ANNUAL OPERATING INSTRUCTIONS
2016

W Bar None Cattle Company LLC

Humboldt-Toiyabe National Forest
Ely Ranger District

Tom Plain C&H

Recommended by:____/s/ Amery Sifre_____Date: 4/14/2016
Rangeland Management Specialist

Accepted by:_____/s/ Aaron Kesler_____Date: 5/10/2016
Permittee

Approved by:_____/s/ Jose Noriega_____Date: 4/14/2016
District Ranger

Upon signature by the District Ranger, these Annual Operating Instructions are hereby made a part of your Term Grazing Permit number 90027 approved by the Jose Noriega, Ely District Ranger, on May 15, 2015.

As permittee, my signature on these Annual Operating Instructions certifies that there is *no change to my permitted livestock or base property ownership as described in my grazing permit.*

Any changes or deviation from the direction outlined in the Annual Operating Instructions will need to be requested in a written notice to the Ely Ranger District. This includes changes in animal numbers, class of livestock, period of use (changes in entry or exit dates form unit to unit), or changes pasture rotation. No changes in these instructions will be recognized without written confirmation from the Ely Ranger District.

INTRODUCTION

W Bar None Cattle Company LLC

Permitted # of Livestock:

Allotment	Number	Kind/Class	Season	Head Months
Tom Plain C&H	500	Cow/Calf	6/11 – 10/10	2005

Authorized # / Rotation of Livestock:

Allotment	Number	Kind/Class	Season	Head Months
Tom Plain C&H				
<<<<<<<<<<**ENTER**>>>>>>>>>>				
Hayden Canyon	500	Cow/Calf	6/11 – 6/16	99
HERD 1				
Ephsum	150	Cow/Calf	6/17 – 7/15	143
Six Mile	150	Cow/Calf	7/16 – 8/15	153
Indian Garden	150	Cow/Calf	8/16 – 9/10	128
Tom Plain	150	Cow/Calf	9/11 – 10/1	104
Ellison Pasture	150	Cow/Calf	10/2 -10/10	44
HERD 2				
Circle Wash	350	Cow/Calf	6/17 – 7/15	334
Stone Cabin	350	Cow/Calf	7/16 – 8/10	299
Sagehen	350	Cow/Calf	8/11 – 9/1	253
Tom Plain	350	Cow/Calf	9/2 – 9/15	161
Little Tom Plain	350	Cow/Calf	9/16 – 10/5	230
Ellison Pasture	350	Cow/Calf	10/6 – 10/10	58
<<<<<<<<<<<**EXIT**>>>>>>>>>>				
Jakes Wash Unit	*Grazing Management Administered by Ely BLM through Memorandum of Understanding signed in 2005*			

Rotation Schedule

- ✓ Dates for rotation are considered approximate; actual dates will be determined by utilization levels. **When utilization levels are reached for a particular area or the allotment as a whole, the cattle will be moved to the next area or off the forest**. All livestock must be removed from National Forest system lands within 72 hours of notification and controlled to prevent re-entry
- ✓ Cattle will be trailed through Ellison Canyon but are only allowed a **maximum of two days per herd/ group to trail through.** Due to the sensitivity of the resources in Ellison Canyon **utilization levels of no more than 30% for riparian and all uplands. This will be rigorously enforced.**
- ✓ **Allotment entry/exit dates are FIRM.** Cattle will be managed to achieve even use across the allotment.

Nonuse

- ✓ Personal Convenience Nonuse must be requested in-writing 30 days prior to permitted on-date. This will provide the Forest Officer sufficient time to review the request and approve/ disapprove the application or consent to an alternative resolution. This type of nonuse is only allowed for up to three consecutive years and no more than four years in any 10 year period. Approval of nonuse is not automatic.
- ✓ Nonuse for Resource Protection or Development may be implemented by the authorized Forest Officer if necessary to facilitate the protection or development of National Forest System Lands and Resources.
- ✓ Nonuse applies only to livestock numbers, not to season of use. In the absence of approved nonuse, the permittee must place 90% or more of the permitted livestock numbers on the allotment.
- ✓ A permit cannot be waived based on sale of permitted livestock if that permit is in personal convenience nonuse status.
- ✓ Nonuse does not relieve the permittee from range improvements maintenance responsibility. Improvements used in common will be maintained before either operator turns on.

Authorized Nonuse:

- **None**

Livestock Brands & other Identifiers:
Only livestock marked, tagged, or branded as shown in the application upon which this permit is based, and as may be required under Section 8(f), will be allowed to graze under this permit unless the permittee has advance written approval from the Forest officer in charge to do otherwise.

S Five – RH -Cattle; RT –Horse/ Right Neck Wattle
Double Bar- LH/LS –Cattle

COMPLIANCE

AOI is Part of Grazing Permit
Review all Clauses of your Term Grazing Permit **#90027**, the Allotment Management Plan (AMP), and the following Annual Operating Instructions (AOI), prior to grazing livestock during 2016. Listed below are the topics we discussed and agreed to during your Annual Operating Meeting. Be sure to ask questions if any portion of any of these documents is unclear. Upon signature, these Annual Operating Instructions supplement and become part of your Term Grazing Permit, as provided for in Part 2, Clause 8(a).

Your compliance with this instruction is essential for the proper management of National Forest System lands. Failure to comply with the terms and conditions of your permit and this instruction will result in permit action which can include suspension or cancellation of part or all of your Term Grazing Permit.

Modifying AOI
Situations may develop during the grazing season which requires changes to these instructions. If this becomes necessary, or if you cannot comply with some parts of these instructions, contact the District Ranger and obtain approval before initiating changes or deviating from these instructions.

Notice of Non-Compliance Actions
Noncompliance is any violation of the terms and conditions identified in the Term Grazing Permit as well as the current seasons AOI. Infrequent, minor, or first time offenses may be easily remedied by a telephone call to or personal contact with the permittee, preceded by a follow-up discussion. Administrative action such as partial or total suspension or cancellation of grazing privileges can occur when noncompliance is habitual or where immediate action is necessary to protect public health, interest, or safety. A Notice of Noncompliance (NONC) will be sent to the permittee identifying specific permit violations, corrective actions that must be taken by the permittee to demonstrate or achieve compliance, a timeframe to complete corrective actions, and possible administrative actions that may be taken if violations are not remedied.

Livestock Requirements

- ✓ ***Ear Tags:***
  - The Forest officer may, at any time, place or fasten or require the permittee to place or fasten upon livestock covered by this permit appropriate marks or tags that will identify them as livestock permitted to graze on lands administered by the Forest Service. When requested by the Forest officer, the permittee will, at any time during the permitted period of use, including entry and removal dates, gather permitted livestock to enable an accurate count to be made thereof. The Forest Service may, at its option, gather and hold for counting all livestock grazing on the allotment.
  - It is the permittees' responsibility to notify the Forest Officer a minimum of five days before turnout of when and where livestock will be turned out so a count can be made if desired.
- ✓ ***Certified Weed Free Hay:***
  - By USDA order 04-00-097, all non-palletized hay, straw or mulch possessed, stored, or transported on National Forest System Lands, in individual bales or containers, must be tagged or marked as noxious weed free, or must have the original and current evidence of noxious weed free certification documentation present. All markings must meet the State and/or county standards for certification as noxious weed free.
  - If the animals are being fed hay prior to coming on to the National Forest, please see to it that they are fed weed free hay for several days to allow the majority of seeds to pass before turn on. It is your responsibility to ensure that your livestock do not contribute to the transport of noxious weeds onto the allotment.

- Any hay, straw or other feeds used on the allotment either shall be certified as being free of noxious weeds, or shall consist of heat treated pelletized feed.

✓ ***Crossing Permits:***
- Any livestock movement across National Forest System lands other than within the permitted allotment and the permitted season must be done under a crossing permit. This permit can be obtained through the Forest Officer.

BILLING/CREDIT

✓ Year 2016 grazing fees are set at **$2.11** per head month for cattle.
✓ All bills need to be processed through our payment center and confirmed through "lock box" before livestock can enter onto National Forest Service Lands.
✓ Livestock remaining on the National Forest after the authorized grazing season must be billed for at the unauthorized use rate, and may be cause for administrative action against the grazing permit.
✓ If you are required to delay turnout or leave the allotment early, you may request for a credit against the next years' bill for collection for the unused head months. Actual use records document dates livestock spend within particular pastures or allotments, as well as other useful information such as loss, resource concerns, improvement needs, etc. In order to be eligible for credit, all credit applications and actual use records need to be received by December 31 of the current grazing season.
✓ Extensions of the authorized and paid for grazing season, if desired, must be requested at least 21 days in advance of the off date to allow time for inspection and billing and subsequent payment of additional grazing fees.

LIVESTOCK MANAGEMENT

Entering Allotment

✓ On-date for livestock entry onto the allotment for this grazing season is tentatively scheduled for **June 11**.
✓ You will need to contact the Forest Officer at least five days prior to this turn on date to confirm that the rangeland is ready and that required maintenance is complete. The actual on date will be based on a general range readiness check and as time permits, spot-checks of maintenance. *(Refer to: Indicators for Rangeland Readiness)*
✓ ***Turn-Out Locations:*** After a sufficient time for mothering up, livestock are to be distributed throughout the pasture on the same day as they are turned out. In no case is it acceptable to leave the livestock to distribute themselves. Livestock are not to be turned out onto areas of resource concern such as riparian areas, areas near concentrated public use, trailheads, and so forth. Coordinate with the Forest Officer to ensure that we are not creating problems for ourselves.

Pasture Movements and Exiting Allotment

✓ **The Forest Service recognizes that moves from one pasture to another cannot usually be accomplished in one day. It is your responsibility to begin early movements of livestock to ensure that pastures are clean by the dates specified.** Early movement shall not exceed five days unless approved in advance by the Forest Officer.
✓ Depending on the pasture, the permittee should spend as much time as needed in moving livestock away from areas of concern (meadows, riparian areas, key areas, and so forth) and into areas of normally light use. This is entirely to the benefit of the permittee as it allows the livestock to make use of forage that otherwise will not be grazed before allowable use standards are met in the key areas and the livestock are required to be removed from the pasture.
✓ Permittees are encouraged to employ gentle herding techniques based on slow movement, herding in the afternoon and early evening rather than morning, bedding livestock in the desired area overnight, letting the livestock respond to your movements, rather than pushing them hard, and so forth. This has proven to result in better overall distribution with less stress on the livestock
✓ **The off date for a pasture is the date when the livestock are to be fully out of the unit, or in the case of the last pasture, fully off the National Forest System lands. It is your responsibility to ensure compliance with this requirement. Failure to completely remove livestock from a pasture by the off date may result in action being taken against the grazing permit(s).**

Rest Units:

Closed Areas:

Special Provisions:

- *Trailing/Crossing Other Allotments*-
- *Hauling water*- (When & Where)
  - During the 2016 grazing season, the permittee will be authorized to haul water into the following pastures for the indicated duration: Circle Wash (2), Hayden Canyon (2), Upper Sagehen and Indian Garden.
- *Holding or Gathering Areas*- (Shipping Sites)
- *Riparian Areas*-
  - Discourage concentration of cattle within sensitive riparian areas.
  - Efforts need to be made to keep livestock within authorized allotments.
- *Special Instructions*- (Ear Tags)

Summary of Past years Monitoring and Inspections:

- Refer to 2015 Inspection Report

Adaptive Management Actions: (Based on past year(s) monitoring and inspections)

- Review the utilization standards table outlined in your term grazing permit prior to turning out. Once these use levels have been met, you will be required to move your livestock to another unit or remove them from National Forest System lands, regardless of the time remaining in the grazing season or how many head months you have paid for. You are responsible for tracking and complying with your permitted forage use levels. Based on winter and summer moisture you may need to monitor allowable use at more frequent intervals.
- Livestock are only authorized to graze on National Forest Service within authorized dates identified through the Term Grazing Permit and authorized through the Annual Operating Instructions. Dates for rotation are considered approximate; actual dates will be determined by utilization levels.
  - The maintenance of adjacent private fence lines is important to the management of livestock on Forest Service Administered Lands. To prevent drift into private pastures the reconstruction of Willow Grove Fence is strongly encouraged.
- All livestock registered to you must be removed from National Forest System lands by authorized exit date or earlier if requested by the Forest Service Officer. All livestock must be removed from National Forest system lands within 72 hours of notification and controlled to prevent re-entry.

STANDARDS AND GUIDELINES

Proper Use Standards

Allowable use is the degree of grazing specified for a particular area and/or plant(s).

Utilization Standards

Utilization is based on current year's growth for browse and shrubs. The utilization percentages represent the maximum that will be allowed based on current livestock management practices and is measured as point in time.

ALLOTMENT: Tom Plain C&H

END OF SEASON STANDARDS									
HABITAT GROUP	All Meadows		Aspen/ Cottonwood		Stream/ Riparian			Uplands	
ECOLOGICAL CONDITION	Functioning-at-Risk		Functioning-at-Risk		Functioning-at-Risk			Functioning-at-Risk	
HABITAT	Woody	Herbaceous	Saplings	Herbaceous	Woody	Herbaceous	Streambank Alteration[3]	Woody	Herbaceous
ALLOWABLE UTILIZATION	25%	35%	25%	35%	25%	35%	20%	25%	40%

WITHIN SEASON TRIGGER				
Habitat		**Grazing System**	**Riparian Value Area[2]**	**Allowable Utilization** F/FR/NF[1]
Herbaceous Vegetation	Moist-Dry Meadow Wet Meadow Stream/ Riparian	Season Long	Class I-II	35
			Class III-IV	50
			Class V	55
		Deferred Rotation	Class I-II	45
			Class III-IV	55
			Class V	65
		Rest Rotation	Class I-II	45
			Class III-IV	60
			Class V	65
		High Intensity/ Short Duration	Class I-II	55
			Class III-IV	65
			Class V	70
	Aspen/ Cottonwood	Season Long		55
		Deferred Rotation		60
		Rest Rotation		65
	Non-Riparian	Season Long		55
		Deferred Rotation		60
		Rest Rotation		65
Woody Vegetation	Non-Riparian			50
	Aspen (available saplings)			35
	Meadows (dry, moist, wet)			35
	Stream/Riparian (cottonwood, available saplings)			35
	Stream/Riparian (non-cottonwood)			35
Streambank Alteration[3]	Stream[4]			20/20/10

1 Functioning/Functioning-at-Risk/Non-Functioning ecological condition
2 Riparian value areas as defined in Forest Plan Amendment 2
3 As measured by Multiple Indicator Monitoring (MIM) protocol (USDI BLM 2011)
4 Only applicable to portions of streams categorized as an "E", "F", or "G" channel type or a "C" channel type in a valley bottoms (Rosgen 1996)

IMPROVEMENTS

Current Structural and Non-Structural Improvements

- ✓ **You are responsible for maintenance of all rangeland improvements assigned to you in your grazing permit, whether grazing occurs or not.**
- ✓ All assigned improvements are to be maintained to a level that fully serves the intended purpose and perpetuates the effective life of each improvement.
- ✓ Improvement maintenance and responsibility is adequately described on part 3 of the grazing permit and clearly displays the requirements for completing maintenance prior to turn out of livestock into the area/unit/allotment.
    - *Exterior Fences*- must be maintained to standard prior to the earlier turn on date or either yourself or your neighbor on the adjacent allotment. It is your responsibility to coordinate with your neighbor to ensure that the maintenance occurs on time. All interior fences must be maintained to standard prior to turning livestock against them.
    - *Water Developments*- must be maintained to standard prior to livestock entering the pasture containing the development.
- ✓ Maintenance must occur throughout the season and cannot be a one-time action. Damage resulting from big game, wind or other acts of nature, or human caused actions, must be repaired in a timely manner to ensure the integrity of the structure. If serious or repeated problems occur, contact the Forest Officer and work to determine long-term solutions
- ✓ The Forest Service will spot check maintenance as time permits; or if we are made aware of a problem, additional checks will be conducted

- ✓ Failure to properly complete the assigned maintenance to standard and in a timely manner will be cause for denial of permission either to place livestock on the allotment, or to move to another pasture, and/or may result in action being taken against the grazing permit. *(Refer to: Structural Improvement Maintenance Standards)*

Proposed Construction/ Reconstruction of Structural and Non-Structural Improvements

- ✓ Structures that are deteriorating to the point where maintenance is no longer able to adequately repair them, the permittee will work with the Forest Officer to schedule replacement. In general, this work will be completed on an approximately 50:50 cost share basis between the permittee and the Forest Service.
- ✓ Please be aware that it is necessary to plan projects with at least one-year lead-time to allow for the required documentation and clearances.
- ✓ Project work will be performed only under an approved Permit Modification for Cooperative Range Improvement. This agreement will contain and specify the project standards and timeframes.

Projects remaining from prior years:

- Currant – Ellison Watershed Restoration Project

Projects to be initiated this grazing season:

- None

Special Project Requests (special maintenance needs, evaluation of potential new improvements, coordination with others to resolve conflicts, etc.)

- Willow Grove Fence
- Red Rock and Indian Garden Boundary Fences

RIDER/ PERMITTEE INSTRUCTIONS

- ✓ **Salt and Supplement Placement**
  - Salt or supplement can be used to improve distribution of livestock into areas of light use and to lessen grazing impacts to key areas.
  - All salt or supplement will be placed away from key areas and available water, in areas where livestock is usually light.
  - It should be moved progressively to allow animals to find it and to become used to grazing in the vicinity. Animals may also need to be herded to the salt and bedded in the general vicinity.
  - In no case will salt or supplement be placed closer than ¼ mile to streams, springs, water developments, or other wetlands without prior approval of the Forest Officer.
  - Salt or supplement will not be placed within tree regeneration areas where the smallest trees are less than three feet tall.
  - Salt or supplement will not be placed near trailheads, on open roads, in areas of concentrated public use, or in other areas where such placement is liable to result in conflicts with other Forest or Grassland users.
  - Unless otherwise agreed to by the Forest Officer, salt or supplement shall be removed from a pasture when the livestock are removed.
- ✓ **Noxious Weeds/Invasive Species**
  - Any equipment used in the transport of livestock, including horse trailers and stock trucks, should be washed before coming onto the allotment, if they have been used in areas where noxious weeds are present.
  - Any seed used on the allotment must be tested by a certified laboratory to AOSA standards and certified to meet State standards based on the All States Noxious Weed list.
  - Your assistance in locating noxious weed sites and reporting them to your Forest Officer is greatly appreciated. If you are able and willing to assist in treating noxious weeds, please work with your Forest Officer to determine how best to help.
- ✓ **Animal Damage Management**
  - Animal damage management activities must be conducted in accordance with both Federal regulations and State law. Requests for assistance will be done through APHIS and must comply with the Forest Plan. For further information, contact the Forest Officer.
- ✓ **Disposal of Dead Livestock**
  - Any dead livestock shall be moved to a location greater than 300 feet from water, out of view of roads or trails, and away from any areas of significant public use.

Travel Management/ Access

- ✓ The Forest Service is continuing Travel Management Planning. The Forest Service will provide project update as they become available.
- ✓ Some travel-ways are closed to vehicular use or have restricted seasons. Permittees are required to abide by all Forest roads and trail restrictions and closures. Written approval is required prior to driving off road in certain areas. Consult with your Forest Officer to make sure that you understand the current rules and permit requirements.

Wilderness/ Access

- ✓ Livestock management in wilderness requires special consideration of the wilderness values. **All management practices will be arranged to minimize impacts on the natural environment and to avoid conflict with other users of the area.**
- ✓ Even though motorized vehicle use within wilderness may be authorized for permittees under special circumstances, Leave-No-Trace principles are highly recommended. If there is a need for such permission, please contact your Forest Officer.

Special Provisions:

- Several water developments and water systems have been identified within the wilderness. These water developments and water systems are currently being maintained by ATV or pickup. In the need for reconstruction ATV, tractor, or pickup use may be authorized to transport materials and aid construction. Heavy duty maintenance is estimated to take place once every 10 to 20 years. **Motorized use is planned and authorized for the current grazing season.**
- Several fences have been identified within the wilderness. These fences are currently being maintained once a season by ATV or pickup. In the need for reconstruction ATV, tractor, or pickup truck use may be authorized to transport materials and aid construction. Reconstruction is estimated to take place once every 10 to 20 years. **Motorized and/ mechanical use is planned and authorized for the current grazing season.**
- Occasional chainsaw use has been recorded on the Documentation of Motorized and Mechanical Use in Designated Wilderness Areas. **Discretionary use will be authorized to remove down logs restricting access on frequently used trails.** Authorization by Forest Officer will need to be requested in advance for areas that require removal of larger quantities. Authorization by Forest Officer will need to be requested in advance for areas that require removal of larger quantities.

REQUIRED REPORTING

Year-end or Periodic Reports

- ✓ The Grazing Actual Use Record, Improvement Maintenance Record, and Documentation of Motorized and Mechanical Use in Designated Wilderness Areas need to be returned to the district office within 30 day following the scheduled off-date or by December 31 of the current grazing season. *(Refer to: Forms for use by Permittee)*
- ✓ The permittee is responsible for monitoring and tracking livestock numbers; pasture entry and exit dates; allotment entry and exit dates, maintenance activities for assigned improvements. It is recommended to make note of information such as salting areas, grazing loss, grazing use, resource concerns and improvement needs to provide to the Forest Officer.
- ✓ Permittees shall notify the Forest Service immediately by telephone, and with written confirmation, the discovery of human remains funerary objects, sacred objects or objects of cultural patrimony pursuant to regulation Section 10.4(b), of the Native American Graves Protection and Repatriation Act.

INSPECTIONS & MONITORING

Monitoring

Monitoring has two key aspects. The first, Implementation Monitoring, is designed to show that we are doing what we said that we would do. In other words, that we are using pastures as planned, meeting the allowable use standards, maintaining improvements as specified, and so forth. Much of this monitoring is the permittee responsibility to a large degree. The second, Effectiveness Monitoring, is designed to tell us whether what we are doing is working as planned and to what degree.

- ✓ **Implementation Monitoring**
  - Your term grazing permit includes the specific maximum allowable utilization levels appropriate to your allotment. Allowable use is calculated at a point-in-time. Once these use levels have been

reached you will be required to move your livestock to another unit or remove them from National Forest System lands regardless of the time remaining in the grazing season or how many Head Months you have paid for. You are responsible for tracking and complying with your permitted forage use levels.

- In addition, please measure your average forage height upon entering a pasture, and again when you leave a pasture. Conducting allowable use monitoring on the key areas of your pastures will aid you in tracking when livestock need to be moved to ensure that the standards are met. The Forest Officer will work with you to ensure that you understand the methods used and that you know the key areas and key species on your allotment. The Forest Officer will also provide forms for recording the monitoring data. You are requested to send copies of the monitoring information to the Forest Officer on a regular basis, but no later than one month after the end of the authorized grazing season.
- The Forest Officer will conduct inspections of the allotment as time permits. When feasible, you will be contacted ahead of time and invited to participate. However, informal inspections may occur at any time as the opportunity presents. Significant findings from these inspections will be made available to the permittee in a timely manner by personal contact, letter, or both. If an action is required, the Forest Officer will notify you regarding what specifically needs attention (e.g. is out of compliance), by when, and to what standard.

✓ **Effectiveness Monitoring**

- The Forest Service will conduct most of the Effectiveness Monitoring on the allotment. You are encouraged to participate and can receive the results of any monitoring simply by asking. We will also demonstrate techniques if you are interested.
- You are encouraged to conduct camera point monitoring and to share the information with your Forest Officer. Camera points are easy to set up and are excellent at showing longer-term trends in plant health. Your Forest Officer can work with you to show what camera points we currently are monitoring, to suggest areas where camera points are needed, and to help you to learn our camera point monitoring system.

COORDINATION & COOPERATION

Notification of Problems/Coordination

In order to prevent small problems from becoming big problems, please work closely with your rangeland management specialists. Contact information for you rangeland management specialists are listed below:

Amery Sifre, *Supervisory Range Mgt. Specialist* Desk Phone: (775) 289-5116; Cell Phone: (775) 289-0177

Mailing address: USDA Forest Service, Ely Ranger District, 825 Ave. E, Ely, NV 89301

Coordination with Other Groups and Agencies: (State Agencies, BLM, Noxious Weeds, Communicable Diseases testing, and Wolf/Predator Depredation Prevention)

ATTACHMENTS

1. Range Readiness Indicators
2. Structural Improvement Maintenance Standards
3. Forms for use by Permittee