



File Code: 2230/2210

Date: July 20, 2015

Denis Kowitz
171 N Highway 77
Declo, ID 83323

Dear Denis,

This letter serves as your modified 2015 Annual Operating Instructions for the Cape Horn allotment, and should be considered an extension of Term Grazing Permit #30062. Prior approval by the District Ranger is required to amend or change these instructions.

Permitted Use

Permittee	No. and Class	Permit Type	Season of Use	Head Months
Kowitz	2050 ewe/lamb	Term	06/20– 10/01	7009
Kowitz	2 horses ¹	Term	06/20 –10/01	N/A

¹Pack and saddle stock used for management of livestock

A letter of suspension for a portion of Term Grazing Permit was sent to you on September 24, 2013 for failure to adhere to the terms and conditions of your grazing permit. Your sheep trampled redds, walked over spawning chinook, and were allowed in stream reaches and fish protection units that were not to be grazed. As a result of non-compliance during 2012 and 2013, your permitted grazing season between August 10 and October 1 has been suspended for the 2014, 2015, and 2016 grazing seasons. All sheep must be off National Forest System lands on the Cape Horn allotment by August 10, 2015.

Authorized Use for 2015

Allotment	No. and Class	Permit Type	Season of Use	Head Months
Cape Horn	900 ewe/lamb	Term	06/20-08/10	1539

Pasture Rotation

Unit	Number	On-Date	Off-Date
Swamp ¹ Creek	900	06/20	06/25
Vader Creek	900	06/26	06/30
Upper Marsh Creek ² -Dry Creek	900	07/01	07/12
Valley Creek	900	07/13	07/18
Kelly Creek	900	07/19	08/03
Upper Marsh	900	08/04	08/10 ³

1. Sheep will be trailed from the Swamp Creek unit to the Vader Creek unit on the northeast side of Highway 21 through a portion of the Upper Marsh Creek unit. Sheep will not cross or use Marsh Creek for watering. This period of use will not exceed 3 days.



2. The trailing of sheep from the Vader Creek to the Dry Creek Unit will require the sheep to ford Marsh Creek. The sheep can cross Marsh Creek at approximately 1 mile upstream of the bridge; this is **above the Vader Creek confluence with Marsh Creek**.

Sheep will not graze the Cape Horn allotment after August 10. After August 10, the permittee may trail sheep to from private lands to private using road # 203, which parallels Marsh Creek. Trailing will also occur through the Knapp Creek unit to the Asher Creek corrals after August 10, for shipping purposes only and within six hours. Half of the sheep will be shipped the first day after trailing to the corrals. The remaining sheep will be allowed to graze and water around the corrals for up to 24 additional hours. There will be no access to Knapp Creek during these two periods.

The on-date is only a guide since actual turn out will be when range readiness occurs. Moves from unit to unit will occur before forage utilization standards have been met and no later than the scheduled off-date. It is critical that standards be met in all units at the end of the 2015 grazing season.

The permittee typically weans all lambs around the 1st of September at the Asher Creek Corrals, and then turns the dry ewes back onto the forest to complete the grazing year.

Utilization Standards

Unit	Indicator	Standard
Dry Creek	Greenline	> 4"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Vader Creek	Greenline	> 4"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Swamp Creek	Greenline	> 6"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Beaver Creek	Greenline	> 6"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Knapp Creek	Greenline	> 6"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Upper Marsh	Greenline	> 6"
	Bank Alteration	< 15%
	Woody Browse	< 30%
Valley Creek	Greenline	> 6"
	Bank Alteration	< 15%
	Woody Browse	< 30%

Permittee’s Management Responsibilities

1. Three days prior to initial livestock turn-out, please inform the authorized officer in charge.

2. It is your responsibility to insure livestock are moved before utilization levels are exceeded. You must notify the Rangeland Management Specialist of this move.
3. Herding are necessary to properly control and distribute sheep. You must provide a herder throughout the grazing season. to maintain proper distribution of livestock, reduce use in riparian areas, and prevent concentrated use by livestock that could result in portions of the pasture becoming over-utilized.
4. *Use of riparian areas needs to be carefully monitored by you to know when it is time to move livestock to the next unit and to avoid exceeding standards.* Do not rely on range personnel to monitor use.
5. Salt should be placed on accessible range at least $\frac{1}{4}$ to $\frac{1}{2}$ mile from permanently located watering places, riparian zones, meadows, and other areas where livestock naturally congregate. Placement should be in upland areas where additional forage utilization is desired. Salting areas should be moved annually to avoid permanent damage around salting grounds. Do not use the same salting grounds year after year.
6. Follow the rotation sequence. Notification to your Range Management Specialist of issues must be made immediately.
7. Any carcass or animals remains will be moved at least 100 yards from water, trails, and roads within 24 hours of notification by the Rangeland Management Specialist.
8. Under Special Order # 04-00-097 all hay, straw, or mulch brought onto the forest for the feeding of horses must be Certified Weed Free.
9. I am requesting that you be a pro-active partner in the prevention and inventory of noxious weeds on your allotment and adjacent National Forest System lands. All equipment which is used off of open roads on federal lands (for range improvement maintenance, or other management activities) should be cleaned and free of noxious weeds and their seeds prior to coming onto National Forest System lands. Please share your knowledge of known noxious weed infestations with your Range Management Specialist.
10. Any motorized travel on routes not designated in the Salmon-Challis National Forest Travel Plan must have District Ranger written authorization in advance.
11. *The move-off date is the date you must have all livestock off the allotment, not the day to start moving livestock off the allotment.*

BA and BO Requirements

The conservation measures below are reflected in the grazing system, standards and guidelines outlined in this AOI.

The 2010 Biological Assessment prepared by the Forest Service and the 2010 Biological Opinions from National Marine Fisheries Service and US Fish and Wildlife Service lists the following conservation measures:

1. This allotment will have full time riders with each band of sheep at all times.
2. Livestock grazing is eliminated from the following locations within the allotment: Cape Horn Creek drainage upstream of State Highway 21; Marsh Creek drainage downstream of Beaver Creek; Marsh Creek between Cape Horn Creek; and Knapp Creek.
3. Sheep will not cross Cape Horn Creek, Knapp Creek, Beaver Creek below Winnemucca Creek, or Marsh Creek below Knapp Creek except on bridges.
4. Sheep will not cross Marsh Creek between the Marsh Creek and Knapp Creek confluence a point one mile upstream of Knapp Creek (upstream of the Vader Creek confluence with Marsh Creek) except at the bridge.
5. Sheep will not cross Beaver Creek upstream of Winnemucca Creek except at a single location on Beaver Creek approximately one mile upstream of the confluence of Beaver Creek and Winnemucca Creek. Any exceptions to these crossing restrictions will be approved by a forest fish biologist.
6. Sheep will not bed within 300 feet of any perennial stream.
7. Sheep will not bed in the same location more than one night.
8. A bank alteration indicator of $\leq 15\%$ is being added to all units.
9. The woody browse indicator is being reduced from 50% to $\leq 30\%$ on all units.
10. Continue the 6 inch stubble height indicator that is in place on several streams with listed fish.
11. The 6 inch stubble height indicator has been changed from only applying to specific streams to applying to entire units with listed fish.
12. This allotment will be managed as a once-over-grazing scheme where animals will only graze an area or site once during the grazing season.
13. Livestock will not have the potential to impact bull trout redds in 7.5 miles of spawning stream or approximately 18% of the total miles of stream where bull trout spawn on the allotment because livestock will either not graze those areas or will graze the areas prior to bull trout spawning.
14. Livestock will not graze the Beaver Creek Unit prior to July 15 thereby reducing the potential for livestock to trample steelhead redds in Winnemucca Creek and Beaver Creek above Winnemucca Creek. Furthermore, no livestock grazing will occur at any time within the Marsh Creek Lower Fish Protection, Upper Marsh Creek Fish Protection, and Cape Horn Fish Protection units. No livestock grazing will occur at any time within the Marsh Creek Lower Fish Protection, Upper Marsh Creek Fish Protection, and Cape Horn Fish Protection units.

15. No livestock grazing will occur in the Valley Creek Unit after August 10 to avoid impacts to potential Chinook spawning and incubation.
16. All operations shall comply with Salmon-Challis motorized travel restrictions and regulations. Exceptions must be requested in advance and shall be obtained in writing from the District Ranger. Camps may be emplaced and removed using a motor vehicle for the minimum necessary to accomplish this. Routine motorized vehicle use between the camp and a designated route is not authorized.

Range Improvements

No ground disturbing activities or new construction should be conducted on the Forest by you, or any of your personnel, without approval from the District Ranger. Materials for replacement and heavy maintenance *may* be provided by the Forest Service as funding allows. Provision of materials for normal yearly maintenance is your responsibility.

All annual maintenance on assigned improvements must be completed per your Term Grazing Permit. They should be kept to a standard of repair which is functional, safe, and acceptable to the Forest Service. Improvements are listed in your Term Grazing Permit and are shown on the allotment map. Failure to complete necessary maintenance may result in the initiation of permit suspension or cancellation procedures in whole or in part.

Other Considerations

Range inspections may occur several times during the grazing season to check maintenance of range improvements, forage utilization, and compliance with this year's grazing rotation. You are invited to participate in inspections conducted on the allotment. We will try to contact you a few days in advance to let you know when we will be looking at your allotment.

Enclosed is a Year-End Grazing Report for you to record Actual Use Data for 2015 and range improvement needs for future grazing seasons. Please record the date and number of livestock turned onto the allotment, the dates livestock are moved to and from each pasture, and the date livestock are removed off the allotment. Accurate records of these dates, maintenance work completed, and future range improvement needs must be returned to our office by December 1, 2015. Please note on the second page our request for your priority reconstruction needs. The Forest Service will use this record to help allocate range betterment funds, which are used to purchase materials for improvement reconstruction. These reports are also requested annually by United States Fish and Wildlife Service and the National Marines Fisheries Service, so your diligence in accurately completing the forms is appreciated.

If you have any questions regarding these Annual Operating Instructions, please call me or Barry Dopp, Range Management Specialist, at 208-879-4161. We are looking forward to working with you this grazing season.

Sincerely,
/s/ Elizabeth Townley

ELIZABETH A. TOWNLEY
Middle Fork District Ranger