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Date: June 6, 2007

Mr. H.B.Ward/Mr. Walt Richberg
Charles A. Ward Trust #8492
c/o JP Morgan Chase - Farm and Ranch Mgmt.
TX1-1351
P.O. Box 2050
Fort Worth, TX 76113-2050

Dear Herb/Walt:

This document serves as your 2007 Annual Operating Instructions (AOI) for the Fossil Creek Allotment for the summer/fall use period (6/1/07 to 11/30/07). If livestock use will occur on the Fossil Creek allotment during the winter use period (12/1/07 to 2/29/08) a separate AOI will be issued. 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/APPROVED NON-USE

Your 2007 Authorized Use Request has been approved and you are authorized the following Livestock Numbers, Periods of Use, and location:

228 Cattle	March 1, 2007 to May 31, 2007	13 Mile Rock Allotment
88 Cattle	June 1, 2007 to November 30, 2007	13 Mile Rock Allotment
140 Cattle	June 1, 2007 to November 30, 2007	Fossil Creek Allotment
228 Cattle	December 1, 2007 to February 29, 2008	13 Mile Rock Allotment

Permitted livestock numbers and period of use for the Fossil Creek allotment are 477 adult cattle (yearlong) and 6 horses (yearlong). The following Non-Use has been approved for resource protection:

477 Adult Cattle from 3/1/07 to 5/31/07; 337 Adult Cattle from 6/1/07 to 11/30/07;
477 Adult Cattle from 12/1/07 to 2/29/08; 6 Horses from 3/1/07 to 2/29/08

II. GRAZING SCHEDULE

The following is the planned grazing sequence for the summer/fall use period of the 2007 grazing season:

PASTURE NAME	PLANNED GRAZE PERIOD	LIVESTOCK NUMBERS
SHIPPING	6/1 to 6/14	140
TANQUE ALOMA	6/15 to 6/30	140
NATURAL SOUTH	7/1 to 7/20	140



NATURAL NORTH	7/21 to 8/10	140
TIN CAN	8/11 to 9/10	140
SALMON LAKE NORTH	9/11 to 9/30	140
SALMON LAKE SOUTH	10/1 to 10/20	140
SHIPPING	10/21 to 10/29	140
HOUSE	10/30 to 11/30	140

Rested (Ungrazed) Pastures for the 2007 Grazing Season

Shipping, Tanque Aloma, House, Salmon Lake North, Salmon Lake South, Tin Can, Natural North, and Natural South pastures are the only pastures authorized for use on the Fossil Creek allotment during the summer/fall use period (6/1/07 to 11/30/07) of the 2007 grazing season; all other pastures on the allotment will be rested.

Changes from the grazing schedule will be made only with Forest Service approval. The planned use period in a pasture may be shortened or lengthened depending on forage availability and utilization in key areas. Livestock pasture moves will be completed within a five (5) day period and livestock will be actively herded from one pasture to the other. It is imperative that once a pasture move occurs, the livestock remain within the designated pasture. For various reasons (i.e. pasture gates left open, cattleguards not maintained, cut fences, etc.), cattle may stray from the designated pasture; preventing livestock from grazing adjacent allotments, your allotment's rested pastures, or regrazing previously used pastures is the permittee's responsibility.

III. GRAZING STRATEGY

The length of the actual grazing period in each pasture will be determined by the allowable use established for the pasture; however, the actual use period will not exceed 45 days per pasture.

IV. ALLOWABLE UTILIZATION STANDARDS

The maximum allowable utilization on perennial forage species is 30 to 40% (as measured at the end of the growing season). The length of the actual grazing period in each pasture will be determined by the allowable use established for the pasture; as a result, the planned use period in a pasture may be lengthened or shortened depending on forage utilization in key areas. This allowable use level is the utilization level permitted by both livestock and wildlife. If use levels in key areas exceed the maximum allowable utilization level before livestock enter a pasture, the pasture will not be used.

V. RESOURCE MONITORING

Forage Utilization

Forage utilization within each pasture will be monitored and the allowable utilization standards (section IV) will be strictly enforced. This may result in earlier pasture moves than indicated in the Grazing Schedule (section II).

Numerous key areas for forage utilization monitoring have been identified for the Fossil Creek allotment. Key areas are defined as, "...a portion of range, which because of its location, grazing or browsing value, and/or use, serve as an indicative sample of range conditions, trend, or degree of use seasonally. A key area guides the general management of the entire area of which it is a part." Key areas will generally have the following characteristics: they will be approximately 20 to 500 acres in size; they will be located on productive soils with slopes less than 15%; they will have a plant community that is representative of the larger area; and they will generally be located 0.25 to 1.0 miles away from livestock water sources.

The location of key areas for forage utilization monitoring, key vegetation species, and the specific application to your allotment should be discussed with your Rangeland Management Specialist. Permittee participation in utilization monitoring is encouraged.

Permittee Monitoring

The permittee will monitor and document the following items on the enclosed Forage Utilization Monitoring Form during the 2007 grazing year: 1) Actual Grazing Period; 2) Actual Livestock Numbers; 3) Plant Growth Stage during the livestock grazing period; and 4) Average Utilization of all forage species at three different time periods; just prior to livestock entering the pasture, immediately after livestock leave the pasture, and at the end of the growing season. **It is very important that this monitoring be completed during the timeframes specified, and that the Forage Utilization Monitoring Form is submitted to your Rangeland Management Specialist at the end of the 2008 grazing season.**

Range Trend Monitoring

Permanent range condition and trend monitoring locations (Parker Three-Step clusters) were established on the allotment in the late 1950's. Data was collected from these locations in November/December of 2006 to assist in preparing a Range Analysis for the allotment NEPA. Pace Frequency and cover plots will be established at these locations in 2007 to begin establishing baseline data for evaluations of groundcover and vegetative/ecological condition and trend. Permittee participation in establishing these monitoring locations and collecting the data is encouraged.

VI. MITIGATION MEASURES FOR SPECIAL STATUS SPECIES

Attached are two (2) grazing mitigation documents that address grazing mitigation measures for the Mexican spotted owl and the Chiricahua leopard frog. Please review and familiarize yourself with these required grazing measures; Forest Service personnel will field check your compliance with these mitigation requirements.

VII. RANGE IMPROVEMENTS

New Structural Range Improvements

No new range improvements are scheduled for your allotment this year.

Maintenance of Existing Range Improvements

Range improvements assigned to you for maintenance have been identified in red on the permit maps of your term grazing permit. 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 beginning any maintenance work that requires the use of heavy equipment (ex. Maintenance of earthen stock tanks).**

VIII. SALTING AND PROTEIN BLOCK PRACTICES

Proper salt and protein block location can be a good tool to aid in livestock distribution and they will be used in a manner to spread livestock utilization throughout the pasture. A detailed description of the Coconino National Forest Salting and Supplemental Feeding policy can be found in Part 3 of your term grazing permit; however, the following guidelines are provided as a general reference:

1. In general, salt and protein blocks should not be placed within ¼ mile of water.
2. Salt and protein blocks will not be placed in areas of depleted range, erosive soils, or sensitive plant or animal species.
3. No more than three blocks (50 lb. blocks) of salt/protein will be placed at any location at any one time.
4. Salt/protein will not be placed at the same location twice during the same grazing season.
5. The use of portable salt/protein block containers is encouraged but not mandatory.

IX. PORTABLE WATER HAULING

Temporary sites for portable haul water may be needed and should be used as necessary to assist in livestock distribution. The following requirements will apply to portable haul water locations:

1. Coordinate with the District Rangeland Management Specialist to identify portable water haul locations for individual pastures prior to the grazing period.
2. To aid in livestock distribution, the portable water haul locations should generally be in areas of light forage utilization.
3. Generally, portable water haul locations will not be located at sites used in previous years.
4. Portable water hauls will not be located in areas of depleted range, erosive soils, or sensitive plant or animal species.
5. Portable water haul locations will be moved when the desired forage utilization levels have been reached.

6. Portable haul water storage tanks and troughs will be removed when livestock leave the pasture.

X. 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. 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, heavy equipment, ATV's 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 Ranger District Office at: Beaver Creek/Sedona (928-282-4119); or to the Coconino National Forest Fire Dispatch Office (928-526-0600).

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

XI. MOTOR VEHICLE RESTRICTIONS

Restrictions on the use of motorized vehicles may exist within the Fossil Creek allotment. If you need to enter a restricted area, you must have special authorization in the form of an Off-Road Vehicle Permit or specific authorization through your Annual Operating Instructions. Entering a restricted area without authorization is a violation of 36 CFR 261.

The Red Rock Ranger District has actively pursued a road closure program for the last several years. This program is aimed at reducing non-essential roads for watershed protection and to decrease disturbance to wildlife. The District has put in many hours contacting recreation users in an effort to enforce these closures. Please remember that these closures must also be honored by the grazing permittee.

XII. APPEAL RIGHTS

Annual Operating Instructions are subject to appeal and review under 36 CFR 251.

If you have any questions or wish to discuss anything further, please feel free to contact Gary Hase, Jr. at (928) 203-7517.

Sincerely,

/s/ Heather C. Provencio
HEATHER C. PROVENCIO
District Ranger

cc: Carol Boyd

Grazing Allotment Annual Operating Mitigation Instructions for Mexican Spotted Owl

The following mitigation measures would apply for Buck Springs, Bar-T-Bar, Willow Valley, Baker Lake/Calf Pen, Apache-Maid, Beaver Creek, Lost Eden, Fossil Creek, Buckhorn, 13 Mile Rock, Walker Basin, and Hackberry/Pivot Rock Allotments.

The purpose of the mitigation measures is to improve and protect habitat for prey species such as birds and small mammals in sensitive areas, and to protect nesting birds from disturbance associated with gathering or construction activities. Thank you for your cooperation.

1. Follow these guidelines to meet the intent of the grazing guidelines listed in the Mexican Spotted Owl Recovery Plan:
 - A. Continue to monitor grazing use by livestock and wildlife in "key grazing" areas such as riparian areas (MA12), meadows (MA9), pine/oak types (MA3), and aspen (MA5). If cattle show an increasing utilization trend, then change management strategies to reduce the trend. If wild ungulates show an increasing utilization trend, the Forest Service will work with the Game and Fish Department to reduce this trend.
 - B. Continue to implement and enforce grazing utilization standards to attain good to excellent range conditions in "key areas" over time.
 - C. Continue to restore good conditions to degraded riparian communities by maintaining or promoting three age classes in woody vegetation. If the mid-age class is absent, 5% utilization or less is required to promote three structural stages. If all three classes are present, utilization of 20% or less of woody vegetation is acceptable.
2. To reduce animal concentrations and trampling of vegetation which may impact prey species forage and cover, follow these guidelines for placing salt, mineral blocks or food supplements.
 - A. Do not place these items in riparian areas, mountain meadows, or non riparian drainages in ponderosa pine unless being used for a watershed restoration project.
 - B. Do not place these items in spotted owl habitat or near peregrine falcon nesting areas. The attached map shows areas (shown as mitigation) where salt, supplemental feeding, or mineral blocks should not occur.
 - C. Rotate salt and mineral supplement sites regularly.
3. To eliminate potentially disturbing activities in spotted owl habitat or near peregrine nesting areas during their breeding season, do not allow the following types of activities in areas displayed in red on the map between March 1 and August 31 without prior consultation with the District Range Staff.
 - A. Spring branding or fall gathering.
 - B. Construction activities such as; new construction of fences, corrals, or buildings, or cleaning or construction of tanks.

Mitigation for Chiricahua Leopard Frogs

Live fish, crayfish, bullfrogs, leopard frogs, salamanders, or other aquatic organisms shall not be moved among livestock tanks or other aquatic sites.

If a site is identified as occupied by Chiricahua leopard frogs, water shall not be hauled to the site from another aquatic site or tank that supports leopard frogs, bullfrogs, crayfish, or fish. When water is needed, such as for a bentonite application, all precautions shall be taken (use of fish screens of 1/8 inch or smaller mesh and adding bleach or use of municipal water source) to ensure that fish, bullfrogs, and their tadpoles, and crayfish are not moved among tanks.

If the chytrid fungus is detected and/or leopard frogs are found on the allotment, the permittee shall take precautions to minimize disease transmission and translocation of aquatic organisms. All equipment (front-end loader, shoes, waders, shovels, fence posts, etc.) used at an aquatic site shall be flushed clean of all dirt, mud, and debris, rinsed in a ten percent bleach solution, and allowed to thoroughly dry before coming into contact with another aquatic site.

All ranch hands, construction personnel, and others implementing the proposed action shall be given a copy of these terms and conditions, and informed of the need to comply with them.

At least 60 days prior to maintaining or cleaning out livestock tanks, the permittee shall inform the Coconino of planned activities. Authorized personnel shall survey the tank for Chiricahua leopard frogs and if frogs are found, shall work with the U.S. Fish and Wildlife Service (USFWS) to develop and implement a plan to minimize take of frogs. Measures to minimize take should include salvage and temporary holding of frogs, limiting disturbance and work areas to the minimum area practicable, leaving stands of emergent vegetation in place, and/or measures to minimize the likelihood of disease transmission. Plans to minimize take shall be approved by the USFWS.

FORAGE UTILIZATION MONITORING FORM

Allotment Name: Fossil Creek

Year: 2007 (6/1/2007 to 11/30/2007)

Pasture Name	Planned Graze Period	Actual Graze Period	Planned Livestock Numbers	Actual Livestock Numbers	Plant Growth Stage	Forage Utilization		
						Before Livestock	After Livestock	End of Growing Season
SHIPPING	6/1 to 6/14		140					
TANQUE ALOMA	6/15 to 6/30		140					
NATURAL SOUTH	7/1 to 7/20		140					
NATURAL NORTH	7/21 to 8/10		140					
TIN CAN	8/11 to 9/10		140					
SALMON LAKE NORTH	9/11 to 9/30		140					
SALMON LAKE SOUTH	10/1 to 10/20		140					
SHIPPING	10/21 to 10/29		140					
HOUSE	10/30 to 11/30		140					

Plant Growth Stage: D = Dormant S = Slow Growth F = Fast Growth

Forage Utilization Levels: N = No use (0-10%) L = Light use (11-25%) M = Moderate Use (26-50%) H = Heavy Use (51-70%) E = Extreme Use (71+%)