

Berenda Allotment Annual Operating Provisions
Black Range Ranger District, Gila National Forest
2006 Grazing Season

1. PASTURE USE SCHEDULE

We have approved your application to graze 168 head of cattle on the Berenda Allotment for the 2006 grazing season. The following is the grazing rotation schedule for the Berenda Allotment which we developed on 12/12/2005 at our annual validation meeting:

<i>PASTURE</i>	<i>ON</i>	<i>OFF</i>	<i>NUMBER</i>
Macho Pasture	03/01/06	10/31/06	Up to 84 head
Mountain Pasture	03/01/06	10/30/06	Up to 84 head
Tierra Blanca Pasture	11/01/06	02/28/07	Up to 84 head
Uncle Lewis Pasture	11/01/06	02/28/07	Up to 84 head

The above schedule is an estimate and may be modified at any time during the grazing season if the utilization levels are met, if water availability is inadequate, or for other resource management reasons. If allowable use levels are met early in the scheduled pasture, cattle will be required to be moved to another area of the pasture, moved to another pasture, or removed from the Forest. Cattle are to be completely removed from a pasture by the off date. Due to the rugged terrain of the Berenda Allotment, I will allow you two weeks prior to the off date to begin moving cattle into the next pasture. If two weeks are not adequate, you must request additional time from this office. Please notify this office when you begin to move cattle and when a pasture rotation is complete.

2. UTILIZATION STANDARDS

The following utilization standards will be applied on the Berenda Allotment:

- Riparian areas are not to exceed 25% of current year's growth on woody riparian species.
- Upland sites grazed during the growing season are not to exceed 35% of current year's growth, by weight, of perennial grasses.
- Upland sites grazed during the dormant season are not to exceed 40% of current year's growth, by weight, of perennial grasses.

3. KEY AREA MONITORING

At our annual validation meeting, key areas for monitoring were identified as riparian areas and transect cluster locations. In addition to these key areas, Mexican spotted owl protected and restricted habitat will be monitored.

The idea of a key area is to find a site that is representative of a larger area in which cattle obtain the majority of their required forage resources. Key area monitoring will avoid areas directly adjacent to permanent water sources, cattle trails, roads, and fence lines.

Upland areas will be monitored for use on perennial grass species.

Mexican spotted owl protected and restricted habitat will be monitored to ensure that current management is providing for cover for rodent prey species, the residual biomass that will support prescribed natural and ignited fires that would reduce the risk of catastrophic wildfire in the Forest, and regeneration of riparian trees.

District personnel will contact the permittees to coordinate site visits to monitor key areas. Permittee participation is encouraged. Forage utilization estimates will be consistent with the Forest Service Range Analysis Handbook methodology, and may also include FS Regional stubble-height standards, as well as other techniques generally accepted in the field of range management.

4. RANGE IMPROVEMENTS

Range improvements must be maintained to standard, as outlined in Part 3 section VI of your Term Permit, before cattle are allowed into a pasture. It is the permittees responsibility to ensure that range improvements remain functional. This includes boundary fences in pastures not currently being grazed. Routine maintenance of existing improvements does not require written clearance; however, construction/reconstruction of new improvements must be authorized in writing from this office.

You have expressed the need for fencing materials (1.5 miles of T-post and ¾ mile of barb wire) to maintain some of the Berenda Allotment boundary fence as well as a couple of drinking troughs. Please contact Shane Shannon and coordinate with him a time and place to pick up the material.

We are aware of your desire to place a solar pump at the Patton Well. We encourage you to again try and work through the local NRCS office to secure EQIP funding for this project. We also discussed the possibility of the FS providing a solar pump and decided we would explore the idea, assuming you were able to retrieve the broken pipe out of the well. Please let us know if you are able to do this.

5. SPECIAL MANAGEMENT INSTRUCTIONS

The following restrictions will be implemented so that management remains in compliance with the Endangered Species Act. The instructions below relate to threatened, endangered, and proposed to be listed species as well as range/watershed conditions.

- No salt or mineral block may be placed in protected and restricted Mexican spotted owl habitat from February 1 to August 31, and no concentrations of livestock (i.e., corral use, traps, or large gatherings of livestock).

- Stock tanks must be surveyed for possible aquatic habitat before earth-disturbing maintenance is authorized.
- The Chiricahua leopard frog was listed as a threatened species in 2002 by the U.S. Fish and Wildlife Service. We have completed grazing consultation on your allotment regarding the effects of livestock grazing on the Chiricahua leopard frog. We determined that livestock grazing will either have no effect or will not adversely affect the Chiricahua leopard frog. As a result of this determination, there were no changes required of your grazing permit. The U.S. Fish and Wildlife Service concurred with this determination. Therefore, consultation has been completed. A copy of this consultation is on file with your local Ranger District.

6. OTHER INSTRUCTIONS

The permittee must obtain permission from the District Ranger, before conducting earth-disturbing activities on the National Forest. The Forest Service will arrange inspections of project areas and will prepare appropriate environmental and cultural documents before earth-disturbing activities proceed. These activities include road/earthen tank maintenance, as well as construction/reconstruction of trails, roads, earthen tanks, etc. Do not conduct any earth-disturbing activities on the Forest without written clearance from this office.

Salt must be located at least ¼ mile from water, and preferably on ridges and/or areas of low use. Do not place salt blocks in the same location as the previous year, and locate blocks on hard ground not susceptible to erosion. Supplemental feeding, other than mineral or supplement block is not authorized on the National Forest.

On yearlong ranges, calves under six months of age on January 1st are not counted against the authorized numbers until March 31st. By April 1st, these calves must be removed from the Forest or counted against the authorized numbers.

The Annual Operating Instructions are a part of the Term Grazing Permit as provided for in Part II, Section 8(a). These instructions comply with the standards and guidelines found in the forest Plan, including the 1996 Forest Plan Amendment. They also comply with the Endangered Species Act found in the Biological Assessment for the Berenda 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 Andre, Forest Supervisor, Gila National Forest, at 3005 E. Camino Del Bosque, Silver City, NM 88061, within 45 days of the date of this decision. A copy of the notice of appeal must be filed simultaneously with Tammy Randall-Parker, District Ranger, Black Range Ranger District at 1804 Date Street, Truth or Consequences, NM 89701.

We appreciate your cooperation in the management of the Berenda Allotment. If you have any questions regarding these instructions, please contact Ron Mortensen, Rangeland Management Specialist, or myself at (505)894-6677. Thank you.

Sincerely,

TAMMY RANDALL-PARKER

District Ranger