

CHILTON RANCH & CATTLE COMPANY

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Mr. Keith L. Graves, District Ranger
Coronado National Forest
United States Forest Service
303 Old Tucson Road
Nogales, Arizona 85621

6-20-01

Dear Mr. Graves:

Thank you for sending me a copy of the June 5, 2001 letter from Martin Taylor, PhD., Center for Biological Diversity. I also appreciated receiving a copy of your letter to Mr. Taylor explaining why his allegations were in error. It is difficult to express how outraged we are that this individual and the activist group for which he works are bent on wiping out our carefully managed ranch. We sincerely appreciate your prompt and well-informed response after you had your staff do a thorough check to see if there was any basis to their hyperbolic claims.

Mr. Taylor's claimed doctoral degree didn't result in his understanding of the importance of checking the facts before making unfounded charges. He falsely claimed cattle had been in the area excluded from cattle grazing at the Mexico-US Border along California Gulch on the Montana Allotment. In fact, he implied, without direct observation or supported evidence, that cattle had been deliberately allowed into the area. On June 9, Larry Allen, a highly respected former Forest Service Officer, my wife Sue Chilton and I carefully evaluated the entire border enclosure from the north (upstream) fence to the border. We totally agree with Mark Hocken, District Range Management Specialist, who checked the enclosure immediately after the accusing letter was received, that there was absolutely no evidence that cattle from Mexico or our ranch had been in the enclosure area since the construction of the new fence between the United States and Mexico during the summer of 2000. No evidence of any domestic animal grazing nor any domestic animal sign less than a year old was observed anywhere within the enclosure. Any knowledgeable person casually reviewing the evidence at the site would have to come to the same conclusion. Only a biased and imprecise observer who is dedicated to the idea that cattle should be removed from all Federal Lands in Western United States would fabricate the charge that cattle had recently been in the enclosure and then request that my entire economic and personal investment in the Montana Allotment be taken away from me by the Forest Service. Mr. Taylor and the Center for Biological Diversity have lost all credibility by making bogus claims and specious demands.

In addition, a real scientist would not request you to withdraw my grazing permit on the basis of observing several broken agave stalks. First, a real scientist would not make a mistake since a scientist could tell the difference between sotol and agave. Second, an objective observer would investigate the cause of the four broken agave stalks. The fact is that there are many reasons why agave stalks might be broken in the 10 square mile Ruby Pasture. To assume that cattle broke the stalks unmasked the prejudice of Mr. Taylor and the Center for Biological Diversity. Some entirely probable reasons for broken agave stalks could include foraging by deer, javelina, or coatimundi.

Once again, it is disturbing that Mr. Taylor, a representative of the Center for Biological Diversity, would act so precipitously and request, nay, demand, extreme punitive, confiscatory actions based on a contrived anguish that livestock could have consumed a few spiny, hardy agave. His disingenuous charge applies to a plant species not on any threatened or endangered list. His actions are a violation of academic and moral codes of behavior.

Lastly, using the best available science, the evidence shows that my cattle have not been grazing in excess of U.S. Forest Service Official Standards. On June 9, 2001 retired Forest Service Officer Larry Allen and I checked the grazing cages in Ruby Pasture to determine if the cattle were approaching the 55% grazing utilization standards set forth in my allotment management plan (the Federal District Court has determined that the valid utilization percent is the percent established in the existing Allotment Management Plan until the NEPA process has been concluded and a new percent is established). During our extensive evaluation of Ruby Pasture, Mr. Allen visually estimated that there had been about 25% usage in the key areas established by the Forest Service using peer reviewed range monitoring techniques and in accordance with the Forest Plan.

A week later, on June 15, 2001, your experienced and knowledgeable range expert Duane Thwaites, Larry Allen, Sue Chilton and I again carefully evaluated grazing usage in Ruby Pasture. Mr. Thwaites and Mr. Allen used peer reviewed range forage usage procedures including clipping and weighing to verify that approximately 25% of the forage in Ruby Pasture had been utilized and that we should begin to move the cattle to Warsaw Pasture in an orderly manner and to conclude the move by the end of the first week in July.

Mr. Taylor and his colleagues should be on familiar terms with the Forest Service Usage Standards, monitoring techniques and peer reviewed range science before accusing my cattle of exceeding allowable use standards in Ruby Pasture. Incidentally, one of the places Mr. Taylor claimed over-utilization was on private property owned by in-holders, not by me. Additionally, the dominant grass on the site referred to by Mr. Taylor is bermuda (lawns with bermuda grass

are mowed regularly without damage). The specific site, including an extensive area above and below it (Marijuana Flat and the area above and below Ruby Lower Lakes), is also where an estimated 500 people and about 250 vehicles were present for traditional May Day/Cinco de Mayo celebrations just a four weeks prior to the Center's letter claiming "over-use" in this specific recreational area. It is irresponsible for Mr. Taylor to accuse my cattle of violating usage standards in an area that has had extraordinary human impact and is not on land managed by the U.S. Forest Service.

We have appreciated the long history of working together with the Forest Service and noted range experts to collect a scientific treasure-trove of objective site-specific data and information regarding the Montana Allotment. We recognize the exceptional time and effort the Forest Service has put into making this allotment a reference piece for informed, site-specific decision making. As you well know, we have contributed to providing the volume of quality data that puts us both in a position to confidently support our stewardship actions in any venue. We firmly believe that working together on a respectful and professional basis will continue to result in the best outcome for the land, will continue to produce an up-trend in range and riparian conditions, and will continue to provide a sustainable landscape for all of the multiple uses of the Montana Allotment.

In summary, thank you for carefully reviewing the Center for Biological Diversity charges of "flagrant abuse" and determining that the charges were false. As eco-terrorism is illegal, false and misleading charges, libelous accusations, and defamation of character are equally heinous.

Sincerely,



Jim Chilton

CC: Larry Medlock