



File Code: 2210  
Date: July 15, 2010

Borda FLP-DBA BL&S Co.  
c/o Ted Borda

Dear Ted:

This letter documents your meeting with Rixey Jenkins on June 18, 2010 and serves as your Annual Operating Instructions for the 2010 grazing season. The use described in this letter is not to exceed one grazing season and expires on **December 31, 2010**. No livestock use is allowed in the area described after this date. The following use has been authorized for the 2010 grazing season.

**AUTHORIZED USE:**

| ALLOTMENT          | LIVESTOCK |       |       | PERIOD OF USE |      |
|--------------------|-----------|-------|-------|---------------|------|
|                    | NUMBER    | KIND  | CLASS | FROM          | TO   |
| Silver Creek S&G * | 865       | SHEEP | E/L   | 8/1           | 9/15 |
|                    | 1743      | SHEEP | E/L   | 9/16          | 9/30 |

**\*As agreed upon during our meeting and according to the BO issued from Fish and Wildlife Service, the Silver Creek unit of the Silver Creek S&G allotment will be rested this year.**

This allotment is currently vacant and is being offered to you as an interim option for the Summers Meadows S&G allotment.

**ALLOTMENT MANAGEMENT:**

The permittee shall notify the District Ranger, by mail or otherwise, five (5) days in advance of the date of entry of livestock onto the National Forest System lands.

**ALLOWABLE USE:**

The allowable use of forage is based on the current year's growth of key species. Please review these Standards and Guidelines from the Sierra Nevada Forest Plan Amendment final environmental impact statement and Record of Decision. Items a,b,c, and e are also included as terms and conditions of the 2009 Biological Opinion for the Silver Creek S&G Allotment, Mono County, California.

Riparian sites:

Disturbance of meadow-associated streambanks and natural lake and pond shorelines is not to exceed **10 percent** of the stream reach or **10 percent** of the natural lake or pond shoreline.

In meadows that are in early seral status (an early stage of succession in a plant community or vegetation type, generally characterized by plant species that are adapted to colonizing disturbed areas with a high proportion of bare soil) livestock utilization of grass and grass-like plants must be limited to **30 percent {or minimum six-inch (15 cm) stubble height}**.



In meadows that are in late seral status (fifty percent or more of the relative cover of the herbaceous layer is late seral with high similarity to the potential natural community, a diversity of age classes of hardwood shrubs is present, and regeneration is occurring) livestock utilization of grass and grass-like plants must be limited to a maximum of **40 percent {or minimum four-inch (10 cm) stubble height}**.

In meadows that are **degraded** (such as those in early seral status with a greater than **ten percent** meadow area in **bare soil and active erosion**) **total rest** from grazing is required until they have recovered and have moved to a mid or late seral status.

In riparian areas browsing on mature riparian shrubs (including willow and aspen) is not to exceed **20 percent** of the annual leader growth and is not to exceed more than **20 percent** of individual seedlings.

Livestock grazing will be modified or suspended on meadow ecosystems when it is determined that ecological status is moving in a downward trend.

Pesticide application to livestock is prohibited within riparian conservation areas and critical aquatic refuges.

Aspen, Sagebrush, Mountain brush, and grassland sites:

Maximum of **45 percent** use of current annual growth of key herbaceous species.

Maximum of **40 percent** use of current annual growth of shrubs.

It is your responsibility to monitor utilization and ensure that the allowable use standards are not exceeded. You are responsible for determining when allowable use has been reached and to move or remove livestock from the allotment to prevent exceeding these standards. The Forest Service is responsible for monitoring your compliance with the allowable use standards. Because we do not know the ecological condition of every meadow located within the allotment, please err on the side of caution when monitoring utilization on riparian species. If you have any questions, please do not hesitate to contact Rixey Jenkins of my office.

**ADDITIONAL TERMS AND CONDITIONS: (From the 2009 Biological Opinion for the Silver Creek S&G Allotment, Mono County, California)**

Appropriate managements (i.e. herding) shall be taken to ensure that livestock are not congregating within riparian conservation areas. Identify riparian conservation areas deemed appropriate for watering will be identified in the Annual Operating Instructions (AOI). Herd sheep in a manner which avoids stream use for longer than what is needed to water the flock.

Use sites in riparian conservation areas for watering your sheep which are armored (such as rocky/bouldery country) versus areas that could be easily trampled by your sheep.

Route sheep so as to avoid fish-bearing portions of streams to the extent practicable. Identify a strategy to do this during the AOI and annual Routing Plan processes. Herding routes and timing as well as any necessary adjustments to meet resource and range condition objectives will be made on a year-to-year basis through the AOI.

When grazing near the stream reaches occupied by LCT, avoid stream use for period longer than what is needed to water the band. Water sheep in areas that are armored versus area that are not armored and could be easily trampled by your sheep.

Have herders locate camping and sanitation facilities outside of riparian conservation areas. In riparian conservation areas found to be vulnerable to degradation, other water sources should be identified.

Avoid salting and bedding of stock in riparian conservation areas.

Check fencing to ensure that trespass livestock are not using the allotment. If the fences are found to have been damaged they shall be immediately repaired. If any livestock are found within the Silver Creek S&G allotment when they are not authorized to graze they will be immediately removed.

The proposed action will be implemented in a manner that is consistent with the eleven desired conditions for riparian conservation areas.

#### **RANGE IMPROVEMENTS:**

There are no Range Improvements on this allotment.

#### **GENERAL MANAGEMENT:**

Graze the allotments using open herding in a once over pattern. Do not bed or noon sheep in aspen stands or in the same place more than once during the grazing season. Do not bed or noon sheep within 100 yards of water or meadows. Salt must be placed at least ¼ mile from water, meadows, trails, and roads used by the public.

Herder's camps must be kept clean at all times. All garbage and debris associated with managing your sheep on the National Forest must be removed. Dead sheep must be moved at least 100 yards from water, roads, and trails. If you or your herders spot a wild fire, please report it to the Interagency Dispatch Center in Minden, NV at **(775) 883-5995**.

You must notify my staff at least 48 hours before trailing your sheep across National Forest System lands which are not listed in your permit or across areas listed in your permit that are outside of the scheduled use pattern listed above.

As a reminder, please complete the actual use form and return it to my office no later than **November 30, 2010**. Thank you for returning last year's actual use reports, the maps you provided were excellent.

Invasive weeds are becoming a serious threat to the welfare of our rangelands. Your assistance is needed to identify new outbreaks of weed populations and to prevent the establishment of weeds on the forest. Pay particular attention to areas where stock are concentrated such as loading/unloading areas, water developments, and salting areas. A Noxious Weed Free Hay order has been implemented on our Forest. This requires any hay that is brought onto the National Forest must be certified free from noxious weeds. All livestock entering the National Forest are recommended to be fed **Certified Noxious Weed Free Forage** for at least 2 days prior to entering the Forest. Pelletized feed is not affected by this order.

The grazing fee for 2010 is \$0.27 per head month.

Approval of requests for permittee convenience nonuse is not automatic and the authorized officer should discuss the reasons for the nonuse request with the permittee. Approval of a request for permittee convenience non-use must be in writing by the authorized officer. Full or partial permittee convenience

nonuse may be approved by the authorized officer for no more than three consecutive years and not more than four years in any ten year period.

Payment of your grazing bill is due five days prior to your earliest turnout date to allow time for processing. As a reminder the Forest Service is required to give permittees a minimum of 30 days to pay you grazing fees. The Forest Service is requesting that permittees schedule their AOI meeting a minimum of 35 days prior to their earliest on date to provide adequate time to plan for the upcoming grazing season.

**OTHER DISCUSSION:**

Please remember concerns about the heritage resource sensitive areas we discussed in 2008 and where you agreed not to bed your sheep.

The Bridgeport Travel Management Record of Decision was signed on March 5, 2010. With the issuance of this decision all roads and trails designated for motor vehicle use will be identified on a motor vehicle use map (MVUM). As detailed in 36 CFR 261.13; 36 CFR 212.51a the prohibitions on motor vehicle use will not apply to motor vehicle use that is specifically authorized under a written authorization issued under Federal law or regulation (e.g., term grazing permit). Through the 2010 grazing season, you and your employees are authorized to travel on routes within the allotments in your permit to ensure compliance with the terms and conditions of your term grazing permit (e.g., improvement maintenance, dead livestock removal).

If you have any questions regarding this AOI or your term grazing permit, please contact Rixey Jenkins at (760) 932-5850.

Sincerely,

*/s/Barbara Drake*  
BARBARA DRAKE  
Acting District Ranger

Encl: Actual Use Form