

Annual Operating Instructions 2014

These Annual Operating Instructions (AOI) are made part of your term grazing permit consistent with Part 1, item 3 and Part 2, Item 8(a) of your Term Grazing Permit for the Elk Ridge Complex of grazing allotments and are an extension of your term grazing permit.

I. Authorized Use for 2014

NUMBER	KIND	CLASS	ON DATE	OFF DATE	ALLOTMENT
1300 5	Sheep Horses	Ewe/lamb	07/06/14	09/30/14	Elk Ridge
1300 5	Sheep Horses	Ewe/lamb	07/06/14	09/30/14	Rock Creek
1150	Sheep	Ewe/lamb	Non-Use	Non-Use	Tosi
Rested	N/A	N/A	Rested	Rested	Lime Creek

II. Terms and Conditions

Allowable Use- Please refer to Part 3 Item 12(c) of your term grazing permit for maximum allowable use levels. We must require that livestock be removed from the National Forest when allowable use levels on key areas are reached.

Salting- Place salt in areas where past and or present forage use is light. No salting is permitted within 1/4 mile of water, riparian areas, roads, Forest System trails, developed recreation areas, dispersed camping and picnicking sites, or on steep slopes, unsuitable range, wet meadows or areas susceptible to heavy trampling; except as agreed to by the Forest Service.

Bedding and associated electric fence use- Sheep will not be bedded consecutively in the same area; nor will they be bedded within 300 yards of any running stream, spring or lake, and no closer than 100 yards from open roads or trails. Therefore, temporary electric fences that are to be used for protecting bedding sheep may not be set up within 300 yards of any running stream, spring, or lake, and no closer than 100 yards from open roads or trails. Additionally, electric night pens will meet the following requirements:

- When penning bands of 1300 sheep, pens will be constructed with a minimum of 12 panels, each panel will measure a minimum of 164 feet in length.
- When penning bands of 1000 or fewer sheep, pens will be constructed with a minimum of 10 panels, each panel will measure a minimum of 164 feet in length.
- Each pen will be well grounded to support a minimum of 5000 volts and .2 Joules.

Clean Up and Sanitation- All campsites used in conjunction with livestock operations will be maintained to present a clean, neat and orderly appearance. Flammable refuse will be completely burned. All unburnable materials will be removed to a disposal site. Trash Burying is prohibited. Temporary holding pens, corrals, or mangers used for riding stock will be removed or cleaned up when the camp is moved or relocated. Facilities authorized on a permanent basis must be kept clean at all times and cleaned up after its use period. All camps must have a serviceable axe and shovel for fire control.

Herding requirements- A minimum of two herders per band is required at all times. Should a

herder have to leave the allotment, another must be immediately provided in his/her place.

Section II. of the Allotment Management Plan for the Elk Ridge Complex titled "Action Section" analyzes and displays the permitted season of use for three of the four allotments as 7/6-9/30. This means that all of your operation including livestock, pens, shipping trucks, and any other miscellaneous items must be removed from National Forest System Lands before October 1 annually.

Wilderness- Please refer to Part 3, Item 11 of your Term Grazing Permit for additional requirements for grazing in the Gros Ventre Wilderness. The Gros Ventre Wilderness is a congressionally designated Wilderness Area and all Wilderness restrictions apply.

III. Special Orders.

- A. The following Food Storage and Sanitation order has been added to your Term Grazing Permit and is referenced here per our settlement agreement. As such, your operation is required to fully comply with the following order;**

Order Number 04-00-104 **United States Department of Agriculture**
Forest Service

Rocky Mountain Region—Shoshone National Forest
Intermountain Region—Bridger-Teton National Forest

OCCUPANCY AND USE RESTRICTIONS

For the purpose of minimizing adverse interactions between bears and humans and pursuant to Title 36 Code of Federal Regulations (CFR), 261.50 (a) and (b), the following uses are restricted in those areas of the Shoshone National Forest and the Bridger-Teton National Forest as shown on the attached map (Exhibit B) and hereby made part of this Order. Also attached, and hereby made part of this Order, are Definitions (Exhibit A) of terms used in support of the restrictions. This Order is effective March 1 through December 1, annually, until rescinded.

1. Possessing or storing any food or refuse, as specified in the Order (36 CFR 261.58 (cc)).
2. Possessing, storing, or transporting any bird, fish, or other animal, or parts thereof, as specified in the Order (36 CFR 261.58 (s)).
3. Camping as specified in the Order (36 CFR 261.58 (e)).

UNDER THIS ORDER IT IS REQUIRED THAT

1. All food and refuse must be acceptably stored or acceptably possessed during daytime hours.
2. All food and refuse must be acceptably stored during nighttime hours, unless it is being prepared for eating, being eaten, being transported, or being prepared for acceptable storage.
3. Any harvested animal carcass must be acceptably stored, unless the carcass is being field dressed, transported, being prepared for eating, or being prepared for acceptable storage.
4. Camping or sleeping areas must be established at least ½ mile from a known animal carcass or at least 100 yards from an acceptably stored animal carcass.

EXEMPTIONS

Pursuant to 36 CFR 261.50 (e) the following persons are exempt from this Order:

1. Persons with a permit issued by the Forest Supervisor specifically exempting them from the effect of this Order.
2. Persons in the act of placing black bear baits for the lawful purpose of hunting black bears under state law and regulation.
3. Any Federal or State officer placing baits to capture animals for research or management purposes as part of their official duties.

These restrictions are in addition to the general prohibitions in 36 CFR Part 261, Subpart A. This Order supersedes any previous Order prohibiting or restricting the same, or similar, acts in the above-described areas.

Done this day 12 of December, /s/ Jack Troyer
 2004. /s/ Rick Cables

RICK CABLES	JACK TROYER
Regional Forester	Regional Forester
Rocky Mountain Region	Intermountain Region

Order No. 04-00-104

Exhibit A

Occupancy and Use Order No. 04-00-104

Special Order—Food Storage and Sanitation

Definitions

1. "Food and Refuse" means any substance, solid or liquid (excluding water, baled hay, or hay cubes without additives) or refuse, which is or may be eaten or otherwise taken into the body to sustain health or life, provide energy, or promote growth of any person or animal. Also includes items such as soft drinks, alcoholic beverages, canned foods, pet foods, processed livestock feed and grains, personal hygiene products, and empty food and beverage containers.
2. "Animal carcass" means the dead body or parts thereof, of any harvested mammal, bird, or fish, including the head or skull plate with antlers or horns and hide or cape of big game animals and any domestic livestock that may be found in the restricted area. Packaged or prepared animal carcass products transported into the restricted area for consumption, game birds, small mammals, or fish harvested for consumption in the restricted area are considered food under the previous definition.
3. "Acceptably stored" means:
 - a. Stored in bear-resistant container certified through the Interagency Grizzly Bear Committee Courtesy Inspection Program. A container may be certified by the local district ranger or their designated representative(s) if it meets the IGBC criteria, or
 - b. Stored in a closed vehicle where the storage compartment is constructed of solid, non-pliable material that, when secured, will have no openings, hinges, lids, or coverings that would allow a bear to gain entry by breaking, bending, tearing, biting, or pulling with its claws (any windows in the vehicle must be closed), or
 - c. Suspended at least 10 feet clear of the ground at all points and four feet horizontally from any supporting tree or pole, or
 - d. Stored within a hard-sided residence, building, or storage container subject to the terms and conditions of a special-use authorization or operating plan, or

- e. Stored by other methods approved in a permit issued by the forest supervisor responsible for the area where the method is proposed for use.
 - f. For animal carcasses: stored as per 3. a-e when located from 100 yards to ½ mile of a camping or sleeping area or within 200 yards of a National Forest System Trail. Animal carcasses are not considered acceptably stored when within 100 yards of a camping or sleeping area or National Forest System Trail. Animal carcasses more than ½ mile from a camping area or sleeping area and more than 200 yards from a National Forest System Trail may be left on the ground.
 - g. Animal carcasses killed or harvested (and parts thereof) within ½ mile of any established camping area or sleeping area must be acceptably stored, possessed, or moved to a distance beyond ½ mile from any such camp or sleeping area by the party(-ies) responsible for killing or harvesting such mammal.
4. "Acceptably possessed" means:
 - a. Possessed or attended during daytime by a person(s) that is physically present within 100 feet and direct sight of the accessible food, or
 - b. Possessed or attended by such a person(s) for the purpose of field dressing lawfully taken animal carcasses, transporting any food or animal carcass, preparing any animal carcass or food for eating, or eating any food.
 5. "Camping/sleeping area" means National Forest System Lands temporarily used for the purpose of overnight occupancy without a permanently fixed structure or lands temporarily occupied by unattended camping equipment.
 6. "Daytime" means ½ hour before sunrise to ½ hour after sunset, Mountain Time.
 7. "Night time" means ½ hour after sunset to ½ hour before sunrise, Mountain Time.
 8. "National Forest System Trail" means a trail wholly or partly within, or adjacent to, and serving a part of the National Forest System and which has been included in a forest recreation map.

WESTERN BOUNDARY: North from Alpine along divide of Snake River Range from Dry Gulch to Ferry Peak summit, along top of divide to Deadhorse Peak and north along Targhee-Bridger-Teton Forest boundary.

SOUTHERN BOUNDARY: The expanded food storage boundary on the Bridger-Teton National Forest begins on the southwest at the south side of the confluence of the Snake and Greys Rivers. It then runs east and north along the Snake River corridor, including that area ½ mile south and east of the river itself, to the junction with the Hoback River. At Hoback Junction the area covered by the food storage order runs east along the Hoback River corridor, also including that area up to ½ mile south of the river, to where the Hoback River leaves U.S. 189/191. From there the food storage order applies north of the U.S. 189/191 corridor, also including that area up to ½ mile south of the highway and running east to the Forest boundary in T37N, R111W, Section 32 (The Rim). From there the boundary runs northeast along the Forest boundary to the Green River, then southeast along the Forest boundary to Boulder Creek, then east and north along the south side of Boulder Creek to Pipestone Creek, then north along the south side of Pipestone Creek to Lake Prue, then northeast along the south side of Europe Canyon to the Continental Divide.

B. Motor Vehicle Use Map- The Pinedale Ranger District has an approved Motor Vehicle Use Map (MVUM). The MVUM restricts motor vehicle use to roads which are signed on the ground with a white arrow, which signifies an open route or are on the MVUM. Please familiarize yourself and any employees conducting activities on your allotment with the MVUM. No motorized travel in excess of 300 feet off of open routes is allowed without prior written authorization. An exception is granted to the MVUM as displayed on the attached map with the following restrictions; Routes are only to be utilized when placing, retrieveing, and resupplying camps.

C. Gros Ventre Wilderness- Per GYCC-7 Special Order- Hitching, tethering, or picketing

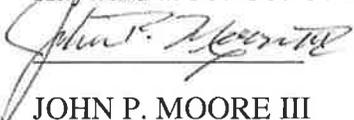
horses or other livestock in violation of posted trailhead instructions, within 200 feet of a lake or 100 feet of a stream or other free flowing water. 36 CFR 261.58 (aa).

IV. Biological Opinion Concerning Grizzly Bears.

- The following item is being added because it is listed as a conservation measure in the most recent document as required by the Forest Service and is listed as CM#8.
 1. On Sheep Allotments: 1) All sheep carcasses will be removed as soon as possible; and, 2) all sick or injured animals will be removed or treated. In the event that compliance with this measure is not physically possible, an exception may be granted per the discretion of the Pinedale District Ranger and/or his designated representative. In the event that herder safety is deemed an issue, an exception may be allowed as described in CM #10 below.
- The following item is being added to this document because it is an action that is required by the USFWS based upon the most recent Grizzly Bear Biological opinion dated June 12, 2013.
 1. Because night penning has been effective at deterring bears and reducing grizzly bear/sheep conflicts in the past, night penning of sheep will be implemented as soon as any conflict occurs or potential conflict is apparent. Ensure that electric fences used for sheep are in proper working condition and educate permittees and their employees on proper installation, sizing, positioning, operation, and timing of use. Night penning will be used until either the conflict has been resolved or until the end of the grazing season, should the conflict be chronic. The fence will be off and down during any period of nonuse by livestock.
- The follow items have been provided to the Forest Service as Conservation recommendations by the USFWS. Therefore, the following actions are strongly recommended.
 1. Permittees should make bear pepper spray and proper training on its use available to field going employees in areas of bear occurrence.
 2. Where possible, avoid important grizzly habitat components such as riparian areas, travel corridors and drainages, and berry stands for intense livestock use.
 3. Increase the number of riders in allotments where conflict is chronic or to respond to periods of increased livestock/grizzly bear conflict, especially during late July through August.
 4. Reduce herd sizes in allotments during periods when chronic conflicts occur, especially from late-July through August.

These Annual Operating Instructions will be followed as a condition of your Term Grazing Permit. Any deviation to these instruction without prior approval will place your permit in non-compliance.

If you have any questions concerning these Annual Operating Instructions, please contact Gary Hayward at 307-367-5723.

 6-30-14
JOHN P. MOORE III Date
Pinedale District Ranger

Permittee or Authorized Agent Date