Berenda C&H Allotment
2007 ANNUAL OPERATING PROVISIONS

1. **Permitted and Authorized Use**

The 2007 cost per Head Month will be added to your Bill for Collection when received. The Bill will be sent to you. Payment must be received by the due date listed on the Bill for Collection.

Your permit reads as follows:

Permittee	Allotment	Term Permit	Season	AUMs
Clyde Chandler (#61286)	Berenda (#200)	168 c/c	03/1-02/28	2661
61283PVT	Berenda	6 horses	03/1-02/28	86

Upon payment of fees, you are authorized to graze as follows:

Allotment	**Authorized**	**Season**	**AUMS**
Berenda	**168 c/c**	**03/01-02/28**	**2661**
	6 horses	**03/01-02/28**	**86**

Actual on-dates and off-dates are dependant on range readiness and when allowable use standards are met. The Forest Service may approve changes to the grazing rotation in consultation with you, to address range condition and situations that may occur due to forage condition or weather related circumstances.

2. **Grazing Management**

It is strongly suggested that livestock be moved before utilization standards are met. If allowable use levels are met early in the scheduled pasture, cattle will be rotated into the next pasture or off the Forest. This should prevent non-compliance of standards, allowing for time to clean the unit of stragglers.

Monitoring will be conducted to measure utilization of riparian and upland vegetation throughout the grazing year.

The following illustrates last year's rotation:

PASTURE	***ON***	***OFF***	***NUMBER***
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 following illustrates any changes made during the annual Validation Meeting to the 2007 grazing rotation on the allotment.

PASTURE	***ON***	***OFF***	***NUMBER***
Macho	07/1	02/28	Up to 84 head
Mountain	07/1	02/28	Up to 84 head
Tierra Blanca	03/01	06/30	Up to 84 head
Uncle Lewis	03/01	06/30	Up to 84 head

Cattle are to be completely removed from a pasture by the off date. You will be allowed two weeks prior to the off date to begin moving cattle into the next pasture. If two weeks is 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.

Permittees with livestock in rested units, grazing units outside the season of use, and grazing areas not authorized in advance, will be non-compliant with the terms and conditions of their Term Grazing Permit. Appropriate action, including billing at the unauthorized use rate, may be taken.

3. Gila National Forest Management Direction

Your Term Grazing Permit includes the specific maximum allowable utilization levels applicable to your allotment. Allowable use is calculated at a point-in-time. To comply with standards in the Gila National Forest Plan, livestock must be moved to another unit or remove them from National Forest System lands regardless of the time remaining in the grazing season before utilization standards are met.

You are responsible for tracking and complying with your permitted forage use levels. For your convenience, the Berenda C&H Allotment maximum allowable forage utilization levels are listed below:

Berenda C&H Allotment:

The following use standards will be applied on the 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.

4. Range Improvements

Range improvements must be maintained to standard before cattle are allowed into a pasture. It is the permittee's 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.

2006 Improvement Planned:

- 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. Not Completed X

2007 Improvements Planned (Work or Supplies Needed from 2006 and New Projects)
Continue General Maintenance as needed along allotment & interior boundarys. This includes the 1.5 miles planned in 2006.

When improvements have been maintained, please call the Black Range Ranger Station and report that maintenance has been completed. If verification is not received from the permittee, inspections will be made. During that inspection, if we find maintenance has not been completed, and livestock are grazing an area unscheduled for use at the time, they will be considered unauthorized. Permittees may be billed for unauthorized use and/or permit action taken for maintenance.

All water developments must provide access and escape to and from water for all types of wildlife. Please contact the Kameron or Shane for assistance.

5. Monitoring

Key areas for monitoring are 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.

6. Special Management Provisions

The following restrictions will be implemented so that management remains in compliance with the Endangered Species Act. The Provisions 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.**

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.

7. Other Provisions

On yearlong ranges, calves under six months of age on January 1st will be counted against the authorized numbers **on the following April 1**. These calves must be removed from the Forest or counted against the authorized numbers.

The permittee must obtain permission from this office, 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.

Accurate records of your operation will aid in planning and determining the effectiveness of the grazing system. Please maintain reasonably accurate records of cattle numbers throughout the grazing season.

The Annual Operating Provisions are a part of the Term Grazing Permit as provided for in Part 1, Section 3. These Provisions 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 Provisions.

These Provisions are 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 Larry Cosper District Ranger, Black Range Ranger District at 1804 Date Street, Truth or Consequences, NM 89701.

Your compliance with these Provisions is essential for the proper management of National Forest System lands. Failure to comply with the terms and conditions of your permit and these Provisions may result in issuance of a notice of noncompliance with the terms of your grazing permit. If needed during the grazing season, changes can be made in these Provisions, provided the changes are first approved and documented by the District Ranger or other authorized Forest Service officer.

We look forward to working with you and solicit your cooperation and involvement in bringing about sound range and livestock management practices that will enhance all of the allotment's resources. If you have any ideas or suggestions that will improve the management of this allotment, we would like to hear from you.

This 2007 Annual Operating Provisions for the Berenda C&H Allotment was discussed with the Permittee on _01/11/07___. Understand that these operating Provisions are issued by the Forest Officer in charge of the area under permit as provided in Clause 8a of your term grazing permit. As such, they require the same degree of compliance as the regular terms of your permit.

Approved By: ___*/s/ Larry D. Cosper, District Ranger* ____ _____02/08/2007_____
Forest Officer in Charge Date

Reviewed By:_____ _____
Permittee Date

Berenda C&H
2007 ACTUAL USE RECORD

Planned use from the AOI:

Allotment	**Units**	**Numbers**	**Season**
Berenda		**c/c**	

Please fill in your actual use by the unit grazed and the number of livestock and dates grazed in each unit. Bulls count as part of your permitted numbers.

Unit	Number of Livestock	Date entered Unit	Date left Unit

LOSSES: Indicate number and class of animals lost by cause.

Unit	Class of Lvstk	Predators	Poison	Other

Days spent maintaining allotment improvements:_____Approximate cost of materials: $_____
Approximate cost to manage livestock on National Forest, including riding, salting etc.:$_____
COMMENTS:

_____

_____

Signature:_____Date:_____