



File Code: 2230

Date: August 4, 2004

Dennis L. and Katherine A. DeWulf  
19814 S. McQueen Rd.  
Chandler, AZ 85249

Dear Mr. and Mrs. DeWulf:

These are your 2004 Annual Operating Instructions (AOI) for the Baker Lake / Calf Pen Allotment. These Annual Instructions are a part of your term grazing permit as indicated in Part Two. In addition, this letter is to document actions that need to be taken this year to keep the Forest Service and this allotment in compliance with previous commitments from environmental assessments, allotment management plans and guidelines and recommendations for rare wildlife and plant species, including those that are threatened or endangered.

Your ten-year term grazing permit information along with your 2004 grazing schedule is listed below for this allotment:

<u>Permittee Name</u>	<u>Permit Type</u>	<u>Season</u>	<u>Permitted No.</u>
Dennis and Katherine DeWulf	Term	6/1-10/31	84 cows/calves & bulls

Your grazing schedule and 2004 authorized use are as follows:

<u>Pasture Name</u>	<u>Use Dates</u>	<u>Total Number</u>
29 Mile	8/15-9/15	50
7 Mile	9/16-10/15	50
Pocket	yearlong rest	0
Brush	yearlong rest	0
Calf Pen 7	yearlong rest	0
5 Mile	yearlong rest	0
Strawberry Point	yearlong rest	0
Cinch Hook	yearlong rest	0
Baker Lake	yearlong rest	0
Milk Ranch	yearlong rest	0

Exact move dates will be dependent on the forage conditions this spring and on the pattern and amount of summer rains.



Any changes in the grazing schedule will need prior approval by the District Ranger. If you see a need to modify the grazing schedule, please notify this office at least 10 working days before the planned date of moving. Also, you should notify the Forest Service before placing your livestock on the allotment so that a Forest officer can verify livestock numbers on the allotment.

The District has installed forage monitoring cages in riparian, aspen, meadows and Ponderosa pine key areas of your allotment. You will be contacted so you will be able to assist in the monitoring and replacement of the cages later this grazing season. The cages have been placed in key areas on productive soils, on level to intermediate slopes, and where possible 1/4 to 1 mile from water. The cages will be used to determine forage production on the key areas and as a base line to determine utilization on other areas of the allotment. The key areas are identified in the Forest Plan as MA 3, 5, 9, and 12.

You will be required to document actual grazing dates for each pasture and to monitor, under Forest Service direction, forage utilization in each pasture (before and after livestock use, and at the end of the growing season). A copy of the monitoring form is enclosed.

The enclosure (*Mitigation for the Mexican Spotted Owl and Peregrine Falcon on Grazing Allotments for Annual Operating Plans*) has been made a part of the AOI, and must be adhered to in the locations specified in the following table during the breeding season (March 1 to August 31) I enclose maps for both allotments showing the areas in which the mitigation measures apply. Livestock will graze these areas if scheduled.

Salt and/or mineral supplements will be used to help distribute livestock. All salt and mineral supplements will be placed at least 1/4 mile away from water unless agreed to in writing by the the District Ranger.

#### **Mitigation For Mexican Spotted Owls and Peregrine Falcons**

No activities that concentrate livestock are allowed (as specified in the Mitigation enclosure) within the following areas of the Baker Lake / Calf Pen allotment:

- T.13 N., R. 8 E., Sections 21, 28 and N 1/2 33.
- T. 12N., R.8 E., Sections W 1/2 Sec.1, N 1/2 Sec. 11, Sec.2, & N 1/2 Sec 10.
- T. 13 N., R. 8 E., Sections S 1/2 34, and S 1/2 35.
- T. 12 N., R. 8 E., Sections , SE 1/2 Sec 18 and N 1/2 Sec 19.

The attached Mitigation for Chiricahua Leopard Frogs is part of the 2004 AOI for the Baker Lake/Calf Pen Allotment and must be adhered to.

The Annual Operating Instructions have been reviewed by District Wildlife Biologists and found to be consistent with the Endangered Species Act, as ammended. It has been determined that these instructions are in compliance with all conditions of consultation.

There are no range improvements planned in 2004. All range improvements assigned to you on the Baker Lake / Calf Pen Allotment should be maintained in good working condition. In the event that you feel any improvement should be reconstructed, we need to meet on the ground to inspect it. Any

maintenance or improvement work on the allotment should be coordinated with the District Range Staff so that the appropriate clearances can be completed prior to actually starting the project.

Caution needs to be used during any activities that could potentially start a fire. All ranch vehicles need to be equipped with the following : Water bucket, shovel, and axe. All open camp and branding fires will require a fire ring down to mineral soil cleared at least 10 feet in diameter.

All internal combustion engine equipped tools and equipment require an inspection prior to use on National Forest lands. All state and local fire regulations and restrictions will be observed. Report any fires to the Blue Ridge District at 477-2255, the Long Valley District at 354-2216, or the Coconino National Forest fire dispatcher at 527-0600.

The Annual Operating Instructions are hereby made a part of your Term Grazing Permit, as provided in Part 2, Section 8(a). If you fail to comply with any of the terms and conditions specified in Parts 1, 2, and 3 of your Term Grazing Permit, we may suspend or cancel your permit, in whole or in part, after written notice. This is found in Part 1, Section 3 of your Term Grazing Permit. The AOI complies with the standards and guidelines found in the LMP.

The Annual Operating Plan is appealable and subject to review under 36 CFR 251.82 (a) (3) Grazing and livestock permits issued under 36 CFR part 222, subpart A. Appealable decisions apply to written decisions of Forest Service line officers related to issuance, denial, or administration of written instructions to occupy and use National Forest System lands.

If you have any questions, please contact Jerry Bradley at the Red Rock Ranger District or Matt Atencio at the Peaks Ranger District.

/s/ Larry Sears

LARRY G. SEARS

District Ranger

Blue Ridge and Long Valley Ranger Districts

8/13/04

Date

/s/ Dennis and Katherine DeWulf

Dennis and Katherine DeWulf

Grazing Permittee

8/9/04

Date

Enclosures

cc: Carol Boyd, S.O.

**ALLOTMENT NAME: BAKER LAKE/CALF PEN**

**YEAR: 2004**

Pasture Name	Graze Period Planned	Graze Period Actual	Live-stock Numbers	*Plant Growth	**Before Livestock	**After Livestock	**End of Growing Season	**Key Species	% se on Key Area	LMP Mgmt Area
<b>29 Mile Lake</b>	8/15-9/15		50							
<b>7 Mile</b>	9/16-10/15		50							
<b>Baker Lake</b>	Yearlong Rest									
<b>Milk Ranch</b>	Yearlong Rest									
<b>Hwy. Junction</b>	Yearlong Rest									
<b>Pocket</b>	Yearlong Rest									
<b>Calf Pen 7</b>	Yearlong Rest									
<b>Cinch Hook</b>	Yearlong Rest									
<b>Strawberry Point</b>	Yearlong Rest									
<b>Brush</b>	Yearlong Rest									
<b>5 Mile</b>	Yearlong Rest									

**\*D** = Dormant                      **S** = Slow Growth                      **F** = Fast Growth

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

**Mitigation for the Mexican Spotted Owl and Peregrine Falcon  
On Grazing Allotments for Annual Operating Instructions**

*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.

If Chiricahua leopard frogs are found on the allotment, the permittee shall be required to clean any equipment, boots, etc. used at an aquatic site and treat with a 10 percent bleach solution, or allow such equipment, boots, etc. to dry thoroughly, before using the same equipment, boots, etc. at another aquatic site on the allotment.

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. The Coconino shall survey the tank for Chiricahua leopard frogs<sup>1</sup> and if frogs are found, shall work with the U.S. Fish and Wildlife Service 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.