public use is concentrated. All permittees are encouraged to stay off roadways closed to vehicular travel during hunting seasons.**
- 2. All temporary camps and corrals made or used by permittees or their riders will be cleaned up (left in a sanitary condition) and all materials/trash will be removed from the sites. Temporary camp/corral locations should be discussed with the FS prior to setting up the camp.**
- 3. Riders will be permitted 4 horses or mules per rider for work within the allotment. No untrained horses, colts or other unrideable stock will be allowed.**
- 4. Eartags will be provided initially to new permittees on allotments that are tagged. After initial allocation of tags, 10 percent will be provided per grazing season.**
- 5. Please notify the District Ranger with any observations of stray livestock on the National Forest Lands (regardless of the time of year).**
- 6. Move any dead animals to rest no closer than 300 feet from water or roadways.**

Report wildfires to: Tres Piedras Ranger Station at (575) 758-8678 or Carson Dispatch at (575) 758-6208 or (575) 758-6209.

If you have any questions, please contact the Tres Piedras Ranger District office.