



United States  
Department of  
Agriculture

Forest  
Service

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File Code: 2670

Date: NOV 26 2013

Larry D. Voyles  
Director  
Arizona Game and Fish Department  
5000 W. Carefree Highway  
Phoenix, AZ 85086-5000

Dear Mr. Voyles:

Thank you for your letter of November 8, 2013, expressing concern over a press release titled "Parking trailers in forests prohibited during hunting season," regarding abandoned trailers on the Coconino, Kaibab, and Prescott National Forests in northern Arizona. I regret the confusion and concern from the hunting community caused by this miscommunication to our constituents. It is also unfortunate that this action was not fully coordinated with local law enforcement and our state wildlife agency.

The Coconino and Kaibab Forest Supervisors will very shortly respond to your September 12 letter addressed to Earl Stewart; however, I wanted to touch on two requests that are contained in that letter.

Your first request was for consistency among the national forests in Arizona. I understand your desire for consistency and assure you that I do not want user confusion of how the law is applied from one forest to the next. Perhaps further dialogue between our agencies and Sheriff Offices can ensure consistent application of the law to address truly abandoned property. Robin Poague, Special Agent in Charge, and I would be more than willing to request a meeting of our Arizona law enforcement and line officer leadership with you and Arizona sheriffs to attain the implementation consistency we both desire. I would like to have a dialogue with you on how we can best attain consistency in application, since this is larger than just our two agencies.

Your second request asked that we return to an enforcement approach that allows visitors and their property, including trailers, to remain on the forest for 14 days, whether the property is continuously attended or not. First, let me emphasize that the Forest Service welcomes hunters to the National Forests and Grasslands. The news article's language and timing, which was perceived as targeting hunters, was truly unfortunate, and for that I apologize. The National Forest System provides some of the most diverse and productive wildlife habitat in the country, and we cherish the heritage of hunting and fishing on these public lands. As you state, very often hunts on our National Forests can last for a week or more. Forest visitors camping and actively engaged in hunting or other recreational activities are not at risk of being cited or having their property considered abandoned after 72 hours. To be clear: hunters and other campers have never been cited or required to move camp every 72 hours. In instances where a forest user stays longer than 14 days in one spot or is otherwise impinging on other visitors' enjoyment of the National Forests, we always rely on education and concerted efforts to contact the property owner long before taking any enforcement action.

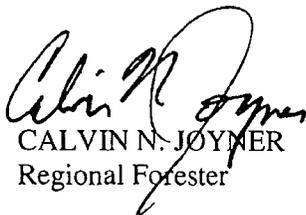


I want to assure you that the Forest Service is not implementing any new rules or policies for abandoned property on federal lands. I appreciate your acknowledgement of the importance of the abandoned property tool as needed by law enforcement officials and value your support for our use of this tool. I believe some of the confusion surrounding our application of this tool was derived from the article which created an impression that a vehicle or camper left unattended for 72 hours would equate to abandonment. That is not the case. There are clearly other circumstances that any law enforcement officer must consider on the scene to properly interpret the intent of the abandoned property law and conclude possible abandonment

On rare occasions, when necessary, our Law Enforcement Officers use this authority primarily to protect the public from hazards and to keep the forest from becoming a dumping ground for unwanted property. Before any property is removed from the national forests, we make every effort to contact the owner. Any action to remove abandoned property from the national forests is always coordinated with local law enforcement officials, typically the Sheriff's Office. Almost all of these removals occur after our Law Enforcement Officers receive complaints from citizens about abandoned property that is posing a safety risk or blocking access for other forest users. In fact, our records since 2010 show that the average length of time abandoned property sits on the national Forests in northern Arizona prior to being towed is nearly 33 days. In addition, of the property cited as abandoned or posing a safety risk, only about ten percent are actually towed off the National Forests. Each year, with millions of visitors to the forests, the Coconino, Kaibab and Prescott National Forests combined average about four instances in which abandoned property is towed. This includes vehicles that have been abandoned and left for junk and other property dumped illegally on the national forests. I have enclosed a table which summarizes the abandoned property removed from the Coconino, Kaibab, and Prescott National Forests since January, 2010. It is important to note that nearly all the towed property occurred during the summer months and not during hunting season.

Our long-standing and close partnership with the Arizona Game and Fish Department ensures first-rate wildlife management and hunting opportunities on the national forests in Arizona. I look forward to working closely with you, our County Sheriffs, Forest Service Law Enforcement, and Forest Supervisors in Arizona to clarify any confusion or concern in the hunting community regarding this issue. It is important that we frequently coordinate and have dialogues on matters of mutual interest. Toward that end, please call me any time you believe we need a discussion to remain coordinated and maintain our partnership in managing Arizona's rich natural resources.

Sincerely,



CALVIN N. JOYNER  
Regional Forester

Enclosure

cc: Don G DeLorenzo, Karen M Carter, Robin Poague, pdl r3 az supervisors

**Abandoned Property on the Coconino, Kaibab, and Prescott NFs - Jan. 1, 2010 through Nov. 13, 2013**

National Forest	Violation Notices for Abandoned Property	Violation Notices for Vehicle or Property posing safety risk	Total Towed
<b>Coconino</b>	<b>36 – Vehicles (cars &amp; trucks)</b> <b>3 – Busses</b> <b>1 – Boat</b> <b>1 – Airplane</b> <b>18 – Camp trailers</b> <b>4 – Cab-over campers</b> <b>3 – Motorhomes</b> <b>7 – OHVs (ATV's, quads, motorcycles)</b>	<b>5 – Vehicles</b> <b>4 – Trailers</b>	<b>3 – Vehicles</b> <b>0 – Trailers</b>
<b>Kaibab</b>	<b>11 – Vehicles</b> <b>2 – Cab-over Campers</b> <b>4 – Motorhomes</b> <b>1 – OHV (ATV's, quad, motorcycle)</b> <b>25 – Trailers/campers</b> <b>1 – Boat</b>	<b>2 – Vehicles</b>	<b>3 – Vehicles</b> <b>11 – Trailers (camping or other)</b>
<b>Prescott</b>	<b>23 – Vehicles</b> <b>6 – Trailers</b> <b>2 – OHV (ATV's, quad, Motorcycles)</b> <b>1 – Boat</b>	<b>1 – Vehicle</b> <b>2 – Trailers (camping or other)</b>	<b>None</b>
<b>Total Abandoned Property</b>	<b>149</b>	<b>14</b>	<b>17 Towed</b> <b>(10.4% of abandoned property cited)</b>