



United States
Department of
Agriculture

Forest
Service

Glenwood
Ranger District
505-539-2481

P.O. Box 8
Glenwood, NM 88049-9301
FAX: 505-539-2485

File Code: 2210

Date: March 5, 2003

Lena Shellhorn

Dear Mrs. Shellhorn,

This letter serves as your 2003 Annual Operating Plan/Instructions for the March 1, 2003 to February 28, 2004 grazing year.

Allotment: Copper Creek

Permittee: Lena Shellhorn

Authorization: (From Bill for Collection)

Permittee	Number and class	Dates Authorized
Lena Shellhorn	53 Cattle (cow/calf)	3/1/03 – 2/28/04
	27 Cattle (cow/calf)	3/1/03 – 2/28/04
	5 Horses (saddle)	3/1/03 – 2/28/04

Management System: Livestock are scheduled to graze the following in 2003:

Pasture	Time Frame	Comments
Silver Peak/Stout Mesa Pasture(80 cattle 5 horses)	3/1/03 – 6/30/03	
Willow Creek/Indian Creek Pasture(80 cattle 5 horses)	*7/1/03 – 9/30/03	Cattle will be encouraged to utilize the northern portion of the Indian Creek Pasture through salting or herding. Livestock grazing will not take place until an average minimum stubble height is reached at the key areas in the pasture.
Bearwallow/Claremont Pasture(80 cattle and 5 horses)	10/1/03 – 2/28/04	Dormant season use

*Entry into the Indian Creek Pasture may be delayed due to forage conditions.

Time frames are estimates, livestock will be removed from the area when forage use standards are met.

Special Instructions:



- a) Stock tanks must be surveyed for possible aquatic habitat and archeological concerns before maintenance cleaning is authorized. We should plan ahead for these surveys.
- b) Ongoing grazing consultation for the Chiricahua Leopard Frog is in progress.
- c) Salt or mineral blocks should not be placed within a quarter mile of water and ideally no closer than one-half mile (specify quarter mile or half mile) Salting is not authorized on any watering locations. Place blocks in lightly used areas until allowable forage use is achieved and then move them to the next least utilized area. Blocks should not be placed in meadow bottoms or near roads. Do not place block in the same area used in previous years and finally, put them on hard ground not susceptible to erosion.
- d) Any changes or amendments made to this AOP/I will be made in cooperation with the District Range Staff and approved prior to the change by the District Ranger. The permittee will give the District at least five-days notice of an anticipated change to this AOP/I.

5. Use Standards and Monitoring:

Allowable use is the percentage of use that will be allowed on key grass and browse species. This use will be measured in the key monitoring areas shown below for the Copper Creek Allotment. Adherence to use 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 use 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.

The maximum allowable use levels set for the Copper Creek Allotment will be **35%** on key forage species during the growing season from May 1 through Sept 30. The maximum allowable use on the key species during the dormant season from October 1 through April 30 will be **40%**. Use of browse is not to exceed the **50%** level.

Use levels will be monitored in the following key areas

Area	Important Plant Species	Minimum Stubble Height
C-1 Indian Creek Pasture	Arizona Fescue, Kentucky Bluegrass	6-7 inches 4-5 inches
C-2 Indian Creek Pasture	Kentucky Bluegrass	4-5 inches
P-1 Indian Creek Pasture	Kentucky Bluegrass	4-5 inches
P-2 Indian Creek Pasture	Muttongrass	4-5 inches
C-1 Bear Wallow Pasture	Blue Grama	2.5 inches
C-2 Bear Wallow Pasture	Blue Grama	2.5 inches
C-3 Bear Wallow Pasture	Blue Grama	2.5 inches
C-4 Stout Mesa	Blue Grama	2.5 inches
C-5 Silver Peak	Blue Grama	2.5 inches

MITIGATED UTILIZATION STANDARDS FOR INDIAN CREEK PASTURE

Consultation with the U. S. Fish and Wildlife Service resulted in the following mitigations:

- a) Residual stubble heights of at least 4-5 inches on Mutton grass and Kentucky Bluegrass and 6-7 inches on Arizona fescue sites will be maintained in the Indian Creek Pasture (Holechek, 2000).
- b) For the remainder of the allotment, herbaceous forage utilization will be maintained at 35% utilization during the growing season, 40% during the dormant season, and 50% on browse.
- c) Pre, mid, and post forage monitoring will be conducted for each pasture. Monitoring will be conducted prior to cattle entry, midway through the scheduled use, and immediately upon cattle removal.
- d) If minimum stubble heights are exceeded in any given pasture, cattle will be removed from that pasture, and that pasture will receive a subsequent growing season deferment prior to the resumption of grazing.

When monitoring results indicate all pastures have reached minimum stubble heights, and scheduled deferment cannot be achieved, livestock will be removed from the allotment.

6. Range Improvements:

a) Fences: Proper maintenance of fences will help ensure they will hold livestock in a pasture and will extend their useful life. Based upon your report to the District last fall, fence no.3103 between the Indian Creek Pasture and the Copper Creek Bearwallow pasture was brought to standard by you last year. It will be imperative to maintain this fence to standard again this year in order to delay livestock entry into Indian Creek Pasture. Please let us know if any other fences are beyond reasonable repair and are in need of reconstruction.

Permit-Modification	Unit	Completed by date:	Status

b) Water: Stock water is important for proper livestock distribution. If natural water is not available to achieve good distribution, it may be necessary to haul water. In addition, maintenance of pipelines, troughs, spring boxes, and dirt tanks will help provide water throughout the year. If any of these improvements need repair work, you are authorized to do so, unless it requires ground disturbance, such as dirt tank cleaning. Advance planning is needed for authorizing tank cleaning so surveys can be scheduled during the summer months. If the pipelines and troughs are beyond reasonable repair, we are willing to work with you to replace them. Please protect natural springs and areas with riparian type vegetation. Drainage bottoms, creeks, springs, and cienegas where water is available are most susceptible to livestock concentrations.

Permit-Modification	Unit	Completed by date:	Status
None			

c) Other Improvements:

Two one acre exclosures will be constructed in the Indian Creek Pasture.

The Annual Operating Plan/Instructions are a part of the Term Grazing Permit as provided for in Part 3, Section 8. It complies with the standards and guidelines found in the Forest Plan, including the 1996 Forest Plan Amendment. It also complies with the Endangered Species Act as found in the Biological Assessment for the Copper Creek 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 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 Raley
District Ranger

signed by Lena K. Shellhorn on 3/31/03
Permittee

Date

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]