

**Lands Update**  
For the Arizona Game and Fish Commission  
November 30, 2012  
Phoenix, Arizona

**U.S. FOREST SERVICE LAND AND TRAVEL MANAGEMENT PLANNING**

**General Planning Status** – Please see attached work sheet.

**Coconino National Forest**

The Forest continues internal development of its Revised Land and Resource Management Plan (LRMP). Release of the Draft Environmental Impact Statement (EIS) is expected in early 2013.

The Forest is in the implementation phase of its Travel Management Plan (TMP).

**Coronado National Forest**

The Forest's LRMP internal working draft is in review at the Regional Office in Albuquerque. The Draft EIS and plan is expected to be available for public input in late fall of 2013. The Department has consulted with the Forest on the draft LRMP and will submit formal comments on the Draft EIS when it is released.

The TMP is currently in the scoping phase of NEPA. The Department submitted comment letters on all five ranger districts. The Department also participated on the Collaborative Alternative Team (CAT) which finished in October. The CAT's purpose is to produce an alternative to the Forest's Proposed Action. The Forest will issue Draft EIS for each District. The projected date for the issuance of Draft EIS's is late 2012 or early 2013. The Department's major concerns with the TMP process have been that the Forest did not accurately portray the available access to the Forest.

**Kaibab National Forest**

The Forest continues to work toward release of a Final EIS for its LRMP. Preliminary indications are for a release in early 2013.

The North Kaibab Ranger District released its Record of Decision for their TMP, and the Department subsequently appealed the Forest's Decision (see attached appeal). The appeal addressed two main issues: 1) the omission of motorized deer retrieval, and 2) the inadequate provision of dispersed camping in the pinyon-juniper habitats. The Department subsequently met with the Forest Supervisor and Appeals Officer to informally discuss our appeal. The Regional Forester will provide findings on our appeal to the Department on December 20, 2012. Future Department courses of action will be assessed based upon the Regional Forester's decision.

Tusayan and Williams Ranger Districts are already in the implementation phase of their Travel Management Plans.

### **Prescott National Forest**

#### **Draft EIS and Land and Resource Management Plan (LRMP) Review**

In May of 2011, the Department compiled and submitted comments on behalf of Region's 2, 3 and 6 regarding Draft IV of the Forest's LRMP.

In August of 2012, a Notice of Availability was published in the Federal Register by the EPA, initiating a 90 day public review and comment period for the following two documents:

1. Draft Environmental Impact Statement (DEIS) for the Prescott National Forest Land and Resource Management Plan
2. Draft V LRMP for the Prescott National Forest

The Department has coordinated the development of a formal comment letter submitted to the Forest on Nov. 28, 2012. (see attached)

#### **Strategic Action Planning Committee for Forest Conservation and Restoration**

The Department continues to participate in this concurrent planning effort with the Forest. The goal of this committee is to produce implementation plans for the new Forest LRMP that will prioritize funding, NEPA support, and implementation measures relating to cooperative, interagency restoration or conservation actions.

### **Tonto National Forest**

The Forest LRMP has been under internal revision and is anticipated to be out for scoping by 2014 with a 4-6 year timeline for the final LRMP and EIS. The TMP has not been issued a final decision at this time. A recent leadership coordination meeting (mini) included some further insight into the processes. The Forest is currently determining the need for elevation of the NEPA process (from EA to EIS) for the TMP that would allow for the further coordination and potential for additional alternatives to be developed. The LRMP will take on a more collaborative approach, beginning with a workshop to define partner roles and responsibilities, etc. The intent is to have Department involvement early and throughout the process.

### **U.S. FOREST SERVICE - General**

#### **Four Forests Restoration Initiative (4FRI)**

4FRI is a federally-funded, U.S. Forest Service Collaborative Forest Landscape Restoration (CFLR) Project to restore ponderosa pine forests across 2.4 million acres of the Apache-Sitgreaves, Coconino, Kaibab, and Tonto National Forests over the next 20 years. Collaboration and planning have been ongoing since 2009, and the Department is a founding member of the 4FRI Stakeholder Group which includes a diverse list of over 35 organizations. The Department is also a Cooperating Agency on the USFS 4FRI Coconino-Kaibab Project, which is an Environmental Impact Statement (EIS) proposing mechanical thinning and burning over 580,000 acres on those two forests. Planning on the Coconino-Kaibab Project is ongoing, and the expected release of the Draft EIS has been delayed to early 2013.

## **Apache-Sitgreaves National Forests (A-S)**

### Annual Coordination Meeting

The Department held its annual coordination meeting with the Forest at Sipe White Mountain Wildlife Area on September 12 and 13. Topics of discussion included project planning and implementation, personnel and budget, Wallow Fire, unauthorized livestock, and nuisance bears at campgrounds.

### Rim Lakes Forest Restoration Project Draft Environmental Impact Statement (EIS)

The Department provided written comment on the Draft EIS for the Rim Lakes Forest Restoration Project dated September, 2012. The Draft EIS disclosed the effects of a proposal to treat vegetation in a 33,500-acre project area on the Black Mesa Ranger District within the Forest. Two action alternatives (alternative B and alternative C) were analyzed along with the no action alternative (alternative A). The proposed action (alternative B) would selectively cut trees and then broadcast burn on approximately 23,615 acres. Alternative C is identical to alternative B in location and treatment, except that alternative C includes a diameter size limit so that only trees less than 16 inches diameter at breast height (dbh) would be included in the cutting and removal.

The Department expressed its support for forest restoration projects that emphasize the removal of small-diameter ponderosa pine trees, which have grown over the past century to unsustainable densities, resulting not only in a profound risk of catastrophic wildfire, but also in significantly degraded wildlife habitats. The Department's comment letter further stated that it does not support project-wide caps or limits on the diameter of trees to be cut, because it recognizes that there are instances where young large trees need to be cut in order to achieve restoration objectives. The Department concluded that alternative C, with a 16 inch dbh cutting limit, would restrict the ability of the Forest to more fully restore important wildlife habitats within the project area.

## **Coconino National Forest**

### Flagstaff Watershed Protection Project

The voters within the City of Flagstaff recently approved local Proposition 405, which creates a Forest Bond that generates \$10 Million to reduce fire risk on Coconino National Forest and State lands in the watershed immediately above the city (called the Dry Lake Hills) and on Mormon Mountain (which feeds into the municipal watershed). Immediately upon voter approval, the Forest began pre-NEPA planning for the Flagstaff Watershed Protection Project, which is expected to be an Environmental Assessment. The Forest has invited the Department to participate on the Interdisciplinary Team (IDT) for this project. The Department will also work on this project with the Greater Flagstaff Forest Partnership (GFFP) a community-based collaborative group that has supported forest restoration work in the Flagstaff Wildland-Urban Interface since the 1990s. The Flagstaff Watershed Project is important for protecting the city watershed; but is complicated by steep terrain that will require impactful methods that have not been used in this region for a long time, sensitive wildlife issues, and treatment within mixed conifer habitats where there is little in the way of restoration science upon which to base desired conditions.

## **Coronado National Forest**

### Rose Canyon Lake Trout Stocking Meeting

The Department met with the Forest on the Catalina Ranger District and private contractors to discuss the final installation of a trout stocking tube at Rose Canyon Lake and the repair of the service road used to access the stocking tube. Trout stocking has become troublesome as the condition of the road deteriorated. The project has been fully funded by the Forest and when completed will greatly increase the safety of Department employees while stocking trout at the lake.

### Proposed Rosemont Copper Project

The Coronado National Forest planned to release the Rosemont Copper Project Final Environmental Impact Statement (FEIS) for public review in December, 2012. However, additional work must be completed before the Record of Decision is issued. A release date has not been given.

The additional work includes: consultation with the U.S. Fish and Wildlife Service; consultation with tribes and the State Historic Preservation Office; Army Corps of Engineers permit coordination; updating of air quality models; additional transportation analysis; integration of updated lighting mitigation plans; evaluation of socioeconomic impacts to the astronomy industry in southern Arizona; and consultation with the Forest Service Southwestern Regional Office.

In the process to refine project alternatives and mitigate impacts, the Forest requested Rosemont reconsider various aspects of their operations. This request was based, in part, on several of the more than 25,000 comments received on the October, 2011 Draft EIS. Rosemont's August 2012 Feasibility Update Report reflects environmental and operational refinements, such as addressing groundwater quality concerns and improvement of storm water management for the benefit of downstream resources. New information resulting from Rosemont's Feasibility Update Report will be reviewed and considered as the CNF continues its ongoing analysis.

The Department has set a date of November 30 to meet with the Forest to further discuss opportunities to offset impacts to wildlife resources and wildlife-related recreation.

## **Kaibab National Forest**

### Bill Williams Mountain Restoration Project

The Forest released its Draft EIS for the Bill Williams Mountain Restoration Project on the Williams Ranger District. The Bill Williams Project proposes mechanical treatments and prescribed burning on approximately 15,200 acres of ponderosa pine and mixed conifer habitats to reduce the risk of catastrophic wildfire and improve forest health in the City of Williams watershed. Strategic fuels reduction in this area is critically needed, but complicated by steep terrain rendering normal mechanized timber felling equipment inappropriate. This project is proposing cable-logging systems and helicopter logging, methods that have not been used in this region for some time. The Department is working with the Forest and US Fish and Wildlife Service to identify key areas for strategic fuels reduction in mixed conifer habitats. The expected outcome is a spatially-explicit, strategic plan that reduces fire risk while allowing greater flexibility for canopy-dependent wildlife such as the Mexican spotted owl, which occurs on the Mountain. The Department recently submitted formal comments on the Bill Williams Project,

which also proposes restoration of ponderosa pine and pine-oak habitats, grassland habitats, construction of 23 miles of new roads, 16 miles of temporary roads, and obliteration of 28 miles of poorly located roads.

#### North Kaibab Westside

The Department and the North Kaibab Ranger District (NKR D) recently met in the field to discuss the growing problem of cheatgrass on the west side of the Kaibab Plateau. Cheatgrass and other invasive annuals have become widely established on the Kaibab Plateau and adjacent areas, reducing habitat quality for mule deer and other wildlife, decreasing forage for domestic livestock, and setting the stage for unnatural, high-frequency fires which will cause further ecosystem degradation. In response, managers have applied a variety of treatments, including “hands-off” management with hopes that native plants will eventually prevail, herbicide application, and the Department’s engagement in seeding of native grasses and shrubs. Results to date have not met expectations. New approaches are needed, particularly a means for breaking up continuity of fuels at a landscape-scale, and limiting fire spread when ignitions occur. Another high priority is development of treatments to provide wildlife forage and habitat value on previously-burned areas dominated by invasives. These discussions will continue, and the Department will work with the Forest and other partners to address this issue.

#### Tusayan Detention Pond

The Tusayan Ranger District proposes to construct 8 detention basins on the east side of Tusayan, in order to slow flooding into town. The basins will be located in the northeast and southeast sub watersheds. The basins would be designed to detain approx 20 acre-feet of water, and each basin would be 4 feet deep by 160 ft wide by 160 ft long. The basins will not be designed to hold water for any length of time, instead to slow the flow of water into town. The disturbance footprint would be approximately 1 acre. The Department is assessing the risk of illegal bait bucket dumping into these new water basins and the impacts of such actions in the watershed directly upstream from the Little Colorado River where humpback chub occur. The Department will address these concerns, and any others, in the comment letter due Nov 26.

#### **Tonto National Forest**

##### Superior Abandoned Mine Remediation Project

The Forest recently proposed an abandoned mine remediation project near Superior for recommended closure by various methods for several mine openings. The Department provided review and comment with a formal letter, due to some key concerns both on the report issued by BCI and inconsistency with the methods for closure and interpretation of the report’s recommendations.

#### **BUREAU OF LAND MANAGEMENT (BLM)**

##### **Grand Canyon-Parashant National Monument**

In partnership with the Department, the Grand Canyon-Parashant National Monument recently approved a Categorical Exclusion for a Merriam’s turkey augmentation project in the areas of Mount Logan and Oak Grove. The project will augment the existing small populations of turkey on the Monument, with the release of up to 75 turkeys between November 2012 and October

2017. Release operations would be conducted by AGFD and BLM. Post-release monitoring will occur.

### **Kingman Field Office**

The Department has been cooperating with BLM to carry out Fall Rangeland Monitoring on the following grazing allotments: Big Sandy Herd Management Area, GMU 16A; Music Mountain Allotment, GMU 15B; Hualapai Peak Allotment, GMU 16A; Black Mesa & Gibson Allotments, GMU 15D; Crozier Canyon Allotment, GMU 18A; Santa Maria Ranch, GMU 16A; Burro Creek Allotment, GMU 18B; and La Cienega Allotment, Use-pattern mapping and upland health monitoring on the Big Ranch, and Gold Basin Allotments, GMU's 15A and 15BW.

### **Lake Havasu Field Office**

The Department partnered with Lake Havasu Field Office on route evaluations during the week of November 5 - 9. This week's focus was on routes in the Bouse Travel Management Area. The results from this effort will be used in the development of Travel Management Plans, proposed alternatives, and a proposed decision with NEPA compliance.

### **Yuma Field Office**

The Department met with Yuma Field Office to discuss partnering on a pilot project to determine feasibility of creating mesquite bosques on BLM land. BLM agreed to partner with the Department on this habitat quality improvement project.

## **DEPARTMENT OF DEFENSE**

The Department continues coordination with the Arizona Army National Guard for an upcoming meeting to provide introductions, roles and responsibilities and identification of collaborative project opportunities/trainings.

## **NATIONAL PARK**

### **Petrified Forest National Park (PFNP)**

In August, the Department, in coordination with the PFNP, had sent letters to successful pronghorn antelope hunt applicants in GMU 2A to inform them of the land status change associated with the August 9, 2011, acquisition of the 26,500 acre Hatch Ranch by the PFNP, as authorized by the Petrified Forest National Park Expansion Act of 2004. To date, neither the Department, nor the PFNP, have received any feedback from hunters. The PFNP has put out notices at all locations where roads enter the former Hatch Ranch, and have patrolled those areas irregularly.

## **GENERAL UPDATES**

### **Arizona State Land Department (ASLD)**

The Department met with the ASLD and Graham County Board of Supervisors (County) to review options for maintenance of the Lebanon Road south of Safford in order to work on the

Lebanon Reservoir dam and irrigation ditch. The Department has a share of the water stored in Lebanon Reservoir and the ditch supplies some water to Roper Lake.

The County has maintained the road for the past 55 years, but recently the ASLD informed the county that they would have to purchase a right-of-way or easement to maintain the road. The land was originally in BLM ownership prior to a land exchange in 1969 when it became State Trust land. The BLM authorized the current ditch system and provided public access through the ditch system, but apparently road access was not included in the land transfer. Depending on the easement type, ASLD estimated the costs between \$5,000 and \$12,000. The Department provided the County the option of applying for a Heritage Grant to purchase the easement and gave them details on the possibility to declare the road a county right-of-way using the RS2477 option (the reservoir was there before statehood). The ASLD mentioned that if they received an application for easement, they would grant an interim right-of-entry for the road work. The County has not yet informed the Department on their progress.

#### **Bureau of Reclamation/Army Corps of Engineers/U.S. Fish and Wildlife Service.**

The Bureau of Reclamation, Army Corps of Engineers, U.S. Fish and Wildlife Service and the Department met to discuss improving coordination of 404 permitting on the Colorado River and on determining a course of action on unpermitted docks. All agencies agreed to commit to establishing better and timely coordination.

#### **Coconino County**

Coconino County (County) Planning and Zoning recently requested the Department's review of the United Christian Youth Camp (UCYC) 'Wood Springs Ranch' proposal for a large outdoor church camp (max capacity 1400 campers) proposed for a 66-acre parcel near the Fox Ranch Road exit on the east side of Interstate 17 south of Flagstaff. The Department provided an objective analysis of impacts to wildlife based on best available information, and did not take a formal Department position, but rather deferred decision authority to the County. Based in large part on natural resource issues and project size the County Planning and Zoning Commission unanimously denied the UCYC proposal in August. UCYC formally appealed this decision, and the appeal was heard by the County Board of Supervisors on November 13. The Board remanded the case back to the County Planning and Zoning Commission due to some significant changes that UCYC has made to their project design. Based on these changes, the Commission will re-hear this case at some point likely in early 2013. The county has requested the Department's continued involvement in project review.

#### **City of Holbrook**

Department representatives met with the City of Holbrook in November 2012 to discuss potential opportunities for collaborative management of hidden cove.

#### **Wildlife Areas**

##### **Cabeza Prieta National Wildlife Refuge (NWR)**

There is a planned release of 22 Sonoran pronghorn from the pens in Cabeza Prieta NWR. Animals will be released on West Barry M. Goldwater Range, Organ Pipe National Monument and Kofa National Wildlife Refuge. The plan is to release 2 does and 6 bucks into King Valley

on Kofa after two months in habituation pens. This will be the first time there will be pronghorn in the King Valley since the early 1900's.

#### Horseshoe Ranch

The Department continues to assess the water rights associated with the ranch and allotments and has developed a detailed report that includes recommendations. Vegetation planning for the pond is still in the preliminary stages of development. We also continue to work with John Holbrook and NRCS for opportunities for collaborative projects on the allotments and the ranch. We are in the process of compiling grass cropping field trip notes and related research to present for consideration in management plan decisions for irrigated crop lands on the ranch. We continue working with TNC to organize a consulting meeting with external experts at the ranch.

#### **Coordinated Resource Management Plans (CRMP)**

##### Three Brothers Ranch

Range inventory has begun on this ranch in GMU 30B. The Department spent one day in the field helping NRCS range staff collect data.

##### Rancho Seco

Final revisions of the Rancho Seco CRMP, led by Pima County, were made and the plan was signed by the Department.

##### Horseshoe

The Department continues to coordinate and participate on the CRMP for the Horseshoe and Copper Creek Allotments. Information is provided to the public via an updated web-site and the agencies are utilizing the services of a facilitation group. Progress continues as the group is winding up the completion of shared goals and objectives. Parallel to the administrative processes, field work has been conducted utilizing a new range and upland evaluation technique piloted by the BLM Assessment Inventory Monitoring Strategy (AIMS) for integrated renewable resources management. This work has been completed over the summer. Riparian monitoring is being scheduled, as well as an opportunity to initiate implementation of the Department's statewide fisheries management assessment tool on the allotment watershed. The sub-team for the fisheries assessment has met for the initial kick off and is currently gathering data. The desire to ensure the federal agencies can utilize the CRMP process as their NEPA for formal decision and implementation has affected the timelines somewhat, but will greatly enhance the ability to conduct management actions under one NEPA umbrella at process completion. The anticipated plan document completion will be in 2013.

#### **Natural Resource Conservation Service (NRCS)**

The Department made a visit to the Douglas field office to work on communication and understanding of partner biologist position.

The Department coordinated with Willcox field office to get in touch with a private landowner that is interested in introducing prairie dogs on his property. Site visits will be scheduled in the near future.

### **Natural Resources Conservation Districts (NRCs)**

The Department attended a special joint meeting of the Reddington and Winkleman NRCs. The purpose of the meeting was to discuss the National Wildlife Refuge proposed by the U.S. Fish and Wildlife Service for the San Pedro area. As requested, the Department discussed the NRCS Working Lands for Wildlife initiative.

### Becker Lake Creel Survey

The Department is completing a year-long angler creel survey at Becker Lake in Apache County to monitor this catch-and-release trophy trout fishery. The regulations at Becker Lake were changed in 2011 to artificial lure and fly only with single barbless hook and catch-and-release to help reach management objectives set for this lake. The main goal for the lake was to provide a fishery where anglers could catch a large trout (>18") on a regular basis, an angler demand that was not previously being met in that Region.

Based on preliminary analysis of the creel to date, management objectives were met at Becker Lake for the first time since they were set in 2005. The objective to improve the stock density of trout greater than 14" to 40% and trout greater than 18" to 10% were met, improving to 95% and 55%, respectively. The objective to increase angler satisfaction in ratings of good or excellent to 50% was met, improving to 50% in 2012. The objective to increase angler use to 15,000 angler hours per year was met, improving to 16,200 angler hours so far in 2012. The objective for catch rates to be 0.50 fish/hour in the summer and average 0.75 fish/hour year-around was mostly met, with catch rates in the summer improving to 0.77 fish/hour and year around catch rates at 0.69 fish/hour.

Site host volunteers at Becker Lake in 2011 and 2012 have helped provide information on the new regulations, give advice on angling tips, pick up trash, conduct creel surveys, report violations, and generally watch over the area. Facility improvements have been planned and will be implemented as funding becomes available. Overall, the fishery has become a success and anglers are enjoying catching the large and feisty trout at Becker Lake.

### Roundtail Chub

The Department collected roundtail chub from Chevelon Creek, Coconino County, on October 4 and 11 in an effort to develop a brood stock of this species from the Little Colorado River (LCR) watershed. Roundtail chub have nearly disappeared from the LCR and are currently found in only a handful of locations. The species, as a whole, is also on the verge of being listed on the Endangered Species List. A brood stock is being developed to propagate large numbers of offspring with which to establish new populations of roundtail chub in the LCR. Only 3 roundtail were collected on October 4, but 42 were collected on October 11, including a number of large healthy adults. All were taken to Bubbling Ponds Hatchery where they are currently undergoing parasite and disease quarantine treatments. Plans are currently being developed to identify reintroduction sites and long-term management of the LCR brood stock. This project will help to prevent a Federal listing of the species, and will also help meet major CAMP measures.

### Wallow Fire Aspen Monitoring

On September 10 and 11, the Department conducted the first fall monitoring of aspen regeneration and recruitment, at approximately 192 sites within the Wallow Fire burned area. Recruitment of aspen was generally good to excellent. Use on some aspen by ungulates was

documented, as well as a few locations where the aspen disease, Shepard's Crook, was present. Leaf damage from past hail storms was also noted. This monitoring effort is projected for a five year period ending in the fall of 2016. Growth on aspen varied from 2-3' on drier exposed sites to over 7' in the more mesic protected sites. There is still a lot of salvage and hazard tree removal occurring and this activity is having an impact on aspen recruitment. The effects from these activities range from destruction of current recruitment to soil disturbances stimulating more aspen recruitment. Overall, the aspen recruitment and regrowth is out-pacing use and management activities and shows a positive recruitment potential.

**Yavapai Ranch Planned Area Development (History and Department Involvement):**

- Yavapai Ranch (Ranch) had an approved Development Agreement from the year 2000 permitting construction of approximately 25,000 homes on the 51,000 acres of deeded land interspersed in a checkerboard fashion within Prescott National Forest Lands (Forest).
- In August, the Ranch submitted a Planned Area Development (PAD) proposal to Yavapai County (County) to replace the 2000 Agreement. At the same time, they requested a variance from the County that would allow them to forego developing Williamson Valley Road and the interior roads of the PAD to County Standards, as well as a Minor Plan Amendment to change the zoning from residential to commercial for 95 acres within the PAD - to construct 3 commercial centers associated with the development proposal.
- At that time, the County invited the Department to review and comment on the variance request, amendment request, and PAD proposal.
- On September 27, the Department submitted comments to the County to be provided as briefing materials to Yavapai County's Planning and Zoning (P&Z) Commissioners prior to voting on the above-mentioned items. Comments focused on the value of this grassland habitat to Arizona's pronghorn population, anticipated impacts to pronghorn, the number of residences to be constructed in the PAD, recreational access to public lands, as well as anticipated impacts to hunting opportunities and habitat value. Additionally, the Department provided requests and recommendations to the County to avoid, minimize, or mitigate anticipated impacts associated with the PAD.
- Following meetings between the Department and the project proponent, the Department provided an additional comment letter to the County dated October 2, 2012. In this letter, the Department clarified its support for *appropriately designed and sited* clustered development, and its desire to partner with the Ranch to produce a recreational access plan that would meet the planner's and recreating public's needs relating to the checkerboarded Forest lands.
- With the P&Z Commission's decision on October 3, the variance for the roads, the commercial zoning request, and the PAD proposal were approved, and forwarded to the Yavapai County Board of Supervisors for review and a decision. With P&Z Commission approval, the year 2000 Development Agreement was one step closer to being replaced by the new PAD for Development of the Ranch.
- The PAD prescribes a maximum of 6,500 homes in the PAD's Residential Districts, with an additional 6,000 residential units permitted upon the 95 acres of future commercial centers.
- It is my understanding that with County approval of a major plan amendment request, the Ranch may seek an increase to this cap in the future if they desire to do so. However,

such a request would be fully scoped with the public and reviewing agencies prior to P&Z Commission and Board of Supervisors decisions.

- The PAD proposal is strategic in nature, much like our own strategic plan. It provides little in the way of specific development details and could be compared to an executive summary. The County has indicated that as this development proposal moves forward, it will be a phased approach to development. With each phase of development (likely each residential district), detailed development plans will have to be submitted to the County for approval. Those plans will include proposed platting, etc. Based on feedback from the Senior Planner for the County, those plans will receive full public scoping, and will be provided to reviewing agencies for comment prior to P&Z Commission and Board of Supervisors approval. At that time, the Department will have the details necessary to provide site-specific guidance and recommendations to preserve the wildlife and habitat values for which it has concerns.
- On Monday, November 5, the Yavapai County Board of Supervisors met to hear the Ranch PAD Proposal. At the meeting, Supervisors Chip Davis and Thomas Thurman voiced requests to the County that were embodied in the comment letters previously submitted to Yavapai County Planners by the Department. The Supervisors were supportive of the Department concerns relating to wildlife, habitat, fencing, hunting opportunity, and recreational access to checker-boarded public lands. Prior to their decision, the Department twice addressed the Board of Supervisors, clarifying the Department's concerns, recommendations, and requests made to the County relating to the PAD proposal. Prior to an ultimate decision in favor of the PAD proposal by Supervisors Springer and Thurman, the Supervisors upheld the Department's recommendations and requests, and incorporating them as supplemental conditions into the PAD proposal, requiring the PAD to utilize the Department's pronghorn friendly fencing guidelines for all fencing in the development, requiring the project proponent to cooperatively team with the Department and the Forest in development of a recreational access plan to meet the needs of the recreating public, and prohibiting the PAD from impeding the public's access to public lands.
- Following the meeting, the Department met with Ranch Management, incumbent supervisors, and new supervisors that will take their seats on the Yavapai County Board of Supervisors in January of 2013. All expressed appreciation for the Department's involvement and contributions to the process.
- On November 8, the Department collaborated with Ranch Management in the development of a team that will address the recreational access supplemental condition tied to the PAD approval. It was agreed during this discussion, that the Department with oversight for this property, the PNF District Ranger, TNC, and a consumptive use NGO will be invited to seats on the team that will address this issue. However, during this meeting, the scope of the team was expanded to address, not only recreational access to Forest lands, but how best to plan development of the Ranch for the preservation of wildlife, habitat, and hunting on these lands. The first meeting for this team is scheduled for November 26, 2012.

## **RENEWABLE ENERGY DEVELOPMENT**

### Sasabe Lateral Natural Gas Pipeline (El Paso Natural Gas/Kinder Morgan) (El Paso)

Federal Energy Regulatory Commission (FERC) environmental staff is charged with overseeing preparation of the EIS for the project. The FERC Commission will determine whether to issue a certificate of public convenience and necessity, and a presidential permit for the project. In addition to consideration of environmental information presented in the EIS, the Commission also considers such non-environmental factors as engineering, markets, and rates in making its decision to approve or deny El Paso's request for a certificate and presidential permit. Neither the President, nor Congress, reviews the FERC's decision. Draft resource reports were filed October 5. The Department participated in a FERC-hosted interagency meeting in Tucson, October 18. El Paso intends to file their final application, outlining the proposed route, in mid-January. El Paso is anticipating the FERC's final decision in late December 2013. If approved, El Paso would begin construction in the first quarter of 2014 with projected in-service at the end of September 2014.

## **WIND**

### **Mohave County Wind Project**

Biological Resources: The second Draft of the Bat Conservation Strategy was submitted to core team members for review. The Eagle Conservation Plan/Avian Conservation Strategy was released to agencies, BLM and USFWS, for review. The USFWS had specific mitigation measures they wanted incorporated into the strategy before any approval or permits would be considered. BLM is currently working with BP Wind (BP) and the Bureau of Reclamation (BOR) concerning permits and invasive weed strategies for the project. They identified activities not covered by permits, and supplemental plans needed for the Reclamation Plan, specifically the Mining Plan, Dust Control Plan, Health Safety Security and Environment Plan.

Preliminary Final Environmental Impact Statement (EIS) #2: BLM is coordinating with BP on the proposed preliminary preferred Alternative to determine its feasibility for satisfying the interconnection agreement terms. BLM will contact agencies for specific information, and choose the preferred project Alternative when the decision is made. The EIS revisions are currently going through internal review, and will be distributed in sections to core team members for final analysis before any Alternative selections are made.

Micro-Site Turbines: BP was working at the project site October 29 through November 2 to micro-site specific corridors for the wind turbines. BP will work with the BLM and BOR to verify any permits needed, or access permission for existing roads. Currently the northwest corner of the project has been determined to be too active for eagle nest activity and will be removed from consideration for turbine placement.

Ethnographic Study: Currently BLM has sent the Native American Graves Protection and Repatriation Act (NAGPRA) Plan of Action for the project to be included in the EIS text. No new sites have been identified, but interviews with tribal elders have provided additional information on the known project sites. BLM and BOR are working closely with the tribes to ensure a smooth transition.

### **Pacific Wind - Dolan Springs Project**

A pre-application meeting was held on November 2, 2012, at the BLM Kingman Field Office to address the project overview and give agencies an opportunity to voice concerns. Participants included BLM, USFWS, Western Area Power Administration (Western), Mohave County, AGFD, Navajo and Fort Mojave Tribes and the project proponent Iberdrola Renewables.

Summary of the project includes up to 300MW of generation with up to 150 wind turbine generators. The project is proposed to sit on 47,000 acres of land in Mohave County; (29,440 acres of BLM and 17,920 acres of private). An interconnection request has been made to Western, and the potential exists for solar generation to be included in this project as well.

The next steps in this scoping process will be for Iberdrola Renewables to get a Right-of-Way (ROW) from the BLM for the 29,440 acres. At this point the NEPA process will begin and a projected schedule will be implemented.

### **Perrin Wind**

The Department recently participated in a teleconference for the Perrin Ranch Technical Advisory Committee. The main topic of discussion was post construction monitoring associated with the wind farm (operating since late Jan 2011). Post construction monitoring entails 3 years of surveying for fatalities beneath a subset of turbines. So far there have been <40 total wildlife mortalities, of which, most are passerine birds and bats. At this time no thresholds have been met or exceeded as per the Avian and Bat Protection Plan. With winter now upon us, it is not expected that any thresholds will be met or exceeded. The Department continues to appreciate the transparent nature of the developer (NextEra) and the Consultant (SWCA).

## **TRANSMISSION LINES**

### **SunZia Transmission Line Project**

The Department participated in a Cooperating Agency meeting on September 7, hosted by BLM. Additional participants represented AZ State Land Dept., USFWS, NPS, Fort Huachuca, Buffalo Soldier Electronic Proving Ground, Luke AFB, Office of the Secretary of Defense, and EPG, Inc. (SunZia's environmental contractor). The primary purpose of the meeting was to discuss the military's concerns for the project in Arizona. A separate meeting was held in Santa Fe to address military concerns in New Mexico. Fort Huachuca has expressed a preference for the BLM to select either route 4A or 4B, in order to place the proposed transmission lines as far away from the Buffalo Soldier EPG as possible. The Fort is concerned that the two proposed 500 kV transmission lines would interfere with the military's electronic testing operations. The Air Force stated their support for route 4B through the Sulphur Springs Valley and between the Aravaipa and Galiuro Wilderness areas. The Department has informed BLM on multiple occasions that both routes 4A and 4B would pose a significant impact to wildlife and habitat, fragmenting the second largest intact habitat block in the southwest.

The BLM received 1,700 comments during the public comment period for the Draft EIS. The Department attended a cooperating agency meeting October 18 to review BLM's contractor's responses to our comments on the Draft EIS. The Department has recommended formation of a working group of AGFD, ASLD, USFWS, NPS, and BLM staff to draft a Cooperative

Conservation Agreement to address mitigation for residual impacts, and is reviewing CCAs from other projects. The planned date for publication of the FEIS is December 7, 2012, and publication of the Record of Decision is January 18, 2013.

**SunZia NEPA Process Timeline:**

<u>May 25, 2012</u>	Release of the DEIS
<u>Mid June</u>	Cooperator Meeting – Discuss comments that have not been resolved/incorporated & discuss upcoming public meetings
<u>Late June/July</u>	Public Meetings
<u>Mid August</u>	Conference Call with Cooperators – Opportunity for additional conversation & discussion with Cooperators
<u>August 22, 2012</u>	End of 90 day comment period
<u>End of year 2012</u>	Projected release of final EIS

**TRANSPORTATION**

Arizona Passenger Rail Corridor Study

The Federal Transit Administration and Federal Railroad Administration, in cooperation with the Arizona Department of Transportation (ADOT) are preparing a Tier 1 Environmental Impact Statement for the ADOT Passenger Rail Corridor Study. This study will investigate potential high-capacity transportation corridors, which could include intercity rail service between Tucson and Phoenix. The Department has participated in the preliminary stakeholders meetings and has accepted the role as a participating agency on the Project. The Department has provided preliminary input at the various meetings to ensure consideration is given to wildlife connectivity, and minimization of impacts to wildlife and habitat through alternative evaluation. The Department is providing data to assist in the development of criteria for the evaluation of the alternatives and Tier 1 analysis process. The Department is concerned about the high number of alternative corridors in the east valley, undeveloped areas that seem to be favored throughout the process due to anticipated development. The Department is currently compiling comments on the draft concept alternatives for the study, due in December.

Deer Valley Parkway (formerly Beardsley Parkway)

Maricopa County Dept. of Transportation (MCDOT) corridor feasibility study for the 6-8 lane parkway is ongoing. The analysis area has been reduced to include the general alignment of Deer Valley Road east/west between the US 60 and the proposed Wild Rose Parkway north of the White Tank Mountains in western Maricopa County. The Town of Buckeye will be conducting a transportation plan for portions between Wild Rose Parkway and the Hassayampa River corridor. The Department continues to participate in Technical Advisory Committee (TAC) meetings and provide input on wildlife and wildlife habitat issues/opportunities/constraints. Most recently the Department reviewed the Technical Memorandums 1-3: Existing and Future Features; Environmental Overview; and Drainage Overview. Project planners have included wildlife linkage designs and goals for the White Tank Mountains into the Environmental Overview as well as other special status species concerns. The Department has recommended management actions that protect desert washes and habitat connectivity and survey to determine if Desert tortoise (Sonoran population) occupy suitable habitat within the project area as part of any future

analysis for parkway design and in order to develop site specific mitigation for this species. The Draft Tech Memo 6 was just released for review. The Department had no further input to provide. Next steps include adoption of parkway alignment by City of Surprise, ROW preservation, preparation of the Design Concept Report for project programming, appropriation of funding for design, ROW acquisition and construction, and coordination with Town of Buckeye to extend the parkway west into Buckeye and across the Hassayampa River. It will be critical for the Department to participate in the Design Concept Report to ensure that suitable parkway crossing structures are designed at Trilby Wash and Wash 3 to meet White Tank Mountains linkage goals, as well as those the City of Surprise has adopted. Tech Memo 6 states that wildlife linkage zones (CAP) and movement corridors (adopted by City of Surprise) should be considered during final design.

#### Dove Valley Parkway

Maricopa County Dept. of Transportation (MCDOT) has initiated a Corridor Feasibility Study for another west valley parkway that will run east-west south of SR74, across US60 and west across the Hassayampa River. The Department will be participating on the TAC. Initial concerns include: Potential impacts to the proposed White Tank-Belmont-Vulture Mountains wildlife linkage (design mitigations to facilitate large mammals, as well as species of special concern such as desert tortoise) will be key; Hassayampa River corridor – maintaining wildlife habitat connectivity within the floodway and floodplain; maintaining natural channel functions and designing bridge crossings that preserve the corridor in its natural state as opposed to hard structural channelized solutions; potential impacts to Special Status species. MCDOT held the Scoping Workshop in July and TAC meetings will start this month.

#### Hidden Waters North Parkway

MCDOT has completed the corridor feasibility study for the proposed parkway and released the preferred alignment. This future parkway will provide a north/south link between I-10 and US 60 to the north, west of the Hassayampa River corridor. The Department does not support the preferred alignment as drawn. We had made recommendations on the alignment that would minimize impacts to wildlife and wildlife habitat connectivity goals that were not incorporated into the recommended alignment as a result of various urban development constraints that took priority. The Department also raised concerns with portions of the Final Report and Environmental Overview regarding omissions, accuracy of maps and information presented on wildlife linkages that was provided by the Department. In short, linkage designs provided to consultants were not represented in their entirety, but rather truncated at the project area. The Department raised concerns to the MCDOT. MCDOT has agreed to develop an amendment/attachment to the final report with corrections. Currently, waiting for response from MCDOT on whether an amendment/attachment has been completed to address AGFD concerns with accurate representation of information provided to TAC Final Report by AGFD (see AGFD letter 3-27-12 to D. Lacey, MCDOT project manager). The project consultant was EPG and was tasked to do the amendment.

#### I-11 Phoenix to Las Vegas Project

U.S. Congress in the 2012 Surface Transportation Act designated Interstate 11. The first phase of the project is from Phoenix to Las Vegas. ADOT and Nevada Department of Transportation are partnering to conduct a two year of study of potential corridors for the proposed Interstate. The Department participated in a stakeholder's meeting and expressed that the study should include

impacts to wildlife, hunting opportunities and stressed the economic importance of hunting and wildlife-dependent recreation for the region. It should be noted that one of the ideas “being kicked around” is using Carefree Highway as part of the corridor. This proposal would impact Department headquarters and Ben Avery Shooting Range.

The Department met with ADOT and consultants to discuss impacts to wildlife for a proposed multi-modal corridor along Interstate 10 from Phoenix to the California border. Raised concerns about wildlife movement and impacts to wildlife from associated development.

#### North/South Corridor Study

The purpose of this project is to provide a connection between US 60 and I-10 through identifying and evaluating various proposed routes. The recent meeting included the reinitiation of the SR24 study area that crosses the North/South study area (east to west). The studies will be combining efforts to determine the alternatives to be carried forward for the tier 1 EIS analysis. The October meeting was cancelled. We are currently reviewing and developing comments on the draft alternatives selection report due in December.

#### Sonoran Valley Parkway (SVPP)

The Bureau of Land Management (BLM) invited the Department to become a formal Cooperating Agency for the project’s Environmental Impact Statement (EIS). BLM, AGFD, City of Goodyear and project consultants met on Nov. 15, 2012 to follow-up on the Department comments to Chapter 1 & 2 of the project EIS. We discussed applicant committed mitigation measures relating to the Sierra Estrella-Sonoran Desert National Monument linkage area. The Department provided input on important design considerations for developing a wildlife underpass for the target species, recommendations for implementing a phased mitigation approach as the parkway is developed from 2 lanes to 6. The Department has recommend to Goodyear that their proposed installation of 2 - 10x10 foot box culverts will be inadequate for mule deer movement based on current Department research in the Twin Peaks area. We recommend an arched span solution and expressed concern that Goodyear not expend limited financial resources on a design solution that we do not believe will realize success. The BLM and applicant will be revising the applicant committed mitigation measures and implementation approaches. The Department also provided information on wildlife associated economics for the EIS analysis. The Department continues to participate in monthly Cooperators Meetings.

#### SR 303

ADOT has initiated planning for expansion of SR 303L to create a north/south link between I-10 and the future proposed Hassayampa Freeway. SR 303 is proposed to run through Rainbow Valley just west of the Sierra Estrella Mountains in western Maricopa County. The Department has provided input on the Environmental Feasibility Study and Proposed Alternatives for the expansion project and is attending monthly project planning meetings. Comment resolution is planned for November and a follow-up meeting notice is pending. The Department supports the Rainbow Road Corridors 1 or 2 and Gila River Crossing as the preferred alignment. The Department will be conducting a site visit of the proposed Gila River crossing areas in December to evaluate potential impacts and potential mitigation ideas now that the crossing locations have been narrowed.

### Wild Rose Parkway Feasibility Study

MCDOT corridor feasibility study for the 6-8 lane parkway is ongoing and the Department continues to participate on the TAC. The proposed parkway will provide a north/south link between Sun Valley Parkway and US 60, north of the White Tank Mountains. Similar to all parkways proposed in western Maricopa county, MCDOT has stated that the purpose and need for action is based on the projected “build-out” transportation demands analyzed around the MAG Hassayampa Framework Study. Most recently the Department reviewed and provided input on the Environmental Overview and project consultants presented the Tech Memo 3 – Drainage Overview. Department concerns in the analysis area are: preservation and maintenance of wildlife habitat connectivity between the White Tank Mountains and surrounding undeveloped lands; preservation of outdoor recreation and hunting opportunities associated with the White Tank Mountains. There is no alignment under consideration that would avoid the need for mitigation to preserve habitat connectivity. The parkway will traverse two major wash corridors (Iona/Trilby washes) that are components of a linkage plan, and the CAP canal and ROWs which are also part of a linkage plan. Recently, the City of Surprise amended their General Land Use plan to include portions of these wash corridors south of CAP as wildlife linkages. The Department has provided wildlife information to project consultants for inclusion in the biological portion of the Environmental Overview Technical Report. Inclusion of linkage goals and objectives into corridor feasibility technical reports will identify the need to incorporate wildlife friendly crossing structures, where the parkway will impact linkage goals, in future parkway design and engineering plans. Tech Memo 5, Detailed Preferred Alignment, is out for final TAC review. The preferred alignment will cross several wash corridors and the CAP canal ROW. The plans are to construct a bridge crossing at CAP and use pipe or box culverts at other locations. There will be a future need to conduct an additional design analysis on proposed use of pipe or box culverts to reevaluate preservation of wash corridor functions for wildlife movement, including mule deer. The report identifies the need for coordination with the Department, City of Surprise and MCDOT (4.3 Implementation Strategy).

### Town of Buckeye

The Department met with the Town of Buckeye for coordination and collaboration to incorporate wildlife habitat management goals for linkages into the various planning processes. The Department has submitted a presentation to Buckeye planning staff for review. Planning staff have not provided a response or update on potential Town Council presentation.

### City of Peoria (City) – Open Space Preservation Program

The City Planning and Community Development Department has initiated the development of a comprehensive open space program within the City and Planning Area (General Plan). Previously, the City implemented regulatory tools including Hillside Development Overlay and Desert Lands Conservation Overlay as a means to guide development in these sensitive areas. The Open Space Prioritization, Preservation & Acquisition Program will be designed to work in concert with these tools. The City is currently holding public meetings to solicit stakeholder input on the Program and the modeled priorities. In conjunction, they are working on a 2012 Amendment to the Peoria Open Space Master Plan. The City has received a significant amount of feedback from the OHV community relating to continued access to public lands that fall within the planning area boundary. The City has responded by underscoring the fact that travel management on public lands is controlled by the land owners (in this case BLM and State Land Department) with emphasis that the City has no intention of conducting travel management

outside their jurisdiction. However, the City agrees some aspects of “active recreation” (OHV) should be incorporated into their planning as part of the key element for high quality recreational opportunities. Currently the plan has four key elements to the vision for the program: identify ecologically and historically significant lands; provide abundant, high quality recreational opportunities; create an extensive open space network for future generations to enjoy; and prioritize desirable open space properties for acquisition. The Department conducted a review of the Peoria Open Space Master Plan and provided substantive recommendations on the content of the draft plan (9-25-12). Of note, the Department recommended including hunting, fishing, camping and OHV recreation as valued uses within the planning area which encompasses BLM, BOR, County, and State Land jurisdictions with important access routes. The Department also provided substantive wildlife conservation comments including updated species information.

#### Maricopa Association of Governments (MAG)

The Department presented the Maricopa linkage assessment to the Population Technical committee, resulting in an invitation to use several of the other committees (executive, engineering, transportation and planning stakeholders) as forums for presentations. This is assisting the Department, not only outreach, but also insight into the various processes and scales our tools should be incorporated, in addition to prioritization and identifying needs for future refinement efforts. The next presentation to the planning stakeholders committee is scheduled for the first week in December and will include some of the cities the Department is working with in this implementation process. The transportation committee and executive committee meetings will be begin early next year.

#### Central Arizona Association of Governments

The Department has been invited to speak to the Executive Director, along with the Pinal Partnership Open Space and Trails Committee for discussion on opportunity for presentation of the Pinal County Linkages Assessment (in draft) and the Open Space and Trail’s Committee annual report.

<b>Forest</b>	<b>Status</b>	<b>Next Step</b>	<b>Projected Next Step Completion</b>
<b>Apache Sitgreaves</b>	Draft Environmental Impact Statement (EIS) for TMP & LRMP released Oct. 2010. Wallow Fire required reassessment. New Draft EIS for LRMP anticipated late 2012/early 2013. TMP process will follow late 2013-early 2014.	Draft EIS(LRMP) out for public comment.	Final EIS (LRMP) anticipated 9/20/2013. TMP scheduled to start after LRMP complete, anticipated draft early 2014. (LRMP and TMP will be separate decisions)
Issues:	MBGR in preferred Alt B of previous TMP draft allows 1mile from road for elk, mule deer & bear. 658 miles of corridors for dispersed camping 300 ft off established roads.		
<b>Coconino</b>	TMP signed Sept 2011, AGFD appeal on MBGR decision denied; Motor Vehicle Use Maps (MVUM's) available. LRMP EIS Draft in	Draft EIS (LRMP) anticipated for public review in December.	LRMP decision anticipated 7/2013
Issues:	Dispersed camping 300 ft from designated roads, else 30 ft. MBGR for elk only, 1 mile from roads except GMUs 5A & 5B.		
<b>Coronado</b>	Working Draft LRMP out Aug 2011.	LRMP Draft EIS.	Draft EIS (LRMP) anticipated out for public review end of 2013.
	TMP process initiated. Initial scoping conducted. Decisions are being done district by district.	TMP Draft EIS for each district.	Draft TMPs anticipated out for public review beginning early 2013.
Issues:	Motor Vehicle Use maps show access through roads that have locked gates. Maps not enforceable.		

<b>Forest</b>	<b>Status</b>	<b>Next Step</b>	<b>Projected Next Step Completion</b>
<b>Kaibab</b>	Comment period on Draft EIS (LRMP) complete.	LRMP revision based on public comments. TMP appeal decision by USFS.	Final LRMP EIS anticipated February 2013.
	Tusayan & Williams TMP in implementation. MVUM's available. North Kaibab TMP completed 9/17/12. AGFD appealed decision on North Kaibab TMP for MBGR and dispersed camping decisions.	Monitoring for Tusayan & Williams, Implementation for North Kaibab.	Ongoing Monitoring for Tusayan and Williams. North Kaibab implementation to begin 1/2013.
Issues:	Tusayan & Williams TMP: MBGR 1 mile from road for elk in designated areas. Dispersed camping in camping corridors, or 30 feet from road. North Kaibab 1 mile off designated roads for elk and bison, dispersed camping 300 feet off designated roads		
<b>Prescott</b>	Draft EIS LRMP in out 8/24/2012. Public comment period ended 11/28/12. AGFD provided comments. 2009 updated/amended TMP stands.	Revise LRMP (EIS) based on public comments.	Final EIS (LRMP) anticipated Summer 2013.
Issues:	MBGR: Elk within 1 mile of designated open road. Dispersed camping 300' from centerline of designated roads.		
<b>Tonto</b>	LRMP process began 2006. Negotiating to reinstate due to rule change. TMP EA out Jan 2012.	Reinstate LRMP process and develop draft EIS.	4-6 years to completion of LRMP. TMP implementation anticipated 6/20/13.
Issues:	MBGR: currently Payson and PV districts allow bear, elk and mule deer. Other districts currently do not allow cross country. Alternative 2 allows elk and bear, 200 yds from road in all districts..		



THE STATE OF ARIZONA  
**GAME AND FISH DEPARTMENT**

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SENT ELECTRONICALLY AND VIA US MAIL

November 2, 2012

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Email: [appeals-southwestern-regional-office@fs.fed.us](mailto:appeals-southwestern-regional-office@fs.fed.us)

RE: North Kaibab Ranger District (NKR) Travel Management Project DN-FONSI - Appeal of Decision pursuant to 36 CFR 215 (September 17, 2012; Michael R. Williams, Forest Supervisor, Kaibab National Forest and Responsible Official. Date of Legal Notice: September 20, 2012).

Appellant's Name and Address:

The Arizona Game and Fish Department  
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The Arizona Game and Fish Department (Department) has appreciated the opportunity to work closely with Forest and District staff at all stages in the development of the North Kaibab Ranger District (NKR) Travel Management Project. We sincerely value the partnership and working relationship we maintain with the Kaibab National Forest (Forest). Unfortunately, we find that critical issues raised by the Department throughout the process have not been adequately addressed, fully disclosed, and/or analyzed. We note that the Travel Management plan and EA make no note of the role of consumptive uses of wildlife (hunting) in the conservation of wildlife in the United States. Conservation of the nation's wildlife resources is largely vested in the state wildlife agency, and the funding for conservation is rooted in the contributions of hunters and anglers. Hunting on public lands in the west is essential to the fiscal health of western wildlife conservation agencies. We see no assessment of the effects of this decision, nor the cumulative effects of allied travel management decisions, on the programmatic provision of wildlife conservation by State Wildlife Agencies. Further, there is a failure to assess the individual and cumulative effects of this travel management decision, and allied decisions on public lands, on the North American Model of Wildlife Conservation that the nation is dependent upon. We also note that dispersed camping by hunters on the North Kaibab has occurred over the course of the last century or more and those effects were not measured or quantified as part of the baseline for analysis of effects of future uses.

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We have maintained consistent engagement with the NKR D on our issues and concerns regarding travel management. The Arizona Game and Fish Department formally commented in a timely manner on the Proposed Action (4/23/10) and the Draft Environmental Assessment (5/20/11) on the North Kaibab Ranger District (NKR D) Travel Management Project and has standing for formal appeal of the Decision.

Appellant raises the following two issues to the Appeal Deciding Officer pursuant to 36 CFR 215.14.

1) Hunter access to Game Management Units (GMU) 12AE and 12AW is essential to the Department's ability to effectively manage the Kaibab mule deer population. The lack of motorized dispersed camping corridors or adequate campsites in the pinyon-juniper portion of the NKR D will have significant adverse impacts upon the Department's ability to control mule deer populations. Historically, these GMUs have experienced dramatic fluctuations in herd numbers including population irruptions leading to overexploitation of forage and massive deer die-offs. Furthermore, the availability of dispersed camping within one vehicle length (30 feet) along roads that will remain open in GMU 12A will deprive the hunters of a quality camping and hunting experience and is not a satisfactory alternative to additional off-road campsites.

2) The EA overestimates the resource impacts of Motorized Big Game Retrieval (MBGR) by licensed hunters. The prohibition of MBGR for deer creates unnecessary barriers to wildlife recreation and regulated hunting – the principal tool in the management of the world-renowned mule deer herd on the North Kaibab Forest (NKF).

### Background

The Purpose and Need for Action for the NKR D Travel Management Project states in part:

Specify the appropriate uses of motor vehicles on the designated road system and provide opportunities for motorized dispersed camping and motorized retrieval of legally taken big game animals. These popular activities each present social and environmental implications that need to be addressed in the implementation of the rule. Road designations and the accommodation of recreation opportunities must meet the social, environmental, and safety criteria outlined in the rule.

Cooperation with state agencies in achieving game and habitat management objectives while protecting forest resources is directed by the KNF Plan and other regional and national guidance.

*Environmental Assessment, NKR D Travel Management Project* at 6.

The KNF Forest Plan (1988) states: “*Cooperate with the Arizona Game and Fish Department to achieve management goals and objectives specified in the Arizona Wildlife and Fisheries Comprehensive Plan, and in carrying out the cooperative agreement for the management of the Grand Canyon National Game Preserve. Support the Arizona Game and Fish Department in meeting its objectives for the state.*” (emphasis added.) It is the Department's objective to see

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continuation of wildlife-related access to National Forests including adequate motorized dispersed camping and Motorized Big Game Retrieval of not just elk and bison but mule deer as well.

*History of population management of the North Kaibab Mule Deer Herd*

Recreational hunting and cooperative habitat enhancement efforts are the primary tools used by the Department to manage the North Kaibab deer herd. Good hunter access is essential to effective management of this herd. The Department's objectives are directed at maintaining the deer herd at a level consistent with habitat parameters, providing for a physically robust and healthy deer herd, and allowing for the development of older age class mule deer. This management involves annual mule deer surveys, forage monitoring, collecting biological data at the Jacob Lake check-station, repair and development of artificial water sources, and issuing the appropriate number of hunting permits in order to reach population-based management goals.

The Kaibab deer herd has been studied since the turn of the century. As is demonstrated in the *History of the Kaibab Deer Herd* (W. Swank, 1997) and *Deer of the Southwest: A Complete Guide to the Natural History, Biology, and Management of Mule Deer and White-Tailed Deer* (J. Heffelfinger, Texas A&M University Press, 2006, page 48-53) the Kaibab mule deer population has been subject to sometimes dramatic population fluctuations, or "irruptions". The population in 1906 was estimated at 3000-4000, but following systematic predator removals as well as the prohibition on deer hunting by Congress, range deterioration from over-browsing was documented by 1918; by 1924 the herd had increased to 100,000 with consequent range decimation and massive deer starvation. This led to conflicts between the Forest Service and the State of Arizona over who had jurisdiction over the Kaibab deer herd. Litigation ensued which led all the way to the United States Supreme Court, which held that the Forest Service had the right to protect the range it was responsible for managing. *Hunt v. United States*, 278 U.S. 96 (1928). However, the Forest's attempts to reduce deer numbers were ineffectual. According to *Deer of the Southwest*:

That winter [1928] the Forest Service authorized government shooters to remove deer, but the public outcry was so intense that this practice was discontinued the next year.

It was becoming increasingly obvious that wildlife management controlled by the politicians was not working. The 1924 committee report on the condition of the Kaibab herd and habitat (Cutting et al. 1924:28) foresaw this problem and prophetically stated "*The scientific management of game by a special authority such as a commission should have the power to change regulations from year to year in order to meet the changes in the local situation. The special authority charged with Game Management should have sufficiently elastic powers to control not only the open seasons, the shooting areas, the refuges, and the bag limits, but also the absolute numbers which may be killed in any given locality each season. Upon such principle of Game Management does the future of much of our wild life depend.*"

By 1929, the Arizona Legislature’s new State Game Code established a three-person commission that had the authority to set bag limits and season lengths annually. *Id.*

The Kaibab deer herd again became too numerous in 1946, resulting in a doubling of issued permits for 1947-49 but range conditions continued to deteriorate, and permits increased from 7000 in 1952, to 10,000 in 1953 and 12,000 in 1954 but an estimated 18,000 deer died in 1954-55. *Swank* at 17.

*Current trends for the Kaibab mule deer herd*

The Department’s deer management techniques for the North Kaibab GMUs 12A and 12B are rigorous, scientifically-based and based on population counts, leading to annual hunt recommendations by experienced Department biologists to the Arizona Game and Fish Commission in a public hearing. *See Wildlife Management Decisions and Type I and Type 2 Errors, An Arizona Example: Antlerless Deer Harvest (B. Wakeling 2007).*

Mule deer buck hunting meets significant recreational demands from the public and is a significant revenue generator for financing conservation of wildlife. The Department’s issuance of antlerless (doe) hunt permits is ecologically-based, and is an essential tool in controlling the NKRD mule deer population. The typical fawn/doe ratio of mule deer in Arizona is 30 fawns/100 does. For the NKRD, the ratio can be as high as 105 fawns/100 does (see table 1). When the NKRD deer population increases, the Department issues more antlerless mule deer permits – sometimes as many as 1000 permits a season. The consequences of an uncontrolled mule deer population on the NKRD is a degraded forage base and mule deer death by starvation. As Table 1 demonstrates, the Kaibab deer herd is extremely productive and an increase in antlerless permits will be likely in the near future.

**Table 1. 2007-2011 Mule Deer Survey Data** (Excerpted from: Arizona Game and Fish Department, Hunt Arizona: 2012 Edition. Survey, Harvest and Hunt Data for Big and Small Game, pp. 11-12)  
**Note:** Boundaries of Units 12A East and 12A West correspond closely with the boundaries of the NKRD

Unit	Year	Bucks	Does	Fawns	Unclass.	Total	Bucks/ 100 Does	Fawns/ 100 Does
12A East	2007	5	23	17	0	45	22	74
12A East	2008	44	197	142	0	383	22	72
12A East	2010	38	96	71	0	205	40	74
12A East	2011	14	97	77	0	188	14	79
12A West	2007	99	314	304	5	722	32	97
12A West	2008	67	210	161	15	453	32	77
12A West	2009	100	354	286	0	740	28	81
12A West	2010	41	208	105	6	360	20	50
12A West	2011	89	334	351	4	778	27	105

**Issue No. 1. The lack of motorized dispersed camping corridors and/or adequate campsites in the pinyon-juniper portion of the NKRD frustrates the Department’s wildlife population-management and wildlife-recreation objectives. The continued availability of**

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**dispersed camping within one vehicle length along roads that will remain open is not a satisfactory alternative to additional designated off-road campsites.**

*1. Portions of the decision with which Appellant disagrees, and explanation for the disagreement.*

The Department disagrees with the Alternative 2 – Proposed Action to not designate corridors on specific roads in the pinyon-juniper portions (GMU 12AE and 12AW) for the purpose of motorized dispersed camping. While Alternative 2 does designate a limited number of discrete campsites in GMU 12AE and 12AW, the number of available campsites will not permit the effective management of mule deer populations and do not meet hunter needs even based on current hunt permit levels.

*a. The decision prohibiting motorized dispersed camping in GMU 12AW and 12 AE will frustrate the Department's ability to manage the North Kaibab mule deer population.*

The Department submits that the limited motorized dispersed camping opportunities in the pinyon-juniper portion of the NKR D could serve to limit mule deer take by hunters, thus significantly frustrating the Department's game and habitat management strategies and risking potentially adverse ecological effects to the ecosystem due to deer overpopulation. The Department analyzes the population demographics of the Kaibab deer herd and adjusts the season structure or permit levels annually with the assumption that hunters will control the population in a regulated hunt. Due to the remote nature of the North Kaibab, nearly all hunters use vehicles to access Game Management Unit 12A and elect to camp. Limited motorized dispersed camping in the pinyon-juniper portion of the NKR D will deny to hunters who cannot locate an available campsite a complete inability to even engage in a hunt. The Forest fails to disclose and analyze the aforementioned impacts to the Department, its trust responsibilities, and its constituents.

According to the EA Alternative 2 map of motorized dispersed camping corridors, there are not enough campsites available in the pinyon-juniper habitat to meet the Department's *current* late-season mule deer permit levels. Based on its analysis of the map, the Department estimates that the Selected Alternative authorizes +130 sites in areas traditionally used by hunters within GMU 12AW. The 2012 late-season mule deer hunt in GMU 12AW offers 135 permits. As Table 2 illustrates, the number of mule deer permits issued in 1990 through 2001, and 2004 through 2012 exceed the number of campsites designated under the EA.

Over the last twelve years, the Department annually issues an average of 200 mule deer permits for the late fall season in these GMUs. Historically, the Department has issued much higher numbers of mule deer permits for GMU 12AW, as high as 1300 in 1990 (a tenfold increase from current levels) and an additional 700 permits for female mule deer for population management purposes. Furthermore, it is reasonable to predict continued fluctuations in permit numbers in the future based on wildlife management needs. See Table 2.

For GMU 12AE, the EA Alternative 2 map appears to authorize motorized dispersed camping for 60 sites. This year's late-season mule deer hunt in GMU 12AE offers 30 permits, but Table 2 reflects that the Commission has authorized as many as 250 permits in that unit (1990).

1990	250	1300	2002	50	103
1991	200	825	2003	50	100
1992	50	600	2004	62	154
1993	50	500	2005	50	175
1994	50	500	2006	50	175
1995	50	252	2007	50	175
1996	50	250	2008	50	177
1997	51	150	2009	50	177
1998	60	150	2010	35	175
1999	50	150	2011	30	135
2000	50	150	2012	30	135
2001	50	150			

While the Decision designates 203 miles of motorized dispersed camping corridors in the ponderosa pine habitat, no corridors are designated for the pinyon-juniper habitat, leading to inadequate camping opportunities in non-traditional locations.

The Department disagrees with the assertion in the EA at 84 stating that Alternative 2 will not result in a change in the Forest-wide population or habitat trend for mule deer. The only recourse left to the Department if Alternative 2 is implemented would be to adopt multiple seasons with fewer permits so that each hunter has a place to camp. This in turn would dramatically increase the season of disturbance, moving seasons later into the year when breeding activity is at its peak. The likelihood of significant winter precipitation also increases as seasons would progress later into the year. This would result in restricted access, damage to roads as a result of heavy use during wet periods, and the potential disruption of breeding activity by mule deer. Ultimately these factors will have an increased negative impact on the deer herd and its habitat.

*b. Preferred Alternative #2 will deprive hunters selected for permits in the pinyon-juniper portion of the NKRK a quality hunt experience and could adversely impact local communities.*

The North Kaibab mule deer herd is internationally recognized as one of the premier deer herds in North America, if not the world. Popular hunting publications annually list the North Kaibab among the top five places nationally to pursue large mule deer.

A 1997 study prepared for the USFS by Dr. Jon A Souder, NAU, “*Valuing Resources and Uses in the Central Winter Ecosystem Management Area North Kaibab Ranger District*” stated that the 12AW early and late deer hunts

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rank in the top 10% of demand with the late one generally being in the top three most demanded hunts in the state. And the 12AW firearm hunts allow at least as many tags as the total number of higher-ranked hunts, testifying to the uniqueness and the productivity of the North Kaibab mule deer herd.

This study also economically valued the 12AW mule deer hunts at \$1,783,000 annually (1996 dollars); this figure does not include the sale of tags and licenses. We note that this data compiled by the U.S. Forest Service was not incorporated in the EA for analysis.

As the EA at 30 acknowledges,

The district is well known for its trophy deer herd. . . Dispersed recreation activities are valued activities and are locally important for the economy. . . hunters are important to the concessionaires and other businesses on the district and local communities, where many purchase supplies, dine, and stay at hotels. Hunting is a valued recreation opportunity and locally important for the economy. Hunting expenditures contribute almost \$12 million annually to Coconino County (Arizona Game and Fish Department 2001). In addition, some hunters use outfitter services for their hunting expeditions. Hunting and trapping activities are facilitated by the existing road system. Roads make it easy to access much of the forest and *distribute hunting activities over the area.* (Emphasis added).

Nearly every hunter who hunts in these GMUs sets up camp prior to commencing the hunt. There are virtually no hunters who drive in and drive out on the same day for their hunt. Many hunters arrive at their campsites at night. It is not reasonable to require or to expect hunters to travel from one discrete campsite to another, searching for an authorized site to set up camp. With the inadequate number of allowed camping sites, hunters may be unable to find an available campsite – a task rendered especially difficult, if not impossible, after dark.

The availability of dispersed camping within one vehicle length (30 feet) along heavily-traveled roads that will remain open is not a satisfactory alternative to additional off-road campsites.

The Decision Notice states that campers' ability to park within 30 feet of any open road (unless otherwise prohibited) . . . would be sufficient to reduce the potential for resource damage while providing ample opportunities for motorized dispersed camping. Decision Notice at 18.

The professional opinion of experienced Department wildlife game rangers, based on personal observations, are that restricting camping to within 30' of well-traveled roads during late season hunts in GMU12A will subject campers to continuous airborne dust or muddy conditions as the road traffic passes by. No reasonable person would consider this a quality camping experience or an adequate substitute for off-road campsites, and the Forest failed to adequately disclose and analyze this impact.

The Department notes that the lack of designated campsites for GMU 12A is not based on the lack of available sites, but rather the lack of heritage resource surveys.

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The EA at 30 notes that while motorized dispersed camping occurs across the district, “concentrations have been noted throughout the ponderosa pine vegetation belt, at viewpoints into Marble Canyon and Kanab Creek/Grand Canyon, and at the south end of the district closer to Grand Canyon National Park”.

Alternative 2 reduces soil disturbance over the No Action Alternative by reducing motorized dispersed camping across the NKR D. While the No Action alternative would continue to allow motorized dispersed camping on 540,869 acres or 82 percent of the NKR D, Alternative 2 would continue to allow motorized dispersed camping on 23,591 acres, or 3.6 percent of the NKR D, a nearly 96% reduction. EA at 52; Table 17 at 53.

But the available motorized camping under Alternative 2 in the pinyon-juniper of GMU 12AE and 12AW is effectively reduced by more than 99% from historic levels, to a point where only 250 campsites are made available over 724,280 thousand acres, leaving only 0.00034% of GMU 12A open to motorized camping. What is the EA’s rationale for such drastic reduction in the availability of recreational motorized campsites in the pinyon-juniper portion of the NKR D?

The EA generally describes the effects of unauthorized motorized cross-country and random “throw-down” dispersed camping created by forest users resulting in loss of soil, watershed and vegetation (EA at 55). While described at a qualitative level, empirical evidence and documentation are lacking. Conservation of soil, watershed condition, and vegetative cover are legitimate objectives, but do not support the *complete lack* of designated motorized travel camping corridors, and inadequate number of designated campsites for the pinyon-juniper portion of the NKR D.

The EA at 90 states:

Routes [in lower elevation pinyon-juniper] that accessed existing dispersed camping sites were surveyed for cultural resource sites. If no sites were found within or adjacent to the road or dispersed camp site(s), these routes were proposed for incorporation into the designated road system.

Only 25% of the NKR D has been inventoried for cultural resource properties, EA at 86. The majority of the heritage surveys having been conducted in the ponderosa pine zone, where the most popular campsites are located. EA at 72. The lack of available campsites for GMU 12A is based on a statistical probability of heritage resources, not actual surveys.

The EA at 86 notes that additional acreage on the NKR D is surveyed each year, increasing the overall percentage of area inventoried. This will benefit applicants for Forest firewood-gathering permits; as more sites in the pinyon-juniper zone are cleared for use after inventories, the Forest can authorize motorized firewood collection in those cleared areas. But the number of motorized dispersed campsites in pinyon-juniper as delineated in the EA *cannot* be increased without a NEPA review. *Appendix 4: Response to Comment 2-12*. The length of time to conduct a typical NEPA review leading to a Record of Decision will not and cannot be responsive to the Department’s deer herd and habitat management needs. The effect or impact of this lack of responsiveness is not adequately assessed nor described in the EA.

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*2. Why Appellant believes the Responsible Official's decision failed to consider the substantive comments.*

The Responses to the Department's comments did not directly address the request for more low elevation dispersed campsites.

*3. Any specific changes in the decision that the Appellant seeks and rationale for those changes.*

The Department seeks additional motorized dispersed campsites for the pinyon-juniper habitats of the NKRD to support hunter access during late season hunts.

For GMU 12AE, the Department submits that 90 additional motorized dispersed campsites are essential to meet present and future mule deer management and hunter recreational needs.

For GMU 12AW, the Department submits that 620 additional campsites are also required to meet present and future management needs.

Alternatively, NKRD could instead designate miles of camping corridor in the pinyon-juniper habitat. In this case, the Department recommends 39 miles of camping corridor (300-foot width) in 12AW and 7 miles of corridor in 12AE. This results in a total of 46 additional miles of motorized dispersed camping corridor in the pinyon-juniper habitat. Recommended areas for motorized dispersed camping corridors are outlined in Attachment 1. The Department understands that heritage resource surveys would be necessary.

*4. How the Appellant believes the decision specifically violates law, regulation or policy.*

The EA does not provide a full and fair discussion of significant environmental impacts in order to inform the decision maker and the public of reasonable alternatives. *State of California v. Block*, 690 F.2d 753 (9<sup>th</sup> Cir. 1982). The EA does not evaluate or discuss the consequences of the Department's inability to meet mule deer harvest goals in light of limited hunter access on the pinyon-juniper portion of the NKRD and the environmental effects on natural resources (overexploitation of forage with unsustainable increase in mule deer populations).

The EA does not discuss the conflict between the Proposed Action and the objectives of the Department as referenced in the Kaibab NF Land Management Plan or how the inconsistencies may be resolved. Where an inconsistency exists, the EA should describe the extent to which the agency would reconcile its proposed position with the Plan. 40 CFR 1506.2[d].

The EA does not include a discussion of possible conflicts between the proposed action and the deer herd and habitat management objectives of the Department for the NKRD. 40 CFR 1502.16. The NEPA Regulations further state that to better integrate environmental impact statements into state or local planning processes, statements shall discuss any inconsistency of a proposed action with any approved State or local plan. Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law. 40 CFR 1506.2.

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In its analysis of resource impacts caused by motorized dispersed camping, the Forest has failed to consider an important aspect of the problem, which is the impact of an uncontrolled deer herd on those same resources. *Sierra Club v. EPA*, 346 F.3d 955 (9<sup>th</sup> Cir. 2003), *amended by* 352 F.3d 1186 (9<sup>th</sup> Cir. 2003).

The Plan's restriction of motorized dispersed campsites in the pinyon-juniper to only those specified and limited locations that have been surveyed for heritage resource objects is arbitrary and capricious to the extent that many other potential campsites may be eligible for dispersed camping, but for the lack of heritage resource surveys, and the plan includes no provision for including new camping sites as heritage resource inventories progress.

The designated campsites in GMU 12A do not accommodate current or future motorized recreational needs of mule deer hunters.

**Issue #2. The EA is lacking credible data regarding impacts of MBGR by licensed hunters and overestimates the impacts to resources. The prohibition of motorized deer retrieval creates unnecessary barriers to wildlife recreation and regulated hunting – the principle tool for managing the mule deer population on the NKR D.**

*1. Portions of the decision with which Appellant disagrees and explanation for the disagreement.*

*a. The decision to restrict motorized big game retrieval (MBGR) to elk and bison, excluding mule deer, is not based on any objective data or studies which document that MBGR of mule deer by hunters in the NKR D has in fact resulted in damage to soils, plants, or heritage resources.*

The Department does not believe the Forest drew a defensible correlation between resource degradation and MBGR (as opposed to other forms of cross-country travel). The Forest's stated rationale for selecting Alternative 2 and thereby prohibiting motorized deer retrieval was to greatly reduce the potential to all resources of concern. The resources of concern identified in the Decision included archaeological sites, cryptobiotic soils, sensitive plant species, and protection of sensitive areas. The Department has reviewed the Forest's analysis of the effects of cross country travel on natural/cultural resources and we believe the Decision is inconsistent with the conclusions drawn in Chapter 3 of the EA.

The EA, Chapter 3, Table 8 (at 27) identifies the top five recreation activities on the NKR D. Hunting is not among the top five activities described in the Table. Table 10 of the EA (at 28), from the 2008 Arizona Statewide Comprehensive Outdoor Recreation Plan, describes the types of recreation activities in national forests state residents currently participate in, and expect to participate in for the future. Hunting comprises only 1.67 days (or visits per year), with an anticipated future increase in participation of 10.9%. Contrast these statistics with those for "Ride OHV" (22.9 days or visits per year; to increase by 24%) and "Drive for Pleasure" (22.9 days or visits per year, to increase by 34.1%). A footnote to Table 10 notes that national trends in recreation indicate that traditional activities such as hunting and fishing have *declined* in popularity, with the fastest-growing activities being birdwatching, day hiking, backpacking, walking, canoeing and *off-road motor vehicle driving* (increasing by 142%). Currently,

regulated mule deer hunting on GMU 12A occurs on only fifty-nine (59) days out of the year. Yet, the EA appears to lump MBGR together with other motorized forms of cross-country travel, such as recreational off-roading, fuel wood retrieval and grazing allotment activity. In fact, the EA in Chapter 3 of the EA cites to cross-country travel and MBGR interchangeably. In light of the above numbers, the Department believes the EA overestimates the relative contribution by licensed hunters conducting MBGR to all forms of motorized cross-country travel occurring on the NKRD.

The Department also believes that the EA overestimates the number of MBGR trips and the length of each trip in its analysis. Table 2 (EA at 10) estimates that 90% of all successful hunters use motorized cross country travel to retrieve their game. Although the Department has not conducted a survey of hunters on this issue, the Department believes the 90% estimate is greatly overstated based on the field observations of experienced Department wildlife game managers who have patrolled the NKRD for over 20 years. The Forest Service clearly fails to provide a foundation for their estimates.

The EA further assumes that every MBGR requires a 2 mile round trip:

If an OHV were used to retrieve the take, a 2 mile roundtrip for big game retrieval in a truck with an average 7 foot wide tire span could potentially result in a ground disturbance of approximately 1.7 acres per vehicle.

*Final Report - Travel Management Rule Environmental Analysis, Cultural Resources Specialist Report* at 13 (August 1, 2012) (“Report”).

But this is an admittedly hypothetical estimate by the Forest. The Department game rangers who patrol the NKRD assert that the majority of deer harvests occur near (significantly less than 1 mile) established roads during both early and late season hunts.

The EA at 99 has no estimate of the impacts of MBGR on cultural resources:

Around 75% of the NKRD has not been inventoried for cultural resource sites. It is unknown how often OHV damage to a particular site can be attributed to hunter game retrieval.

The Cultural Resource Specialist’s *Report* at 13 does attempt to calculate the potential for adverse impacts to archeological sites due to the motorized retrieval of elk and bison:

While there is a possibility that cross-country game retrieval of either of these species could impact a cultural resource site, given the low number of takes each year, it is anticipated that the potential for adverse effects to a site would be negligible: 38 entries per year equates to less than .0099% of the acreage on the NKRD. The odds of adversely affecting a cultural resource site under these conditions are extremely low.

Unfortunately, a similar analysis was not conducted for the Department's preferred Alternative 4, which would allow MGBR for mule deer. Rather, the Cultural Resource Specialist's *Report* at 16 resorts to speculation:

Using the averages found in the 2009 harvest data, it could be estimated that over a 10 year period between 9500 – 15,600 (or 19,000-31,200 in/out) motorized game retrieval trips could hypothetically occur on the NKRD. An *unknown* number of those trips *could* result in damages to susceptible cultural resource sites. (Emphasis added).

In short, the EA's entire case against MBGR for mule deer based on impacts to cultural resources relies on unfounded estimates and speculation.

The lack of a defensible correlation between cultural resource degradation and MBGR (as opposed to other forms of motorized cross-country travel) extends to supposed impacts to other resources as well as reflected in Chapter 3 of the EA:

- “It is unknown how often OHV damage to a particular site can be attributed to hunter game retrieval”. EA at 99.
- “Quantifying the actual likelihood for damage to sites from motorized big game retrieval, however, is more difficult”. EA at 99.
- The EA, Table 6: *Comparison of Alternatives-Summary of Effect on Resources* states that Alternative 2, which bans MBGR for mule deer, results in minimal impacts to soils and watershed from MBGR. For the Department's preferred Alternative 4, which allows MBGR for mule deer, the degree of impacts on soils and watershed from MBGR is “[s]lightly higher”.
- The EA, Table 6: *Comparison of Alternatives-Summary of Effect on Resources* states that Alternative 2, which bans MBGR for mule deer, results in minimal effects on the spread of invasive weeds. For Alternative 4, which allows MBGR for mule deer, the degree of invasive weed dispersal is characterized as having “minimal effect”.
- The EA, Table 6: *Comparison of Alternatives-Summary of Effect on Resources* states that Alternative 2, which bans MBGR for mule deer, results in minimal effects on sensitive plants. For Alternative 4, which allows MBGR for mule deer, the degree of impact on sensitive plants is described as “negative”. However in Chapter 3 at 67-68, referring to impacts to sensitive plants, the EA states:
  - *This [Alternative 4] would only represent a small increase in impacts over Alternatives 2 and 3. Given that there have been no noticeable impacts to subalpine meadows from past mule deer retrievals, this is not expected to be an issue.*
  - *The motorized game retrieval would be random and potential impacts could only be created in locations where motorized vehicles would drive on the more fragile soils. Any tracks created will rehabilitate over time, but it will take longer than other locations.*

- The impact of MBGR on cryptobiotic soil is referenced in the Recreation, Wildlife, and Heritage sections of Chapter 3 but not discussed in the Soils section. Furthermore, none of the associated specialist's reports, upon which Chapter 3 is based, contain any mention of cryptobiotic soils (except once - the Cultural Resource Specialist's *Report* at 17) or any form of a correlational analysis of MBGR and its relative impact on cryptobiotic soils relative to other forms of motorized cross-country travel.
- Chapter 3 (Environmental Effects, Non-native and Invasive Species, Direct and Indirect Effects, Effects Common to Alternatives 2 and 4) states at 57: *Alternative 4 authorizes motorized big game retrieval for mule deer in addition to elk and bison, which increases the potential for invasive spread when compared to Alternative 2. While the potential for invasive spread and disturbance is greater in Alternative 4, motorized big game retrieval for mule deer is not expected to be significant enough to increase the level of invasive species across the project area when compared to the other action alternatives and the overall recreational use on the NKRD.*
- The Decision refers to the impact of MBGR on 'sensitive areas', however, this is not a resource specifically defined in Chapter 3 of the EA.

The EA thus rejects the Department's proposed alternative:

Adopting a rule of "one trip in" and "under dry conditions" as suggested by the AGFD will not eliminate potential impacts to heritage resource sites from motorized cross country travel in areas with fragile soils or surface architectural features or artifacts easily crushed by vehicles. While wet conditions contribute to soil erosion and vegetation damage, sandy and fine clay areas and those with crypto biotic soils can be damaged by cross country motorized travel even under dry conditions. These areas are found in locations known to have a high density of sites. This rule alone will not mitigate the potential damage to cultural resource sites by motorized game retrieval. *Response to Comment 1-2 by the Arizona Game and Fish Department.*

The Department supports the need to generally prohibit cross-country motorized travel to protect wildlife habitat and other resources, as well as the restriction of the use of cross-country motorized travel for game scouting or accessing hunting sites. However, nothing in the EA would suggest that MBGR of mule deer for the 59 days of authorized mule deer hunts on the NKRD would cause any measureable natural resource or cultural resource damage. But Alternative 2 restricts all hunters who need motorized assistance to retrieve their downed mule deer. As a result, the Decision affects a certain class of hunters in an unnecessary and disproportionate manner, such as older hunters, less agile hunters, or CHAMPS hunters with service-connected disabilities. See A.R.S. §17-336. Regulation 36 C.F.R. 212.51 authorizes the Forest Responsible Official to allow the limited use of motor vehicles, within a specified distance of certain designated routes, and, if appropriate, within specified time periods solely for the purpose of retrievals of legally-taken big game animals.

*b. Restricted MBGR will impact the Department's lead reduction efforts in Condor Country.*

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Consistent with our previous comments, the Department is concerned that the Forest's Decision will negatively impact condor management efforts. The Southwest population of condors was established as a nonessential experimental population under section 10j of the Endangered Species Act.

Current high rates of voluntary participation (83-90% in last three years) in lead reduction efforts include MBGR facilitated removal of gut piles from the field for deer that were harvested with bullets containing lead. On average (using hunt seasons 2006-2011), 16% of successful deer hunters in GMU 12A chose gut-pile removal as their form of participation in the lead reduction program (out of 90% participation overall).

The decision could impact strides made in condor conservation, and place the condor conservation partnership at risk. The analysis did not disclose these potential impacts.

*2. Why Appellant believes the Responsible Official's decision failed to consider the substantive comments.*

Despite the Department's stated preference for Alternative 4, the Decision in favor of Alternative 2 allows no MBGR for mule deer under any circumstance.

*3. Any specific changes in the decision that the Appellant seeks and rationale for those changes.*

The Decision should allow MBGR of legally-taken mule deer within 1 mile of open roads to be consistent with Department's Statewide MBGR recommendations, as follows:

- Allowing for MBGR of legally taken elk, deer, and bison,
- Allowing one trip in – one trip out,
- Restricting access during wet/muddy conditions or across riparian/wetland areas, and
- Allowing CHAMP hunters permission to recover all legally taken big game provided it could be done without resource damage.

*4. How the Appellant believes the decision specifically violates law, regulation or policy.*

The assumption that MBGR causes resource damage is speculative and not based on any credible data. CEQ, 40 CFR § 1502.22 states:

If the incomplete information relevant to reasonably foreseeable significant adverse impacts is essential to a reasoned choice among alternatives and the overall costs of obtaining it are not exorbitant, the agency shall include the information in the environmental impact statement. If the information relevant to reasonably foreseeable significant adverse impacts cannot be obtained because the overall costs of obtaining it are exorbitant or the means to obtain it are not known, the agency shall include within the environmental impact statement: (1) A statement that such information is incomplete or unavailable; (2) a statement of the relevance of the incomplete or unavailable information to evaluating reasonably foreseeable significant adverse impacts on the human environment; (3) a summary of existing credible scientific evidence which is relevant to

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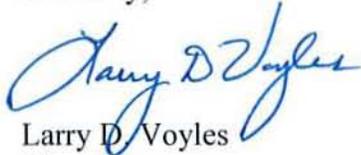
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evaluating the reasonably foreseeable significant adverse impacts on the human environment, and (4) the agency's evaluation of such impacts based upon theoretical approaches or research methods generally accepted in the scientific community. . . . “[R]easonably foreseeable” includes impacts which have catastrophic consequences, even if their probability of occurrence is low, provided that the analysis of the impacts is supported by credible scientific evidence, is not based on pure conjecture, and is within the rule of reason.

The Decision should allow the limited use of motor vehicles within a specified distance during authorized big game hunt seasons solely for the purpose of game retrieval of mule deer, elk and bison. General statements about the possible effects of MBGR of mule deer on habitat or heritage resources does not constitute a “hard look” of the environmental consequences absent justification regarding why more definitive information cannot be provided. A blanket prohibition on MBGR for mule deer based on unsupported assumptions may constitute an abuse of discretion. *Neighbors of Cuddy Mountain v. U.S. Forest Service*, 137 F. 3d 1372, 1380 (9<sup>th</sup> Cir. 1998).

The Department has presented detailed data on the effects of the NKRD Travel Management plan on the ability of hunters to access the North Kaibab mule deer herd to participate in well regulated hunting, a key desire of the public and a principal means of managing the dynamics of the population. Further, the Department has demonstrated that impacts of the decision on resources have not been fully disclosed. The Department hereby submits the appeal of Decision pursuant to 36 CFR 215 for the North Kaibab Ranger District Travel Management Project Environmental Assessment DN-FONSI.

Sincerely,



Larry D. Voyles  
Director

cc: Honorable Jan Brewer, Governor of Arizona  
Arizona Game and Fish Commission

Attachments



THE STATE OF ARIZONA  
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November 28, 2012

Prescott National Forest  
Attention: Plan Revision Team  
344 South Cortez Street  
Prescott, Arizona 86303

Re: Prescott National Forest Draft Environmental Impact Statement and Draft Land and Resource Management Plan

Dear Plan Revision Team:

Thank you for providing the Arizona Game and Fish Department (Department) with the opportunity to comment on the Prescott National Forest Draft Environmental Impact Statement (DEIS) and Draft Land and Resource Management Plan (DLRMP). The Department appreciates the opportunity to have been involved in this important planning process, and recognizes the vital role lands administered by the Prescott National Forest (Forest) currently play in providing wildlife habitat as well as opportunities for wildlife-related recreation in Arizona. As Arizona's human population continues to grow throughout the life of the DLRMP, it is anticipated that wildlife and the public will become increasingly dependent upon Forest lands. It is therefore essential the DLRMP not only address current wildlife habitat and recreational needs, but also provide for the high quality habitat and the maintenance of wildlife connectivity within the Forest and between the Forest and other public and private lands – both now and into the future. The Department offers the following *general comments* relating to the DEIS and DLRMP as a whole, with *specific and final comments* to follow.

GENERAL COMMENTS RELATING TO THE DEIS AND DLRMP

Special Land Use Designations (Proposed Wilderness Areas)

Current Land Status and the Department's Ability to Manage Wildlife in Arizona

Federal lands comprise 42% of Arizona's lands. More than 43% of those lands have special land-use designations, upon which significant restrictions exist relating to recreation and the management of wildlife and habitat resources. Only 23% of Arizona's lands remain free of special land designations and open for public use, meaning 77% of lands in Arizona possess restrictions to public access and recreation through ownership (private, state, and tribal) or federal special land use designations.

Conservation of wildlife resources upon all lands within Arizona is the trust responsibility of the Arizona Game and Fish Department. It involves managing wildlife and habitat to ensure abundant wildlife resources are available for present and future generations.

Currently, 4.5 million acres in Arizona have a wilderness designation. With an additional 5.8 million acres of special land-use designations in the form of National Monuments, Parks, Wildlife Refuges, Conservation Areas, Areas of Critical Environmental Concern, Wild and Scenic Rivers, and Wilderness Characteristics Areas, the state has experienced a systematic loss of recreational opportunities and an erosion of the Department's ability to proactively manage wildlife. Due to special designations on these roughly 10 million acres, the Department experiences extensive and widespread project delays, elevated costs, increased man-hours, and legal challenges - resulting in decreased efficiency in the conservation and management of Arizona's wildlife resources.

The Department finds that a level of protection which maintains wildlife habitat values, provides flexibility in wildlife management, and allows adequate recreational access is often the best strategy for public land use. Due to historical challenges that have impeded its ability to achieve its mission in designated wilderness areas, the Department has concerns with assigning a wilderness designation to the lands identified in the preferred Alternative B of the DEIS. No matter how carefully the wilderness designation language is crafted, a wilderness designation inevitably hampers or precludes the Department from achieving its management objectives. At the very least, wilderness designations result in substantive and costly compliance hurdles which must be addressed before wildlife management actions can be implemented.

Based upon its long history of wildlife management in wilderness areas, the Department anticipates challenges, complications, or obstructions in its ability to implement the following types of management activities in areas with wilderness designations:

- Creation and improvements of alternate access routes.
- Aquatic management and stream renovations, which might include physical removal of noxious weeds and non-native fish, reintroduction of native fish, construction and maintenance of aquatic habitat structures, and monitoring of fish populations.
- Wildlife management, including aerial and motorized ground surveys, transplant of species, marking or collaring of animals, radio tracking of animals, placement of wildlife cameras and scent poles, as well as the development and maintenance of physical structures such as bat gates or riparian habitat.
- Habitat management, including the development and maintenance of wildlife waters, removal of exotic plant species, creation of wildlife corridors through prescribed burns and mechanical removal of timber and brush.

One might believe activities such as these could be provided for in the construction of overt language for their provision in the wilderness designation documents. However, it has been the Department's experience that regardless of the care taken in drafting such language, future management efforts will be more difficult in areas with wilderness designations. This may sometimes be attributed to the diverse perspectives of federal employees applying their differing interpretations of a wilderness designation to proposed management actions. In other instances, challenges may arise due to an inability on the Department's part to accurately forecast all

management actions necessary in a wilderness area, and to capture those actions in the enabling documents associated with a wilderness.

Rather than wilderness, the Department advocates the Forest develop management prescriptions in cooperation with the Department for areas such as these, and recognized as possessing important ecosystem values. If developed in cooperation with the Department, these prescriptions would provide a greater level of resource protection, while still providing for the beneficial management of wildlife - without the challenges created within designated wilderness areas.

#### Conclusions and Request: Special Land Use Designations (Proposed Wilderness Areas)

Both the Multiple-Use Sustained-Yield Act of 1960 and the Federal Land and Policy Management Act of 1976 (FLPMA) legally prohibit federal land management agencies from affecting the State's jurisdiction and responsibilities. Managers of public lands are mandated by FLPMA, the "Organic Act", to provide multiple-use recreational opportunities on public lands to both present and future generations. The Department perceives the conversion of public lands to a special use status as a breach of the FLPMA mandate. In spite of existing legislation, neither the United States Forest Service (USFS) nor Bureau of Land Management (BLM) have established objectives for the scope of public lands in Arizona to be administered in full multiple-use status, and free from restrictive designations.

The Department supports public land use that provides Arizona's public and resources with a net benefit. It does not support the conversion of public lands from multiple-use to land-use designations that are anticipated to result in a net loss of wildlife resources, wildlife-related recreational opportunities, and/or wildlife dependent economic benefit. For these reasons, **the Department does not support an expansion of wilderness on the Prescott National Forest, and requests that a full analysis of the cumulative impacts of further loss of public lands that provide for multiple-use and wildlife related recreational and economic opportunities be conducted before an expansion of wilderness is approved. Further, the Department requests that prior to approval of a wilderness designation for any new lands the Forest first fully analyze that decision's impact to the Arizona Game and Fish Department's ability to fulfill its trust responsibility to manage the state's wildlife resources.**

#### Resolution Regarding New Proposed Wilderness Areas

Given that wilderness designations impede the Department's ability to fulfill its trust responsibility to manage wildlife and habitat for current and future generations, the Department cannot offer support for preferred Alternative B, wherein eight wilderness expansion areas totaling approximately 43,400 acres are proposed for new wilderness designations.

#### Motorized Big Game Retrieval (MBGR)

##### MBGR Background

For many years the Department has participated in the Land and Resource and Travel Management Rule Planning efforts on the Kaibab, Prescott, Coronado, Tonto, and Apache - Sitgreaves National Forests. In these efforts, the Department has advocated for uniformity across the forests in the rules relating to Motorized Big Game Retrieval.

The Department supports the need to generally prohibit cross-country motorized travel to protect wildlife habitat and other resources, as well as the restriction of cross-country motorized travel for game scouting or accessing hunting sites. However, the Department has sought, and continues to seek the following MBGR provisions in the Travel, and Land and Resource Management Planning (LRMP) documents for all of Arizona's Forests:

- Allowing MBGR of all big game (deer, elk, bear, and bison) within one mile of roads designated as open during, and for 24 hours subsequent to designated hunting seasons
- Allowing one trip in – and one trip out
- Restricting access during wet/muddy conditions or across wetland/riparian areas
- Allowing older, less agile, or CHAMPS hunters with service-connected disabilities (*See* A.R.S. §17-336) to make use of a motorized vehicle, within a specified distance of routes designated as open, to retrieve legally-taken big game animals – as provided for in Regulation 36 C.F.R. 212.51, which grants this authority to the Forest Responsible Official.

It is the hope of the Department, that by adopting the above-referenced provisions, and by avoiding blanket prohibitions of MBGR for the big game species referenced above, the Prescott National Forest will avoid the potential abuse of discretion as described in *Neighbors of Cuddy Mountain v. U.S. Forest Service*, 137 F. 3d 1372, 1380 (9<sup>th</sup> Cir. 1998), and avoid appeal of this decision by the Department, as was recently necessitated by the TMR decision issued for the North Kaibab Forest's North Kaibab Ranger District. (*Please reference North Kaibab Ranger District TMR Appeal letter included in accompanying electronic enclosure*)

#### Current and Proposed Status of MBGR on the Forest

Currently, the Coconino, Kaibab, Prescott, Coronado, Tonto, and Apache/Sitgreaves National Forests have Travel Management Rule (TMR) and LRMP provisions lacking consistency across the Forests of Arizona. Of particular concern to the Arizona Game and Fish Department, are those provisions relating to Motorized Big Game Retrieval which impact the constituents of the Department engaged in lawful hunting activities. This lack of clear direction pertaining to when, where, how, whom, and what species of downed game may lawfully be retrieved by motorized vehicle creates widespread confusion and fear for the recreating public, and challenges the Department's ability to provide fair and uniform enforcement of the law as it relates to these activities.

On page 74 and 75 of the Prescott National Forest's DLRMP, in the section entitled "Social and Economic Resources – Recreation, Transportation, and Facilities," Std-Rec-2 states, "Only designated roads, motorized trails, and motorized use areas as depicted and described on the motor vehicle use map are open for motorized big game retrieval. Motorized big game retrieval is precluded in areas where motorized travel is prohibited, such as wilderness." On the same page, Guide-Rec-1 goes on to state, "For the purpose of motorized big game retrieval: Use of motor vehicles should be limited to within one mile of designated trails to retrieve a legally hunted and tagged elk during elk hunting seasons as designated by the Arizona Game and Fish Department, and for 24 hours following the end of the season. Only one vehicle (i.e., one trip in and one trip out) per harvested animal should be operated off of designated roads and motorized

trails. Hunters should use the most direct and least ground-disturbing route to accomplish the retrieval. Motorized big game retrieval should not occur when conditions are such that travel would cause damage to natural and/or cultural resources. Motor vehicles should not cross riparian corridors, streams, and rivers, except at hardened crossings or crossings with existing culverts.”

The Department has the statutory authority to manage wildlife in Arizona. Because hunting is a key desire of the public, and is a principal means by which the Department manages the dynamics of the State’s game populations, the Department offers the following recommendation relating to the preceding MBGR standards and guides:

#### Recommendations Relating to MBGR

**The Department requests the Standards and Guides associated with MBGR in the “Social and Economic Resources – Recreation, Transportation, and Facilities” component of the DLRMP, be expanded in scope to allow MBGR for deer, elk, bear, and bison - bringing the Prescott National Forest’s MBGR policy in compliance with the uniform MBGR provisions the Department is seeking Forest-wide in Arizona. Those provisions being:**

- **Allowing MBGR of all big game (deer, elk, bear, and bison) within 1 mile of roads designated as open during, and for 24 hours subsequent to designated hunting seasons.**
- **Allowing one trip in – and one trip out.**
- **Restricting access during wet/muddy conditions or across wetland/riparian areas.**
- **Allowing older, less agile, or CHAMPS hunters with service-connected disabilities (See A.R.S. §17-336) to make use of a motorized vehicle, within a specified distance of routes designated as open to retrieve legally-taken big game animals – as provided for in Regulation 36 C.F.R. 212.51, which grants this authority to the Forest Responsible Official.**

The consumptive use of wildlife (hunting) is central to the conservation of wildlife in the United States, with conservation of the nation’s wildlife resources vested largely in the state wildlife agencies. The funding for this conservation is rooted in the contributions of hunters and anglers, with hunting on public lands in the west playing an essential role in the fiscal health of western wildlife conservation agencies. **In the absence of revision to the MBGR component of the Forest’s DLRMP and DEIS as described above, the Department requests the DEIS analyze the cumulative effects of this proposed decision (as well as allied travel management decisions) on the programmatic provision for wildlife conservation by the Department, and further, that the Forest analyze the individual and cumulative effects of this proposed decision (and allied decisions), on the North American Model for Wildlife Conservation.**

#### DEIS and DLRMP Alignment with Department Strategic Plans

##### Arizona Game and Fish Department Strategic Documents Currently Referenced in the DEIS

In the DEIS released with the DLRMP, it should be noted that on pages 17-21 (and Table 4) of DEIS Appendix C, the Forest references, and provides detailed documentation of the specific

DLRMP provisions whereby the Forest provides support for the following Department Strategic Plans:

- The 2005-2015 “Comprehensive Wildlife Conservation Strategy (CWCS)”
- The 2007-2012 “Wildlife 2012 Strategic Plan (WL 20/20)”

It should be noted the preceding documents are obsolete, having been superseded by the newly approved Department Strategic Plans: “*State Wildlife Action Plan (SWAP)*” and “*Wildlife 20/20 Strategic Action Plan (WL 20/20)*” described under the sub-heading that follows.

#### Arizona Game and Fish Department’s Current Strategic Plans

- *State Wildlife Action Plan*: On May 16, 2012, the Department adopted its current “State Wildlife Action Plan” which provides strategic guidance for the Department’s wildlife management for the years 2012-2022. The SWAP, approved earlier this year by the United States Fish and Wildlife Service, replaces the now defunct CWCS document.
- *Wildlife 20/20 Strategic Action Plan*: Earlier this month (November, 2012), the Department released a draft copy of its current “*Wildlife 20/20 Strategic Action Plan*”. This plan, WL 20/20, replaces the now defunct Wildlife 2012 Plan.

#### Request Relating to DEIS and DLRMP Alignment with Department Strategic Plans

Based upon the information provided above, **the Department requests the Forest remedy this inconsistency by correcting pages 17-21 and Table 4 of DEIS, Appendix C, to accurately document alignment between the Forest’s Plans and the current Department Strategic Plans:**

- “*State Wildlife Action Plan (SWAP)*”
- “*Wildlife 20/20 Strategic Action Plan (WL 20/20)*”

In conjunction with this comment letter, please find the enclosed CD containing the Department’s “*State Wildlife Action Plan*” and the “*Wildlife 20/20 Strategic Action Plan*”, as well as the data layers and resources associated with our State Wildlife Action Plan (SWAP).

#### SPECIFIC COMMENTS RELATING TO THE DLRMP

##### **(Page 5, Item 2): Needs for Change**

The Plan states, “Retain or improve watershed integrity to provide desired water quality, quantity, and timing of delivery. Addressing this need would provide improved water quality for human health and safety; move watersheds toward maintaining water quantity for both municipal watersheds and maintenance of aquatic and riparian species habitat; and provide timing of delivery that is commensurate with healthy soil and biological function and natural geomorphology.”

*Recommendation: Consideration to include a properly functional watershed, providing stable habitats for both biological diversity and human recreational uses.*

##### **(Page 5, Item 4): Needs for Change**

The Plan states, “Provide desired habitat for native fish species. Native fish and other aquatic species are in decline in some watersheds. Furthermore, native aquatic species are no longer known to be present in five watersheds, where historically they were present. In order to assist in responding to the decline in native fish species, the PNF can provide habitat and watershed

characteristics that will support these species. It could also partner with the State of Arizona in addressing control of non-native species.

*Recommendation: Even if the primary desire is for native fish habitat, a simple statement regarding the improvement of the watershed characteristics would increase the value for native fish and wildlife habitat. In addition, these characteristics (i.e. riparian areas) function to provide important wildlife corridors, along with enabling safer and more efficient wildlife migrations. Habitat and watershed characteristics are important in providing internal habitat and structural diversity, in turn providing increased stability. Additionally, consideration should be given to changing "could also partner" to "will partner with the State of Arizona" in addressing the control of nonnative species, while continuing to provide angler opportunity for both native and non-native species.*

**(Page 6, Item 5): Needs for Change**

The Plan states, "Enhance the value of open space provided by the Prescott NF by defining the visual character with areas near or viewed by those in local communities. Retention of open spaces is highly valued by citizens for its scenic value and contribution to low population density. The Prescott NF has a unique opportunity to enhance value and identify desired visual character on its lands as population density may increase on other ownership."

*Recommendation: This discussion should also address the importance of incorporating wildlife linkages into the values of open space. Open spaces provide for a multitude of public benefits, ecosystem services, and products we all need and enjoy such as water, economic prosperity, wildlife, recreation and wildfire protection (USFS <http://www.fs.fed.us/openspace/faq.html#n2>).*

**(Page 7): Social and Economic Values (Missing in Description of Desired Conditions)**

*Comment: The values do not seem to reflect fish and wildlife related recreation as it would also impact these values and generates a large contribution to the PNF.*

*Recommendation: The social and economics portions of this document, including the actual analysis in the DEIS should incorporate fish and wildlife related recreation. Below is a compilation of data from available sources indicating significant economic contributions as they relate to the state overall, USFS lands in the state, PNF lands specifically, and AGFD license sales in the States Game Management Units (GMUS) located on the Forest. (The following data has been provided for incorporation into the DEIS Economic Analysis...)*

**2012 National Survey, Outdoor Industry Association**

- 2011 Arizona:
  - Hunting - \$337,759
  - Fishing - \$755,027
  - Wildlife viewing - \$935,880
  - Total: \$2,048,666

**2012 License Sales Report**

- 2011: GMU's identified on PNF: 8, 17A/B, 19A/B, 20A/B, 21
  - Estimated total permit tag sales (based on the cost of each tag and total tags available for those units): \$665,599.0
  - Estimated total minimum hunt license sales (to purchase total tags available for those units): \$1,248,646.75
  - Hunter days available on request

- % of each GMU on the PNF
  - 8 - 33%
  - 17A -- 69%
  - 17B -- 97%
  - 19A -- 50%
  - 19B -- 17%
  - 20A -- 68%
  - 21 -- 22%

2007 American Sport fishing Association for the USDA -- USFS

- Total for AZ: \$417,5634,259 (wildlife associated recreation)

2006 American Sport fishing Association for the USDA -- USFS

- Prescott = \$129,544,151.0 (wildlife associated recreation)

Other:

- PNF = 18% forest land in AZ
- PNF= 50% land in Yavapai Co.
- Yavapai County (Consumptive) -- 2002. Silberman, Jonathan
  - Fishing and Hunting Expenditures: \$40.0 Million
  - Total Multiplier: \$ 49.9 Million
  - Salaries and Wages: \$ 9.8 Million
  - Full and Part time jobs: 811
  - State tax revenues: \$ 2.3 Million
- Yavapai County (Non-Consumptive) -- May 2003. Southwick Associates
  - Retail Sales: \$38,924,040.0
  - Total Multiplier: \$72,969,878.0
  - Salaries and Wages: \$20,403,548.0
  - Full and Part time jobs: 692
  - State tax revenues: \$507,205.0

(Page 12, Statement 5): **Needs for Change (Concepts for Understanding)**

*Comment: Wildlife as a value to scenic integrity is not included within the SMS system and should be considered, as open spaces should incorporate wildlife linkages and identify the scenic importance of wildlife. The Yavapai and Coconino Wildlife Linkages Assessments further identify and discuss these areas in more detail and should be incorporated into the Plan. (Please note that the linkage reports referenced above may be found in the attached CD enclosed with this comment letter.)*

(Page 37-38): **Forest-wide Desired Conditions, Grasslands**

*Comment: Consideration should be given to including the tie to landscape scale collaborative efforts that continue to make large scale improvements, such as the Central Arizona Grasslands Conservation Strategy.*

**(Page 46-47): Forest-wide Desired Conditions, Open Space, Lands and Scenic Values**

*Comment: Open spaces are important from a wildlife linkage, wildlife movement and migratory corridor perspective as well, not exclusively for providing habitat. Please refer to previous comments relating to open space and scenic values for consideration to provide appropriate expansion within this section.*

**(Page 55, 56, Obj. 8; Page 44, DC-Rec-1): Background and Rationale (Dispersed Camping)**

The DLRMP States, "In the absence of specific restrictions, a person can camp in any location on the forest outside of a developed recreation site; this is often called dispersed camping."

*Comment: At the November 5, 2012 Board of Supervisors Meeting in Yavapai County, Forest Supervisor Betty Mathews provided an update to the public on the status of the DEIS and DLRMP. At that public meeting, Ms. Mathews stated, "Dispersed Camping is permitted within 300 feet of all roads designated as open on current Motor Vehicle Use Maps ..."*

*Recommendation: Please rephrase this bullet point to state, "In the absence of specific restrictions, a person can camp in any location on the forest outside of a developed recreation site, and within 300 feet of all roads designated as open on current Motor Vehicle Use Maps..." (Please note the "Dispersed camping" description in Table 8; page 121 should be modified in the same manner.)*

**(Page 56, Objective 10): Recreation, Background and Rationale (Shooting Ranges)**

The DLRMP States, "Create one designated target shooting area during the 10 years following Plan approval" to replace the current range, for which the Forest will not renew the lease."

*Comment: With only one designated shooting range, people will likely find their own locations to shoot, with a potential increase in unsafe shooting behavior and possible littering. While 1 Range is a good start, comments included in the draft LMP state that the original plan called for 2-5 ranges - but that this was deemed unfeasible by the Prescott Leadership Team. (Note: This was previously recommended in the 052611 AGFD comment letter to the Forest re: Draft IV of the DLRMP)*

*Recommendation: The Department still advocates the development of additional recreational shooting sites with lower cost and manpower requirements than full-service shooting ranges. Appropriate wording for this section might be "... create and operate one formal target shooting range, and create 2-5 additional informal recreational target shooting areas (pocket ranges)". (Note: This would require modification to page 9 of the DEIS).*

**(Page 69, Guide-WL-2): Terrestrial Wildlife**

The DLRMP States, "Design features and mitigation measures should be incorporated in all Forest Service projects as needed to ensure Southwestern Region Sensitive Species do not trend toward listing as threatened or endangered."

*Recommendation: This paragraph should be modified to include the Arizona Game and Fish Department's Species of Greatest Conservation Need (SGCN)." (Please note SGCN file in attached CD included with this comment letter)*

**(Page 69, Guide-WL-3): Terrestrial Wildlife**

The DLRMP lists provision for the benefit of pronghorn habitat and populations.

*Recommendation: This paragraph should be modified, by additionally making reference to the Department's Central Arizona Grassland Strategy (CAGS)." (Please reference the CAGS file in attached CD included with this comment letter)*

**(Page 77, Guide-Lands-2): Terrestrial Wildlife**

*Recommendation: As with the recommendation for page 69, Guide-WL-2 above, this paragraph should be modified to include the Arizona Game and Fish Department's Species of Greatest Conservation Need (SGCN)." (Please note SGCN file in attached CD included with this comment letter)*

**(Page 84-85): Standards and Guidelines, Range**

*Recommendation: The WS-4 should be considered for this section as it provides the concept for adaptive management regarding watershed function. An additional guide should incorporate grass reserve banks.*

**(Page 111, Table 5): Monitoring Questions**

*Recommendation: In the final row of the table on page 111, under the heading "Monitoring Question," the question at this intersection in the table should be modified to not only reflect Federally listed species, but include the Arizona Game and Fish Department's "Species of Greatest Conservation Need (SGCN)" as well. (Please note SGCN file in attached CD included with this comment letter.)*

Final Comments and Conclusions Relating to DEIS Alternatives

Prescott National Forest's Preferred Alternative (Alternative B)

The Department understands information gathered from citizens and the public during the development of Community Vision Statements, the "Ecological Sustainability Report" (ESR), the "Economic and Social Sustainability Assessment" and the "Analysis of the Management Situation" (AMS) influenced the alternative themes developed for the DEIS, which have been developed in part based upon the potential environmental, social, and economic consequences of implementing each alternative.

Additionally, the Department understands Alternative B, with its suite of proposed management actions, is the proposed revised plan and was developed iteratively in a collaborative manner to address the needs for change identified in chapter 1 of the DEIS.

The Department met with and repeatedly provided feedback to the Forest in the draft developments of the proposed revised plan. The Department agrees with members of the public who felt *viability and habitats* should have greater emphasis in all possible plan alternatives, and finds existing designated wilderness areas to be adequate. Consequently the Department does not support the Forest's preferred choice of Alternative B.

Arizona Game and Fish Department Preferred Alternative (Alternative C)

The Department understands Alternative C was developed to address the issues specific to species viability and habitat, by providing a greater focus on the improvement of ecological conditions and wildlife habitats. It provides additional emphasis on restoring the vegetation types most severely departed from desired conditions, provides for increased restoration treatment activities within the Ponderosa Pine and Grasslands Potential Natural Vegetation Types (PNVT's), and places additional emphasis on management actions providing benefit to

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native fish habitat and management indicator species such as pronghorn. In addition to these considerations, with Alternative C being the sole alternative in which there are no additional areas recommended for wilderness designation (contrasting the eight Wilderness Expansion Areas totaling approximately 43,400 acres identified in Alternative B), it is Alternative C with which the Department most closely aligns, and for which it offers its support.

The Department appreciates the tremendous effort, monumental investment of manpower, and outreach employed by the Forest in this planning effort. The Department wishes to again express its appreciation for the opportunity to provide comment in this important process. If you have any questions related to this letter or the comments, requests or recommendation that it contains, please feel free to contact me by phone at 928-692-7700, ext. 2300, or by email at [tfinley@azgfd.gov](mailto:tfinley@azgfd.gov).

Sincerely,



Tom Finley  
Supervisor, Region III

TPF:tb

cc: Laura Canaca, Supervisor, Habitat Project Evaluation Program  
Trevor Buhr, Habitat Program Manager, Region III  
Larry Riley, Assistant Director and Acting Habitat Branch Chief

Enclosure: CD containing the following: 2012-2022 State Wildlife Action Plan, Wildlife 20/20 Strategic Action Plan, Species and Habitat Conservation Guide, Species of Greatest Conservation Need, Species of Economic and Recreational Importance, Data Layers Associated with the Department's Habimap Planning Tool, Arizona's 2006 Wildlife Linkages Assessment, Arizona Missing Linkages Reports, Yavapai and Coconino County Stakeholder Linkages Reports, Arizona Game and Fish Department Wind and Solar Energy Guidelines, Central Arizona Grassland Strategy, November 2, 2012 Letter: North Kaibab Ranger District Travel Management – Appeal of pursuant to 36 CFR 2015