



Center for Biological Diversity

*Protecting and restoring endangered species and wild places of Western North America
and the Pacific through science, policy, education, and environmental law.*

Keith Graves,
District Ranger USFS
303 Old Tucson Road
Nogales, Arizona 85621

TIME/DATE STAMPED FAX TRANSMISSION TO (520) 670-4598 2 PAGES TOTAL

June 26, 2001

Dear Mr Graves,

RE: MONTANA ALLOTMENT

Thank you for your prompt response dated June 13, 2001 to our complaint of June 5, 2001. We acknowledge that we also received the one page inspection report by Mark Hocken dated June 8, 2001, which chiefly confirmed our discoveries, viz:

1. The inspection report confirmed that forage utilization in Ruby pasture was "about 45 to 55%" which is clearly in excess of the maximum allowable use of 45% for the "non-growing season" of Oct through June, as laid out in the 2001 Annual Operating Instructions. We are disturbed that although allowable use has been exceeded cattle still seem to be present in Ruby pasture. They are due to move to Warsaw pasture on 6/30/2001 but according to the AOI "Cattle will be moved to the next scheduled pasture or off the allotment when these forage utilization standards are exceeded." Could you please inform us at your earliest convenience whether or not you have ordered or if not whether you intend to order the livestock out of Ruby pasture? If you have ordered livestock out of the pasture we would greatly appreciate receiving a copy of the directive. The inspection report also indicates that grasses were "green with slight new grow [sic] occurring." This suggests that the description of the growing season in the AOI is faulty and that the growing season has in fact already begun, in which case the maximum allowable use should be 35%. Do you intend to amend the current AOI and future AOIs to better reflect the real timing of the growing season for forage grasses on the allotment?

2. As to the violations we reported at 12R0477206/UTM 3478677 we may have recorded locations incorrectly as the description in the report does not match our own.

3. The inspection report confirmed that there had been livestock trespass in the California Gulch enclosure most likely when cattle were in Schumaker pasture in July-Oct last year. According to the current AOI, livestock are due to enter Warsaw pasture in July and remain until utilization limits are reached or until October. Can you assure us that there will not once again be

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trespass in the California Gulch exclosures? The fences were in poor repair. Do you plan to repair these fences before livestock re-entry into Warsaw pasture?

4. The inspection report also confirmed our own findings that agave flowering stalks had recently been destroyed in a pasture with plentiful evidence of cattle, cattle grazing and cattle manure but no evidence at all of recent deer droppings, the only game species that might also feed on these stalks. Do you intend to do anything to stop this damage to the nectar resource of the Lesser Long Nosed Bat, a federally listed species? Are you going to implement any of the conservation recommendations made by Fish and Wildlife Service in 1999 with regard to protection of Lesser Long Nosed Bat on the Montana allotment?

I look forward to the opportunity to meet with you on-site to discuss ways of preventing further abuses to endangered species habitat.

Sincerely,



Martin Taylor, Ph.D.

Grazing Reform Coordinator