



File Code: 2210; 2230
Date: February 28, 2020

Frank McNelly
McNelly Ranches, L.L.C.
721 West Sherman Avenue
Williams, AZ 86046

Dear Mr. McNelly;

This document serves as your 2019/2020 Annual Operating Instructions (AOI) for the Ebert Allotment (Term Grazing Permit #07895). This AOI is part of your Term Grazing Permit as provided for in Part 2, section 8(a).

I. AUTHORIZED LIVESTOCK NUMBERS/PERIOD OF USE

Due to the current conditions, you have requested total non-use of Ebert allotment for the 2019/2020 grazing season. This request falls under the classification of personal convenience and has been approved.

Any change in the 2019/2020 authorized livestock numbers will require that you file an additional Authorized Use Request. Be advised that the Forest Service will need a minimum of 45 days to assess resource conditions and process a supplemental grazing bill for additional livestock. Please contact your Rangeland Management Specialist Cherie Owens prior to making any decisions regarding an increase in livestock numbers.

II. RANGE IMPROVEMENTS

Even though total non-use has been approved for the 2019/2020 grazing season, you are still responsible for the maintenance of existing structural range improvements located on the Ebert allotment as specified in Parts 2 and 3 of your Term Grazing Permit.

Existing Structural Range Improvements

Structural range improvements assigned to you for maintenance are listed in your Term Grazing Permit and are also identified on the allotment map. These improvements are to be fully maintained annually to comply with permit requirements (Part 2, Section 8i). Any maintenance you perform must conform to the standards specified by your District Rangeland Management Specialist. The grazing permittee is responsible for all maintenance materials, supplies and equipment necessary to properly maintain all range structural improvements. The Forest will replace range structural improvement materials and/or supplies at the end of the improvement's life; when maintenance and repair is no longer feasible to keep the improvement properly maintained and functioning. **Please note that you must notify the District Rangeland Management Specialist at least 60 days prior to the beginning of any maintenance work that requires the use of heavy equipment.**



III. FIRE

Please use caution during all ranch activities that could potentially start a fire. All ranch vehicles must be equipped with an axe, shovel, and water bucket or fire extinguisher. All open camp and branding fires require a ten-foot fire ring cleared down to mineral soil.

During periods of critical fire danger, the Forest Supervisor may declare a Red Flag Alert or issue other special orders. Under these conditions, the building or use of fires, the use of power saws, heave equipment, ATVs and other motorized equipment may be prohibited on Forest Service land. All Federal, State and Local fire restrictions and regulations must be observed.

Report all fires to the Williams Ranger District Office at (928) 635-5600 or to the Kaibab National Forest Supervisors Office at (928) 635-8200.

Cooperation in the reporting, prevention, and suppression of fires will be expected as specified in Part 2, section 10 of your Term Grazing Permit

IV. MOTOR VEHICLE USE/RESTRICTIONS

On July 9, 2010, the Kaibab National Forest began implementation of the Travel Management Rule. The Travel Management Rule requires the designation of roads, trails, and areas open to motor vehicle use and these routes are identified on the Motor Vehicle Use Map.

Implementation of the Travel Management Rule requires active management of all motorized use, including use related to permitted grazing activities. Motorized travel off the designated road system, including off-road access, by grazing permit holders will be based on the need to carry out required management practices necessary to comply with the terms and conditions of the Term Grazing Permit. Examples of required management practices include but are not limited to: the repair and maintenance of structural range improvements; transport and placement of mineral and protein supplement; herding of livestock; and tending to sick or injured animals. Legitimate motorized use off the designated road system, including off-road access, for conducting activities required under the Term Grazing Permit will be authorized as follows:

1. **For motorized use with ATVs, UTVs, motorcycles, and full-size pickup or smaller vehicles (curb weight less than 8,000 pounds):** Grazing permittee must obtain a grazing allotment specific Restricted Road, trail and Off-Road Administrative Use Permit. Motorized vehicles use off the designated road system will be limited to only that use which is necessary for compliance with the terms and conditions of the Term Grazing Permit.
2. **For motorized use with larger vehicles (curb weight greater than 8,000 pounds or larger than a full-size pickup) or any heavy equipment:** Grazing permittee must obtain a site-specific Restricted Road, Trail and Off-Road Administrative Use Permit. Motorized vehicle use off the designated road system will be limited to only that use which is necessary for compliance with the terms and conditions of the Term Grazing Permit.

3. **To request site specific Restricted Road, Trail, and Off-Road Administrative Use Permit**, the grazing permittee must provide their Rangeland Management Specialist with the project details a minimum of 30 days prior to the proposed starting date for the permit.
4. A copy of the approved Restricted Road, Trail, and Off-Road Administrative Use Permit must be with the vehicle operator while operating the vehicle off the designated road system.
5. A Permit Placard must be attached to all permitted vehicles while operating off the designated road system.
6. Off-Highway vehicles (ATVs, UTVs, and motorcycles) used for conducting activities required under the Term Grazing Permit must be licensed and permitted in accordance with Arizona State Law.
7. The Motor Vehicle Use Map for the Kaibab National Forest identifies certain roads as “Roads Open to Highway Legal Vehicles Only”. These roads are open only to motor vehicles licensed under State law for general operation on all public roads within the state. Grazing permittee operating motor vehicles on these roads must comply with the legal requirements. Operating a motor vehicle off the designated road system to avoid the legal requirements of “Roads Open to Highway Legal Vehicles Only” is not permitted.
8. Grazing permittees will utilize motorized vehicles off the designated road system in a manner that will not result in damage to soil, watershed, vegetation, wildlife, heritage, or other forest resources.
9. Failure to comply with the conditions of the Restricted Road, Trail and Off-Road Administrative Use Permit may result in the immediate cancellation of the Restricted Road, Trail and Off-Road Administrative Use Permit and may result in the issuance of a Notice of Non-Compliance for violation of the terms and conditions of your Term Grazing Permit.
10. Grazing permittees that do not obtain a Restricted Road, Trail and Off-Road Administrative Use Permit are required to operate motorized vehicles only on the designated road system. Operation of a motorized vehicle off the designated road system without a valid Restricted Road, Trail and Off-Road Administrative Use Permit will result in the immediate issuance of a Notice of Non-Compliance for violating the terms and conditions of your Term Grazing Permit (Part 2, Section 8a). A Notice of Non-Compliance may result in Term Grazing Permit suspension or cancellation proceedings.

V. PERMITTEE REVIEW

On February 19, 2020, Cherie Owens met with Mr. Frank McNelly (authorized representative for the permittee) to discuss the 2020 Authorized Use Request and Annual Operating Instructions for the Ebert allotment. Mr. Browning has reviewed and agreed with these instructions.

If you have any questions or wish to discuss anything further, please feel free to contact Cherie Owens at (928)-635-5621.

Sincerely,

/s/ Debra Mollet
DEBRA MOLLET
District Ranger