



United States  
Department of  
Agriculture

Forest  
Service

Mogollon Rim  
Ranger District

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File Code: 2230

Date: November 21, 2003

Clifford and Tammy Finch  
P.O. Box 1038  
Camp Verde, AZ 86322

Dear Mr. and Mrs. Finch:

This letter is the 2004 Annual Operating Instructions (AOI) for the Hackberry/Pivot Rock Allotment.

### 2004 Allotment Operating Instructions

On October 29, 2003, you met with Jerry Bradley and applied for 190 head of cattle to be run on the Hackberry/Pivot Rock Allotment from November 10, 2003 to February 28, 2004. Partial nonuse is approved for resource protection. In addition, 10 horses were applied and billed for from November 10, 2003 to February 28, 2004. The following is the schedule of pastures you will use from November 10, 2003 to January 24, 2005.

PASTURE	GRAZE DATES	LIVESTOCK NUMBERS
Pipeline	11/10-11/16/03	190
Jims II/Ladders	11/17 – 11/24	190
Bull Pasture	11/25 – 12/01	190
Hackberry	12/02 – 1/-1/04	190
Bull Run	1/2 –2/2	190
Lower Towel	2/3 – 3/3	190
Middle Towel	3/4 – 4/1	190
Upper Towel	4/2-4/17	190
Pambo	4/18 – 5/2	190
Dorens	5/3 – 5/18	190
Basin	5/19 – 5/30	190
Partnership	5/31 – 6/1	190
Sandrock	6/2 – 6/6	190
Calloway	6/7 – 6/15	190
Toms Creek	6/16 – 7/16	190
West Bedbug	7/17-7/21	190
Neck 1	7/22 – 7/29	190
Neck 2/3	7/30 8/10	190
Bald Mesa	8/11 – 8/31	190



Shipping	9/1 – 9/3	190
Dry Lake	9/4 – 9/11	190
Clear Creek	9/12 – 9/13	190
Miller	9/14 – 10/1	190
Kehl	10/2 – 10/15	190
Clear Creek	10/16 – 10/17	190
Dry Lake	10/18 – 10/19	190
East Bedbug	10/20 – 10/27	190
West Bedbug	10/28 – 10/30	190
Toms Creek	10/31 – 11/2	190
Calloway	11/3 – 11/5	190
Sandrock	11/6 – 11/9	190
Basin	11/10 – 11/12	190
Sycamore	11/13 – 11/20	190
Phroney	11/21 – 11/22	190
Hackberry	1/23 – 12/23	190
Bull Run	12/24 – 1/24/05	190

The livestock enclosure around Cottonwood and Mesquite Springs must be monitored when cattle are in the Mesquite Springs pasture. Please contact us if you find problems with the integrity of this enclosure.

I am enclosing additional mitigation measures for the Peregrine falcon and the Mexican spotted owl. The enclosure is titled *Mitigation for the Mexican Spotted Owl and Peregrine Falcon on Grazing Allotments for Annual Operating Instructions*. The additional mitigation measures deal with mineral supplements, construction, and gathering activities. Specific details for mitigation measures on the Hackberry/Pivot Rock allotment are included in the attachment *Additional Mitigation for Buckhorn, 13 Mile Rock, Walker Basin, Apache Maid, Hackberry/Pivot Rock, and Beaver Creek Allotments*. The mitigation measures for the Mexican spotted owl are part of the 2004 AOI and are described below.

- a. Specific salting techniques that will avoid livestock concentrations in or immediately adjacent to spotted owl PACs are:

<b><i>Pasture</i></b>	<b><i>Salting Technique</i></b>
<i>Potato North</i>	<i>No salt within 0.5 miles of Potato Lake Draw</i>
<i>Potato South</i>	<i>No salt within 0.5 miles of Potato Lake Draw</i>
<i>Bald 1</i>	<i>No salt</i>
<i>Bald 3</i>	<i>No salt</i>
<i>Bald 4</i>	<i>No salt east of 136A or 136 B Roads</i>
<i>West Bedbug</i>	<i>Salt only east of Cart Cabin Tank</i>
<i>Kehl</i>	<i>No salt in T12N, R10E, Sections 4,9, and 33</i>
<i>Toms</i>	<i>No salt in T13N, R9E, Section 28</i>
<i>Sandrock</i>	<i>No salt within 1/8 mile of Horsetank Wash</i>
<i>Miller</i>	<i>No salt in T12N, R10E, Section 33</i>

<i>Clear Creek</i>	<i>No salt</i>
<i>27 Mile</i>	<i>No salt within 1/8 mile of Horsetank Wash</i>
<i>Horse Pasture</i>	<i>Salt on private land only</i>

- b. Salt will not be placed in mountain meadows or riparian areas or within 1/4 mile of these areas. Salt will not be placed in non-riparian drainages in the ponderosa pine (MA3) areas unless being used for a watershed restoration project.

In addition to the salting mitigation noted above, the following mitigation measures for the Mexican spotted owl will also be followed:

- a. Continue to monitor grazing use by livestock and wildlife in "key areas" such as riparian areas, meadows, and oak types. If livestock show an increasing utilization trend, then management will be changed to reduce this trend. If wild ungulates show an increasing utilization trend, make recommendations to AGFD to reduce wildlife numbers.
- 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 of wood vegetation. If the mid-age class is absent, 5% utilization or less is required on the woody vegetation to promote the three structural stages. If all three age classes are present, utilization of 20% or less of the woody vegetation is acceptable.

We will have to coordinate livestock movements to ensure that a journey level fisheries biologist surveys East Clear Creek at the two designated crossings, for Little Colorado spinedace, before cattle can cross at these points. Please contact the District well before you are scheduled to cross so that we will be able to have these surveys done in a timely manner.

The Neck 4 pasture is not to be used by cattle because of concerns regarding willow and cottonwood regeneration. You are permitted to use this as a horse pasture until and if monitoring documents impacts to willow and cottonwood regeneration.

We were not able to initiate NEPA for the allotment in 2004, because of funding constraints. I am proposing that Hackberry/Pivot Rock be considered for NEPA initiation in 2005, and will let you know what the decision is as early as possible.

The attached document, *Mitigation for Chiricahua Leopard Frogs*, is part of the 2004 AOI for the Hackberry/Pivot Rock Allotment. You are expected to follow this mitigation during your time on the allotment.

The Annual Operating Instructions are a part of the 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. This AOI complies with the standards and guidelines found in the LMP.

The Annual Operating Instructions have been reviewed by District wildlife biologists and found to be consistent with the Endangered Species Act, as amended, and with all conditions agreed to in consultation with the US Fish and Wildlife Service.

The Annual Operating Instructions are 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 call Jerry Gonzales at 354-2216.

Sincerely,

/s/ Larry G. Sears  
LARRY G. SEARS  
District Ranger