



File Code: 2210  
Date: March 21, 2003

Joe T. Nelson

Dear Mr. Nelson,

This letter will serve as an Annual Operating Plan (AOP) Amendment #GY0301 for the Citizen Allotment for the period of March 18<sup>th</sup> through the end of the grazing year 2003 (3/1/03-2/28/04) on February 28, 2004. Annual validation meetings later in the fall can give us an opportunity to modify this amendment if need be.

GRAHAM HOLDING	CONTINUE GRAZING BULLS THROUGH MARCH 28, 2003	WINTER BULLS
GRAHAM	GRAZE BULLS FROM MARCH 29 THROUGH MAY 1, 2003	WINTER BULLS
GRAHAM	GRAZE BULLS FROM FEBUARY 1 THROUGH FEBUARY 28, 2004	WINTER BULLS

Time frames are estimates; assigned utilization standards (following) should supersede dates when use standards are met for a given pasture. If utilization levels are exceeded in a portion of a pasture, such as a key area, ridge top or mesa, cattle must be removed from the entire pasture unless reasonable management can be attained in the pasture which controls cattle access and use to the area in which utilization has been reached (i.e. salting, water access control, etc.). Proper cattle distribution, through herding or other management practices, prior to reaching utilization levels will allow maximum use of allowable forage.

Allen Graves, Range Management Specialist, will be meeting with you on Friday, March 28 at 09:00 am to establish key areas within the Graham and Graham holding pastures.

You discussed with Ed Holloway and Allen Graves about temporary fencing within the Graham Pastures. At this time other priorities and workloads will take precedence over fencing of the Graham pastures. We will be revisiting this opportunity at a later date.

**Utilization standards and monitoring:**

Allowable use is the percentage of use that will be allowed on key grass and browse species. This use will be primarily measured in the key monitoring areas. The general use levels must be adhered to throughout the allotment. Use levels will be monitored in key area locations across several acres; usually from ¼ to ½ mile from water. Adherence to utilization levels *is mandatory and should be the limiting factor* in adjusting grazing management. Adjustments in numbers, rotation schedule, or season of use will be made if allowable use standards are met. Cattle will be moved to the next scheduled pasture or off the allotment when these forage utilization standards 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. Any changes made in this plan because of any of the above should be made in cooperation with the district and can then be appropriately amended to the current year AOP/I.

The maximum allowable use levels set for Citizen Allotment outside of the below designated key areas will be **35%** on the key grasses during the growing season (5/1 thru 9/30) and **40%** during the dormant season (10/1 thru 4/30). Use of browse is not to exceed the **50%** level. Growing season use levels specified below will be monitored in key monitoring areas:

Once use levels are met on the key area locations on the key species within the scheduled pasture, there will be no option to stay in that pasture whether annuals are forthcoming or not. Management needs to do whatever possible to avoid meeting or exceeding the described use levels. Additionally, options need to be discussed on livestock removal if utilization levels are met before scheduled pasture dates.

The measuring of stubble heights on key grass species within a key area will be the method of determining use levels. A 2 inch stubble height on Blue grama correlates to 40% use. A 2½ inch stubble height on Blue grama correlates to 0-30% use.

This decision/instruction 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 the forest supervisor of the Gila National Forest at 3005 East Camino del Bosque, Silver City, NM 88601 within 45 days of the date of this decision. A copy of the notice of appeal must be filed simultaneously with Glenwood Ranger District, Box 8, Glenwood, NM 88039.

Enclosed is a copy of the Graham pastures monitoring report in which you participated on March 18<sup>th</sup> with Allen Graves, Range Management Specialist.

Please contact me if you have any questions or suggestions.

Sincerely,

LARRY RALEY  
District Ranger

cc: Supervisor's Office

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]