



File Code: 2210

Date: January 23, 2003

Three-Up Outfit  
Devins Gust

Dear Mr. Gust,

This letter serves as your Grazing Year 2003 Annual Operating Plan/Instructions.

**Allotment:** Tennessee

**Permittee:** Three-up Outfit (Devins Gust)

**Permitted Numbers:**

80 Cattle (cow/calf) 3/1-2/28

**1. Grazing System: Pasture rotation**

**2. Authorization:** Authorized to graze the following in 2003:

Number and class	Dates Authorized
80 Cattle (cow/calf)	3/1/03 to 2/28/04

**3. Management System:** Cattle are scheduled to graze the following in 2003:

*2003 objectives: Continue your management, to rotate pastures as needed, to meet the use levels described in the following section and to continue the upward trend in range and watershed conditions. We appreciate your management and the work you have already done in improving these conditions.*

Pasture	Time Frame	Comment
West	3/1-2/28	Rotates as utilization levels are achieved.
East	3/1-2/28	Rotates as utilization levels are achieved.

*\*Time frames are estimates, utilization standards being met should supersede dates when use standards are met for a given pasture.*



- ❑ **The grazing season will be yearlong, but will be based on management for growing season vegetation recovery.**
- ❑ **The maximum number of animal units on the allotment at any given time will be 80.**
- ❑ **The maximum number of animal months for a given year will be 600, but will usually be less than 600 AMs.**
- ❑ **We will begin the process of changing from utilization percentages to stubble heights.**

The 2003 grazing year will be an opportunity to implement the above management strategy and ascertain its effectiveness for long-term management of the Tennessee Allotment. Please notify us of cattle movements onto and off of the allotment, as well as refinements that may be needed to enhance the management system. This management system may be changed by the decision made on the NEPA Range Analysis that we are conducting for your term grazing permit.

#### **4. 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) A NEPA Decision is scheduled for the allotment by September 30, 2003. You will be contacted when the process begins.
- c) Ongoing grazing consultation is in progress this year for the Chiricahua Leopard Frog.
- d) Salt or mineral blocks should not be placed within a quarter mile of water and ideally no closer than one-half mile or on any watering locations, unless authorized. 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.
- e) Any changes or modifications made in this Annual Operating Plan/Instructions 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-day notice of an anticipated change.
- f) You are authorized to remove an illegal road within Block A of the Juniper Treatment Project described in Permit Modification 1-99. The entire area has been surveyed. We will contact an archeologist to flag surveyed sites prior to your removal efforts. Your efforts include discing to a depth of 3 inches the road track area. The area will also be signed and seeded. The district will provide the seed.

## 5. Minimum Stubble Height Requirements and Monitoring:

Minimum stubble height requirements are based upon the concept that specific plants in specific areas can tolerate a given amount of herbage removal. To meet the ecological objectives of the allotment, grazing pressure should be removed when minimal stubble-height requirements are reached (Krueger1998). Stubble height will be measured in the key monitoring areas shown below for the Alma Allotment. The scheduled rotation, grazing season, and livestock numbers are indicated in Section I of these Annual Operating Plan/Instructions. Adherence to minimum stubble height requirements *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 minimum stubble height requirements are met. Cattle will be moved to the next scheduled pasture or off the allotment when minimum stubble height requirements 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 minimum stubble height requirements set for the Tennessee Allotment will be **2.5 inches on Blue grama** grasses during the growing season (May 1 through Sept 30) and **2.0 inches on Blue grama** grasses during the dormant season (October 1 through April 30). Holechek and Galt's Grazing Intensity Guidelines can be used to draw correlations between qualitative utilization categories, forage use by weight and average stubble height measurements (Holechek and Galt 2000). A minimum stubble height of 2 - 2.5 inches on Blue grama correlates to 31 – 40% utilization. The minimum stubble heights will be monitored in the following key monitoring areas:

### Key Monitoring Areas

Area	Important Plant Species	Comments/Descriptions
C-1	Blue Grama	2.5 inches minimum stubble height
C-2	Blue Grama	2.5 inches minimum stubble height

## 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. Fences in need of reconstruction will be inventoried and prioritized by the District for reconstruction. Please let us know if any other fences than the above described are beyond reasonable repair and are in need of reconstruction.

Fence #A539 (Permit Modification 1-01) is ½ mile of fence that will be rebuilt this year.

Permit-Modification	Unit	Completed by date:	Status
1-01	1	Febuary 2003	extended

**b) Water:** When a date is set for an archeologist to flag surveyed sites prior to your removal efforts of the road, we will also schedule a biologist to survey Tennessee Tank, Prong Tank, and South Side Tank on the same day so we can authorize you to maintain them.

**c) Other improvements:**

See section 4 (f) above.

Permit-Modification	Unit	Completed by date:	Status
1-99	1	February 2003	Extended

**The Annual Operating Plan/Instructions** are a part of the Term Grazing Permit as provided 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 and/or on-going grazing consultation for the Tennessee 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 D. RALEY  
District Ranger

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Signed by Devins Gust on 4/2/03  
Permittee

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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]

