

**Black Range 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 100 head of cattle on the Black Range Allotment for the 2006 grazing season (03/01/06 to 02/28/07). Total cattle numbers for the Black Range Allotment are not to exceed 250 head. The following is the grazing rotation schedule for the Black Range Allotment:

PASTURE	ON	OFF	NUMBER
Pine	03/01/06	03/31/06	250
Mineral (Lower Mineral)	04/01/06	08/31/06	150
Frank's Pasture (Hale Mtn. Portion)	04/01/06	08/31/06	100
Mineral (Upper Mineral) Bear (Yaples)	09/01/06	02/28/07	250

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 Black Range 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 Black Range 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 of perennial grasses.
- Upland sites grazed during the dormant season are not to exceed 40% of current year's growth 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.

During the 2006 grazing year we (FS & permittee) will need to implement the monitoring plan that is apart of the Black Range allotment proposed on-going grazing action that we consulted on during the 2005 grazing year. We need to place and monitor utilization cages throughout the uplands to support the grazing action taking place.

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.

Riparian areas will be monitored for use on riparian woody species as well as riparian herbaceous species.

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 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 functional 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.

Thank you for your efforts in maintaining the Poverty Creek/Black Range allotment boundary fence. You have informed me that you would like to re-construct a 3-mile portion of this fence during the 2006 grazing year, due to its old and poor condition, and that you have discussed working with Mr. Morrow, of the Poverty Creek allotment, to accomplish this task. Let us know in advance when you would like to work on this and we will conduct the necessary surveys and initiate a permit modification and provide some materials if we are able.

Archaeological and biological surveys have been completed for the cleaning out of LookOut stock tank. If you are able to make time to clean out this tank this year, we will need to execute a permit modification before you begin any work.

I have submitted the legal descriptions for the two new stock tank proposals that we looked at last year to the Gila National Forest supervisor's office who in turn have submitted these to the State Engineers office to apply for the water right. We also looked into constructing a rock header and are willing to pursue that with you this year.

We discussed the possibility of continuing the construction of the proposed Black Range/South Fork allotment boundary re-alignment that was begun in 2001. If you would like to continue with this project this year, please let us know in advance and we will assure that the appropriate clearances are still in place and initiate a permit modification as I was unable to locate a permit modification in our files.

We appreciate your hard work in reconstructing 1 mile of fence #2058 and cleaning out and repairing the Bear canyon stock tank during the GY 2005. We will have these improvements inspected and get the associated permit modifications signed and closed out.

## **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.
- At our AOI meeting we discussed the listing of the Chiricahua leopard frog as a threatened species. Because of the listing of the Chiricahua leopard frog as a threatened species by the U.S. Fish and Wildlife Service, an analysis was completed for all Gila allotments. We have determined that livestock grazing on the Black Range Allotment has the potential to adversely affect the Chiricahua leopard frog. As a result of this determination, the U.S. Fish and Wildlife Service will prepare a draft Biological Opinion, which may modify grazing management practiced to minimize the level of affect an action will have on a listed species. However, this determination has not yet resulted in any changes to your grazing permit. As the permittee of the Black Range Allotment, you have applicant status which allows you the opportunity to provide comments to the draft Biological Opinion. This office will keep you informed on the process.

The Endangered Species Act requires that actions funded or carried out by the federal government go through the consultation process to insure these actions do not jeopardize the continued existence of a listed species. Please notify this office of any planned earth disturbing activities involving riparian areas, dirt tanks, or other sources of open water.

## **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.

Please maintain actual use records for your portion (50 head) of the cattle on the Black Range Allotment separate from the other 200 head. Accurate records of your operation will aid in planning and determining the effectiveness of the grazing system. You are required to have all “counter” cattle tagged with Forest Service tags we have provided. Please maintain reasonably accurate records of cattle numbers and class, throughout the grazing season. This includes accurate lists of tagged cattle numbers. Please inform this office of your additional ear-tag needs. It is important that you remove ear-tags from any cattle you sell to re-tag replacements.

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. 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 Black Range 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