

# Chapter Five



# CHAPTER 5: CONSULTATION AND COORDINATION

## 5.1 COMMUNICATION METHODS

The Phoenix District (PD) was committed to authentic collaboration and cooperation with the general public, individual agencies, interest groups, and tribal governments in the development of this plan. The BLM feels that public collaboration and cooperation are the stepping stones to a successful RMP/EIS, which will guide appropriate management decisions in the coming years for the planning area. As indicated by the large amount of public participation provided during this planning process, the Agua Fria National Monument and the Bradshaw Harquahala Planning Area are certainly places that many Arizona residents and visitors feel passionate about. The Phoenix District tried to discover ways to collaborate with citizens and communities by understanding their visions for their communities and working with them to design BLM management that would help to achieve both the community visions and BLM resource management needs. The PD ensured that agencies, communities, organizations, tribes, groups, and interested individuals affected by the planning decisions were properly informed and had the opportunity to be involved by establishing collaborative guidelines and methods in the planning process.

The following internal guidelines were followed during the planning process:

- 1) Public comments were accepted throughout the planning effort.
- 2) All requests for information were granted, unless the information was unavailable or prohibited by policy or law.
- 3) Staff and managers met with any group or individual requesting such a meeting.
- 4) Internal processes, such as the Route Evaluation Tree©, were open to review and comments were invited.
- 5) Staff and managers took planning information to meetings, such as the Resource Advisory Council, county, city, and Tribal Council meetings.

The following communication methods listed were established to keep the public informed about the planning process, but also invited the public to be intimately involved through a collaborative, interactive process:

- Community Based Partnership and Stewardship workshops
- EIS public scoping process
- Planning bulletins
- Bureau of Land Management (BLM) web page:  
([http://www.blm.gov/az/LUP/aguafria/afria\\_plan.htm](http://www.blm.gov/az/LUP/aguafria/afria_plan.htm))
- Formal/Informal presentations to interested groups, agencies, and organizations
- Cooperating Agencies

When navigating this section of the document, please refer to the Table of Contents to assist in finding comments and responses specific to certain issues.

## 5.2 Community Outreach

### 5.2.1 Community Based Partnership workshops

A collaborative-community based approach was initiated in 1999 and 2000. BLM hosted workshops that focused on learning about communities within the planning areas and inviting community participation in our process. Prior to publication of the official Notice of Intent, approximately 30 presentations were made by invitation at community and interest group meetings in spring 2002.

### 5.2.2 Scoping Meetings

Ten total scoping meetings were held in Arizona communities. The meetings were structured to have an open house period, followed by a meeting/presentation where speakers could voice their concerns. BLM specialists were available to provide information and responses to questions. During the scoping meetings, 564 people registered their attendance with 169 offering to speak. Comments from the public

Dates	Location
September 28, 2002	Flagstaff, AZ
October 1, 2002	Dewey-Humboldt, AZ
October 2, 2002	Black Canyon City, AZ
October 3, 2002	Yarnell, AZ
October 5, 2002	Castle Hot Springs, AZ
October 7, 2002	Buckeye, AZ
October 8, 2002	Phoenix, AZ
October 9, 2002	Wickenburg, AZ
October 14, 2002	Prescott, AZ
October 16, 2002	Peoria, AZ

were collected during the scoping meetings and throughout the scoping period through a variety of methods including mail, fax, and email.

### 5.2.3 Alternative Development Workshops

BLM continued collaboration efforts by including communities in the formulation of Alternatives. A set of workshops were held throughout the planning area to give citizens the opportunity to refine issues, discuss visions for BLM-managed lands, and begin exploring different ways to manage BLM-administered lands and resources. Input received from citizens— both groups and individuals— were considered in developing the Alternatives. Citizens were also able to submit formulated alternatives, as well as vision statements, for specific community areas or resources. These were considered in the range of alternatives and analyzed in the EIS, as required by NEPA.

Dates	Location
March 3 and 31, 2003	Wickenburg, AZ
March 5 and April 2, 2003	Black Canyon City, AZ
March 6 and April 2, 2003	Phoenix, (Deer Valley), AZ
March 8 and April 3, 2003	Dewey-Humboldt, AZ
March 22 and April 12, 2003	Prescott, AZ

### 5.2.4 Public Comment Meetings

On January 6, 2006, the Draft RMPs/EIS were published and released to the public. After this date, the public had 90 days to mail, email, fax, or verbally comment on the plan. During this 90-day comment period, the BLM held a total of eight formal public meetings throughout the planning area. The primary objective of these meetings was to receive comments from the

public. Meeting attendees had the option of either verbally speaking to the BLM staff at the meeting or submitting written comments at the meeting. The meetings had as few as six attendees in Buckeye to over 85 attendees in the Dewey-Humboldt community.

<b>Dates</b>	<b>Location</b>
February 7, 2006	Phoenix (Deer Valley), AZ
February 8, 2006	Black Canyon City, AZ
February 9, 2006	Buckeye, AZ
February 16, 2006	Wickenburg, AZ
February 23, 2006	Dewey-Humboldt, AZ
February 28, 2006	Tucson, AZ
March 2, 2006	Yuma, AZ
March 23, 2006	Prescott, AZ

## 5.2.5 E-planning Workshops Meetings

The Phoenix District (PD) also sought increased public involvement through e-Planning. Prior to the formal public comment meetings, PD held a total of six e-Planning workshops throughout the planning area to help the general public get acquainted with this new medium of reading a RMP/EIS. E-planning is an online interactive database, which provides readers with the flexibility to go onto the internet and read through the Draft RMP/EIS and submit comments on specific areas in the plan, as well as print and manipulate GIS maps. The majority of these meetings were held in computer labs at various libraries and schools. On a one-on-one basis, the public was given basic instructions on how to use many of the primary functions this program has to offer.

<b>Dates</b>	<b>Location</b>
January 17, 2006	Mayer, AZ
January 19, 2006	Yarnell, AZ
January 23, 2006	New River, AZ

January 24, 2006	Prescott, AZ
January 30, 2006	Wickenburg, AZ
February 1, 2006	Black Canyon City, AZ

## 5.2.6 Consultation and Coordination

For information regarding coordination and consultation with collaborating agencies, cooperating agencies, and other stakeholder groups, please see Sections 1.4.4 through 1.4.6.

The BLM consulted with the U.S. Fish and Wildlife Service (USFWS) under Section 7 of the Endangered Species Act regarding the effects of the Agua Fria National Monument and Bradshaw-Harquahala Resource Management Plans on threatened or endangered species. The Service issued a Biological Opinion (BO) #22410-05-F-0785 to the BLM which concluded that the proposed actions are not likely to adversely affect the endangered southwestern willow flycatcher, threatened bald eagle, threatened spikedace and the candidate western yellow-billed cuckoo. The Service further concluded that the proposed action is neither likely to jeopardize the continued existence of the Gila topminnow, Gila chub and desert pupfish, nor likely to adversely modify or destroy Gila chub critical habitat.

## 5.3 PUBLIC COMMENTS

### 5.3.1 Summary of Comments Received

A total of 431 individual comment letters and 1,046 form letters (consisting of six separate form letters) were received by the Phoenix District at the end of the 90 day comment period. Besides Arizona, California was the most common location from which comments

were received, indicating that many California residents either recreate in the planning area, or are concerned with the lands that border their state of residence.

Not surprisingly, the majority of the letters submitted by Arizona residents came from the state's largest urban conglomerate, the Phoenix Metropolitan Area (including suburban communities such as Glendale, Mesa, Scottsdale, and Tempe). The Prescott, Mayer, and Dewey-Humboldt Areas submitted over 100 comment letters. A key issue represented by these comments was in large part due to the 21,000 acres that BLM removed from the disposal list in the Preferred Alternative, an action many residents in this area supported. Although more distant from the planning area, over 40 comment letters came from the Tucson Metro Area. About 30 percent of comment letters from Tucson clearly indicated that they were concerned with preserving or conserving land in the planning area. This viewpoint represented the second largest organization type that commented on the plan.

While the majority of comment letters (296) did not clearly indicate which group or organization that the resident was representing, 15 percent of individual comment letters were received from residents who stated that they were motorized recreationists. Most of the OHV respondents came from the Phoenix Metropolitan Area. For the Phoenix District, this is a clear indication that as the urban population increases in the Phoenix Metro Area, so will OHV use on neighboring BLM-managed lands.

### **5.3.2 Context of Comments Received**

The letters received by Phoenix District were broken into similar, smaller comments, totaling approximately 2,319 separate comments received during the 90-day comment period from January 6, 2006 to April 5, 2006. Some comments stated the respondents' exact opinion

or preferred action, while others portrayed the various actions that they felt the BLM should undergo to meet their desired needs. Four themes were commonly addressed in many of the comments received by the Phoenix District, which represented an array of issues. These common themes are listed below.

#### **Common Theme 1: Support for Alternative E (206 similar comments)**

Example: *"I support alternate E from your choice of alternatives.* (Individual, Mesa, AZ - Comment: #533, letter #251)

Summary: Depending on which management action the commentors' favored in the Preferred Alternative, this theme was represented by various organization and individuals. The majority of these types of comments came from residents in the Dewey-Humboldt community, who favored the elimination of the 21,000 acres from the plan's disposal list in the Preferred Alternative.

#### **Common Theme 2: Route Inventory Specific, designate more/less routes (130 similar comments).**

Example: There have been unreasonable proposals that vehicular travel be allowed up Badger Springs Wash or down to the Agua Fria River. This is precluded by the Proclamation. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2087, letter #339)

Or

Example: Please allow Motorized events and increased motorized use in the Vulture mine area. With the increased participation in motorized use and the constant expansion of urban areas, existing Motorized opportunities are decreasing. They should be increasing. (Individual, Prescott, AZ - Comment: #519, letter #238)

Summary: Phoenix District received many of these types of comments, in large part because many of the motorized recreation commentors addressed similar issues and actions. Opposing arguments were received by different groups as well.

**Common Theme 3: Open or Close areas/routes to OHV use (118 similar comments).**

Example: Close all washes to motorized vehicles except for short crossings of major routes. (Individual, New River, AZ - Comment: #971, letter #360)

Or

Example: All existing and or inventoried roads, routes, and trails should remain open for public vehicular access (Yuma Valley Rod and Gun Club, Inc, Yuma, AZ - Comment: #1065, letter #163)

Summary: (Refer to summary for Common Theme 2)

**Common Theme 4: Decision Making Process and Methods**

Example: I think first of all that everything that the BLM does in the monument needs to be directed towards the betterment of that monument proclamation objects. Freelance ORV use is contrary to that monument proclamation. (Grand Canyon Chapter of Sierra Club, Phoenix, AZ - Comment: #702, letter #74)

Summary: These types of comments indicated decision making processes that commentors' felt that the BLM needed to follow. The comments vary in type of action; however, they all pinpoint a certain method that would protect their favored resource/recreation.

### 5.3.3 Comment Analysis Process

#### Analyzing and Coding Comments

In order to properly analyze and respond to each of the 1,477 letters received by Phoenix District, the BLM followed the USDA Forest Service Content Analysis Team (CAT) process for comment analysis. This process has been used to analyze thousands comments over numerous Environmental Impact Statements nationwide, and BLM believes it to be a defensible process to catalog and address comments.

An Excel software database was created to log letters and refer to a scanned copy of each parsed letter. The letter log maintained information on how the letter was received (e.g., at a public meeting, by postal mail, or by email), respondent information (e.g., from an individual, government, tribe, or interest group), name and address of respondent, and how many people signed the letter.

When a letter was received, the original was date-stamped and numbered with a unique Letter ID number for tracking purposes, then retained for the administrative record. Two photocopies were made: one for public review and one for a working copy. The working copy was parsed and coded (see below), entered into the E-planning database, and then scanned again for the administrative record.

The coding process required staff to identify and code stand alone comments in each letter, which allowed BLM to respond to similar comments at one time. BLM dedicated three employees to read and code the comment letters. Each individual letter was read and parsed, and each individual comment was designated to an appropriate action and rational code. The action codes were based on type of act requested by the respondent and the rational codes were based on the reason for requesting a specific action. The

coded comments were then entered into the E-planning database, which gave each comment a unique number known as Comment Number. Comments were then grouped by action and rationale and have been responded to in this chapter.

### Summarizing Comments

BLM responded to the individual comments by summarizing them into Public Concerns. The responses to each of these concerns are in Section 5.4 *Response to Public Comments*. Although all comments are represented by the Public Concern, not all comments are printed in this section. Instead, the comments shown in Section 5.4 are samples of the range of comments that fit under each Public Concerns. A copy of all comments received by the Phoenix District is available on a CD included with this document.

Each public concern was given a Public Concern Code, which indicates the topic of each concern and allows the public to locate a specific response to an individual comment. Each Public Concern Code and the sections in which they are located are indicated in Table 5.5 below.

<b>Subject</b>	<b>Public Concern Code</b>	<b>Section No.</b>
Alternatives & Proposed Management Actions	AL 1-6	5.4.1
Objects of the Agua Fria National Monument	MO 1-8	5.4.2
Special Area Designations	SD 1-16	5.4.3
Lands and Realty	LR 1-41	5.4.4
Soil, Air, and Water Resources	WS 1-11	5.5.5
Biological Resources	TE 1-25	5.4.6
Cultural Resources	CL 1-12	5.4.7
Recreation Resources	RR 1-40	5.4.8
Wilderness Characteristics	WC 1-23	5.4.9
Visual Resources	VM 1-6	5.4.10
Rangeland Management	GM 1-23	5.4.11
Mineral Resource	MI 1-12	5.4.12

Management		
Travel	TM 1-57	5.4.13
Wild Horse and Burro	WB 1	5.4.14
Document Complexity and Review	DR 1-5	5.4.15
Editorial Errors and Clarification	EI 1-21	5.4.16
Enforcement and Funding	EF 1-2	5.4.17
Implementation, Mitigation, and Monitoring	IP 1-4	5.4.18
Inventory of Resources	IV 1	5.4.19
Public Participation	PP 1-2	5.4.20
Research, Education, and Collaboration	RE 1-7	5.4.21
E-Planning	EP 1	5.4.22

### **5.3.4 Agencies, Organizations, Groups, and Individuals who provided Comments**

The following list displays the names of the agencies, organizations, groups, and individuals who commented on the DRMPs/DEIS, along with the Letter ID Number. In order for the public to track how their individual comments were responded to, they must find their name and then identify where Public Concern Code their comments were placed under. Once this code is identified, the respondent can then reference the response to their individual comment in Section 5.4. Many letters included multiple comments; therefore, multiple comment codes may be listed under a name. All individuals who requested confidentiality are not listed by name.

<b>Name</b>	<b>Letter ID Number</b>	<b>Public Concern Code</b>
Michael Agliarado	328	MO-1, WC-22, RR-40, TM-44
George and Frances Alderson	381	MO-1, WC-22, TM-48
Greta Anderson (Center for Biological Diversity)	338	AL-1, AL-4, MO-1-2, MO-8, SD-3, SD-9, SD-12, CL-5-6, TE-12-13, TE-18, DR-5, GM-1-7, GM-9, GM-13-14, GM-16-23, IP-3
Ray Anderson (Verde Valley 4 Wheelers)	400	AL-1, SD-14, DR-4, WC-6, WC-14, WC-16, WC-20-21, RR-21, TM-9, TM-13, TM-33
Walt Anderson	320	AL-2, MO-1, SD-11, WC-22, RR-40, TM-44, TM-48-49
Name Withheld	114	EI-1
Name Withheld	110	LR-17
Kyle Asel (Apache Motorcycle Inc.)	174	AL-1, RR-28, TM-23
Fred Attyah	98	RR-13
Anne and Jim Badger	238	RR-15, RR-20, RR-24, RR-28, TM-8, TM-23-26, TM-49-50
Humberto Badillo	312	VM-2, WC-22, RR-40, TM-44, TM-48
Nick Bafaloukos	99	AL-1
Sandy Bahr	81	MO-1, DR-5
Beryl Baker	170	MO-1
Jabe Beal	331	RR-20, TM-1, TM-12, TM-23
Michal Bennett	364	MO-1, LR-17, WC-22, RR-40, TM-48
Todd Berger	344	AL-1, RR-28
David Bergman (U.S. Department of Agriculture)	271	TE-8
Bettina Bickel	274	SD-11, WC-22, TM-28, TM-53
Bob Biegel	73	AL-5
Matt Bigler	288	TM-4
Joseph Birdy	205	AL-2, MO-1, WC-22, RR-40, TM-48
Janine Blaeloch (Western Lands Project)	14	DR-2, DR-4, LR-5
Jan Bleeker	24	AL-1, LR-15
Lauren Bolinger	386	DR-4, RR-20, RR-22, RR-26, RR-28, RR-32, TM-23
Nathan Booker	363	AL-1, MO-1, WC-22, RR-40, TM-48
Russell Bowers (Arizona Rock Products Association)	355	AL-1, VM-4, MI-3, MI-10-11, WC-12, TM-3
Copper Bradshaw	374	AL-1
Don Brennecke	314	MO-1, WC-22, RR-40, TM-48
Clint Brown	233	AL-1, RR-28
Steve Brown	206	AL-1, RR-15, RR-20, RR-24, RR-28, TM-1, TM-8, TM-23-26, TM-49-50
Barry Brummett (Arizona Rock Crawlers)	263	RR-20
Jim Buchanan	4	LR-15
Jeff Burgess	23	GM-13, GM-15
Ann Marie Calabrese	146	LR-15
Jay Caliendo	303	LR-17
James Campbell	330	AL-1, WC-22, TM-47
Noel Caniglia	141, 220	LR-17
Tom Caniglia	142, 221	PP-1, RE-4
John Carr (Wickenburg Outdoor Recreation)	398	AL-1, LR-10, LR-11, LR-19, EI-1-2, RR-3, RR-39

<i>Committee)</i>		
Jane Carrol	334 [form #3]	LR-19, MO-1, WC-22, RR-40, TM-48
Richard Carter	182	TM-19
Dewanye Cassidy	27	RE-7
Peter Castaneda (U.S. Bureau of Reclamation)	399	CL-8, TE-14, LR-9, LR-27-28, LR-32, EI-6
Rose Chilcoat	372	AL-2, MO-1, LR-17, WC-22, RR-40, TM-48
Name Withheld	58	LR-17, WC-22, RR-20
Name Withheld	228, 310	AL-1, SD-3, SD-11, CL-9, CL-12, TE-1, VM-5, LR-17, LR-23, WC-5, WC-22, RR-20, RR-40, TM-15, TM-30, TM-47
Sanford Cohen (Prescott Open Trails Association)	104, 136, 232	AL-1, TM-9, TM-23, TM-28, TM-36, TM-49
Mike Colbert	245	LR-17
Carol and Robert Cole	313	AL-1, TM-15
Nancy Coleman	167	MO-1, LR-17
Glen Collins (Public Lands Foundation, Arizona Chapter)	306	MO-1
Patty Collins	200	GM-13
Robert Cothorn	280, 281, 284, 285	AL-1-2, SD-11, SD-14-15, WS-7, CL-12, VM-6, MI-2, LR-12, LR-14-15, LR-23, LR-25, LR-36, EI-15, EI-16, RR-4, RR-37, TM-24, TM-46, TM-48, TM-52
Stanley Cothorn (Black Canyon Black Sheep Four Wheel Club)	3	AL-1, LR-17
Name Withheld	90, 111, 227	SD-3, SD-11, CL-9, WC-3, WC-5, WC-22, TM-16, TM-28, TM-44, TM-53, TM-55, LR-15
D Crow	95	TM-9
Name Withheld	161	MI-7, LR-15
Thom Danfield	359	MO-1, WC-22, RR-40, TM-48
A.G. "Chip" Davis	13	PP-1
Treesha DeFrance	134	LR-15
Sy DeVries	309	AL-1, RR-28
George DeWolf	57, 181, 135, 270	EI-1, RR-6-7-8, RR-11, TM-15, TM-23, TM-28, TM-35, TM-40, TM-43
Name Withheld	153	EF-1
Resident Dewey-Humboldt	66	LR-15
Resident Dewey-Humboldt	67	LR-17
Deweyantfarm	65	LR-15
Ryan Dickson	172	AL-1, RR-20, RR-24, RR-28, TM-23, TM-50
Don Drake	267	RR-20
Kenneth Driscoll	241	RR-20, TM-8, TM-23-24
Dennis DuVall	173	AL-1, MO-1, TE-24, WC-22, RR-19, TM-45, TM-48
John Dusel	175	AL-1, RR-20, RR-28, TM-23-24
William Eldridge	244	AL-1, AL-5, TM-23
Joe & Cindy Farmer	15	LR-15
Bill Feldmeier	219	TM-49
Mike Fissel	251	AL-1, EF-1, RR-15, RR-20, RR-24, RR-28, TM-8-9, TM-23-26, TM-49, TM-50
Jim Florence	82, 212, 265	AL-1, EF-1, RE-4, RR-15, RR-20, RR-24, RR-28, TM-8, TM-14, TM-24-26, TM-29, TM-37, TM-49-50
Buzz Fournier	10	AL-1, LR-17
Paul Franckowiak	305	MO-1, TE-1, GM-5, LR-17, WC-22, RR-20, RR-37
Scott Frank	86	WS-11
Joseph Freeman	366	WC-22

Jon Fugate ( <i>Yuma Valley Gun and Rod Club</i> )	150, 163	TE-5-6, DR-4, WC-9-10, WC-14, TM-23
Marc Galeano	101	LR-2
Name Withheld	229	AL-1, MO-1, EP-1, WC-22, TM-1, TM-56
Lydia Garvey	155	AL-1, WC-22
Russel Gevarter ( <i>AZ Rockrats</i> )	257	AL-1, RR-22, RR-28, RR-40, TM-17
Debbie Gifford ( <i>Town of Dewey-Humboldt</i> )	187	LR-15
Tom Gilmore ( <i>Citizens Water Advocacy Group</i> )	20	CL-9, MI-1, RR-6, RR-19, TM-1, TM-23
Lisa Giordano	43	AL-1, LR-15
Rich Glinski	88	AL-1
Joseph and Shareen Goodroad	360	SD-7, SD-11, MI-2, LR-27, PP-1, WC-5, WC-22, TM-28, TM-48
Shareen Goodroad ( <i>New River / Desert Hills Community Association</i> )	393	AL-1-2, SD-11, SD-14-15, WS-7, CL-12, MI-2, LR-12, LR-14-15, LR-23, LR-25, LR-36, RR-4, RR-37, TM-21, TM-46, TM-48
Penny Govedich	378	AL-1, MO-1, SD-11, WC-22, RR-40, TM-44, TM-48-49, TM-52
Pamela Griggs	69	LR-17
David Gronlund ( <i>Arizona Motorcycle Riders Association</i> )	247	AL-1, EF-1, RR-20, RR-28, TM-24
Lori Gronlund	260	AL-1, RR-28, TM-1
Name Withheld	269	AL-1, SD-3, SD-11, CL-9, CL-12, WC-5, TM-44, TM-49
Michael Guest	362	MO-1, WC-22, RR-40, TM-48
Jerry Guevin ( <i>Arizona Desert Bighorn Sheep Society</i> )	342	AL-1, SD-7, TE-4, TE-7, TE-15-16, DR-3-4, VM-1, IP-1, WC-1, WC-4, WC-11, WC-14, WC-15, WC-17-19, WC-21, RR-36, TM-34
Jeff Gursh ( <i>Arizona Off-Highway Vehicle Coalition</i> )	261	AL-1, LR-41, EF-1, RR-15-17, RR-20, RR-24, RR-27-29, RR-31-33, TM-8-9, TM-13-15, TM-24-25, TM-27-28, TM-49-51, TM-53
CR Hummel	365	AL-2
David Haglan	258	AL-1, RR-15, RR-20, RR-24, RR-28, TM-8, TM-23-26, TM-49-50
Name Withheld	109, 346	AL-1, LR-15
Jeanie Halstead	7	AL-1
Bunnie Hamm	2	AL-1
Diana Hans	171	AL-1, LR-30, RR-37, TM-19, TM-44
E. Harrison	295	MO-1, WC-22, RR-40, TM-9, TM-48
Roger Haughey	168	LR-17
Sydney Hay ( <i>Arizona Mining Association</i> )	186	MI-1, MI-10
Travis Haynie ( <i>Arizona Motorcycle Riders Association</i> )	165	AL-1, RR-24, RR-28
Scott Helfinstine	217	TM-49
Jacek M. Herchold	9	AL-1
Amy Heuslein ( <i>U.S. Bureau of Indian Affairs Western Region</i> )	354	AL-1
Mary Hoadley ( <i>Upper Agua Fria Watershed Partnership</i> )	369	AL-1, RE-4
Mark Hofgard	329	MO-1, SD-11, RR-40, TM-44, TM-49

Robert Hollis (U.S. Federal Highway Administration)	162	LR-23, LR-26, LR-33, LR-40, EI-1, EI-7-8
Howard Holt	294	MO-1, LR-17, WC-22, RR-40, TM-48
Don Hood (Arizona Trail Riders)	164 (form #2)	AL-1, RR-15, RR-20, RR-24, RR-28, TM-8, TM-23, TM-24-26, TM-49-50
William Hooven	246	AL-1, RR-28, TM-23
Lee Howard	210	MO-1, WC-22, RR-40, TM-48
John Howell	154	AL-1, CL-3, EF-1, RR-11
Cathy Hubbard	16	AL-1
Time Huddleston	62	LR-15
Pat Hughes	213	DR-3, RR-20, RR-28, TM-15, TM-24
Doug Hulmes	157	AL-1, WS-11, LR-5, PP-1, WC-22, TM-49
Gerry Hustin	324	DR-3, RR-20, RR-28
Lynnette and Don Huston	44	LR-17, PP-1
Individual	166	AL-1, RR-28, TM-23
Individual	203	AL-1, RR-28, TM-17
Jeremy Iness	18	AL-1
Duane James (U.S. Environmental Protection Agency)	396	SD-5, SD-11, SD-14, WS-1-5, WS-8-9, TE-11, TE-17, DR-1, GM-8, LR-4, LR-7, LR-8, EI-1, RR-30, TM-44
Name Withheld	353	AL-1, SD-14, WB-1, GM-8, RE-5, RE-7, RR-6, RR-10, RR-25, TM-30, TM-44
Orlo Jantz	29	WS-11, LR-17
Darrington Jay	51	MI-1
David Jenner	49	AL-1, LR-3
Keith Jensen	96	RR-20, RR-40
Charles & JoAnn Johnson	92	LR-17
Name Withheld	55	EI-1
Mike Johnson	93	AL-1
Theresa Johnson	368	MO-1
Scott Jones (Sierra Club)	100, 103, 138, 145, 223, 340	AL-1, MO-1, MO-5, MO-8, SD-3, SD-11, SD-14, EP-1, WS-11, CL-12, TE-19-21, DR-5, GM-5, GM-9, VM-2-3, LR-18, LR-23, LR-38, EI-1, IP-3, PP-1, WC-22, RR-6, RR-10, RR-12, RR-19-20, RR-24, RR-37-38, RR-40, TM-44-45, TM-47-49, TM-53
John Jorde	178	AL-1, TM-23-24
John Keefe	50	AL-1, DR-2, LR-15
Kevin Keith	332	AL-2, MO-1, SD-11, WC-22, RR-40, TM-44, TM-48-49
Alan Kessler	59	GM-14
Name Withheld	78	AL-1, AL-5, EF-1, RE-4, TM-15
Keith Kintigh	297	CL-9-10, LR-20, EF-1-2, RE-3, RE-5-6, RR-10
William Kisich	235	RR-20, RR-28, TM-23, TM-24
Tawny Kite	133	AL-1
Burket Kniveton	231	MO-1, SD-3, EP-1, PP-1, WC-5, WC-22, TM-16, TM-28, TM-45
Tyler Kokjohn	341	MO-3, SD-11, IP-1-3, RE-4, WC-22
Ken Kozlik	254	AL-1, RR-28
Lance Krigbaum	300	WC-22, RR-40, TM-23, TM-28
Name Withheld	75	AL-1, TE-1, RE-4, RR-40, TM-48
Melissa Kruse	333	CL-9, EF-1, RE-5, RR-10
Roberta Kurtz	298	AL-2, MO-1, SD-14, GM-5, WC-22, RR-38, RR-40, TM-41
Leigh Kuwansisiwma (Hopi Cultural Preservation Office)	384	AL-2, CL-11, DR-5, RE-5
Dave Laird	273	AL-1, TE-6, TE-8, TE-11, TE-13, TE-18, TE-21, TE-23, GM-9,

<i>(Arizona Antelope Foundation)</i>		RR-18
Doris Lake	60	LR-17
Rudi Lambrechtse	375	TM-44
Jim Lara	234	AL-6
Kathleen Larson	301	RR-20, RR-40
W. A. Laudenslager	97	AL-1, AL-5
Daniel Laux	391	AL-1, SD-8, MI-1, MI-10, WC-16
Kevin Lay	72	RR-34, TM-11, CL-1
Scott, Lynn, Becca, and Megan Layton	308	AL-1, AL-5, WC-2
Isolt Lea	209	MO-1, WC-22, RR-40, TM-48
Dan Lee	68, 218	LR-15
Donald and Patricia Lee	8	AL-1, LR-17
Jen Leitch	304	AL-1-2, MO-1, WC-22, RR-10, RR-16, RR-37, TM-23
George Lemley	236	AL-1, TM-50
Kevin Leonard	112	LR-15
Lyle Leslie	248	AL-1, LR-17, RR-15, RR-20, RR-24, RR-28, TM-8, TM-23-26, TM-49-50
Lainie Levick	319	AL-2, GM-13, MI-1, RR-37, TM-28, TM-48, SD-11
Erin Lotz	307	LR-17
Ian Love	337, (form #6)	DR-3, RR-20, RR-28, TM-15, TM-24
Diane Lovett <i>(Yavapai County Trails Committee)</i>	21	LR-17
Lyle MacNee	107	LR-17
Joyce Mackin	28	AL-1
Catherine Marcinkevage	201	SD-4, WS-1, GM-6, GM-20, LR-1, EI-1, EI-12
Mary Markus	237	MO-1, WC-22, RR-40, TM-48
Andrea Martinez	382	DR-3-5, WC-15, WC-17, WC-21, TM-35
Mike Mattison	377	MO-1, WC-22, RR-40, TM-48
Lynne and George May	17	AL-1
Beau McClure <i>(Public Lands Foundation, Arizona Chapter)</i>	289, 387, 403	AL-1, MO-1, GM-19, LR-13, LR-15, RE-4, TM-35
Bob McCormick <i>(Sonoran Audubon Society)</i>	287	AL-1, SD-3, WS-10, TE-11, GM-12, GM-20, RE-4
Lee and Jill McCoy	12	LR-15
Sandee McCullen <i>(Arizona Association of 4 Wheel Drive Clubs)</i>	264, 380	RR-15, RR-20, RR-22, RR-24, RR-28, RR-32, TM-1, TM-8, TM-23-25, TM-49-50
Patsy Cordes McDonald	64	GM-10, WC-22
Name Withheld	183	SD-11, CL-12, VM-2, WC-5, WC-22, RR-19, TM-45, TM-47
Jacklin McKinley <i>(Whiplash Motorsports)</i>	80, 83, 216	AL-5, DR-3, RE-4, RR-20, RR-28-29, RR-31, RR-34, TM-9, TM-23
Jay and Jacklin McKinley	389	AL-1, DR-4, RR-17, RR-20, RR-22, RR-24, RR-26, RR-28-29, RR-31-33, TM-8-9, TM-13-15, TM-23-25, TM-27-28, TM-49-51, TM-53
Margarete Meares	327	LR-17
Cary Meister	152	MO-1, SD-11, LR-17, WC-5, WC-22, TM-47
Mike Merrill	202	AL-1, RR-28
Fritz Milas	207	MO-1, MO-4, WC-22, RR-40, TM-48
Dave Miller	149	AL-1, PP-1, WC-16, WC-21

David Miller	160	SD-14, DR-4, WC-6, WC-14, WC-16, RR-21, TM-1, TM-13, TM-21, TM-23, TM-33
Larry Miller ( <i>Pleasant Views LLC</i> )	356	LR-6
Jack Moore	256	AL-1, RR-28, TM-23-24
Keith Moore	323	AL-5, TM-24
Mike Mullarkey	5, 249	AL-2, MO-1, SD-14, GM-5, LR-17, WC-22, RR-37-38, RR-40, TM-48
Scott Myer	26	RR-13
Ingrid Nasca	56	LR-17
Rodney Ness	290	DR-3, RR-20, RR-28, TM-15, TM-24
Dave O ( <i>ArizonaXJ Club</i> )	243	AL-1, RR-28
Michael O'Brien	184	LR-15
Stu Olson	252	RR-18, RR-21-22, RR-28, TM-15, TM-24, TM-50
Stuart Olson ( <i>AZ Virtual Jeep Club</i> )	266	AL-1, RR-20, TM-23
Norma Orr	70	LR-17
Ruth and Floyd Osborne	242	AL-1
William Osborne ( <i>Transwestern Pipeline Company</i> )	383	LR-22, LR-39
Gary Overson ( <i>Aguila Ranch</i> )	352	WS-9, GM-11-12
Jill Ozarski ( <i>The Wilderness Society</i> )	343	AL-1, AL-6, MO-1-2, MO-6-8, SD-1-2, SD-10-11, SD-14, EP-1, CL-4, CL-12, TE-10, TE-22, LR-15-16, LR-23, LR-31, EI-1, IP-4, IV-1, PP-1, RE-5, WC-4-5, WC-13, WC-22, RR-6, RR-10, RR-14, RR-25, RR-34, RR-37, RR-40, TM-5, TM-7, TM-21, TM-32, TM-36, TM-37-39, TM-41-44, TM-54
Jimmy Parker	63	LR-17
Jim and Bonnie Paulos	169	MO-1
Michael Pawlowski ( <i>Southwest Cinders LLC</i> )	345	MI-1, MI-4, MI-9, WC-16
Larry Pearlman	385	AL-1, SD-14, GM-5, WC-22, RR-37-38, RR-40, TM-48
Andrew Peters ( <i>Dewey-Humboldt Community Organization</i> )	47	LR-15
Andy and Nancy Peters	42	LR-17
Nancy Peters	6	LR-17
James Pierson	370	MO-1, WC-22, RR-40
Patrick Pierson	151	AL-5, AL-6
Chris Plumb	268	AL-1, RR-24, RR-28, TM-8, TM-23
Brenda Polacca	318	MO-1, WC-22, RR-20, RR-40, TM-48
Dan Poole	240	AL-1, RR-20
John Pugliese	367	AL-1, RR-20, RR-26
Chris Radoccia ( <i>AZA</i> )	79, 293	TE-21, EF-1, PP-1, RR-22, RR-24, TM-15, TM-17, TM-23-24
Bruce Reed	156	AL-5, DR-5, TM-1
Mary S Reed	315	MO-1, WC-22, RR-40, TM-48
Loren Rice	94	PP-1
Glenn Richardson	255	AL-1, RR-28
Elizabeth Ridgely	335 (form #4)	AL-2, SD-14, MO-1, GM-5, WC-22, RR-37-38, RR-40, TM-48
Tom Roberts	250	AL-1, RR-20, RR-28
Name Withheld	19	AL-1
Paul Roette	336 (form #5)	MO-1, SD-11, WC-22, RR-40, TM-44, TM-48-49
Garry Rogers	113	AL-1, SD-16
Name Withheld	71	LR-17
Thornell Rogers	276	MI-4

<i>(Southwest Cinders LLC)</i>		
Roxane Ronca	311	MO-1, RR-11, RR-34, RR-40, TM-48
Roni Rummel <i>(Prescott Saddle Club)</i>	25	AL-1, LR-15
Bill Rotolo <i>(Peoria Holdings LLC)</i>	390	LR-37
Jim Rupe	105	TM-10, TM-23, TM-28
John Ryan <i>(Trail Riders of Southern Arizona)</i>	180	AL-1, RR-4, RR-28
Mark Salvo <i>(National Public Grazing Campaign)</i>	185	GM-1, GM-18
Babs Sanders	282, 283	AL-1-2, SD-11, SD-14-15, WS-7, CL-12, VM-6, MI-2, LR-12, LR-14-15, LR-23, LR-25, EI-13, EI-15-16, RR-4, RR-36-37, TM-46, TM-48, TM-52
Mary Sargent	147	LR-15
Mary and Robert Sargent	30	LR-15
Steve Saway	286	AL-1, WB-1, GM-13, WC-6, RR-6, RR-9, TM-49
William Scalzo <i>(Maricopa County Parks and Recreation)</i>	350	AL-1, LR-12, LR-19, PP-1, RE-6
Dan Scheske <i>(Arizona ATV Riders)</i>	262	RR-20, TM-23
Charles Schlessman	53	MI-1
Name Withheld	230	TM-9
Gerald Schwartz	22	LR-17
Judith Shaw <i>(Tonopah Area Coalition)</i>	45, 347	AL-1-2, SD-1, SD-3, SD-7, MI-8, LR-15, LR-17, LR-21, LR-35, TM-48, WC-22, RR-5, RR-20, RR-40
Donald Shields <i>(Off-Chamber MC)</i>	179	AL-1, RR-28
Gwyn Shippy	106	LR-17
Duane Shroufe <i>(Arizona Game and Fish Department)</i>	401	AL-6, SD-6, WS-6, TE-2-3, TE-16, TE-25, DR-4, LR-27, EI-1, EI-4-5, EI-9-10, EI-14, EI-17-18, EI-20-22, WC-7, WC-9-10, WC-15, WC-17, WC-21, RR-1, RR-35-36, TM-2, TM-6, TM-31-32, TM-34
Madan Singh <i>(Arizona Department of Mines and Mineral Resources)</i>	61	VM-4, MI-3, MI-5-6, MI-10, MI-12
Thomas Slaback <i>(Sierra Club)</i>	388	SD-7, SD-11, WC-22, GM-5, LR-15, TM-44
Lou Smith	222	MI-1, TM-9, LR-15
Michael Smith <i>(Public Lands Counsel, National Trust for Historic Preservation)</i>	402	AL-1, AL-6, MO-1, MO-6, SD-14, CL-2, CL-7, CL-12, IP-4, RE-5, RR-10, RR-37, TM-41-42
Steve Speak	214	AL-1, RR-15, RR-20, RR-24, RR-28, TM-8, TM-23-24, TM-26
Katherine Speilmann	325	MO-4, CL-9, LR-20, RE-1-3, RR-6, RR-10, TM-57
Edson Spencer <i>(Wickenburg Conservation Foundation)</i>	102	AL-1
Frank Staley	176	AL-1, RR-28, TM-15
Yoyi Steele	316	MO-1, WC-22, RR-40, TM-48
Name Withheld	39	RR-13
Curtis, Janet, and Scott Supanchis	177	AL-1, EF-1, RR-28
Tice Supplee <i>(Arizona Audubon)</i>	279	AL-1, SD-3, TE-11, LR-23, PP-2, WC-22, TM-1
Name Withheld	140	AL-1, RR-20, RR-40
Name Withheld	379	SD-13, TM-22

Robert Theobald	326	RR-28
Thomas Thurman	48	LR-15
Cliff Titus	54	AL-1, LR-15
Clifford Titus	144	AL-1, RE-4
Peggy Titus ( <i>Friends of the Agua Fria River Basin</i> )	89, 143, 224, 239	AL-1, LR-15, PP-1
Robert Tohe	371	MO-1, SD-14, GM-5, WC-22, RR-37-38, RR-40, TM-48
Brett Traube	132	LR-17
Tom Trieckel	215	AL-1, RR-24, RR-28, TM-8, TM-23-24, TM-49-50
Name Withheld	87	RR-2
Ann-Louise Truschel	11, 322, 373	AL-1, SD-14, MO-1, WC-22, RR-37-38, TM-44, TM-48-49
Jim Vaaler ( <i>Sierra Club Grand Canyon Chapter</i> )	46, 74, 85	MO-1, SD-11, CL-12, TE-17-18, GM-5, LR-20, EI-1, PP-1, WC-8, WC-22, RR-37, RR-40, TM-20, TM-47-48
Sara Vannucci	392	PP-1
Jeffrey Vrieling ( <i>Rock Stars Motorcycle Club</i> )	253	AL-1, RR-20, RR-28
Robert Warren	317	MO-1, WC-22, RR-40, TM-15, TM-48
John Watkins	52, 302	AL-1, MO-1, SD-11, CL-9, WC-5, WC-22, RR-40, TM-28, TM-48
Greg Watts	91	AL-1, LR-20, TM-18
Name Withheld	139	AL-1, TM-28
Frank Welsh	376	AL-1, WS-8, DR-5, LR-5, EI-1, EI-11
Peter Welsh ( <i>Friends of the Agua Fria National Monument</i> )	339	AL-1, MO-1, MO-5, MO-8, SD-3, SD-11, SD-14, EP-1, WS-11, TE-19-21, GM-5, GM-9, GM-20, VM-2-3, LR-18, LR-23, LR-38, EF-2, IP-3-4, WC-22-23, RR-6, RR-10, RR-19, RR-25, RR-40, TM-44, TM-47-49, TM-53
Joseph Wenzel	225	CL-3, LR-17, TM-49
Frances Werner ( <i>Arizona BLM Resource Advisory Committee</i> )	204, 272	AL-1, AL-3, DR-4, LR-13, LR-15, LR-34, RE-4, WC-3, TM-1, TM-35, TM-49
William Werner ( <i>Arizona Department of Water Resources</i> )	296	WS-11
Jason Williams ( <i>Arizona Wilderness Coalition</i> )	37, 38, 76, 84, 84, 137, 148, 226	AL-1, AL-5, SD-9, SD-11, EP-1, WS-11, LR-15, LR-27, WC-22, RR-14, RR-23, TM-11, TM-28, TM-30, TM-48
Todd Williams ( <i>Arizona Department of Transportation</i> )	397	VM-3, LR-23-24, LR-26, LR-29, LR-33, EI-1-3, EI-19
Jeff Williamson ( <i>Phoenix Zoo</i> )	357	MO-2, GM-5, EF-2, IP-3, WC-22, TM-47
Stephen Williamson	361	RR-40,
Name Withheld	158, 159	LR-15, PP-1
Dan Wittig	292	RR-20, RR-28, TM-15, TM-24
Robert A Witzeman ( <i>Maricopa Audubon Society</i> )	321	MO-1, SD-14, GM-5, WC-22, RR-37-38, RR-40, TM-48
Floyd and Nancy Wright	41	AL-1
Bryan Wyberg	208	MO-1, CL-3, WC-22, RR-40, TM-44, TM-48
Name Withheld	77	PP-1, RR-34, TM-1, TM-23
Joel Zaske	211	AL-1, RR-20, TM-24
Eric Zite	259	AL-1, RR-28, TM-23

## 5.4 PUBLIC COMMENTS AND RESPONSES

This section contains the public concerns expressed in the comments received from individuals, agencies, organizations, and groups during the comment period on the DRMPs/DEIS. Following each public concern statement is the BLM response and examples of public comments submitted to BLM. The comments received from the public are in their original form.

### 5.4.1 ALTERNATIVES & PROPOSED MANAGEMENT ACTIONS

#### **Public Concern (AL-1):**

*The rapid urbanization of central Arizona has made the loss of open space and natural landscapes for recreation a major issue. The document places considerable emphasis on managing and sustaining open space and diverse recreation opportunities while meeting the FLPMA policy of sustained yield and multiple uses of natural resources.*

*Many comments were received supporting Alternative E which is the Preferred Alternative. Concerns were expressed for educating future generations on the history of the lands, focusing on public schools and institutions for future growth, preserving open space and recognizing the need for out door recreation. Members of the public commented that Alternative E provides the optimal balance between authorized resource use and the protection and long-term sustainability of sensitive resources within both planning areas.*

*Comments also suggests citizens are in support of Alternative A as a way to maintain the lands as they are, keep historic and traditional uses of the land, and retain the lands open to the public.*

*They felt Alternative E was characterized by many questions but no answers. Other comments suggest Alternative D provides better protection for natural landscapes and cultural resources by limiting land uses in AguaFria National Monument and protecting lands in the Bradshaw-Harquahala planning area.*

#### **Response (AL-1):**

Many uses are made of the BLM-managed lands in the Bradshaw-Harquahala planning area. These areas support livestock grazing and habitat for a variety of wildlife species. They are a source of construction materials and support uses ranging from utility lines to communication sites. These lands also represent one of the most popular recreation areas within 100 miles of Phoenix. The rapid urbanization of central Arizona has made the loss of open space and natural landscapes for recreation a significant issue for people within our planning area.

Our document places a heavy emphasis on managing and sustaining open space and diverse recreation opportunities in the Bradshaw-Harquahala area, while meeting the FLPMA policy of sustained yield and multiple use of natural resources. The Phoenix District believes the best combination of providing for resource use while protecting resource values is achieved in *Alternative E*.

#### **Public Comments (AL-1):**

**Comment:** *You have done a good job of identifying open space, natural resources and natural landscapes as the major attraction and outdoor recreation as the major use of these BLM lands, and the Preferred Alternative E provides for both public use and resource protection across the full spectrum of recreation opportunities in the Management Areas. (Individual, Phoenix, AZ - Comment: #471, letter #204)*

**Comment:** *Freedom to use the lands of our great country should not be denied to any citizen of America. We have enough laws and regulations to enforce the management of our lands without taking away more of our God*

given rights to enjoy nature, without being harassed with a bunch of new laws and regulations. Leave Things alone, Please. (Individual - Comment: #77, letter #97)

**Comment:** Alternative D should be reconsidered for the Preferred Alternative since it also offers the widest range of high quality recreation opportunities with the lowest amount of impacts so a sustainable balance between public enjoyment and resource conservation would be more easily achieved. (Tonopah Area Coalition, Tonopah, AZ - Comment: #1123, letter #347)

**Public Concern (AL-2):**

*Many comments note Alternative E does not protect the lands adequately. Concerns focus on reducing or eliminating grazing, mining, off-highway vehicles, and target shooting to preserve the lands for future generations. Citizens feel BLM should do more to protect plant/wildlife, archeological resources, and water resources*

**Response (AL-2):**

All alternatives and all decisions proposed for the Agua Fria National Monument are designed to protect monument resources and the “objects” described in the Proclamation. Protection of these resources and objects does not preclude a certain amount of public use and recreational enjoyment. The Federal Land Policy and Management Act allows for multiple uses as long as the protection of monument resources and objects is ensured first.

The proposed management plan will maintain primitive landscapes in most areas of the national monument that are not readily accessible from Interstate Highway 17 or Bloody Basin Road. The majority of the monument is designated as a backcountry zone, incorporating areas managed for wilderness characteristics. Many zones within the Bradshaw-Harquahala planning area will also emphasize natural landscapes and non-motorized recreation, although the plan will also offer opportunities for a broad range of recreational activities. We believe the proposed

plans provide the best balance between protection of natural resources, cultural resources, and monument objects, with opportunities for responsible recreation as well as public education in support of resource protection.

**Public Comments (AL-2):**

**Comment:** The Agua Fria National Monument and surrounding Bradshaw-Harquahala planning area is exceptional and the Bureau of Land Management is required to manage these areas specifically to protect their scientific and historical importance. Unfortunately, the preferred alternative in your draft Resource Management Plan will put irreplaceable archaeological sites at risk and could contribute to the long-term demise of the area's resident pronghorn and other sensitive wildlife. (Individual, Durango, Colorado – Comment: #990, letter #372)

**Comment:** Please develop and implement a protective management plan for the Agua Fria National Monument as well as other BLM lands in the planning area. Native animals and plants and prehistoric sites should be protected. Grazing, motorized access, and new visitor facilities should be minimized or, better yet, excluded because of the risk to the monument by potentially damaging activity. (Individual, Buckeye, AZ - Comment: #942, letter #373)

**Public Concern (AL-3):**

*The respondent is commenting on the new identity of BLM-managed lands in the Bradshaw-Harquahala area as being an outdoor natural resource enjoyment area for the growing Phoenix metropolitan area. The comment also expresses appreciation to the BLM for involving the public in the planning process which made the RMP the public's plan as well as the BLM's plan.*

**Response (AL-3):**

As the population of the Phoenix metropolitan area continues to grow, the BLM-administered lands located within the Agua Fria National Monument and Bradshaw-Harquahala Planning Areas will undoubtedly receive increasing

pressure. The management decisions proposed in these plans, after considerable deliberation on the part of BLM, its partners, and the public are believed to provide the broadest possible consensus to wisely guide management of these very valuable resources.

**Public Comments (AL-3):**

**Comment:** Perhaps the most important impact or effect of this RMP will be the new "identity" that it gives to the BLM lands in the Bradshaw-Harquahala area as being an outdoor natural resource enjoyment area for the populace of the huge and growing Phoenix metropolitan area. In the past, these BLM lands have been viewed primarily as rural lands to be used for livestock grazing and mineral uses until they were ready for residential development. This RMP for the Bradshaw-Harquahala Area, combined with the designation of the Agua Fria National Monument and now the development of its RMP, will change the future of these BLM lands from suburbia to open space and public use, and the very effective way you have involved the public in the planning process has made this RMP the public's plan as well as the BLM's plan for these lands. (Individual, Phoenix, AZ - Comment: #477, letter #204)

**Public Concern (AL-4):**

The respondent reserves the right to appeal issues and feels the BLM is responsible for ensuring that its selected alternative complies with all federal laws.

**Response (AL-4):**

We believe this plan fully complies with the federal laws concerning management of the public lands with the planning area. The management decisions proposed in these plans, in collaboration with a diverse public and cooperating agencies, provides the broadest possible consensus to guide management of these very valuable resources.

**Public Comments (AL-4):**

**Comment:** The BLM is responsible for ensuring that its selected alternative complies with all federal laws, including but not limited to, the

Endangered Species Act, the National Environmental Policy Act, the National Historic Preservation Act, the Clean Air Act, the Clean Water Act, the Wild and Scenic Rivers Act, and others. We reserve the right to appeal and litigate on issues pertaining to any and all of these laws. (Center for Biological Diversity, Tucson, AZ - Comment: #1602, letter #338)

**Public Concern (AL-5):**

*Commenters do not support the RMP. They feel the document strips Arizona citizens of their rights to use BLM land or any other public land for recreational uses and outdoor activities, including motorized events. Additionally, they feel it is not right to lock US citizens and families out of land that is owned by the tax payers and that restricting use is a disservice to the public.*

**Response (AL-5):**

The proposed plan provides a diversity of recreation opportunities, as well as other traditional uses of public lands, throughout the planning area. Citizens are not being locked out of enjoying public lands. However, due to the high demand for recreation opportunities, some management will be applied so that uses of natural resources can be sustained and quality recreation experiences can be enjoyed by recreationists.

**Public Comments (AL-5):**

**Comment:** I strongly urge you NOT to support this document that will strip all of Arizona citizens their right to use BLM land or any other public land for recreational and competitive motorized sports. It is not right to lock US citizens and families out of land that is rightfully owned by the United States. A country created and protected by these citizens. (Individual - Comment: #627, letter #323)

**Comment:** We are going to lose some access, all of us--hikers, equestrians, motorized users--we all are going lose some. So we need to recognize that to start off with because every time we develop an acre of private land the public land becomes that much more valuable for our recreation use and for the wildlife

habitat. And so we need to have that into consideration as it's none of our fault that we are going to lose something on these public lands. Being able to what ever we want, where ever we want--those days are over. It is unfortunate, if there was only going to stay only five million people in Arizona for the next twenty years this planning process would not be necessary. But that is not the case. (Arizona Wilderness Coalition - Comment: #1216, letter #226)

**Public Concern (AL-6):**

*Commenters note that the Natural Environmental Policy Act (NEPA) imposes a duty on BLM to inventory and evaluates impacts on the full range of ecological, cultural, aesthetic, and social resources found in the public lands. Commenters feel BLM should protect wildlife, scenic values, recreation opportunities, grazing, public access, and wilderness character in the public lands through various decisions. Commenters are concerned that BLM has not complied with these obligations, including analyzing potential cumulative impacts and considering ways to avoid or limit them.*

**Response (AL-6):**

In accordance with NEPA, we have evaluated the impacts of the alternatives, including the proposed RMPs, on a comprehensive range of resources and aspects of the natural, cultural, and social environments. We have also evaluated cumulative impacts and have worked closely with local communities in examining the consequences to nearby populations. We believe we have developed the best possible combination of multiple uses within the planning areas that both provide for a diversity of uses of public lands and meet the FLPMA principle of sustained yield. We also believe we have met the letter and intent of the protection mandate of the National Monument Proclamation in all alternatives analyzed, including in our Proposed Alternative, *Alternative E*.

**Public Comments (AL-6):**

**Comment:** The National Environmental Policy Act (NEPA), 42 U.S.C. 4321 et seq., dictates

that the BLM take a "hard look" at the environmental consequences of a proposed action and the requisite environmental analysis "must be appropriate to the action in question." *Metcalf v. Daley*, 214 F.3d 1135, 1151 (9th Cir. 2000); *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 348 (1989). In order to take the "hard look" required by NEPA, BLM is required to assess impacts and effects that include: "ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative." 40 C.F.R. 1508.8. (emphasis added). The NEPA regulations define "cumulative impact" as: the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. 40 C.F.R. 1508.7. (emphasis added). A failure to include a cumulative impact analysis of actions within a larger region will render NEPA analysis insufficient. See, e.g., *Kern v. U.S. Bureau of Land Management*, 284 F.3d 1062, 1078 (9th Cir. 2002) (analysis of root fungus on cedar timber sales was necessary for entire area). In the context of this RMP, the decisions made in one area of this landscape are likely to affect other areas, including the Monument objects, as part of the greater region near Agua Fria. Accordingly, to the extent that management decisions in the non-Monument lands can affect the Monument objects, BLM must analyze potential impacts and consider ways to avoid or limit them in order to perform a NEPA analysis commensurate with the scope of the decisions included in the RMP. Recommendation: In developing and evaluating potential management alternatives for the Bradshaw-Harquahala area, BLM should bear in mind the concept of multiple use, as defined above, in order to inventory and safeguard resources such as scenic values, wilderness character, cultural resources and wildlife habitat and create ACECs. We are concerned that BLM has not

complied with these obligations and will make specific recommendations regarding necessary corrections later in these comments. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2212, letter #343)

**Comment:** Let us please manage our lands so that they maybe enjoyed/productive assets they need to be used, and enjoyed, "productive resources". Cattle should be able to graze on these lands, Wildlife habitat should be managed and upgraded, for joint use. Access should be permitted, not restricted. "Except for Quads". Wildlife habitat should be improved on a yearly basis, cattle allotments should be managed to attain a well balanced mixd use of the lands. The land does not need to be managed by closure, "the easy way out". (Individual - Comment: #1187, letter #234)

## 5.4.2 OBJECTS OF AGUA FRIA NATIONAL MONUMENT

### **Public Concern (MO-1):**

*Numerous comments state the public's concern for protecting the AFNM by reducing or eliminating such activities as grazing, and target shooting. Citizens are concerned with the feasibility of Alternative E meeting the mandate of the Presidential Proclamation and adequately protecting the monument objects. Comments suggest BLM is emphasizing the need for recreation, grazing, and other uses versus the need for preservation. Comments express concern that inappropriate access to resources, such as cultural sites, will contribute to harming monument objects. They note that recreation is not an object of the Monument to be protected and preserved. As a result, several comments request a new alternative for public consideration.*

### **Response (MO-1):**

All Alternatives and decisions proposed for the monument are designed to protect monument resources and the "objects" described in the Proclamation. Protection of these resources and

objects do not preclude a certain amount of public use and recreational enjoyment. Though the Proclamation emphasizes the protection of these resources and objects, the Federal Land Policy and Management Act (FLPMA) allows for multiple uses as long as the protection of monument resources and objects is ensured first. We believe the Proposed Alternative provides for the protection of monument resources and objects, while allowing compatible uses and enjoyment of the monument by the public.

In regards to public use realized through interpretive development of archaeological sites, such uses would be limited to a small number of sites, within selected areas of the monument. The majority of the monument's area will be excluded from interpretive development. Site protection will be an important consideration in the design and implementation of interpretive developments. Public use will be implemented in a manner consistent with the Archaeological Resources Protection Act (16 U.S.C. 470 ii(c)), which directs each Federal land manager "...to establish a program to increase public awareness of the significance of the archaeological resources located on public lands...and the need to protect such resources."

### **Public Comments (MO-1):**

**Comment:** Off-road vehicle tracks mar archeological sites and scatter pottery sherds, blurring the stories they could tell us of our state's ancient history. Our members are deeply concerned that cattle muddy the clear waters, trample seedlings, crush ancient artifacts, and prevent grasses from growing tall enough to shelter pronghorn fawns. We are also concerned that pot hunters and archeological looters disturb untouched sites, stealing our cultural heritage. The pressures of booming growth and an expected explosion in visitation threaten to jeopardize the area's wild character. The monument should be managed foremost so as to protect the objects listed in the monument proclamation. Other uses- such as grazing, motorized access, and new visitor facilities - should be considered only when those uses do not impair monument objects. (Maricopa

Audubon Society, Phoenix, AZ - Comment: #1247, letter #321)

**Comment:** Please present a new alternative for public consideration that offers the prospect of genuine protection of these monuments. They are an outstanding part of our National Landscape Conservation System and deserve the most sensitive possible management. (Individual, Prescott Valley, AZ - Comment: #385, letter #210)

**Public Concern (MO-2):**

*Commenters feel BLM should ensure that the range of alternatives is broad enough to encompass more protective measures of the monument, as dictated by NEPA and the Proclamation. They feel any alternative presented that can harm monument objects should be invalidated.*

**Response (MO-2):**

In developing Alternatives, the BLM offered different combinations of management alternatives to address issues and to resolve conflicts among uses in the Agua Fria National Monument planning area. Alternatives must meet the purpose and need; must be reasonable; must provide a mix of resource protection, use, and development; must be responsive to the issues; and must meet the established planning criteria. Each alternative was effectively a land use plan that would provide a framework for multiple use management of the full spectrum of resources, resource uses, and programs present in the monument. Under all Alternatives, the BLM provides for the proper care and management of the monument in accordance with all applicable laws, regulations, and BLM policy and guidance.

The BLM engaged in collaboration efforts by including communities in the formulation of monument management alternatives. Workshops were held throughout the planning area to give citizens the opportunity to refine issues, discuss visions for the Agua Fria National Monument, and begin exploring alternative ways to manage the monument. Input received from citizens—both groups and

individuals—were considered in developing the alternatives.

**Public Comments (MO-2):**

**Comment:** We are also concerned about the range of alternatives that has been presented for Agua Fria National Monument. The range of alternatives is "the heart of the environmental impact statement." 40 C.F.R. 1502.14. NEPA requires BLM to "rigorously explore and objectively evaluate" a range of alternatives to proposed federal actions. See 40 C.F.R. 1502.14(a) and 1508.25(c). "An agency must look at every reasonable alternative, with the range dictated by the nature and scope of the proposed action." Northwest Env'tl Defense Center v. Bonneville Power Admin., 117 F.3d 1520, 1538 (9th Cir. 1997). An agency violates NEPA by failing to "rigorously explore and objectively evaluate all reasonable alternatives" to the proposed action. City of Tenakee Springs v. Clough, 915 F.2d 1308, 1310 (9th Cir. 1990) (quoting 40 C.F.R. 1502.14). This evaluation extends to considering more environmentally protective alternatives and mitigation measures. See, e.g., Kootenai Tribe of Idaho v. Veneman, 313 F.3d 1094, 1122-1123 (9th Cir. 2002) (and cases cited therein). For this Draft RMP, the consideration of more environmentally protective alternatives is consistent with both the requirements of the Monument Proclamation and FLPMA's requirement BLM to "minimize adverse impacts on the natural, environmental, scientific, cultural, and other resources and values (including fish and wildlife habitat) of the public lands involved." 43 U.S.C. 1732(d)(2)(a). NEPA requires that an actual "range" of alternatives is considered, such that the Act will "preclude agencies from defining the objectives of their actions in terms so unreasonably narrow that they can be accomplished by only one alternative (i.e. the applicant's proposed project)." Colorado Environmental Coalition v. Dombeck, 185 F.3d 1162, 1174 (10th Cir. 1999), citing Simmons v. United States Corps of Engineers, 120 F.3d 664, 669 (7th Cir. 1997). This requirement prevents the EIS from becoming "a foreordained formality." City of New York v. Department of Transp., 715 F.2d 732, 743 (2nd Cir. 1983). See also, Davis v.

Mineta, 302 F.3d 1104 (10th Cir. 2002). Under the Proclamation and the Antiquities Act cited above, all of the alternatives that apply to management of the Monument must conserve Monument resources first (and in particular, those resources that are "objects of interest"), and only then make other management decisions that do not interfere with the conservation of monument resources. Thus, in order to comply with these requirements, the range of alternatives cannot include management decisions that will undermine protection of Monument objects in favor of other resources or uses, such as recreation or tourism. To comply with both NEPA and the Monument Proclamation, the BLM must present a range of alternatives where there is variability among alternatives, but no alternatives would harm monument objects. For example, the impact analysis section identifies numerous incidences where proposed management actions would have a potential negative impact on a Monument object. Here is one, but these sort of impacts are identified throughout the document: "An increased number of users resulting from Back Country Byway designations would likely affect cultural resources along Bloody Basin and Constellation Mine roads. Potential impacts include the possibility of increased vandalism and accelerated erosion at roadside sites" (4.12.1) Draft RMP at p. 503. It is a violation of the requirements of the Proclamation that the BLM formulated an alternative that could be expected to have this negative impact on a Monument Object. The management alternatives presented for the Monument do not comply with BLM's obligation to consider a reasonable range of alternatives or to consider the environmentally preferable alternatives that would conserve Monument objects and/or other valuable resources in the AFNM.

Recommendation: The agency should ensure that all alternatives applying to Monument lands have conservation and protection of Monument objects as the primary consideration. We will identify specific failures in the preferred alternative below, but all the alternatives should adhere to this recommendation. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2206, letter #343)

**Comment:** In each alternative for the Agua Fria NM, the BLM should have identified how the objects would be preserved and protected under the proposed management. Since it is clear that some of the transportation, grazing, lands and realty, and mineral resource alternatives would not protect the Monument objects, these alternatives should be invalidated, since they do not comply with FLPMA or the Monument Proclamation under the Antiquities Act. (Center for Biological Diversity, Tucson, AZ - Comment: #1556, letter #338)

### **Public Concern (MO-3):**

*Commenter is concerned that the plan will not be subject to outside oversight due to the lack of an explicit framework for public participation and a formal advisory committee for the AFNM.*

### **Response (MO-3):**

The proposed management direction for the monument is a plan-level decision. When actions are proposed to implement significant aspects of the plan, these will be undertaken in a way that includes meaningful public involvement and follows FLPMA and NEPA. The BLM welcomes the public's interest and involvement in the Agua Fria National Monument.

Additionally, the guidance and oversight of the Arizona Resource Advisory Council (RAC) includes the monument. Such guidance includes the Arizona Standards for Rangeland Health and Guidelines for Grazing Administration. The Arizona RAC is developing off-highway-vehicle (OHV) land health standards and guidelines for OHV management, which would relate to the monument as well as other public lands in Arizona.

### **Public Comments (MO-3):**

**Comment:** Oversight - The AFNM is unique in that it does not have a formal advisory committee structure for management oversight. How will your plan be subject to some sort of outside audit or oversight? Not including any explicit framework for public participation in the RMP leaves a huge gap. (Individual, Glendale, AZ - Comment: #1931, letter #341)

**Public Concern (MO-4):**

Comments were received suggesting the BLM generate a plan that enhances public access to the monument in order for the public to appreciate and enjoy its beauty and historical value. The public wants to see visitor centers, roadside information kiosks, and interpretive trails for educating the public on the importance of protecting and preserving the monument in its natural state. Other comments suggest access to the monument was essential part of being able to experience the monument.

**Response (MO-4):**

While BLM wishes to provide opportunities for the public to view and enjoy the resources of the monument, the Proclamation makes it clear that the purpose of the monument is to protect those resources. The Proposed Alternative is designed to protect natural, cultural, and scenic resources, while allowing opportunities to enjoy the monument with low impact to its resources. It provides for interpretive development at selected archaeological sites, interpretive trails, information kiosks, and educational tours. Larger facilities, such as visitor centers, could adversely affect the scenic qualities and cultural landscape of the monument that attract many visitors. The BLM will work with local communities to support programs and facilities that can serve as gateways and information centers for visitors.

**Public Comments (MO-4):**

**Comment:** National Monuments are precious places that protect critical habitats, resources, and historical areas on behalf of the public at large. Management of these areas should thus be designed to enhance public access to and appreciation of the resources that they contain. Landscapes such as that of the Agua Fria National Monument (AFNM) provide welcome respite from the densely occupied urban areas that most Americans inhabit, and a chance for residents of other regions and countries to experience the space and solitude of the west. While gaining a sense of place is critical to the experience of the visitor, understanding the resources on these landscapes is equally as

important. This understanding is provided through visitor's centers, roadside information kiosks, and interpretive trails. Interpreted hikes are another source of information, but depend on the level of visitation at particular times of year. (ASU School of Human Evolution and Social Change, Tempe, AZ - Comment: #1973, letter #325)

**Comment:** Access to any National Park is essential to its availability in order to truly enjoy and experience it. Destructing it is counter-productive in this endeavor. Working trails may be an alternative to road construction. Here, less is more. (Individual, Long Beach, California - Comment: #886, letter #207)

**Public Concern (MO-5):**

*Comments suggest the BLM should work collaboratively with the Arizona Game and Fish Department and other governmental agencies to protect monument objects from activities that may negatively impact the monument.*

**Response (MO-5):**

We have and will continue to work closely with other government agencies, and especially AGFD. The Agua Fria National Monument Proclamation says "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management." In addition, the BLM and AGFD have compatible goals in protecting wildlife species and habitats. The proposed plan allows for the activities required by AGFD to accomplish its wildlife management

**Public Comments (MO-5):**

**Comment:** BLM should work with Arizona Game & Fish Department and other governmental agencies to reduce the impact their activities may have on all monument objects. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2070, letter #339)

**Public Concern (MO-6):**

*Commenter feels in order to fully comply with the requirements of the Proclamation, FLPMA,*

*and the Antiquities Act, BLM should revise the management purpose statement to include the full list of monument objects and present a complete evaluation of the proposed plan's impacts on monument objects by specifically including each object in the "Affected Environment" and Environmental Impact" sections of the Draft RMP.*

**Response (MO-6):**

The list of wildlife species contained in the Proclamation was not meant as an all inclusive or exhaustive list, but rather as illustrative of the diversity of natural resources and wildlife habitats on the monument that are of scientific value. The "object" in this case is not the individual habitats for each species, but rather it is the "... expansive mosaic of semi-desert grassland, cut by ribbons of valuable riparian forest..." The proclamation goes on to describe the value of this object by stating it "... is an outstanding biological resource. The diversity of vegetative communities, topographical features, and relative availability of water..." supports the habitats for the wildlife species listed, as well as others that weren't on the list

The impact analysis considered and addressed all the objects of the monument. We may not have itemized each object in each impact statement, but rather addressed what impacts might occur and potentially be affected by actions in each alternative. Since the Resource Management Plan is a landscape level plan, analysis is also conducted at a landscape level. At that level it is often difficult or impossible to derive specific quantified impacts. Actions required to implement the plan would receive more detailed scrutiny and environmental analysis that could more specifically address possible affects to specific monument resources.

**Public Comments (MO-6):**

**Comment:** In addition, because the protection of monument objects is the agencies' first priority, each of the objects should be specifically evaluated in the "Affected Environment" and "Environmental Impacts" chapters of the Draft RMP. While currently some of the objects are evaluated in these

sections, evaluating all of them and specifically referring to them as monument objects would help guide the agency and the public on the statues and level of protection expected for each object. Recommendation: In order to fully comply with the requirements of the Proclamation and the Antiquities Act, BLM should present a complete evaluation of the proposed plan's impacts on monument objects by specifically including each monument object (and referring to it as such) in the "affected environment" and "environmental impact" sections of the Draft RMP. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2204, letter #343)

**Comment:** In addition, we are concerned that the purpose statement in 1.5.1.1 contains only a partial list of "Monument objects" in the wildlife bullet point. RMP at 27. Recommendation: We recommend that BLM revise the Monument purpose statements (1.5.1.1) to include the full list of wildlife Monument objects listed above, specifically: common black hawk, pronghorn, mule deer, white-tailed deer, javelina, mountain lion, small mammals, reptiles, amphibians, neotropical birds, elk, and black bear. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2205, letter #343)

**Public Concern (MO-7):**

*Commenters are concerned that throughout the draft RMP, BLM has not effectively asked the right questions in its efforts to protect the monument, suggesting that the burden of proof for protection of objects rests with the BLM. Commenters recommend that BLM reassess their decisions, use a precautionary approach, identify how each decision will contribute to preserving monument objects, and amend proposed actions that fail the "protection" test.*

**Response (MO-7):**

Every Alternative analyzed in the Draft RMPs/Draft EIS would protect the monument resources first, and then allow appropriate multiple uses. It is in keeping with legal precedence and BLM policy that other multiple uses can be made of the monument as long as protection of the monument resources has been

achieved. Through monitoring, patrol, and citizen assistance, we will ensure the compatibility of uses with monument protection. If necessary, through adaptive management, we can modify uses to address changing resource conditions.

### **Public Comments (MO-7):**

**Comment:** Overall, we have a concern throughout the draft RMP that the BLM is not asking the right questions. Since protection of "objects of interest" is the primary mandate for the agency, the burden of proof is on the agency to show how every proposed action contributes to preserving these objects. Since Agua Fria is a Monument, the question is no longer "why should we take this management action?" Instead; the proper question is "why shouldn't we take this management action (i.e. will the proposed action contribute to the preservation of Monument objects?). As described in detail above, the protection mandate in the monument Proclamation is clear: "&hereby set apart and reserved &, for the purpose of protecting the objects identified above&" and that "the national monument shall be the dominant reservation." The purpose of the monument is to protect the objects identified. Recommendation: The agencies should reassess their decisions and identify how each decision will contribute to preserving "monument objects." Proposed actions that fail the "protection" test should be amended. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2208, letter #343)

**Comment:** The agencies should take a conservative approach and err on the side of protecting species and reduce routes density preserve core habitat areas. This recommendation is in concert with the "precautionary principle" of conservation biology, which states that precautionary measures should be taken when a certain activity or inactivity threatens to harm human health or the environment, even when science has not fully established cause and effect relationships. This principle is rooted in the recognition that scientific understanding of ecosystems is complicated by numerous factors, including dynamic ecosystem processes and the various

effects of human activities. Put simply, it is easier to prevent harm to biodiversity than to attempt to repair it later. This is critical in the Monument where the agencies' primary duty is to protect "objects of interest" and endangered species. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2241, letter #343)

### **Public Concern (MO-8):**

*Citizens are concerned that BLM is improperly relying on "multiple-use" principles to determine and designate permissible activities within the monument because the explicit purpose of designating the monument was to protect and preserve monument objects. Accordingly, standard multiple-use principles do not apply to the monument, and any effort to adopt such a management approach to the detriment of historic values would be in violation of the Presidential Proclamation and the mandates of FLPMA.*

### **Response (MO-8):**

All Alternatives and all decisions proposed for the monument are designed to protect monument resources and the "objects" described in the Proclamation. Protection of these resources and objects do not preclude a certain amount of public use and recreational enjoyment. Though the Proclamation emphasizes the protection of these resources and objects, the Federal Land Policy and Management Act allows for multiple uses as long as the protection of monument resources and objects is ensured first. It is the opinion of BLM that all Alternatives achieve this. Through our analysis we find the Proposed Alternative provides comprehensive protection of monument resources and objects and reasonable levels of public use and enjoyment.

### **Public Comments (MO-8):**

**Comment:** The establishment of Agua Fria National Monument set in place a new mandate that these lands be managed in a different way. The Presidential Proclamation requires the BLM develop a management plan that doesn't simply maintain monument objects in their current condition, but instead requires a plan that actively promotes their protection. We followed

this fundamental guideline in preparing our comments. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2056, letter #339)

**Comment:** The BLM overemphasized the "multiple-use" mandate when determining alternatives for the Agua Fria NM. Public lands are only to be managed for multiple uses if the area has not been designated by law for a specific use, in which case that use takes precedence. 43 U.S.C. 1732(a). In this case, Agua Fria NM was designated in order to protect and preserve specifically identified historic and scientific objects. Therefore, all of the alternatives for the Monument should have first and foremost met the criteria for preservation and protection of Monument objects and only then provided for multiple use within these parameters of protection. (Center for Biological Diversity, Tucson, AZ - Comment: #1555, letter #338)

### 5.4.3 SPECIAL DESIGNATIONS

#### **Public Concern (SD-1):**

*Respondents believe the BLM should use additional designations along with allocations to maintain wilderness characteristics.*

#### **Response (SD-1):**

The complexities of land management in the planning areas result in some land areas where multiple designations have been proposed. Much of the planning area is or soon will be an urban and urban interface landscape. Where needed, BLM may propose and implement resource-specific management prescriptions and allocations from various resource management programs. These prescriptions and allocations will assist BLM in maintaining, protecting, or conserving a broad range of public land resources, while helping the agency satisfy increasing demands for resource use and public recreation opportunities.

#### **Public Comments (SD-1):**

**Comment:** The BLM has proposed other designations for these areas that have wilderness characteristics, which we also support. The other designations include: Areas of Critical Environmental Concern, Outstanding Natural Areas, and Wildlife Management Areas. These designations are excellent tools to focus management on specific resources and should be retained for Black Butte, Harquahala Mountains, and the greater Bighorn/Hummingbird Springs complex. These tools can be well-complemented with the allocation for wilderness characteristics because this protection achieves many of the desired outcomes for the other designations. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2262, letter #343)

**Comment:** Tools such as Areas of Critical Environmental Concern (ACEC), Outstanding Natural Areas (ONA), and Wildlife Management Areas (WMA) should be used to focus management on specific resources. (Individual, Tonopah, AZ - Comment: #680, letter #45)

#### **Public Concern (SD-2):**

*Respondent feel BLM's abandonment of its authority to designate any additional Wilderness Study Areas (WSAs) is invalid and will ultimately be overturned in pending litigation; and, therefore, does not prevent BLM from designating new WSAs.*

#### **Response (SD-2):**

The authority set forth in Section 603(a) of FLPMA to complete the three-part wilderness review process (inventory, study, and reporting to Congress) and establish wilderness study areas (WSAs) expired on October 21, 1993. Following expiration of the Section 603(a) process, there is no general legal authority for the BLM to designate lands as WSAs for management pursuant to Section 603. FLPMA land use plans completed after April 14, 2003 will not designate any new WSAs, nor manage any additional lands under the Section 603 non-impairment standard. FLPMA land use plan decisions may accord special management

protection for wilderness characteristics or other values through the land use planning process.

**Public Comments (SD-2):**

**Comment:** At the outset, we want to emphasize our belief that BLM's abandonment of its authority to designate any additional Wilderness Study Areas (WSAs) is invalid and will ultimately be overturned in pending litigation; and, therefore, does not prevent BLM from designating new WSAs. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2257, letter #343)

**Public Concern (SD-3):**

*An array of comments was received in support of the ACEC proposal in Alternative D to protect plants and wildlife, such as big horn sheep, throughout the planning area. In the national monument, respondents agree that closure of ACECs to grazing and OHV would have beneficial effects, even if ACEC designation is redundant. Respondents believe that ACECs will have as much protection as BLM is willing to provide.*

*Comments were also received supporting BLM's continued management for the suitability of the Agua Fria River for Wild and Scenic River designation and designating a riparian corridor ACEC with prescriptions to close the area to grazing and OHV use, and to encourage re-vegetation of riparian vegetation.*

**Response (SD-3):**

As a component of a monument object and a subject of the Arizona Land Health Standards, riparian areas are a focus of management regardless of any designation or allocation. The management objectives and prescriptions in this document are designed to achieve the Arizona Land Health Standards which will protect and restore riparian conditions in both the monument and the Bradshaw-Harquahala planning area.

An ACEC within the Agua Fria National Monument will not increase protections or provide benefits to riparian vegetation zones beyond those provided by the Proclamation. Rather, the ACECs will have as much protection

as BLM is willing to provide, as the document explains: "management of the 13,070 acres of ACEC in the monument would help improve The condition of all riparian areas as determined by monitoring is presented in Appendix Q1 and Q2.

The protective management actions that were developed when the BLM designated the Larry Canyon and Perry Mesa ACEC's have been incorporated into the proposed management plan for the national monument. These areas have been and will continue to be managed to protect their exceptional natural and cultural resources. In addition, at the time the ACEC's were established, these designations provided for resource protection by restricting some activities

**Public Comments (SD-3):**

**Comment: *Special Area Designations:*** *We support Alternative D and the creation of ACECs since cultural and wildlife resources would clearly benefit. A reduction in fragmented habitat from this interconnected set of ACECs stretching from Harquahala Peak to the Belmont Mountains would benefit wildlife especially species like big horn sheep that need large amounts of space. Plant communities would also benefit.* (Tonopah Area Coalition, Tonopah, AZ - Comment: #1122, letter #347)

**Comment:** We (Friends of the AFNM) disagree, however, with the unsubstantiated conclusion on page 474 and elsewhere that ACEC designation is unlikely to result in any measure of protection beyond that provided by the Proclamation. Rather, the ACECs will have as much protection as BLM is willing to provide, as the document explains: "management of the 13,070 acres of ACEC in the monument would help improve range conditions by reducing vehicle traffic, damage to riparian vegetation, disturbance by recreational users, wildlife stress, and potential vectoring of noxious and invasive species" (p347). Again, ACEC designation will prove to be a valuable and necessary management tool for resource managers and should be expanded, not eliminated. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2063, letter #339)

**Public Concern (SD-4):**

*Respondent feels there are not quantitative impacts of ACEC designation on grazing resources listed in the DRMPs/DEIS and that there is a lack of discussion on why ACECs proposed in Alternative C are not proposed in Alternative E.*

**Response (SD-4):**

We believe the adoption of *Alternative E* fully protects riparian areas and forage. The Alternative and its prescribed resource allocations both conserve and preserve riparian areas and associated monument objects. *Alternative E* also ensures riparian and range resources will meeting Land Health Standards and will continue to be managed to maintain proper functioning condition. ACECs were not brought forward into *Alternative E*. BLM determined ACECs do not afford greater management or resource protection authority for monument objects. The Presidential Monument Proclamation fully protects the monument's range and riparian resources. Riparian areas in non-monument public lands will be managed to improve condition, and to meet or exceed Land Health Standards.

**Public Comments (SD-4):**

**Comment:** Lack of sufficient calculations. Additionally, the DRMP/DEIS fails to provide productivity information and calculations that support the adoption of Alternative E, which lacks designation of riparian-area ACECs or year-round restrictions on grazing in riparian areas. Section 4.16.1: Alternative C states that though the total acreage of the four ACECs is less than one percent of the acres allotted to grazing in AFNM, the percentage of lost forage would likely be greater because of the high productivity of riparian areas. However, there is no indication of the degree of quantitative impact these ACECs would have on the actual grazing resources available or why none of these ACECs are proposed in the Preferred Alternative. (Individual, Champaign, IL - Comment: #1894, letter #201)

**Public Concern (SD-5):**

*The commenter suggests BLM considers designation of additional ACECs and WHAs to provide more protection for riparian corridors.*

**Response (SD-5):**

The management objectives and prescriptions in this document are designed to achieve the Arizona Land Health Standards which will protect and restore riparian conditions. As a component of a monument object and a subject of the Arizona Land Health Standards, riparian areas are a focus of management regardless of any designation or allocation. ACEC designation within the national monument is redundant and unnecessary to achieve needed resource protections. The condition of all riparian areas, as determined by monitoring, is presented in Appendix Q1 and Q2.

Please see Section 2.6.1.1, which describes the analysis leading to the conclusion that eight tributaries of the Agua Fria River within the monument are determined as eligible for consideration as potential additions to the National Wild and Scenic Rivers System. In accordance with BLM policy, the BLM will manage these streams to protect their riparian, scenic and cultural resource values pending a decision on Wild and Scenic River designation.

**Public Comments (SD-5):**

**Comment:** The preferred alternative protects 1.7 miles of riparian habitat in ACECs and Wildlife Habitat Areas (WHAs) (Table 4-5, p. 485). This is substantially smaller than the amount of riparian protection proposed under Alternatives C or D. Because of multiple risks to riparian resources from cumulative impacts and existing at-risk conditions, BLM should consider designation of additional ACECs and WHAs that provide more protection for riparian corridors. Recommendation: EPA recommends the preferred alternative be modified to include additional ACECs and WHAs that will provide protection for additional riparian corridors. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2176, letter #396)

**Comment:** Specifically, since 61% of the riparian corridor in the Monument is not in PFC, BLM should modify the preferred alternative to include the designation of the Agua Fria Riparian Corridor Area of Critical Environmental Concern (ACEC), which encompasses the entire river corridor and tributaries within the Monument, encouraging revegetation of reduce OHV impacts to native vegetation, streambanks, and water quality, and help maintain Wild and Scenic River (WSR) values (p. 474). Wildlife species and habitat would also benefit, including the Gila chub, yellow-billed cuckoo and other priority species (p. 485). (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2171, letter #396)

**Public Concern (SD-6):**

*Comments were received supporting the designation of a Biological/Cultural Area of Critical Environmental Concern (ACEC) for the Harquahala and Black Butte Mountains to better manage these resources; however, the comments did not support the ACEC being identified as an ONA, which they believe is to be managed primarily for recreational and educational purposes. Some respondents also feel that attaining isolation from other users is not an appropriate desired future condition for the Harquahala Mountains ONA ACEC.*

**Response (SD-6):**

The change from an ONA to an ACEC has been completed for the area in question. The references to wilderness characteristic attributes have been removed from the Black Butte and Harquahala Mountains ONAs when not applicable to the required relevance and importance statements addressing the biological, cultural, and scenic elements of these subject areas. The areas are to be managed to emphasize protecting the sensitive resources discussed in the statements of relevance and importance.

**Public Comments (SD-6):**

**Comment:** Initially, the Department [AZGFD] identified the Harquahala Mountains as crucial wildlife habitat, having a unique "sky island" vegetation community. The Department

supported the designation of an Area of Critical Environmental Concern (ACEC) for the Harquahala Mountains to better manage these resources. The importance of the biological and cultural resources in the proposed Harquahala ACEC is reflected in the relevance and importance section of the ACEC proposal. However, the ACEC is identified as an ONA, which is to be managed primarily for recreational and educational purposes. The Department believes because the original proposal was based on biological and cultural resources, as reflected in the relevance and importance statements, the area should be identified as a Biological ACEC with management emphasis specific to those resources and not as an ONA with an emphasis on recreation. (The State of Arizona Game and Fish Department, Phoenix, AZ - Comment: #1347, letter #401)

**Comment:** Concerning Section 2.6.2.2.4.1 Page 198, column 2, 2nd paragraph, commenter stated "Attaining isolation from other users Comment We do not believe this is an appropriate desired future condition for this ACEC (The State of Arizona Game and Fish Department, Phoenix, AZ - Comment: #1370, letter #401).

**Public Concern (SD-7):**

*Respondent does not support the creation of any ACECs; even those that might be targeted for the protection of bighorn sheep based on the concerns with ACEC designations and the potential threats to active wildlife conservation. Other commenters suggest existing ACECs, ONAs, and WMAs be retained for Black Butte, Harquahala Mountains, and the greater Bighorn/Hummingbird Springs complex.*

**Response (SD-7):**

The ACECs proposed in the Preferred Alternative were developed to protect a variety of overlapping regionally significant resources. To provide the level of protection needed, some resource management activities may be curtailed or limited. The BLM believes that "...active wildlife conservation..." will continue as needed, though some activities may need to be

modified to meet ACEC Desired Future Conditions.

### **Public Comments:**

**Comment:** Because of our (ADBSS) concerns with ACEC designations and the potential threats to active wildlife conservation we do not support the creation of any ACEC's; even those that might be targeted for the protection of bighorn sheep. Bighorn sheep need more care than this designation affords. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2143, letter #342)

**Comment:** Existing ACECs, ONAs and WMAs should be retained for Black Butte, Harquahala Mountains, and the greater Bighorn/Hummingbird Springs complex. (Individual, Tonopah, AZ - Comment: #681, letter #45)

### **Public Concern (SD-8):**

*Respondent is against applying the ACEC designation to the Sheep Mountain.. Respondent states that the proposed Sheep Mountain ACEC (Map 2-66) is a known mineralized area with substantial copper resources.*

### **Response (SD-8):**

The Proposed Alternative does not recommend Sheep Mountain as an ACEC. However, Sheep Mountain is an outstanding natural and scenic landscape feature with potential for bighorn sheep reintroduction, Class II desert tortoise habitat, and other outstanding wildlife values, as well as opportunities for rugged primitive recreation in a nearly undisturbed environment. Though there have been mining attempts off-and-on over the last 150 years, none have yet successfully exploited a mineral discovery in the area. As urban development moves ever closer to Sheep Mountain, and the outstanding values found there become scarcer, It may become more important as an open space feature than a mineral source. Under the mining laws and regulations, claimants would have the right to develop their mining claims.

### **Public Comments:**

**Comment:** In addition, the proposed Sheep Mountain ACEC (Map 2-66) is a known mineralized area with substantial copper resources (see files at the Arizona Department of Mines and Mineral Resources); the ACEC designation should not be applied to the Sheep Mountain area. (Individual, Apache Junction, AZ - Comment: #1889, letter #391)

### **Public Concern (SD-9):**

*Comments were received that support all of the ACEC designations proposed in the plan; however, respondents insist that special protections are implemented on the ground and not just designated on paper and that there are good management prescriptions that actually talk about the other uses occurring in the area.*

### **Response (SD-9)**

ACEC land use allocations and prescriptions will be implemented for each ACEC upon approval of the land use plan. Route evaluation and designations, along with on-the-ground signing will be completed with five years of land approval. The impacts of recreation uses and other land use authorizations will be carefully assessed and managed to limit or avoid impacts to important biological, cultural, scenic, and other resource values within respective ACECs.

### **Public Comments (SD-9)**

**Comment:** We support all of the ACEC designations proposed in the plan, but we insist that special protections are implemented on the ground and not just designated on paper. The BLM should ensure that these areas are monitored, managed, and treated with due respect. (Center for Biological Diversity, Tucson, AZ - Comment: #1576, letter #338)

**Comment:** The use of ACECs, outstanding natural areas are great as long as we have good management prescriptions that actually talk about the other uses that are going to occur there and not just talk about what we want there, addressing route travel and mining development and other such extractive uses. (Arizona Wilderness Coalition, Prescott, AZ - Comment: #1104, letter #76)

**Public Concern (SD-10):**

*Respondent feels protecting existing ACECs and due consideration of proposed ACECs must be a priority in the RMP.*

**Response (SD-10):**

Implementation of ACEC management prescriptions will be a priority of BLM in implementing land use planning provisions. The extent and speed of the implementation process is influenced by BLM's funding, staffing, and workload priorities established by our Washington Office and Congress. ACEC management prescriptions, however, immediately go into effect upon land use plan approval.

**Public Comments (SD-10):**

**Comment:** Under FLPMA, BLM is also obligated to "give priority to the designation and protection of areas of critical environmental concern [ACEC]." 43 U.S.C. 1712(c)(3). ACECs are areas where special management attention is required "to protect and prevent irreparable damage." 43 U.S.C. 1702(a). Protection of existing ACECs and due consideration of proposed ACECs must be a priority in the this RMP process. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2211, letter #343)

**Public Concern (SD-11):**

*Many comments were received requesting BLM to study tributaries of the Agua Fria River for Wild and Scenic River eligibility. Respondents feel riparian areas are critical to wildlife and are one of the most heavily impacted habitats in our arid state. They feel this designation would ensure protection of riparian resources and water corridors. Additional comments were received supporting provisions in Alternative E for managing for the Wild and Scenic River suitability of the Agua Fria River. Comments also advocate that BLM do the same with its tributaries. These riparian areas play an important role in the monument's ecological health and are protected by the Monument Proclamation*

**Response (SD-11):**

The eligibility for Wild and Scenic River designation of the tributaries to the Agua Fria River within the Agua Fria National Monument has been evaluated and the results are presented in document Section 2.6.1.1. The evaluation of the Agua Fria tributaries resulted in the conclusion that the segments of several streams within the monument are eligible for consideration as potential additions to the national Wild and Scenic Rivers System. These include streams and riparian areas in Baby, Perry Tank, Lousy, and Larry Canyons. Under BLM policy, the agency will protect the outstanding wildlife, scenic, and cultural values that define the eligibility of these streams, and will ensure that they are maintained in free-flowing condition. This is likewise the case for the Agua Fria River, which the BLM has previously recommended as suitable for Wild and Scenic designation. The environmental, scenic, and cultural values that underlie eligibility and suitability for river designation correspond, in large part, to the monument values defined in the Proclamation. This reinforces the mandate of resource protection in these areas.

**Public Comments (SD-11):**

**Comment:** Riparian areas are critical to wildlife and are one of the most heavily impacted habitats in our arid state. Please study tributaries of the Agua Fria River for Wild and Scenic River eligibility. (Individual, Glendale, AZ - Comment: #327, letter #274)

**Comment:** The BLM needs to propose and then actively work for the Wild and Scenic designation of the rivers and streams that exist within the AFNM. Wild and Scenic river designation is something that will mesh perfectly with the Monument proclamation. Baby Canyon (Bishop Creek), Perry Mesa Canyon, Badger Springs Canyon, Lousy Canyon, and Larry Canyon; not to mention the Agua Fria River itself are all excellent candidates for inclusion in our Wild and Scenic river system. Designation of these waterways as Wild and Scenic will also help protect the

endangered Amphibians and Fishes that live there. (Individual - Comment: #771, letter #46)

**Public Concern (SD-12):**

*Respondent feels the characteristics of WSR designation are impacted by livestock grazing, range developments, and water withdrawal, and these effects are cumulative. These areas deserve special protection from livestock.*

**Response (SD-12):**

Continued livestock grazing will not affect the recommended suitability of the Agua Fria River for Wild and Scenic designation. Proposed management actions include seasonal grazing restrictions which would eliminate intensive use of the river corridor during the growing season. For the segment of the Agua Fria River that was recommended as “wild,” management actions required by a congressional designation are: “Livestock grazing would be restricted to current levels in ‘wild’ segments.” Although, it also states “This action, however, may result in management constraints to other resource values such as livestock grazing and recreation.” The BLM in the form of the grazing decisions for grazing allotments has mandated a significant restriction of livestock access to the riparian areas.

The Arizona Statewide Wild and Scenic Rivers LEIS (Rivers Appendix, pp. 9-11) contains the following statements relating to the recommended designation: ‘livestock grazing use would be limited to the extent practiced prior to designation;’ and ‘grazing allotments would be monitored to identify conflicts with the outstandingly remarkable scenic, and fish and wildlife habitat values.’ Other management actions include coordinated resource management plans, designed to resolve resource conflicts, and reductions in grazing of riparian zones. Under BLM policy in Manual 8351, relating to Wild and Scenic Rivers, grazing is an allowable management practice, if conducted in such a way that there is no substantial adverse effect on the river and its immediate environment. Livestock grazing, if conducted in a manner consistent with BLM standards and guidelines that protect these values, as identified

in the resource management plan, would not impact the river’s suitability for designation.

**Public Comments (SD-12):**

**Comment:** The Agua Fria River and the Wild and Scenic designation. The Agua Fria River was nominated for Wild and Scenic designation in 1996. As part of the press release about this nomination, BLM's then acting director said, "Designation of these river segments will conserve important riparian areas, which deserve special recognition and protection." (BLM 1996) Indeed, they deserve special protection from livestock, which degraded degrade and impair the river segments referred to in the BLM press release. The draft RMP states that "reaches of the Agua Fria River were determined to have WSR values despite grazing in the corridor. Continued grazing should not degrade values, and applying Land Health Standards should maintain or improve habitat characteristics." The wilderness characteristics and the recreational opportunities of the WSR designation are indeed impacted by livestock grazing. Water quality and quantity on the Agua Fria River is highly affected by livestock grazing and range developments and water withdrawal, and these effects are cumulative. (Center for Biological Diversity, Tucson, AZ - Comment: #1558, letter #338)

**Public Concern (SD-13):**

*Respondent objects to designating Sycamore Creek in sections 10 & 11 as Wild and Scenic as well as Little Ash Creek in Section 4.*

**Response (SD-13):**

The BLM has conducted an eligibility analysis which is included in document Section 2.6.1.1 Special Area Designations for the Agua Fria National Monument. Sycamore and Little Ash Creeks are regarded as eligible for consideration as potential Wild and Scenic Rivers. Eligibility determination is the first step in evaluating streams for potential Wild and Scenic River designation. The BLM will conduct further, detailed analyses to evaluate a wide range of factors that determine the suitability, or unsuitability, of these streams for designation. Suitability studies include further opportunities

for government agencies, local communities, private landowners, tribes, and the public to express comments and concerns that will be considered in the suitability study and associated environmental analysis. Congress considers the suitability analysis in making final decisions about Wild and Scenic River designations.

**Public Comments (SD-13):**

**Comment:** I also object to designating Sycamore Creek in Sec's 10 & 11 as Wild and Scenic as well as Little Ash Creek in Sec. 4. (Individual, Mayer, AZ - Comment: #1459, letter #379)

**Public Concern (SD-14):**

*A number of respondents are concerned with the designation of Bloody Basin Road as a Back Country Byway. They feel it may result in additional funding for the monument; however, these funds will be insufficient to cover the increase in management costs associated with this designation. Additional comments suggest the proposed Back Country Byways will only increase impacts to the road and surrounding resources because Special Area Designations do nothing more than provided extra notoriety to increase visitation. Therefore, any designation such as this must be coupled with a commitment for additional road maintenance, resource protection monitoring and patrols, litter cleanups, etc. However, the "improved management" from designation by increasing signing, volunteers, mapping, etc. can all be accomplished without designation and without the increased impacts.*

**Response (SD-14):**

The Back Country Byway proposals have not been carried forward to our Proposed Plan.

**Public Comments (SD-14):**

**Comment:** The proposed designations for Back Country Byways (2.6.2.2.1 and 2.6.1.1) for the "Constellation/Buckhorn Mine Road" and "Bloody Basin Road" will only serve the purpose of increasing impacts to not only the road but the surrounding resources as well. Special Area Designations such as this do nothing more than provide extra notoriety for the

purpose of increasing visitation and the subsequent increase in use. Any designation such as this must be coupled with the contingent commitment for additional road maintenance, resource protection monitoring and patrols, litter cleanups, etc. The "improved management" from designation by increasing signing, volunteers, mapping, etc. can all be accomplished without designation and without the increased impacts. These roads should not be recommended for these designations as a higher degree of resource protection can be achieved by not designating. (Verde Valley 4 Wheelers, Cottonwood, AZ - Comment: #1949, letter #400)

**Comment:** Bloody Basin Road should not be designated as a Back Country Byway. The plan does not analyze or state any benefits of designation, and the resulting increase in vehicular traffic will put undue pressure on monument objects. This is particularly true of pronghorn antelope, which must cross the roadway to access important fawning habitat. (Individual, Tucson, AZ - Comment: #928, letter #298)

**Public Concern (SD-15):**

*Several comments were received recommending the Black Canyon Trail be added to the National Recreational Trail System and "totally support" Management Actions to do so.*

**Response (SD-15):**

Application to designate the Black Canyon Trail as a National Recreation Trail will be submitted to the designating authority.

**Public Comments (SD-15):**

**Comment:** Alternative E - Pages 204 & 205, 2.6.2.2.6.1 Special Area Designations, Nomination to National Recreation Trails System: I recommend that the Black Canyon Trail become part of the National Recreation Trail System. I support the Management Actions to make this a reality. (Individual, Black Canyon City, AZ - Comment: #1313, letter #281)

**Comment:** Alternative E - Pages 204 & 205 2.6.2.2.6.1 Special Area Designations

Nomination to National Recreation Trails System -We recommend that the Black Canyon Trail become part of the National Recreation Trail System. -We totally support the Management Actions to make this a reality. (New River/Desert Hills Community Association, Phoenix, AZ - Comment: #1540, letter #393)

**Public Concern (SD-16):**

*Commenter wants the BLM to add a line to Section 2.6.2.2.6.1 Special Area Designation emphasizing the need to avoid sensitive riparian when considering the placement of the Black Canyon Trail.*

**Response (SD-16):**

Riparian areas and creek/drainage crossings traversed by the Black Canyon Trail will be placed in non-sensitive areas, designed to minimize impacts, or avoided wherever possible when finalizing the final alignment of the trail. We will add this prescription to the Black Canyon Trail RMZ.

**Public Comments (SD-16):**

**Comment:** My only concern would be with 2.6.2.2.6.1 Special Area Designations. It might be good to add a line about avoiding sensitive riparian areas in the placement of the Black Canyon Trail. (Individual, Dewey, AZ - Comment: #122, letter #113)

## 5.4.4 LANDS AND REALTY

**Public Concern (LR-1):**

*Comment received suggesting the proposed plan fails to outline prevention for future annexation of BLM-managed lands.*

**Response (LR-1):**

The RMP identifies the lands that the BLM intends on retaining for management (as well as lands that are potentially suitable for disposal). The lands identified for retention would continue to be managed per the prescriptions of this plan regardless of annexation by any municipality.

**Public Comments:**

**Comment:** Claim lacks force of action. Affected Environment: Lands and Realty (p. s-xii) states there is no need for BLMs lands to support continued urban expansion. Adequate land for community growth exists in both Arizona State Trust and private ownership.” However, Section 1.3: Planning Area and Map Setting points out the annexation of more than 16,000 acres of BLM land by the nearby City of Peoria over the last decade. Though the DRMP/DEIS alternatives address anticipated pressures of the high rate of population growth, it fails to clearly outline what specifically would prevent future annexation of BLM lands by neighboring municipalities even after a long-term resource management plan is adopted. (Individual, Champaign, IL - Comment: #1897, letter #201)

**Public Concern (LR-2):**

*Commenter acknowledges that lands targeted for disposal are not adjacent to Indian reservation but would like to see Arizona tribes have the first opportunity to acquire lands prior to public offering,*

**Response (LR-2):**

Any of the Arizona tribes may approach the BLM about acquisition of any of the parcels that are identified as potentially suitable for disposal.

**Public Comments (LR-2):**

**Comment:** Although lands targeted for disposal are not adjacent to Indian reservations, I would like to see Arizona tribes have first opportunity to acquire prior to public offering. You would be surprised the interest. (Yavapai Prescott Indian Tribe, Prescott, AZ - Comment: #79, letter #101)

**Public Concern (LR-3):**

*Commenter prefers an exchange with the State of Arizona, if BLM wants to dispose of the public lands within the W-Diamond Ranch grazing lease.*

**Response (LR-3):**

At the time of this response, exchange of BLM-managed lands for Arizona State Trust Lands is

still considered unconstitutional based on provisions for managing state lands in the Arizona State Constitution.

**Public Comments (LR-3):**

**Comment:** If you want to dispose of the W-Diamond #05028 land, I would prefer you exchange with the State of Arizona which has land to the west that I have a grazing lease on. (W-Diamond Ranch, Skull Valley, AZ - Comment: #20, letter #49)

**Public Concern (LR-4):**

*Commenter wants BLM to reconsider disposing of functional rangeland.*

**Response (LR-4):**

The lands identified as potentially suitable for disposal are scattered and relatively small parcels of public land. Through site specific NEPA analysis, if it is determined that the lands are valuable as “functional rangeland,” the decision may be not to dispose of them.

**Public Comments (LR-4):**

**Comment:** Land disposal would also reduce available rangeland by 4%. BLM should reconsider disposing of functional rangeland. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2194, letter #396)

**Public Concern (LR-5):**

*An array of comments urges the BLM to develop a separate DEIS for land disposal. Comments stated that riparian habitat and water sources should be added to the list of retention or acquisition. Comments question how BLM arrived at 5,000 acres as a threshold for disposal. Comments also stated that the level of current analysis does not provide enough information on individual land parcels.*

**Response (LR-5):**

The lands identified are “potentially suitable” for disposal. All disposal actions will include public notification as well as site/action specific NEPA analysis.

For purposes of analysis, BLM established a “threshold” or baseline for determining what parcel size might be considered small and uneconomical to manage. The lands identified are “potentially suitable” for disposal. All disposal actions will include public notification as well as site/action specific NEPA analysis. If resources are identified in these NEPA documents that warrant protection, it is unlikely that the BLM go forward with the action.

**Public Comments (LR-5):**

**Comment:** On page 93, the EIS explains two methods by which you determined which lands were potentially suitable for disposal. In the second method, you choose a size of 5,000 acres as a threshold below which land would be disposed of. We commented on this issue two years ago when we reviewed the preliminary draft alternatives for the RMP. As we pointed out then, 5,000 acres comprises almost 8 square miles, an area that can function as open space, habitat, etc, depending on other factors such as surrounding land uses. The final EIS should explain how that number was arrived at, as we are not familiar with any benchmarks of that sort used by the BLM. We also believe the BLM should look carefully at the larger parcels that go through this disposal “screen” for characteristics that would warrant their retention. (Western Lands Project, Seattle, WA - Comment: #1055, letter #14)

**Comment:** I would also urge you to not trade or sell any BLM lands to private interests for development unless it goes through a complete E.I.S not E.A.R process. (Individual, Prescott, AZ - Comment: #820, letter #157)

**Public Concern (LR-6):**

*Respondents request that the BLM show a parcel of land in T5N R1W sec 13 N ½ as available for disposal. Peoria may want this parcel for a park and trail, or as a school site.*

**Response (LR-6):**

At the current time, all lands associated with AZA-22075 - Right-of-Way Reservation to the Bureau of Reclamation, Arizona Project Office are still ‘reserved’ to BOR for CAP purposes,

and are not available for disposal. We have not received notification from the Bureau of Reclamation or the Central Arizona Project to remove the parcel you describe. The parcel remains unavailable for disposal.

**Public Comments (LR-6):**

**Comment:** The letter is being submitted as part of the 90-day comment period in regard to a BLM parcel currently leased to the Bureau of Reclamation/Central Arizona Project in the North 1/2 of Section 13, T5N, R1W (Subject Site). We respectfully request that the final AFNM/Bradshaw-Harquahala Plan identify the Subject Site [North 1/2 of Section 13, T5N, R1W] for disposition should the CAP determine that a portion of the Subject Site is no longer needed for CAP operations. We have had preliminary discussions with City of Peoria as to utilizing land not needed by the CAP for trail and park uses. We have also had initial discussions with the Peoria Unified School District for a school site. One of the challenges to providing school and park sites in the area is the need for flat land, which the Subject Site offers. Most of Lake Pleasant Heights has very rugged terrain and it is a challenge to locate uses that need large flat areas of land. If there are no public uses needed for the Subject Site, we are interested in purchasing the remaining property, provided it could support development and incorporated into surrounding subdivisions. (Pleasant Views, L.L.C., Scottsdale, AZ - Comment: #1071, letter #356)

**Public Concern (LR-7):**

*Comments suggest the preferred alternative should be modified to include purchase restrictions for lands slated for disposal that contain desert tortoise habitat or that are adjacent to the Agua Fria Riparian Corridor. Additionally, disposed lands that contain desert tortoise habitat should be restricted to purchasers that would provide a similar level of habitat protection as BLM-managed land. Lands adjacent to the Agua Fria River north of Glendale should contain development restrictions to protect riparian areas and water resources from development impacts.*

**Response (LR-7):**

Limitations for land disposal actions are described in document Section 2.7.1.2. In addition, Section 2.7.1.4 states:

“No net loss would occur in the quality or quantity of Category I and II desert tortoise habitat to the extent practicable. BLM would address and include mitigation measures in decision documents to offset the loss of quality or quantity of Category I, II, and III tortoise habitats.

“Compensation may be required to mitigate residual impacts from authorized actions. Evaluate on a case-by-case basis all proposed activities, including the following, for impacts to desert tortoise population or habitats:

- requests for rights-of-way,
- easements,
- withdrawals,
- other land tenure actions,
- range improvements,
- wildlife habitat projects,
- mineral material sales, and
- commercial and organized group SRP applications.

Mitigation for adverse impacts is permissible to achieve no net loss in quantity or quality of desert tortoise habitat.”

These prescriptions would require compensation for disposal of desert tortoise habitat to achieve “No net loss” of habitat. No known or identified riparian habitat is included in the plan as available for disposal.

Any proposed land disposal actions that would affect the parcels north of Phoenix, along the Agua Fria River, would involve an assessment of potential impacts on riparian areas and water resources, with consideration of mitigation measures such as development restrictions.

**Public Comments (LR-7):**

**Comment:** The DEIS states that impacts to biological resources from lands and realty actions for the preferred alternative are the same or similar as under Alternative B (pp. 306, 488),

which would dispose of over 10,000 acres of desert tortoise habitat (pp. 307, 487). Land disposal is expected to result largely in residential development (p. 616), which could impact vegetation, water quality through increased erosion and sediment yield, and soil productivity (pp. 294, 447,474). EPA recommends the preferred alternative be modified to include purchase restrictions for lands slated for disposal that contain desert tortoise habitat or that are adjacent to the Agua Fria riparian corridor. Disposed lands that contain desert tortoise habitat should be restricted to purchasers that would provide a similar level of habitat protection as BLM-owned land. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2191, letter #396)

**Comment:** Map 2-78 shows some parcels suitable for disposal that appear to be adjacent to the Agua Fria River. Lands adjacent to the Agua Fria River north of Glendale should contain development restrictions to protect riparian areas and water resources from development impacts. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2193, letter #396)

**Public Concern (LR-8):**

*Respondent notes that land disposal is a type of action that is exempt from the General Conformity rule (regardless of induced population effects) so long as the applicable Federal agency has no practicable control, nor continuing program responsibility, over the land subsequent to its transfer.*

**Response (LR-8):**

Thank you for directing our attention to this aspect of the General Conformity rule. The appropriate changes have been made to the document.

**Public Comments (LR-8):**

**Comment:** The DEIS indicates that the General Conformity rule applies to land disposal if such land disposal triggers induced population growth that would increase regional air emissions in the Phoenix nonattainment area for ozone and PM-10. The DEIS then concludes that BLM's land

disposal actions satisfy the general conformity rule because the regional air quality plans account for the associated emissions increases. First, we note that land disposal is a type of action that is exempt from the General Conformity rule (regardless of induced population effects) so long as the applicable Federal agency has no practicable control, nor continuing program responsibility, over the land subsequent to its transfer. See 40 CRF 93.153(c)(2)(xiv). (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2183, letter #396)

**Public Concern (LR-9):**

*Respondent is concerned that isolating the Central Arizona Project (CAP) right-of-way may result in it becoming a magnet for crossing and utility corridors. Comments support withdrawal of BLM-managed lands for the area necessary for the CAP as several of the proposed management actions could result in adverse impacts to the CAP, which are not identified in the draft EIS.*

**Response (LR-9):**

Disposal of lands requires site specific impact analysis at the time of the disposal action. If a particular disposal action would potentially affect the manageability of the CAP, that would be an impact noted at the time of the disposal and would be mitigated appropriately at that time. Appropriate mitigation might include not disposing of the parcel, disposing of only those portions of the parcel that would not affect the CAP canal facilities, or disposing of the parcel but encumbering the patent by "reserving and accepting" the CAP right-of-way. The BLM would coordinate with the operators of the CAP to help ensure that the CAP facilities continue to serve an important role in providing water to central Arizona.

**Public Comments (LR-9):**

**Comment:** All the alternatives except Alternative D propose to dispose of lands that appear to be within or adjacent to the CAP, based upon the maps provided. We are concerned that isolating the CAP right-of-way may result in it becoming a magnet for crossings

and utility corridors. Disposal of adjacent parcels also removes any flexibility in locating utilities outside the CAP right-of-way within the utility corridor proposed in the alternatives. As noted in Comment # 1 b above, any use of Reclamation right-of-way would require our approval pursuant to right-of-way A-22075 and we anticipate we would likely object to its use for such a purpose. (Bureau of Reclamation, Glendale, AZ - Comment: #1511, letter #399)

**Comment:** We [BUREAU OF RECLAMATION] have reviewed the subject draft EIS. As you are aware, much of the Hayden-Rhodes Aqueduct (HRA) feature of the Central Arizona Project (CAP) is located on Bureau of Land Management (BLM) lands within the Bradshaw-Harquahala Planning Area. The use of these lands for the CAP was approved in BLM's right-of-way A-22075. We note several of the proposed management actions could result in adverse impacts to the CAP that are not identified in the draft EIS. Our concerns and other detailed comments are provided in the attached. Based upon our review of the subject document, and our concerns/comments, we believe BLM's policies governing designation of utility corridors and land disposals are in conflict with Reclamation's requirements to ensure proper operation and maintenance of the CAP; therefore, we believe withdrawal of BLM lands for the CAP would be in the best interest of both Bureaus. (Bureau of Reclamation, Glendale, AZ - Comment: #1506, letter #399)

**Public Concern (LR-10):**

*Commenter requests BLM protect federal lands surrounding Wickenburg from ecological despoilment, and manage them in perpetuity for the enhancement of significant cultural and ecological areas like Vulture Peak, Caballeros Peak, and the Hassayampa watershed.*

**Response (LR-10):**

BLM is mandated by a number of laws to manage the public land in ways that protect our air, water, and environment. The Federal Land Policy and Management Act in Section 102, parts 1, 7 and 8 say:

(1) the public lands be retained in Federal ownership, unless as a result of the land use planning procedure provided for in this Act, it is determined that disposal of a particular parcel will serve the national interest;

(7) goals and objectives be established by law as guidelines for public land use planning, and that management be on the basis of multiple use and sustained yield unless otherwise specified by law;

(8) the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use;

The land use plan has chosen to retain the lands around Wickenburg in public ownership and manage to allow multiple use and resource protection.

**Public Comments (LR-10):**

**Comment:** Wickenburg is one of the last historical western towns in Arizona that has not been tainted by urban sprawl and pollution. Therefore, the following local organizations which comprise the Wickenburg Outdoor Recreation Committee (WORC) wish to go on record as requesting that the U.S. Bureau of Land Management (BLM) protect federal lands surrounding Wickenburg from ecological despoilment, and manage in perpetuity this federal land asset for the enhancement of significant cultural and ecological areas like Vulture Peak, Caballeros Peak, and the Hassayampa watershed. Supporting Organizations of WORC include the Town of Wickenburg, Wickenburg Chamber of Commerce, Wickenburg Clean and Beautiful, Wickenburg Cultural and Conservation Foundation, Wickenburg Hiking Club, Wickenburg Horsemen's Association, Wickenburg Saddle Club, Wickenburg Sportsmens Club, Desert Caballeros, Desert

Caballeros Western Museum, Hassayampa Bowhunters Club, Kay-L Bar Ranch, Robson's Mining World, and The Nature Conservancy/Hassayampa River Preserve. The following comments of WORC focus largely on the Hassayampa Management Unit (HMU), which contains the lands surrounding Wickenburg. WORC supports Alternative E, the preferred alternative of the BLM. (Wickenburg Outdoor Recreation Committee (WORC, Wickenburg, AZ - Comment: #1901, letter #398)

**Public Concern (LR-11):**

Respondent is concerned that the language in Section 2.7.1.2 does not indicate an active intent by BLM to encourage partnerships with other entities that could assist in implementing proposed actions in the RMP. Respondent would like to see language that clearly promotes such a partnership.

**Response (LR-11):**

Many opportunities exist, to enter into a partnership with Maricopa County, the City of Wickenburg, and other entities as appropriate to achieve the management goals set out in our planning document. The Proposed plan has revised language that attempts to clearly declare our willingness to partner with entities, including Maricopa County, to achieve long term management goals for the area, without limiting what the parameters of those partnerships might be.

**Public Comments (LR-11):**

**Comment:** The language in this section (2.7.1.2) regarding the possibility of establishing a regional county park is vague, and use of words like "evaluate effects of long-term adjustments" and "accept applications from governments" does not indicate an active intent by BLM to encourage partnerships with other entities that could assist in implementing all the proposed actions in this RMP. The notion of a park managed by Maricopa County Parks and Recreation Department has been discussed at length during various meetings in Wickenburg over the past several years, and the draft plan does not seem to support this notion with vivid

language that clearly promotes such a partnership. (Wickenburg Outdoor Recreation Committee (WORC, Wickenburg, AZ - Comment: #1907, letter #398)

**Public Concern (LR-12):**

*Several comments encourage partnerships with Maricopa County and/or the US Forest Service to preserve the area in the northern part of Maricopa County that is east of Lake Pleasant, west of I-17, and north of the New River Road as part of the Lake Pleasant Regional Park. This would prevent development that results in a loss of wildlife habitat, visual resources, and water resources.*

**Response (LR-12):**

The BLM will work with any of the neighboring land agencies to achieve the desired future condition for the areas in consideration. Cooperative strategies need not be limited to Recreation and Public Purposes leases, which may be encumbered by existing mining claims and grazing leases. We believe it would be productive to work together with other government agencies, local communities, and organizations to provide long-term recreational opportunities, while protecting natural and cultural resources and respecting valid existing rights to use public lands.

We have resumed discussions with the Maricopa County Parks and Recreation Department to explore cooperative opportunities to plan and develop a new Cooperative Recreation Management Area in the Vulture Mountains area south of Wickenburg.

**Public Comments (LR-12):**

**Comment:** The following actions are elements of the RMP I believe would fit well within the mission of MCPRD, and would be areas where cooperative management between out two agencies might serve the public well: Potential County park in the Hassayampa Management Unit (HMU) - MCPRD has applied for a "Recreation and Public Purposes" acquisition of BLM lands south of Vulture Peak. We would like to resume discussions on this application in the near future, and determine the course of

action for creating a County park in the southern portion of the HMU (Maricopa County Parks and Recreation Depart, Phoenix, AZ - Comment: #1452, letter #350)

**Comment:** 11.Alternative E, Page 171, 2.6.2.2.1.2 Lands and Realty, Land Tenure Adjustments. I continue to encourage partnerships with Maricopa County and/or the US Forest Service to preserve the area in the northern part of Maricopa County that is east of Lake Pleasant, west of I-17, and north of the New River Road as part of the Lake Pleasant Regional Park. This would prevent development that results in a loss of wildlife habitat, visual resources, and water resources. (Individual, Black Canyon City, AZ - Comment: #1312, letter #281)

**Public Concern (LR-13):**

*Respondents are pleased with the way BLM has documented the public's desire that the BLM-managed lands in the Bradshaw area remain in public ownership and open to appropriate levels of public use and also with the inclusion of the "community visions" which helps strengthen the land tenure decision.*

**Response (LR-13):**

During scoping, land tenure, and especially retention of land in Federal ownership, was the most common comment received. We also felt visions created by each community would help frame the context of decisions within the geographic area of each of those communities. Both of those things had a significant influence on the decisions we made in the document and were presented as background information.

**Public Comments (LR-13):**

**Comment:** We are pleased with the way you have documented the public's desire that the BLM lands in the Bradshaw-Harquahala area remain in public ownership and open to appropriate levels of public use. The inclusion of the "visions" which the local communities have for these BLM lands is a really good way to help validate the land tenure conclusions of the report. (Individual, Phoenix, AZ - Comment: #469, letter #204)

**Comment:** The Executive Order that created the Agua Fria National Monument in 2000, served to keep these BLM lands in public ownership. We believe that one of the most important impacts or effects of this RMP will be to provide similar protection for the BLM lands in the Bradshaw - Harquahala Areas. In the RMP you have recorded the message that the public wants the BLM lands in the Bradshaw - Harquahala Areas to be used as an outdoor natural resource enjoyment area for the populace of the Phoenix metropolitan area and as a buffer to help maintain the rural character and lifestyles of the local communities. Early in the planning process, land tenure was identified as a major issue. The planning process documented the public's strong desire that these lands be kept in public ownership for public uses. The inclusion in the report of the "visions" which the local communities have for these BLM lands helps strengthen the land tenure conclusions of the report. (Public Lands Foundation, Arlington, Virginia - Comment: #1170, letter #403)

**Public Concern (LR-14):**

*Respondents ask that several parcels in the New River area be explored for their potential inclusion. Additionally the respondents encourage BLM to continue working as part of the Black Canyon Trail system with the Deer Valley Unified School District to enter into a Recreation and Public Purposes agreement for the parcels near the New River Elementary School Parcel because the area is currently being degraded by heavy OHV use. The respondents agree with this plan as long as the sales are in line with the Maricopa County 2020 Plan New River Area Plan.*

**Response (LR-14):**

The lands identified are "potentially suitable" for disposal. All disposal actions will include public notification as well as site/action specific NEPA analysis.

If resources are identified in these NEPA documents that warrant protection, it is unlikely that the BLM go forward with the action.

**Public Comments (LR-14):**

**Comment:** Alternative E - Page 168 2.6.2.1.1 Lands and Realty Land Tenure Adjustments - Alternative E places the BLM parcels in the New River Area EAST of I-17 on the "disposal list," except for the New River Community/Kiwanis Park. The map is hard to discern but it appears that the parcels to be disposed are (UTM description was obtained from Jim Anderson of the Phoenix Field office):  
 a. UTM 0394496 - 3753038, T. 7N R. 2 E sec. 34 - just south of the Old Jack Ass Acres  
 b. UTM 0394617 0 365337 T. 7N R. 2 E sec. 27 near the Roadrunner Café  
 c. UTM 0395033 - 3756310 T. 7N R. 2 E sec. 15 - just north of "b"  
 d. UTM 0395717 -374364 T. 7N R. 2 E sec. 26 - not far from Coyote Pass -Parcel "a" is a densely vegetated riparian area. It was historically used as a watering hole for livestock along the Black Canyon Livestock Driveway and as a swimming hole for local residents. We ask that this parcel be explored for its potential inclusion as part of the Black Canyon Trail system. -We encourage BLM to continue working with the Deer Valley Unified School District to enter into a Recreation and Public Purposes agreement for the parcels near the New River Elementary School (parcel "c" for sure and possibly "b" as well.) -Parcel "d" is subjected to heavy use by OHV users and as a result, has been greatly degraded. -Otherwise, we agree with this plan as long as the sales are in line with the Maricopa County 2020 Plan - New River Area Plan (New River/Desert Hills Community Association, Phoenix, AZ - Comment: #1530, letter #393)

**Public Concern (LR-15):**

*Numerous comments were received addressing the issue of land tenure. Respondents believe BLM- managed land should stay as BLM- managed land. Comments support retention of Dewey-Humboldt area lands in order to protect the watershed, open spaces, scenic views; and to maintain a rural lifestyle along with recreational opportunities for present and future generations.*

**Response (LR-15):**

Land tenure (disposal or retention of land) was a major issue in the planning area. Retention of

the lands you reference was due to recognition of their value in public ownership. The lands in the vicinity of Dewey-Humboldt and Black Canyon City represent important open space and recreation resources to the local communities. Long term sustainability of these lands will depend on citizen participation in plan implementation and management of the land.

**Public Comments (LR-15):**

**Comment:** Representatives for the County have participated in many community meetings and the common theme has been protecting the watershed, open spaces, scenic views, maintaining a rural lifestyle and recreational opportunities. The AFNM/BH Draft Land Use Plan Alternative E reflects the overwhelming desire of the communities to keep BLM lands public for multiple uses in the form of trails, equestrian trails, nature preserves, riparian areas and other such uses. The Preferred Alternative removes all 21,500 acres from the disposal list. This action not only supports the publics input during the planning process, but Yavapai County's General Plan as well. This plan will determine the future of our public lands for generations to come and therefore I am in complete support of the Draft Plan and the Preferred Alternative E. (Yavapai County Board of Supervisors, Prescott, AZ - Comment: #21, letter #48)

**Comment:** I would like to state for the record, my support for the plan and Preferred Alternative E. The Bureau of Land Management (BLM) Draft Land Use Plan for the Bradshaw-Harquahala Planning Area reflects the overwhelming desire of the public to retain our BLM lands for open space and multiple use for present and future generations. Preferred Alternative E addresses the many points of concern that the public voiced: It removes the 21,000+ acres of public BLM lands the Upper Agua Fria Basin (Dewey, Humboldt and Mayer area) from the BLM's disposal list. It preserves open space for wildlife habitat. It provides our communities with open space for recreational opportunities. It preserves the beautiful scenic vistas. It protects the historical, cultural and natural resources of the area. It protects the instream flow of the Agua Fria River through

the Agua Fria National Monument. It preserves the watershed and avoids further groundwater depletion. It lessens the burden on taxpayers to provide additional services needed for increased population. It reduces additional air pollution, noise pollution, light pollution and traffic in our area. I thank you for listening to the public's opinion on this matter. The BLM will have helped preserve the rural character of our communities when Alternative E is adopted. (Individual - Comment: #449, letter #299)

**Public Concern (LR-16):**

*Respondents recommend the BLM apply the following criteria to identify lands which are not suitable for disposal:*

- *No wilderness quality lands.*
- *No ecologically sensitive or significant lands.*
- *Lands containing high public values.*
- *Land disposals should not be considered for counties that have sufficient private lands for community growth.*

**Response (LR-16):**

Section 2.7.1.2 describes factors that are considered in evaluating the suitability of public land parcels for disposal. These considerations are consistent, in most respects, with recommendations offered in public comments. Public lands were reviewed to ensure that areas with threatened or endangered species, critical habitat, wilderness characteristics, significant cultural resources, or other valuable resources will be retained in Federal ownership. Lands proposed for disposal near communities will be evaluated on a case-by-case basis, considering resource values and public comments, rather than the availability of lands on a county-wide basis. In general, we believe that sufficient private and State lands are available to support community growth in Maricopa and Yavapai Counties.

**Public Comments (LR-16):**

**Comment:** We recommend the BLM apply the following criteria to identify lands which are not suitable for disposal: a. No wilderness quality lands should ever be disposed of. b. No ecologically sensitive or significant lands should

be disposed of including lands with habitat for threatened or endangered species, water sources, critical wildlife habitat, and riparian or wetland areas. c. Lands containing high public values such as providing access to larger tracts of public lands, high visual resource management values, identified cultural values and sacred sites. d. Land disposals should not be considered for Counties that have sufficient private lands for community growth in the foreseeable future. Land disposal for economic development purposes are generally not needed if the amount of public land in the county is less than 90%. We emphasize that this is not an exhaustive list, and that there may be many other reasons to retain lands in federal ownership. Rather, these are merely minimal criteria for the lands that should not be considered for disposal. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2270, letter #343)

**Public Concern (LR-17):**

*Many commenters share their views on the importance of preserving the rural character and open space of the communities as urban sprawl increasingly impacts these areas.*

**Response (LR-17):**

The BLM land in the vicinity of many small communities in the planning area contributes to the open space and rural character of those communities. Retention of BLM land in public ownership as proposed in Alternative E should help to maintain the open space and rural character of these communities.

**Public Comments (LR-17):**

**Comment:** I am so thankful and glad that the BLM's draft plan and preferred alternative E made it through and we will still have some wide open spaces. I dreaded the thought of more subdivisions! This will protect the flow of the Agua Fria River and preserve the watershed and avoid further ground water depletion and many other things. (Individual, Dewey, Arizona - Comment: #49, letter #56)

**Comment:** I represent the Black Canyon Black Sheep Four Wheel Club as its only elected officer. Our group supports Preferred

Alternative E of the Bureau of Land Management Land Use Plan for the Bradshaw-Harquahala Planning Area. We want to see the rural character of this area and the corresponding lifestyle maintained even if that means causing unhappiness to a few greedy developers that would build houses on both rims of the Grand Canyon if they could get the land! (Black Canyon Black Sheep Four Wheel Club - Comment: #11, letter #3)

**Public Concern (LR-18):**

*Several respondents urge the BLM to be proactive at acquiring inholdings and adjacent private lands.*

**Response (LR-18):**

Acquisition of lands, including inholdings in the monument, is on a willing seller basis. We have, and will continue to make, acquisition of the inholdings within the national monument a high priority.

**Public Comments (LR-18):**

**Comment:** 2.7.2.3 We (Friends of the AFNM) urge the BLM to play a proactive role in acquiring both inholdings within the monument as well as adjacent lands that would benefit the Monument's objects. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2113, letter #339)

Comment: Management Common to Agua Fria National Monument (2.7.2.2, 2.7.2.3, and 2.7.2.4) We urge the BLM to play a proactive role in acquiring both private inholdings within the monument as well as lands adjacent to the monument that would benefit the monument objects. (Sierra Club Southwest Regional Office, Phoenix, AZ - Comment: #1877, letter #340)

**Public Concern (LR-19):**

*Commenters are pleased to see that the BLM has a stated action of acquiring the 19,396 acres of state lands within the SRMA because it affords the public a vast array of recreational and educational opportunities, and protects a significant amount of open space and natural and cultural resource values.*

**Response (LR-19):**

An acquisition of the State lands within the SRMA would consolidate and improve recreation opportunities.

**Public Comments (LR-19):**

**Comment:** WORC is particularly pleased to see that the BLM has a stated action of "acquiring the 19,396 acres of Arizona State land within the SRMA through a variety of means and priorities." The State lands that are part of the SRMA will be targets for future development, and by addressing this threat to State lands BLM is making a statement on the value of public lands open space that the residents of Wickenburg will support, and will be utilized to maintain the open space values of State land. (Wickenburg Outdoor Recreation Committee (WORC, Wickenburg, AZ - Comment: #1911, letter #398)

**Comment:** MCPRD supports BLM's preferred alternative (Alternative E) because it affords the public a vast array of recreational and educational opportunities, and protects a significant amount of natural and cultural resource values. This alternative will place almost 679,000 acres of land in "Special Recreation Management Areas (SRMA)" status, which is nearly four times the amount of SRMA lands under the next closest recreational alternative. We understand the recreation and resource protection management actions presented in this alternative, and throughout the plan, will require significant effort and funding to realize the full potential public benefit. (Maricopa County Parks and Recreation Depart, Phoenix, AZ - Comment: #1451, letter #350)

**Public Concern (LR-20):**

*Numerous comments were received requesting archeological and ecological research become priorities and that acquisition of Horseshoe ranch should be made a priority for use as a facility for teaching and research activities.*

**Response (LR-20):**

Both archaeological and ecological research are identified as important management priorities.

Current and future partnerships will contribute to these efforts, which we hope will establish and sustain the monument as an important center for scientific studies and student training. These activities will also provide information useful for resource management and protection. For these reasons, the majority of the archaeological sites in the monument have been allocated to the use category of “scientific use.” The Horseshoe Ranch has already served as a partner in scientific studies, by renting its facilities to house teams of scientists and students. Acquisition of private inholdings in the monument, of which there are several, will be considered to determine if an acquisition improves monument management and protection of monument objects, and will be subject to available funding and willing sellers. However, acquisitions of real property, such as buildings, must also be consistent with BLM policies that require a business plan and encourage the use of partnerships for operation and maintenance of such properties.

**Public Comments (LR-20):**

**Comment:** Monument-based facilities for ecological, archaeological, and other teaching and research activities would substantially enhance the sustainability and breadth of these activities on the monument. Horseshoe Ranch would be an ideal research and teaching facility; I strongly recommend that its acquisition be a priority. (ASU School of Human Evolution and Social Change, Tempe, AZ - Comment: #1982, letter #325)

**Comment:** I am a member of the friends of the Agua Fria National Monument, a great group and I highly recommend other people to get involved with. We had a get together this last year at the Horseshoe Ranch, which is inside the National Monument. You have to cross the Agua Fria to get inside the headquarters. That's a beautiful place, and I would like to see if the BLM could entertain the idea of doing some kind of land trade with them to acquire that property so that the BLM could use it as an interpretive site, a place for tours, a place for a park ranger to stay, or whatever the case may be for in future. I think that would be a great addition to the monument that BLM and the

public could utilize if they could entertain that idea. (Individual, Black Canyon City, AZ - Comment: #23, letter #91)

**Public Concern (LR-21):**

*Respondents express concern for preservation of scenic vistas by not allowing new communication sites to be developed on BLM-managed lands.*

**Response (LR-21):**

Any applications for communication sites would be processed through a NEPA analysis. This analysis would include a determination of impacts to the visual resources of the impacted area.

**Public Comments (LR-21):**

**Comment:** Utility & Transportation Corridors and Communication Sites: To preserve scenic vistas, no new communication sites should be developed on BLM lands. (Tonopah Area Coalition, Tonopah, AZ - Comment: #1118, letter #347)

**Public Concern (LR-22):**

*The respondents request that any consideration of development of multi-use corridors on BLM-managed lands take into account constructability, safety, security, access, maintenance, and operations of buried utilities as well as potential impacts to an area's environmental and cultural resources.*

**Response (LR-22):**

The BLM took a closer look at the Black Canyon corridor and determined that from a geographical and practical standpoint, the alignment presented in the preferred alternative required minor adjustments and is reflected in the final document.

**Public Comments (LR-22):**

**Comment:** The western portion of the corridor is described in the Lands and Realty, Black Canyon Management Unit section (2.6.2.2.1.2) of Alternative E. It states: Alternative E would adjust the western boundary of the Black Canyon corridor 1 mile west of the true center of

Interstate 17 and would widen the corridor to 2 miles where it crosses the Black Mesa/Bumble Bee Cultural Resource Priority Areas as shown on Map 2-79. (Note: The Black Canyon corridor includes both the I-17 right-of-way and rights-of-way for other utilities.) An analysis by Transwestern of the topographic conditions within that identified corridor that certain areas would be present severe constraints for pipeline construction and operational access. For example, areas that exhibit elevation change features such as those in Yavapai County, T11N, R2E, Sections 21, 22, 28, 33 and 34 (Transwestern MP 71 area) and areas that are similar to those in Yavapai County, T91/2N, R2E, Sections 22, 27, 33, and 34 (Transwestern MP 81, 82 area) do not exhibit features that are conducive to the construction and operation of buried utilities, particularly large-diameter pipelines. Transwestern's proposed route for the Phoenix Lateral pipeline at the furthestmost location from the multi-use corridor is some 2 miles west of the western boundary of the proposed corridor. This proposed routing outside of the proposed multi-use corridor has been selected because ground features that are more favorable to the construction and operation of large diameter pipelines. Transwestern also believes that this routing would provide increased safety for installation and operations personnel as well as reduce, minimize or avoid environment impacts. (Transwestern Pipeline, Houston, TX - Comment: #1496, letter #383)

**Comment:** Transwestern Pipeline Company requests that any consideration of development of multi-use corridors on BLM lands take into account constructability, safety, security, access, maintenance and operations of buried utilities as well as potential impacts to area environmental and cultural resources. (Transwestern Pipeline, Houston, TX - Comment: #1497, letter #383)

**Public Concern (LR-23):**

*Numerous comments were received urging the BLM not to allow any new utilities or right-of-ways in the monument. Several comments were received emphasizing concern that there was no discussion of transportation facilities or future need to widen I-17 along AFNM boundary and*

*commenters would like BLM to modify Map 2-79 to identify I-17 as a transportation corridor and acknowledge the ADOT proposal to widen it.*

*Additional recommendations include but are not limited to: modifying the southern corridor boundary to match the AFNM southern boundary; minimizing impact to habitat (especially the sensitive pronghorn fawning areas on Black Mesa), soils, and cultural resources; having fewer corridors and narrower corridors that would preserve the viewshed, reduce the potential impact of animal-vehicle collisions, and the vectoring of invasive weeds.*

**Response (LR-23):**

We are committed to working with the Arizona Department of Transportation and the Federal Highway Administration, under the provisions of our joint Memorandum of Understanding, as these agencies plan for the improvement of the highway system that is critical to the people and economy of Arizona.

In 2006, the Arizona Department of Transportation (ADOT) began to develop and evaluate alternatives for the widening of Interstate Highway 17 between New River and Cordes Junction. We are providing ADOT with relevant information on natural and cultural resources, land use authorizations, and monument values that could be affected by various preliminary alternatives. The proposal to widen I-17 will require a separate specific environmental analysis or Environmental Impact Statement, which will include opportunities for public comment. It is important to consider public safety, the mitigation of any adverse impacts, and the protection of the resource values within the national monument.

Map 2-79 shows the transportation corridor along I-17, but it was not clear. The symbol has been changed so it will show more clearly. Because roadway widening is not a BLM Resource Management Plan decision, the working relationship with transportation agencies that propose and conduct such actions is discussed in document section 2.13 – Interrelationships. The BLM will address future widening projects on Federal and State

highways that cross BLM land or that is adjacent to the AFNM as they arise.

The utility corridors portrayed on Map 2-79 in the Preferred Alternative and Draft EIS and the text referenced in section 4.7.2 are both correct and consistent. However, conditions since publication of the Draft RMPs/Draft EIS have resulted in reconsideration of the Black Canyon Corridor. We have chosen to remove the corridor from the Agua Fria National Monument completely due to potential impacts to monument resources. The Preferred alternative has selected a corridor location that extends the corridor south to private lands and west of the national monument. See document section 2.6.2.2.1.2 – Lands and Realty in the Black Canyon Management Unit for more details and Map 2-79.

Utility corridors are allocated to constrain the location of future, yet unknown, utility development. BLM endeavors to locate them along paths where a need for possible future utility development has been identified and where the opportunity to minimize environmental impacts such as visual intrusions, impacts to sensitive resources and species, and impacts to cultural resources can be minimized. We also endeavor to locate them where actual utility construction is possible and practical. Through cooperation with utility companies and the Western Utility Group, and through our own review and analysis, we have developed a utility corridor proposal in our Proposed Plan we believe allows utility development needed to support the expanding urban growth of Central Arizona while minimizing social and environmental impacts of future utility projects.

There are no rights-of-way or corridors proposed in the AFNM. Any new right-of-way actions west of I-17 would require site specific NEPA analysis.

### **Public Comments (LR-23):**

**Comment:** 2. The DEIS does not adequately discuss how BLM plans to address existing and proposed highway widening projects on U.S. or state highways that cross BLM land within the Bradshaw-Harquahala Resource Planning Area

(BHRPA) or are located adjacent to the AFNM. This point is particularly disconcerting because DEIS Section 1.4.4 (Page 25) indicates that FHWA, ADOT, and other agencies met to discuss future transportation right-of-way (R/W) needs, however these needs are not even mentioned in Section 1.6.2-Issues and Management Concerns. (Federal Highway Administration, Phoenix, AZ - Comment: #1417, letter #162)

**Comment:** 9.Alternative E Page 169, 2.6.2.1.1 Lands and Realty, Utility and Transportation Corridors V Black Canyon per Map 2-79: “Alternative D - page 123 (2.5.1.2) is preferable to Alternate E particularly from New River to the point where the corridor verves to the west to follow route 69. This also eliminates the Black Canyon utility corridor from the Monument. Having fewer corridors and narrower corridors would preserve the viewshed and it would reduce the potential impact of animal-vehicle collisions and the vectoring of invasive weeds. (Individual, Black Canyon City, AZ - Comment: #1306, letter #281)

### **Public Concern (LR-24):**

*Respondent wants the sentence, “Though Central Arizona is one of the fastest growing population centers in the United States, there is no need for BLM-managed land to support continued urban expansion. Adequate land for community growth exists in both Arizona State Trust Land and private ownership” located on page s-xii, 2<sup>nd</sup> paragraph, to be clarified. Commenter recommends that BLM acknowledge that existing ADOT managed transportation corridors are within the study area, and may require future modifications to provide safe, reliable public transportation.*

### **Response (LR-24):**

Utility and transportation corridors are different than right-of-way corridors. Both utility and transportation corridors on BLM-managed lands are allocations for future utility or transportation development. They constrain where future development will be entertained when proposals are brought to BLM for consideration. Corridors do not limit how right-of-way holders

conduct business within their right-of-way, whether it is within an allocated corridor or not.

We are committed to working with the Arizona Department of Transportation and the Federal Highway Administration, under the provisions of our joint Memorandum of Understanding, as these agencies plan for the improvement of the highway system that is critical to the people and economy of Arizona. We will work with these agencies to evaluate construction alternatives, environmental impacts and right-of-way needs associated with the improvement of existing highways or the construction of new roads.

The list of major highways in the planning area has been added to section 2.13 – Interrelationships, along with the recognition that continued urban growth will necessitate modification of transportation systems within ADOT rights-of-way.

Roadway widening is not a BLM Resource Management Plan decision and the working relationship with transportation agencies that propose and conduct such actions is discussed in document section 2.13 – Interrelationships. The BLM will address future widening projects on Federal and State highways that cross BLM-managed land or that is adjacent to the AFNM as they arise

#### **Public Comments (LR-24):**

**Comment:** Section Affected Environment, Lands and Realty, Page s-xii, 2nd paragraph: The sentence, "Though Central Arizona is one of the fastest growing population centers in the United States, there is no need for BLM land to support continued urban expansion. Adequate land for community growth exists in both Arizona State Trust Land and private ownership", needs clarification. ADOT acknowledges both Arizona State Trust Land and private land is "available" in the broad sense of the word, increased community growth necessitates increased public transportation needs, ADOT recommends that BLM acknowledge that existing ADOT managed transportation corridors are within the study area, and may require future modifications to provide safe, reliable public transportation.

These modifications could include new corridors, highway widening, traffic interchange improvements, new alignments, bridge modifications, and others. (Arizona Department of Transportation, Phoenix, AZ - Comment: #1432, letter #397)

Comment: [Section Affected Environment, Lands and Realty, Page s-xii, 1st paragraph:] ADOT recommends including a statement that "ADOT managed transportation corridors within, or adjacent to, the study area include: 1-17, US 60, SR 74, SR 71, SR 89, SR 69, SR 169, L303, and L101," (Arizona Department of Transportation, Phoenix, AZ - Comment: #1431, letter #397)

#### **Public Concern (LR-25):**

*When authorizing utility ROW, respondent wants to see the BLM do the following:*

- *Fully utilize existing corridors before considering new ones.*
- *Require "stealth" construction techniques on any new towers.*
- *Avoid construction in riparian areas.*
- *Include a stipulation that is the utility provider abandons (ceases to use) the equipment they should remove it and restore the landscape to "... its pre-construction state."*
- *Communication facilities should be required to co-locate on existing facilities whenever possible.*

#### **Response (LR-25):**

Many of the suggestions you have made can be found in the Management Common to All Action Alternatives in section 2.7.1.2 – Lands and Realty. In addition, a site specific environmental analysis would be conducted for any utility proposal. That analysis would include assessment of impacts to visual resources, riparian habitat, sensitive plants and animals, and other social and environmental factors. Mitigation would be developed to minimize impacts to all social and environmental resources.

**Public Comment (LR-25):**

**Comment:** Alternative E - Page 169 2.6.2.1.1 Lands and Realty Utility and Transportation Corridors - Black Canyon per Map 2-79 When considering any new utility agreements, -Fully utilize the existing utility corridor(s), before adding new utility corridors. -For new towers, require "stealth" construction - color and design to blend in with the natural surroundings as much as possible. -Avoid riparian areas for construction of communication sites and utility rights-of-way. -Include a provision that if the utility provider abandons (ceases to use) the equipment, they should be responsible (perhaps through bonding) to remove the equipment and restore the landscape to its pre-construction state. -Communication towers/facilities should be required to co-locate on existing power lines or communication towers whenever possible. The objective is to take advantage of existing verticality in order to minimize obstructions to the view shed. (Look at Forest Service requirements - they have required a minimum of seven carriers per tower/facility.) (New River/Desert Hills Community Association, Phoenix, AZ - Comment: #1536, letter #393)

**Public Concern (LR-26):**

*Commenters believe statements in the RMP are not consistent with discussions between FHWA and the Secretary of the Interior during a 1999 field review of the AFNM prior to its establishment by President Clinton. The commenters believe that statements reflect a BLM decision prior to release of this DEIS for review, prior to full public disclosure and completion of the NEPA process, and without input from FHWA/ADOT pursuant to the September 10, 2004 MOU Amendment Number 1. Commenters also noted that the document fails to mention the partnership established with FHWA and ADOT by the 2004 MOU but encouraged BLM to fulfill their prior coordination commitment to FHWA and ADOT.*

**Response (LR-26):**

The section referenced is in the No Action alternative and contains language that guides current management in the Interim Management Guidance for the Agua Fria National Monument.

The language in the Interim Management Guidance states that "new rights-of-way may be permitted within the boundaries of existing rights-of-way, where site-specific NEPA analysis determines that impacts to the values for which the Monument was designated would be negligible." The eastern boundary of the Interstate 17 right-of-way is also the western boundary of the monument.

The BLM Phoenix District is not aware of discussions between FHWA and the Secretary of Interior in 1999. There is not any special language recognizing or otherwise making special accommodation for FHWA and widening of I-17 in the Presidential Proclamation (see Appendix A). FHWA, ADOT, and any other agency would need to apply and follow normal NEPA procedures to propose and conduct widening or other maintenance or modification projects along I-17, or any other transportation right-of-way in the planning area. For projects that might impact the national monument or other Special Area Designations, other procedures may be required (4F permit) for application in addition to NEPA analysis.

Numerous agencies were invited to participate as cooperating agencies by a letter from the BLM Arizona State Office. The Phoenix District does not have a list of the agencies invited, and apologize if yours was overlooked. We made several attempts at finding interested agencies, companies, and individuals to identify who should receive review copies of the document directly from us. Again we apologize for not finding you in that process, but we are pleased you did receive and review a copy of the document.

**Public Comments (LR-26):**

**Comment:** 4. Chapter 2, Section 2.2.1.2, Page 39: The text contains a subsection entitled "Utility and Transportation Corridors and Communication Sites" relative to the AFNM. The second sentence of the first paragraph states: "No new or widened transportation corridors would be designated in the monument." This statement is not consistent with discussions between FHWA and the

Secretary of the Interior during a 1999 field review of the AFNM prior to its establishment by President Clinton in January 2000.

Furthermore, this statement would appear to reflect a BLM decision prior to release of this DEIS for review, prior to full public disclosure and completion of the NEPA process, and without input from FHWA/ADOT pursuant to the September 10, 2004 MOU Amendment Number 1. (Federal Highway Administration, Phoenix, AZ - Comment: #1419, letter #162)

**Comment:** 1. Although the Bureau of Land Management (BLM), Arizona Department of Transportation (ADOT), and FHWA executed a Memorandum of Understanding (MOU) in September 2004 regarding project coordination and cooperation, the FHWA Arizona Division Office is concerned that the MOU process has not been followed because it was not asked to participate as a cooperating federal agency and did not directly receive a review copy of the Draft Environmental Impact Statement (DEIS). (Federal Highway Administration, Phoenix, AZ - Comment: #1414, letter #162)

**Public Concern (LR-27):**

*Several comments were received regarding expanding and widening the CAP utility corridor, specifically including the right-of-way near the Bighorn Mountains.*

**Response (LR-27):**

Any additional rights-of-way within the CAP corridor will have site specific NEPA analysis which will include a visual resource analysis. .

Thank you for making us aware of the proposed use of the CAP corridor as a long-distance recreational trail. The designation of the CAP as a National Recreation Trail would be considered in the site specific impact analysis of any activity authorized by BLM that might affect the trail, including utility or disposal proposal in its vicinity.

We will continue to coordinate with the Bureau of Reclamation to ensure that our management actions take into consideration the long-term

operation of the Central Arizona Project aqueduct and its associated recreational uses.

**Public Comments (LR-27):**

**Comment:** The utility R-O-W that follows the CAP near the Bighorn Mts., should not be widened as it will negatively impact the viewshed. The utility R-O-W should not be widened to include the southeastern boundary of the AFNM. (Individual, New River, AZ - Comment: #972, letter #360)

**Comment:** Please note the CAP Trail has been a nationally designated recreation trail in the National Trail System since June 2003. The long-term goal is to use the right-of-way of the CAP from the California state line to Tucson, Arizona, for a 336-mile recreational trail. A portion of this trail is already under construction in Pima County and will represent a key link to major trails in Pima County and the Tucson metro area. The City of Scottsdale held a public meeting to discuss the trail system, bringing together representatives of several cities, the Bureau of Reclamation, the Central Arizona Water Conservation District, Arizona Dept. of Transportation, and Maricopa and Pima Counties. Designation and use of the proposed 1-mile wide CAP utility corridor and/or disposal of lands abutting the CAP could adversely affect this planned use. (Bureau of Reclamation, Glendale, AZ - Comment: #1515, letter #399)

**Public Concern (LR-28):**

*Comments were received addressing the use of BLM-managed land adjacent to the CAP right-of-way for a utility corridor. Commenters want construction, maintenance, and presence of utilities to be restricted to the downslope side of the CAP in order to protect the canal, water quality, and existing drainage patterns. Additionally, the Bureau of Reclamation suggests that they will deny any lateral encroachments within the CAP right-of-way and prefer right-angle crossings of the CAP.*

**Response (LR-28):**

Utility corridors are designed to constrain the locations of future utility proposals and are suitable to accommodate more than one type of

right-of-way or one or more rights-of-way which are similar, identical, or compatible. We understand that the facilities of the Central Arizona Project serve a critical role in sustaining the populations and economies of Phoenix, Tucson, and other communities. We will therefore coordinate closely with the Bureau of Reclamation in evaluating any proposals to site new utilities within the CAP corridor. We will also take into account your recommendation to site any new facilities in areas downslope of the canal, in order to reduce the possibility of damage from changes in natural drainage patterns. Specific impacts of right-of-way proposals would be analyzed in an appropriate level NEPA document at the time of the proposal. It is the policy of the BLM to collocate utilities as much as practical so as to minimize the environmental, social, and visual impacts of such actions. At the same time, it is the policy of BLM to modify, mitigate, or deny proposals that would have a deleterious affect on other utilities within an established utility corridor. It is the opinion of the Phoenix District that the facilities associated with the Central Arizona Project Canal (CAP) would be addressed and protected in the analysis and approval process associated with another utility within the proposed corridor. Use of BLM-managed land upslope of the CAP will include stipulations for authorized activities upslope of the CAP to ensure existing drainage patterns are not changed.

#### **Public Comments (LR-28):**

**Comment:** In addition, we respectfully request that use of BLM land adjacent to the CAP right-of-way for a utility corridor be restricted to the downslope (canal right, looking downstream) side. We have concerns that construction, maintenance, and the presence of utilities upslope of the CAP could result in damage to the canal itself, changes to the drainage patterns that could adversely affect the canal embankment, and degradation of CAP water quality. (Bureau of Reclamation, Glendale, AZ - Comment: #1509, letter #399)

**Comment:** On Page 278, section 2.9.3. Standard Operating Procedures, Bradshaw-Harquahala Planning Area, Utility and Transportation

Corridors and Communication Sites, the document explains how BLM designates utility corridors. The text states, in part, "A corridor is defined only if it contains or is planned for one or more of the following major facilities." These include electrical transmission facilities having a capacity of 115 kV or greater voltage, and significant canals that provide delivery of water to urban areas. We now understand BLM's rationale for designating our right-of-way as a utility corridor; however, use of the CAP for this purpose is in conflict with use of the corridor for the CAP. In constructing the CAP, we acquired private lands in fee specifically to eliminate conflicts with other uses and potential encroachment from other utilities. Our own policy is to deny lateral encroachments within our CAP right-of-way; we prefer right-angle crossings of the CAP. Consistent with right-of-way A-22075, any use of Reclamation right-of-way would require our approval and we anticipate we would not approve use of it for a utility corridor. (Bureau of Reclamation, Glendale, AZ - Comment: #1508, letter #399)

#### **Public Concern (LR-29):**

*An array of comments was received asking why only SR 74 and SR 69 are identified as having a specific one-mile wide corridor width. Respondents requests that all State highways be considered as corridors, with the understanding that there are corridors where a large distance, or a variable distance, separates the existing center of the right-of-way, and that the 1/4 mile on either side of the highway centerline is applied consistently for planning purposes.*

#### **Response (LR-29):**

Although each state highway in the planning area does not receive specific mention, all are regarded as transportation corridors. Thank you for pointing out that there are corridors where variable distances separate the existing center and widths of rights-of-way. State Routes 74 and 69, which connect Phoenix with the growing communities of Wickenburg and Prescott, are within the referenced Management Units, so they are discussed in conjunction with those management units. Other transportation corridors were specifically mentioned in other

management units, for example, in section 2.6.2.2.3.2 – Lands and Realty, we mention the transportation corridors along US 89, US 60, the Wickenburg Bypass and the CanaMex highway corridor.

**Public Comments (LR-29):**

**Comment:** Section 2.7.1 "Land Use Allocations", Page 212: "In response to a projected regional transportation demand, designate all State highway system routes (Interstate, U.S. routes, and Arizona State routes) as transportation corridors in the Bradshaw-Harquahala Planning Area. Specifically, facilities significant enough to be the basis for corridor designation are the following: natural gas and other pipelines at least 10 inches in diameter, electric transmission facilities accommodating 115 kV lines or greater voltage, and significant canals delivering water to urban areas." ADOT requests that BLM designate I-17 as transportation corridor in the AFNM planning area. ;' (Arizona Department of Transportation, Phoenix, AZ - Comment: #1442, letter #397)

**Comment:** Section 2.6.2.2.2 Lands and Realty, Castle Hot Springs MU, Utility and Transportation corridors: Page 180: The sentence "All State highway system routes would be designated as transportation corridors, including a new 1-mile-wide corridor along SR 74, 1/2 mile on either side of the highway centerline." needs clarification. ADOT would like to know why only SR 74 (and SR 69) is identified as having a specific one-mile wide corridor width. ADOT requests that all State highways be considered as corridors, with the understanding that there are corridors where a larger distance, or a variable distance separates the existing center of the right-of-way, and that the 1/4 mile on either side of the highway centerline is applied consistently for planning purposes. (Arizona Department of Transportation, Phoenix, AZ - Comment: #1438, letter #397)

**Public Concern (LR-30):**

*Respondent feels more study is needed to determine impact of a utility corridor near*

*Bumble Bee/Crown King Road on riparian areas.*

**Response (LR-30):**

Utility Corridor decisions in an RMP are designed to constrain future utility proposals by limiting development to certain areas. Impacts resulting from a proposed utility would be analyzed and mitigated at the time of the proposal. It is impossible to assess impacts of future proposals without specific information regarding the type, size, location, and other specifics of the proposal. Generally we seek to avoid impacts to riparian areas. Any proposal for a new utility line would include analyses of potential impacts on riparian zones and project design or mitigation measures that could be implemented to avoid or reduce impacts.

**Public Comments (LR-30):**

**Comment:** have an additional concern aside from the monument of the proposed utility corridors and the impact on riparian areas in the Bumble Bee/Crown King Road area and feel that although I know we have done many planning meetings - many people are not aware of this proposal and would object. I feel more study is needed in this area. (Individual - Comment: #312, letter #171)

**Public Concern (LR-31):**

*Commenter feels BLM should evaluate the impacts of corridors in the monument to corridors outside the monument through a landscape-scale cumulative impact analysis.*

**Response (LR-31):**

There are no rights-of-way or corridors proposed in the AFNM. Any new right-of-way actions west of I-17 would require site specific NEPA analysis.

**Public Comments (LR-31):**

**Comment:** Since this is a rapidly growing area, there will be significant pressure on the BLM to grant rights-of-way to growing utilities. If new ROWs are proposed for the Monument, it should be only as a last resort because the alternative is to create a new corridor/ROW outside the

Monument that would impact previously undisturbed area, such as wilderness-quality lands or critical wildlife habitat. This would require BLM to perform a landscape-scale cumulative impact analysis and make a decision considering landscape-level effects.

Recommendation: We recommend that the BLM evaluate all of the impacts described above, and compare them in a cumulative impact analysis to evaluate the best manner to have the least impact possible. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2268, letter #343)

**Public Concern (LR-32):**

*Respondent wants to know what the centerline is for the Central Arizona Project Hayden-Rhodes Aqueduct (formerly Granite Reef Aqueduct).*

**Response (LR-32):**

The Utility Corridor in the No Action Alternative (Alternative A) is centered on the Central Arizona Project canal and extends ½ mile either side of the canal.

**Public Comments (LR-32):**

**Comment:** 1. Page 44, section 2.2.2.2. Alternative A Bradshaw-Harquahala Planning Area, Lands and Realty, Utility and Transportation Corridors and Communications Sites. a. Table 2-1. Use Corridors within Lower Gila North Planning Area. This table indicates 8LM has designated the Central Arizona Project Hayden-Rhodes Aqueduct (formerly Granite Reef Aqueduct), as a multiple-use corridor with a width of one mile. This would be retained under Alternative A, the No Action alternative. Upon what center line is this 1-mile width based: 1/2 mile on either side of the aqueduct, 1 mile north of the aqueduct, or 1 mile south of the aqueduct? (Bureau of Reclamation, Glendale, AZ - Comment: #1507, letter #399)

**Public Concern (LR-33):**

*Several comments request BLM to identify administrative or management actions for transportation corridors and facilities, as are provided for utilities and communications facilities.*

**Response (LR-33):**

Section 2.13— Interrelationships, has been modified to acknowledge the relationship between BLM, ADOT, and FHWA as outlined in Memorandum of Understanding (MOU) No. AZ-931-0309 AMENDMENT #2, signed March 21, 2006.

**Public Comments (LR-33):**

**Comment:** 10. Chapter 2, Section 2.7 .i- Management Common to Both Planning Areas, "Land Use Allocations", Page 212: The DEIS states BLM has designated all state highway routes as transportation corridors within the BHRP A. However, no administrative or management actions are identified for transportation corridors, as are provided for utilities and communication facilities. [We encourage BLM to identify such actions for transportation facilities within the BHRP. (Federal Highway Administration, Phoenix, AZ - Comment: #1426, letter #162)

**Public Concern (LR-34):**

*Respondents are elated to read that "sufficient utility and transportation corridors are proposed in all alternatives to meet increasing energy demands for urban expansion in Central Arizona."*

**Response (LR-34):**

During scoping and throughout plan preparation, we contacted utility companies in the region to get input on their possible needs to meet future demand. The utility and corridors analyzed and reflected in the Proposed Alternative reflect those meetings and the input we have received since.

**Public Comments (LR-34):**

**Comment:** We are glad to read in the report that "sufficient utility and transportation corridors are proposed in all Alternatives to meet increasing energy demands for urban expansion in Central Arizona". Most of the people in the Phoenix metropolitan area that value these BLM lands for their open space and recreation opportunities, place even greater value on their lights, air conditioners and automobiles, and

these corridors need to be readily available when needed for additional transmission line and pipeline facilities. (Individual, Phoenix, AZ - Comment: #474, letter #204)

**Public Concern (LR-35):**

*Respondent opposes the widening of the Belmont Mountain Utility Corridor.*

**Response (LR-35):**

The widths of this corridors allows for flexibility in the siting of specific utilities. The increased width also could accommodate new energy demands associated with urban expansion, yet it is possible that the entire corridor width would not be allocated to the construction of new utilities. Any new right-of-way actions would require site specific NEPA analysis to analyze effects on visual, natural, and cultural resources, as well as cumulative impacts from multiple utility.

**Public Comments (LR-35):**

**Comment:** Further, the TAC opposes Alternative E regarding the widening of the Belmont Mountain Utility Corridor. This routing was sold to the community by Arizona Public Service as a safety and reliability leg for the energy needs of the Town of Surprise and metro Phoenix. The narrow corridor is adequate for that defined need. The right of way width shown in Alternative D should be maintained. (Tonopah Area Coalition, Tonopah, AZ - Comment: #1119, letter #347)

**Public Concern (LR-36):**

*Commenters suggested that the statement found in alternative A “Small utility distribution systems would continue to be developed on an as-needed basis throughout the planning area. These small distribution systems would include all uses such as electrical lines, gas and water pipelines, and access roads, These distribution systems would be authorized when consistent with environmental and land use considerations” be included in all alternatives. Commenters would also like BLM to add the statement to the values and plans of the surrounding communities.”*

**Response (LR-36):**

The provision for continued issuance of these types of Land Use Authorizations is included in the Common to All section 2.7.1.2 under the Land Use Allocation called Land Use Authorizations.

**Public Comments (LR-36):**

**Comment:** 6.Alternative A - Pages 44 & 45, 2.2.2.2 Lands and Realty, Utility and Transportation Corridors and Communication Sites: “All alternatives should include this statement from Alternative A: Small utility distribution systems would continue to be developed on an as-needed basis throughout the planning area. These small distribution systems would include all uses such as electrical lines, gas and water pipelines, and access roads. These distribution systems would be authorized when consistent with environmental and land use considerations.” Please add the following to the above statement, as well as the values and plans of the surrounding communities.” (Black Canyon Trail Coalition, In, Black Canyon City, AZ - Comment: #1272, letter #280)

**Public Concern (LR-37):**

*Respondents request that the final Plan identify Castle Hot Springs Road as a public roadway in which the BLM will grant additional rights-of-ways to make the road a dedicated public right-of-way.*

**Response (LR-37):**

The action of dedicating a road as a “public roadway” is an action of the local government, either county or city. BLM has issued rights-of-way to Maricopa and Yavapai Counties for Castle Hot Springs Road and can issue whatever rights-of-way are needed, if they are requested. However, it is not within BLMs jurisdiction to dedicate a public roadway.

**Public Comments (LR-37):**

**Comment:** We recently met with the City of Peoria and have had several meeting with Bureau of Land Management (BLM) representatives to determine the right-of-way status of, Castle Hot Springs Road. We own the

private land in 'the south V2 of Section 26, T7N, R1W and need to establish legal access to the property. The paved portion of Castle Hot Springs Road ends south of our site but the graded portion of Castle Hot Springs Road continues through and north of our site. Our consultant, Christine Sheehy, we met with Kris Luna and Angela Manuel of the City of Peoria regarding the right-of-way status of Castle Hot Springs Road. We are still in the process of reviewing legal descriptions and maps to determine the right-of-way status of Castle Hot Springs Road from our site to Highway 74. We may still need to obtain right-of-way from the BLM on some portions of Castle Hot Springs Road, which we hope BLM will entertain. We respectfully request that the final AFNM/Bradshaw-Harquahala Plan identify Castle Hot Springs Road as a public roadway in which the BLM will grant additional rights-of-way to make Castle Hot Springs Road a dedicated public right-of-way. (Peoria Holdings, LLC, Scottsdale, AZ - Comment: #1413, letter #390)

**Public Concern (LR-38):**

*Respondents felt no further development should occur in power line ROW that crosses the central eastern portions of Perry Mesa.*

**Response (LR-38):**

We are not considering a utility corridor along that ROW and we currently have no application for additional facilities within this right-of-way. No utility corridors will be designated across Perry Mesa or other areas of the national monument, as new utility lines could adversely affect scenic qualities and other monument values. However, the Proclamation respects valid existing rights, which include authorized rights-of-way for the operation and maintenance of existing utility lines. Maintenance activities will be monitored to ensure that they do not adversely affect monument values.

**Public Comments (LR-38):**

**Comment:** The siting of utility corridors can lead to loss or fragmentation of habitat, soil disturbance, encroachment of invasive plant species, reduction of wild and scenic character,

and increased human disturbance, among other impacts to monument objects. In addition, the cumulative impacts of facility construction, increased roadway use, and regular maintenance activities can significantly impair monument objects. As a result of these impacts, no new rights-of-way should be granted within the monument's utility corridor. (Sierra Club Southwest Regional Office, Phoenix, AZ - Comment: #1822, letter #340)

**Comment:** No further development should occur in the powerline rights-of-way that cross the central and eastern portions of Perry Mesa. These rights-of-way impact important biological, cultural, recreational, and other resources both inside and outside the monument. (Friends of the Agua Fria National Monument, Glendale, AZ - Comment: #2117, letter #339)

**Public Concern (LR-39):**

*Comments were received addressing the multi-purpose utility corridor proposed in Alternative E. The respondents feel the corridor could be further improved to accommodate additional types of co-existing multiple uses. Additionally, consideration should be given to widening the existing multi-use corridor from the west boundary of the current proposed Phoenix Lateral pipeline centerline.*

**Response (LR-39):**

We reviewed relevant new information regarding the Black Canyon Utility Corridor provided by the Transwestern Pipeline Company and have revised the corridor location accordingly. The new location overlaps the corridor analyzed in the Draft RMPs/Draft EIS and is in the same ecological types and same general area. Analysis conducted in our review indicates the location portrayed on Map 2-79 and described in section 2.6.2.2.1.2 of our Proposed RMPs/Final EIS is not a substantial change from that analyzed in the Draft RMP/Draft EIS and better achieves the reasons for designating utility corridors in resource management plans.

**Public Comments (LR-39):**

**Comment:** We [Transwestern Pipeline Company] believe that the Preferred Alternative (Alternative E), recommended for the establishment of a multi-purpose utility and transportation corridor that extends one to two miles west of the centerline of I-17, could be further improved to accommodate additional types of coexisting multiple uses. The proposed corridor described in Alternative E may not effectively or efficiently accommodate the varied types of utilities that may utilize the multi-use corridor. (Transwestern Pipeline, Houston, TX - Comment: #1495, letter #383)

**Comment:** Consideration should be given to widening the existing multi-use corridor from the west boundary of the current proposed Phoenix Lateral pipeline centerline. This would allow for accommodation of future underground utilities and provide the opportunity to locate future facilities such that they can be installed, operated, accessed and maintained with increased safety and minimized environmental impact that may not be available if only the current proposed multi-use corridor is utilized. (Transwestern Pipeline, Houston, TX - Comment: #1498, letter #383)

**Public Concern (LR-40):**

*Respondent questions whether Map 2-13 is inconsistent with Map 2-20.*

**Response (LR-40):**

Map 2-13 shows only the utility corridor within the Agua Fria National Monument, while Map 2-20 show the corridors only within the Bradshaw-Harquahala Planning Area. The maps are not inconsistent; however the omission of data not relevant to the particular maps may give that appearance. The versions of these maps in the Proposed RMP/ final EIS show all corridors within both planning areas so their relationships can be discerned.

**Public Comments (LR-40):**

**Comment:** 8. Chapter 2, Section 2.3.2.1.1., Page 60: The discussion of utility and transportation corridors refers to Map 2-20, which shows the

Black Canyon multi-use corridor as being restricted to the west side of I-17. Is there an inconsistency between Maps 2-13 and 2-20? (Federal Highway Administration, Phoenix, AZ - Comment: #1423, letter #162)

**Public Concern (LR-41):**

*Respondents request that BLM remove route building prohibitions in the Vulture Mountain ACEC and replace them with no highway transportation corridors allowed, while also creating a ½ mile buffer zone to protect nesting wildlife and to differentiate OHV transportation from highway transportation.*

**Response (LR-41):**

We believe that the management actions as listed for the Vulture Peak ACEC provide the best opportunities to achieve the desired future condition. Those management actions are integral for the protection and maintenance of the habitat features for the raptors within the area. Potential new routes are a site specific implementation level decision and will be evaluated and decided as proposals are received. Consideration of no highway corridors was evaluated in the No Action Alternative, and we believe the best opportunity for future traffic planning is in the establishment of transportation corridors relative to the potential CanaMex and Wickenburg bypass proposals.

**Public Comments (LR-41):**

**Comment:** Hassayampa Management Unit 2.6.2.2.3.1 Special Area Designation page 187 Vulture Mountain ACEC This area has in the past been looked at for a high speed paved transportation corridor for highway traffic. We request that you remove any route building prohibitions ( that do not affect ACEC purpose) and replace with NO Highway Transportation Corridors allowed. Create a ½ mile buffer zone around peaks to protect nesting wildlife. This needs to differentiate Recreation (OHV) transportation from Highway type Transportation. (Arizona Off-Highway Vehicle Coalition, Phoenix, AZ - Comment: #1665, letter #261)

## 5.4.5 SOIL, AIR, AND WATER RESOURCES

### **Public Concern (WS-1):**

*Several comments were received suggesting BLM provide additional mitigation to vehicle routes in areas of highly erodible soils including additional closures or changing allocations or designations. Additionally, in AFNM, BLM should identify locations of highly erodible soils and adopt mitigation measures to avoid further impacts to impaired waters to reduce sediment load, especially in turbid streams.*

### **Response (WS-1):**

Additional mitigation for OHV routes in areas of highly erodible soils will be addressed as mitigation actions within specific Travel Management Plans. Our inventoried routes will be compared with Natural Resource Conservation Service soils data to determine if routes are located in areas with moderate to severe soil erosion hazard. The evaluation for routes in PM<sub>10</sub> non-attainment areas and routes with fugitive dust issues will be part of the route evaluation process.

Proposed mitigation actions (closure, seasonal restrictions, speed limits, change in use, surfacing, and surface treatments) will also be addressed as part of the adaptive management for Travel and Transportation Management. For example, if air quality issues reach unacceptable or noncompliant levels, then dirt or other non-surfaced routes creating the air quality problem or noncompliance could be closed to travel until route conditions change or are corrected.

Please see text changes under 2.7.2.10 and 2.7.3.8, mitigation discussions in section 4.25, and Appendix T.

### **Public Comments (WS-1):**

**Comment:** Incomplete sediment control measures. The methods of sediment control

associated with the closure of 69 miles of roads in the planning areas as described in Section 4.8.7: Alternative E could be improved. The roads are located in moderate to very severe potential soil erodibility areas. While the road closure will reduce soil disturbance, erosion, and compaction by OHV use, additional actions could further control soil erosion in these areas. The introduction of native vegetation to the closed roads would expedite the succession process and establish a community of rooted plants. Minimization of trampling by grazing livestock in the initial months after closure and planting would aid in the establishment of the plant community that collectively decrease soil loss to erosion. (Individual, Champaign, IL - Comment: #1896, letter #201)

**Comment:** The DEIS indicates that some road routes in the Monument that would be opened located in areas with high erodibility potentially (ranging up to very severe potential, p. 450). The DEIS does not indicate where these areas are located or whether all routes in high erodibility areas will be closed. Recommendation: In the FEIS, identify locations of high erodibility soils. If routes in these areas will be open, apply additional mitigation to reduce impacts from OHVs such as additional route closures, or changing land designations (from Front Country Recreation Management Zone (RMZ) to Back Country RMZ, for example). (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2178, letter #396)

### **Public Concern (WS-2):**

*Commenter suggests BLM provide information in FEIS regarding where most OHV emissions occur and how the information was gathered. BLM should estimate PM<sub>10</sub> emissions from OHV use if possible, and discuss how SRMAs will be managed to reduce air quality effects including fugitive dust. Management actions suggested include requiring permits or using gates, fences, and other barriers to exclude use on high pollution days.*

### **Response (WS-2):**

The suggested actions (gates, fences, signs, and other barriers) will become part of the adaptive

management in the Travel Management and Air Quality sections of the plan. This measure will allow BLM to curtail fugitive dust and PM<sub>10</sub> emissions during extreme air pollution forecasts.

Arizona and Maricopa County air quality rules are being revised to address methods for attaining air quality standards within the current nonattainment areas. BLM activities within the nonattainment area will be modified to conform with state and county air quality rules. Upon completion of the Resource Management Plan, a subsequent Air Quality Compliance Plan, which will constitute an implementation level plan, and environmental analysis will be conducted to determine the alternative and appropriate means to comply with those rules.

### **Public Comments (WS-2):**

**Comment:** The DEIS states that on a countywide basis, OHVs generate much fugitive dust and tailpipe emissions. Most of these emissions occur in remote areas and are unlikely to contribute to any meaningful regional air quality impacts affecting nonattainment or sensitive downwind area (p.457). The basis for this conclusion is not clear. Because Phoenix may not make its 12/31/2006 attainment date for PM<sub>10</sub> NAAQS, stricter measures may be warranted for the Phoenix area and it is possible that OHV use might be among the new sources regulated to control dust emissions. As such, more information should be provided in the FEIS to quantify estimated emissions where possible and justify conclusions of insignificance. Recommendation: Provide information in the FEIS regarding locations where most OHV emissions occur and how this information was gathered. Estimate PM<sub>10</sub> emissions from OHV use if possible, and discuss how SRMAs will be managed to reduce air quality effects including fugitive dust. Suggest controls could include the use of gates, fences, and other barriers to exclude use on high pollution days, or requiring permits to limit OHV use. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2181, letter #396)

### **Public Concern (WS-3):**

*Commenter feels the plan needs to say that all construction activities associated with the RMP, including ongoing maintenance, permitted activities, etc., utilize dust control measures. The FEIS should reference Maricopa County's dust control measures, some of which may apply even outside of the non-attainment area.*

### **Response (WS-3):**

Arizona and Maricopa County air quality rules are being revised to address methods for attaining air quality standards within the current nonattainment areas. BLM activities within the nonattainment area will be modified to conform to state and county air quality rules. Upon completion of the Resource Management Plan, a subsequent Air Quality Compliance Plan, which will constitute an implementation level plan and environmental analysis, will be conducted to determine the alternative and appropriate means to comply with those rules.

### **Public Comments (WS-3):**

**Comment:** The DEIS states that utilities permitted in the utility corridor would generate fugitive dust impacts and would implement dust control best management practices. EPA recommends all construction associated with the Resource Management Plan, including ongoing maintenance, permitted activities etc., utilize dust control measures. The FEIS should reference Maricopa County's dust control measures, some of which apply to all areas of the county, not just in nonattainment areas. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2182, letter #396)

### **Public Concern (WS-4):**

*Several commenters feel a complete analysis is required to determine if the emissions associated with the Federal action (both construction and operational emissions) are subject to the requirements for a formal conformity determination under 40 CFR 93, subpart B. The "applicability" analysis involves quantification of emissions caused by a Federal action that are generated within non-attainment or maintenance areas, that are reasonably foreseeable, and that the Federal agency can predictably control and*

*will maintain control over due to a continuing program responsibility. A formal conformity determination is then required for all such emissions that exceed de minimis thresholds set forth in the rule.*

**Response (WS-4):**

Recreational activities, road maintenance, prescribed burning and mining operations are among the emissions-generating activities that are reasonably foreseeable and over which the BLM may exercise control due to a continuing program responsibility. Recreational use of public lands within the planning areas includes horseback riding, hiking, camping, mineral mining, and OHV use. Of these uses, the greatest impact upon the Phoenix Metropolitan Area PM<sub>10</sub> nonattainment area is expected to be from OHV use.

The 2005 Periodic Emissions Inventory for PM<sub>10</sub> for the Maricopa County, Arizona Nonattainment Area included an estimated annual emission of OHV fugitive dust at 2,159 tons per year (Maricopa County Air Quality Department, May 2007). In order to quantify the contribution of OHV fugitive dust from public land use, the BLM plans to prepare an emissions inventory as part of developing an Air Quality General Conformity analysis and determination. The General Conformity analysis and determination will follow procedures set forth in 40 CFR 93, Determining Conformity of Federal Actions to State or Federal Implementation Plans. The Air Quality General Conformity analysis and determination is conducted at an implementation level and will comply with applicable County and State air quality rules, which are currently going through rule changes. Therefore, the conformity analysis and determination will be completed after the Record of Decision is signed, but before additional OHV activities are authorized. Upon signing the Record of Decision, no OHV or other activities that may contribute to or inhibit the County from reaching attainment will be authorized, except for those actions that may be typically excluded by regulation (such as at 40 CFR 93.158) until the conformity determination process is complete.

**Public Comments (WS-4):**

**Comment:** The General Conformity discussion in the DEIS, however, does not address any emissions-generating activities (other than those associated with land disposal), and the General Conformity rule does require an applicability determination by BLM for all emissions caused by the adoption and implementation of the RMP that are generated within nonattainment or maintenance areas, that are reasonably foreseeable, and that BLM can practicably control and will maintain control over due to a continuing program responsibility. A formal conformity determination consistent with the criteria set forth at 40 CFR 93.158 is required for any such emissions that exceed the applicable de minimis threshold.

**Recommendation:** A complete analysis is required to determine if the emissions associated with the Federal action (both construction, and operational emissions) are subject to the requirements for a formal conformity determination under the General Conformity rule codified at 40 CFR 93, subpart B. The "applicability" analysis involves quantification of emissions caused by a Federal action that are generated within nonattainment or maintenance areas, that are reasonably foreseeable, and that the Federal agency can practicably control and will maintain control over due to a continuing program responsibility. A formal conformity determination is then required for all such emissions that exceed de minimis thresholds set forth in the rule. Emissions-generating activities covered by the rule would presumably include, but not be limited to, construction of new facilities, OHV use, and prescribed burning caused by implementation of the RMP. In this instance, the applicable pollutants and geographic areas include CO emissions generated within the CO "maintenance" area, VOC and NOx emissions generated Within the 8-hour ozone nonattainment area, and PM-10 emissions generated within the PM-10 nonattainment area. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2184, letter #396)

**Comment:** The general conformity determination should include the correct de minimis levels. The applicable de minimis

thresholds are 100 tons per year for CO, 100 tons per year for 8-hour ozone precursors (VOC or NO<sub>x</sub>), and 70 tons per year for PM-10. Such an applicability determination (and conformity determination if necessary based on the applicability determination) must be completed for at least the alternative that BLM intends to select prior to BLM's action on the RMP. If the determination is completed before the FEIS is published, it should be included as an appendix to the FEIS. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2185, letter #396)

**Public Concern (WS-5):**

*Several comments were received concerning the 47 miles of riparian corridor in the Agua Fria National Monument. Commenters recommended that the BLM should take various actions to protect riparian segments that are not in proper functioning condition (PFC). Additionally, they recommend discussion of additional protections for Non-PFC segments and modifying the Preferred Alternative to include mitigations, such as removal of livestock or restrictions on OHV use in the Final Environmental Impact Statement (FEIS), BLM should Map or provide descriptive information regarding the location of riparian segments in the planning area that are not in proper functioning condition (PFC). Additionally, they recommend discussion of additional protections for Non-PFC segments and modifying the Preferred Alternative to include mitigations, such as removal of livestock or restrictions on OHV use.*

**Response (WS-5):**

The management objectives and prescriptions in this document are designed to achieve the Arizona Land Health Standards which will protect and restore riparian conditions. The condition of all riparian areas as determined by monitoring is presented in Appendix Q1 and Q2.

**Public Comments (WS-5):**

**Comment:** These (Non-PFC) segments (in Appendix Q1/Q2) should receive higher protections from livestock grazing, OHV use, road impacts, and mining impacts.  
**Recommendation:** Discuss additional protections

for these areas and modify the preferred alternative to include these mitigations. For example, if livestock are a cause of preventing attainment of PFC, year-round restrictions on grazing in these riparian areas should be implemented; if off-highway vehicle (OHV) use is implicated, stricter land designations should be associated with those areas, etc. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2170, letter #396)

**Comment:** I agree that riparian areas must be protected and that would require reduction in livestock grazing and OHV use. The high fecal coliform and turbidity levels found in the surface waters are probably caused by these uses of our public lands. The misuses by these entities also endanger the desert tortoise. (Individual, Mesa, AZ - Comment: #1156, letter #376)

**Public Concern (WS-6):**

*Commenter is concerned about changes to stream banks.*

**Response (WS-6):**

Bank alteration measurement includes all streambanks that are altered at the time of measurement. The allowable 25% bank alteration currently only applies to the five streams occupied by Gila chub, Gila topminnow and desert pupfish. Three of those 5 streams are inaccessible to both livestock and vehicles. The 25% threshold was based on the methods described in the Biological Assessment and agreed upon in consultation with the U.S. Fish and Wildlife Service. This threshold is included as a Term and Condition in the Biological Opinion for Silver Creek and Indian Creek [02-21-03-F-0409-R1, November 2, 2006].

**Public Comments (WS-6):**

**Comment:** Concerning Section 2.7.1.4 Page 217, column 1 3rd paragraph, commenter stated, "Stream bank alteration...would be limited to 25 percent annually Comment This could result in nearly all of the stream banks being altered in just a few years." (The State of Az Game and Fish Department, Phoenix, AZ - Comment: #1377, letter #401)

**Public Concern (WS-7):**

*Respondents strongly support management that prohibits surface water diversions and groundwater pumping that removes water from the monument or adversely affects values, but would also like to add "Water diversions and groundwater pumping that removes water should not adversely affect the surrounding communities."*

**Response (WS-7):**

The Monument Proclamation established a Federal reserved water right which mandates BLM to secure legal entitlement to a quantity of water sufficient to protect the water-dependant values within the monument. The referenced management action is intended to protect that water right. BLM has no authority to limit water use that might "adversely affect the surrounding communities" outside of the National Monument or on other non-public lands and cannot add that statement to our Resource Management Plan. Authority for allocation and adjudication of water use rests with the Arizona Department of Water Resources. However, when BLM receives a request to drill a well or develop water on or across the public lands, it is required by the NEPA process to address all impacts associated with authorizing an action, including any impacts to water use on surrounding areas; and any decision made by BLM is a protestable action.

**Public Comments (WS-7):**

**Comment:** 10. Public comment and concern not addressed in any alternative but needs to include in all applicable management actions: As stated in the Agua Fria section of these comments, please add the statement that, "water diversions and groundwater pumping that removes water should not adversely affect the surrounding communities." (Individual, Black Canyon City, AZ - Comment: #1339, letter #282)

**Comment:** Management Common to All Action Alternatives - Page 233. 2.7.2.4 Soil, Air, and Water resources. -We absolutely support this Management Action to prohibit surface water diversions and groundwater pumping that

removes water from the Monument or adversely affects the Monument's values. -Please change the statement, "water diversions and groundwater pumping that removes water from the Monument and adversely affects the Monuments values " to also include, "and should not adversely affect the surrounding communities". (New River/Desert Hills Community Association, Phoenix, AZ - Comment: #1528, letter #393)

**Public Concern (WS-8):**

*Commenters suggest that the FEIS should provide information about all CWA Section 303(d) impaired waters and efforts to develop Total Maximum Daily Loads in the project area, as well as discuss existing restoration and enhancement efforts for those waters and how the project will coordinate with these efforts.*

**Response (WS-8):**

The only 303(d) water in the Agua Fria Watershed is Turkey Creek on the Prescott National Forest. The only 303(d) water on BLM-managed lands in the planning areas is French Gulch, a tributary to the Hassayampa River. The causes of non-attainment are historic mining related and would not be affected by decisions in this document. Nevertheless, we will continue to work with the Arizona Department of Water Resources, other agencies and partners to monitor water quality in selected streams and to avoid actions that could contribute to violations of water quality standards.

**Public Comments (WS-8):**

**Comment:** The Clean Water Act (CWA) requires states to develop a list of water segments which do not or are not expected to meet applicable water quality standards, establish a priority ranking of those segments, and develop action plans called Total Maximum Daily Loads (TMDLs) to improve water quality. The DEIS states that surface water quality in the planning area has been determined by the Arizona Department of Environmental Quality (ADEQ) in most cases to be impaired, containing pollutants above EPA standards, and that turbidity, arsenic, and fecal coliforms are

the most common pollutants contributing to these impaired streams (p. s-xiii). The DEIS also states that prescriptions for soil, air, and water resources would protect water quality to meet Federal and State standards for designated uses (p. 475). The DEIS does not discuss CWA 303(d) listing in the project areas, whether TMDLs have been established for those water bodies, how the proposed project will coordinate with existing protection efforts, and what impact the proposed project might have on meeting CWA Section 303 goals. Recommendation: The FEIS should provide information about all CWA Section 303(d) impaired waters and efforts to develop TMDLs in the project area, existing restoration and enhancement efforts for those waters and how the project will coordinate with these efforts. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2172, letter #396)

**Public Concern (WS-9):**

*Respondent feels that Browns Canyon should not qualify as a riparian area and should be exempted under Standard 2 as outlined under Arizona Standards for Rangeland Health and Guidelines.*

**Response (WS-9):**

Browns Canyon meets the Bureau definition of riparian contained in Technical Reference 1737-9 (1993). Neither the presence of the silted in dam nor the seasonal nature of the stream preclude its classification as riparian. The presence of vegetation dependent upon free water in the soil is evident.

**Public Comments (WS-9):**

**Comment:** We do not see how Browns Canyon qualifies as a riparian. This riparian area is artificially created as a result of a man made dam, under Section 4 permit #A3-4-339 and State water claims #38-18063. The dam is 6' high and 70' long and the water was stated as seasonal. We feel this is exempted under Standard 2 as outlined under Arizona Standards for Rangeland Health and Guidelines for Grazing Administration. (Individual, Kingman, AZ - Comment: #1176, letter #352)

**Public Concern (WS-10):**

*Respondent is concerned about the mechanized water development that is proposed under Alternatives A and E. The ADEQ and ADWR groundwater data bases failed to locate wells within a 5 mile radius of T 91/2, R 3E, S 29.*

**Response (WS-10):**

Site-specific planning, evaluation, and implementation of potential management actions are beyond the scope of this RMP and are addressed through the use of individual, site-specific plans. This comment will be forwarded for use in the allotment planning for the individual grazing allotment referenced.

**Public Comments (WS-10):**

**Comment:** Under Alternative E, grazing would continue in the uplands. Considering the current drought conditions, it is reasonable to presume that holders of grazing allotments will want to add tanks and deepen wells that supply them or supply the 10,000 gallon tanks. A search of the ADEQ and ADWR groundwater data bases failed to locate wells with a 5 miles radius of T 91/2, R 3E, S 29, the afore mentioned Joes Hill Quadrangle. There has been a referral to depth to water in wells at ranches in the Agua Fria River Corridor but no data for the upland wells. Water retention is mentioned through out the AGNM/Bradshaw Management Plan. Accomplishment of that seems to be transportation route planning and livestock management on various classes of soils. Juggling these considerations using Arizona Standards for Rangeland Health and Guidelines for Grazing Administration, Standard One: Upland Sites with regard to the Alternatives, Volume 1, page 209; Alternatives A and E would allow for mechanized water development. (Sonoran Audubon Society - Comment: #1246, letter #287)

**Public Concern (WS-11):**

*Numerous comments were received concerning BLM's role in protecting the quality and supply of water resources in the monument, as water is vital to the well being of many monument objects. Commenters feel BLM should proactively protect water resources and riparian*

*areas, as they are crucial to sustainability in the desert. Further, it is suggested that the Bureau maintain close coordination with the Arizona Department of Water Resources as we develop strategies to implement water and water right related measures.*

**Response (WS-11):**

The Agua Fria National Monument Proclamation created a federal reserved water right upon establishment of the Monument. The provisions of section 2.7.2.3 are designed to identify, quantify and notify the Arizona Department of Water Resources of that reserved water right.

**Public Comments (WS-11):**

**Comment:** Riparian ecosystems in the southwest are some of the most endangered ecosystems in our country. The BLM should do everything possible to protect this habitat from any further destruction, (Individual, Prescott, AZ - Comment: #818, letter #157)

**Comment:** The Arizona Department of Water Resources has reviewed the "Agua Fria National Monument and Bradshaw-Harquahala Draft Resource Management Plan and Draft Environmental Impact Statement" and we submit the following comments. Pursuant to statute: 'the director [Department of Water Resources] has general control and supervision of surface water, its appropriation and distribution and of groundwater to the extent provided by this title, except distribution of water reserved to special officers appointed by courts under existing judgments or decrees' - ARS 45-103 As described in the subject draft RMP/EIS, the Bureau would, under all action alternatives: 'Identify, quantify and secure legal entitlement to all existing water sources on the public lands and seek to acquire water rights, when possible, to ensure water availability to meet multiple-resource needs. Assert Federal reserved water rights, where suitable, in Agua Fria National Monument and five wilderness areas to secure water for the purpose of the reservations'. -RMPs/EIS at 214 I suggest that the Bureau maintain close coordination with the Department as it develops strategies to

implement water and water right related measures. (ADWR - Comment: #846, letter #296)

## **5.4.6 BIOLOGICAL RESOURCES**

**Public Concern (TE-1):**

*Respondents request protection of habitat for sensitive or threatened animals and plants, creation of wildlife corridors, and acknowledgement of long-term sustainable uses of wildlife populations.*

**Response (TE-1):**

The BLM believes these concerns are addressed in the Proposed Plan.

**Public Comments (TE-1):**

**Comment:** Pronghorn, desert tortoise, and other creatures are suffering due to encroaching human impacts; I want the BLM to protect the habitat of sensitive or threatened animals and plants. (Individual, Prescott, AZ - Comment: #838, letter #310)

**Comment:** Ideally, you will work to connect these areas with others where ever possible and create designated wilderness wildlife corridors that are true "wells of nature" and reflect the current science associated with the original purpose of legislation that created the park service and made America a world leader in progressive thinking. (Individual, Laveen, AZ - Comment: #795, letter #305)

**Public Concern (TE-2):**

*Respondent is concerned that Section 4.11.10 does not discuss impacts to biological resources from mining for landscape boulders.*

**Response (TE-2):**

The impacts to biological resources from minerals management including mineral material sales are evaluated on a case-by-case basis. As stated in section 4.11.10, impacts would be mitigated and avoided to the extent allowable by regulation. Due to mitigation,

BLM contributions to cumulative impacts are expected to be negligible.

**Public Comments (TE-2):**

**Comment:** Concerning Section 4.11.10 Page Pages 498 to 499, commenter stated, “Does not discuss impacts to Biological resources from mining for landscape boulders.” (The State of Az Game and Fish Department, Phoenix, AZ - Comment: #1398, letter #401)

**Public Concern (TE-3):**

*Commenter believes the Biological Resources section should contain more emphasis on wildlife in general. At a minimum, this section should include game species and the State's Special Status Species.*

**Response (TE-3):**

The Biological Resources and Wildlife and Fisheries sections of the Executive Summary have been rewritten to more closely reflect the plan contents. Management of game species and the state’s special status species are addressed in detail in Section 2.7.1.4.

**Public Comments (TE-3):**

**Comment:** Concerning Executive Summary Page s-xiii, Biological Resources, commenter stated, “The most sensitive wildlife species... Comment The Biological Resources section should contain more emphasis on wildlife in general. At a minimum this section should include game species and the State's Special Status Species.” (The State of Az Game and Fish Department, Phoenix, AZ - Comment: #1357, letter #401)

**Public Concern (TE-4):**

*Commenter wants the final RMP to maintain:*

- *Reasonable vehicle based motorized access on existing roads and trails*
- *A continuation of dispersed vehicle based undeveloped camping without designated sites*
- *No obstacles presented to active wildlife management and conservation activities*

**Response (TE-4):**

The Phoenix District believes the Proposed Plan meets the commenter’s expressed desires very well. Wildlife management and conservation activities will continue to be conducted in ways that meet the BLM and AGFD wildlife management objectives.

**Public Comments (TE-4):**

**Comment:** For the record we (ADBSS) would hope that the final RMP would maintain 1) reasonable vehicle based motorized recreational access on existing roads and trails, 2) a continuation of dispersed vehicle based undeveloped camping without designated sites and 3) no obstacles presented to active wildlife management and conservation activities. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2148, letter #342)

**Public Concern (TE-5):**

*Commenters want the Preferred Alternative to be reasonable, consistent with a “conservation” approach and reflect the “mutual agreement” of AGFD.*

**Response (TE-5):**

We believe the Preferred Alternative is reasonable and complies with laws, Presidential Proclamation, and regulations that govern management of public lands, especially the Federal Land Policy and Management Act. We will continue to work very closely with the AGFD. The Statewide Memorandum of Understanding between BLM and AGFD should help to further define our working relationships.

**Public Comments (TE-5):**

**Comment:** The preferred alternative must be reasonable, consistent with a conservation approach, and reflect the mutual agreement of the AGFD (Yuma Valley Rod and Gun Club, Inc, Yuma, AZ - Comment: #1067, letter #163)

**Public Concern (TE-6):**

*Respondents want AGFD to manage wildlife, including wildlife dependent recreation, and BLM and AGFD should continue to conduct cooperative wildlife management.*

**Response (TE-6):**

The separation of responsibilities between BLM and Arizona Game and Fish Department (AGFD) is usually along the lines of BLM managing wildlife habitat and the AGFD managing wildlife populations. As for “wildlife dependent recreation,” FLPMA gives BLM authority to manage recreation on BLM-managed lands. In the case of hunting and fishing, the AGFD issues licenses for the take of game, but BLM is responsible for managing the “recreation” part of the activity. In other words, FLPMA gives BLM the authority to determine where people can camp, where they can drive, what modes of travel might be allowed, place limits on seasons people might be allowed into an area, limits on group sizes, determination of areas for day use only, or impose other management limitations or restrictions to meet land use goals for an area. The fact the recreation activity is wildlife based does not exempt it from BLM’s responsibilities under FLPMA.

The separation of wildlife management responsibilities between BLM and AGFD make it imperative that BLM and AGFD work together cooperatively to achieve the optimum benefit for wildlife. Due to our different missions, that is not always easy or straight forward. The multiple-use mission given BLM by FLPMA doesn’t allow BLM to always place wildlife management above other public land uses. Recreation is currently an important use of public lands and one that is in high demand in Central Arizona. Wildlife management activities are not always compatible with recreation use or management. BLM will continue to work closely with AGFD to find the best solutions for both meeting our multiple use mandate and optimizing conditions for wildlife. The Statewide Memorandum of Understanding between BLM and the AGFD is an important tool in defining that working relationship.

**Public Comments (TE-6):**

**Comment:** BLM should manage the land, the Game and Fish Department should manage wildlife, wildlife dependent outdoor recreation

including hunting. Cooperative wildlife management activities should continue between the Department and the Bureau of Land Management. (Yuma Valley Rod and Gun Club - Comment: #2051, letter #150)

**Comment:** Elements the Arizona Antelope Foundation supports in the management of AFNM include: Coordinate with AGFD on hunting and fishing policies to ensure public safety, especially if there are areas of increased visitor use. (The Arizona Antelope Foundation, Phoenix, AZ - Comment: #2004, letter #273)

**Public Concern (TE-7):**

*Respondents are concerned that impacts to wildlife water developments or other activities for wildlife management may be impacted by various land allocations, such as TMAs, RMZs, and ACECs. They would like to see an accurate analysis of these impacts and clarify language to indicate these actions will not be impeded.*

**Response (TE-7):**

Section 2.7.1.4 describes a number of wildlife management activities that could be implemented as well as management common to all areas that emphasizes the role of wildlife management. However, the list in Section 2.7.1.4 are not intended to be exhaustive and additional Arizona Game and Fish Department proposed activities would be addressed in the future as appropriate. In any case, all proposals that might have an impact to natural or physical resources will require future site-specific environmental analysis appropriate to the activity and area proposed.

**Public Comments (TE-7):**

**Comment:** We (ADBSS) are particularly concerned with realizing the impacts to wildlife water developments within the various TMA's and RMZ's and would like to see an accurate analysis provided in the final RMP. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2147, letter #342)

**Comment:** The DRMP should more clearly identify that special species ACEC's and various special species management and administrative

actions do not inhibit or impede activities benefiting other wildlife species. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2144, letter #342)

**Public Concern (TE-8):**

*Commenters oppose predator control as an issue in the RMPs and feel analysis was not adequate because it did not reference the 1999 predator environmental assessment (completed by Animal Plant and Health Inspection Service (APHIS)). They note that the document doesn't recognize the legal authorities of wildlife services for predator control, at either the Federal or State levels, and request that the discussion be modified as it is currently in violation of a 1995 MOU between BLM and APHIS. Additionally, the document used an old name and failed to invite APHIS Wildlife Services as a Cooperating Agency.*

**Response (TE-8):**

Predator control was not an issue in the RMPs/EIS. It was mentioned only in the No Action Alternative, (Alternative A) which was made up of decisions from previous, (often obsolete) decision documents. This was not carried forward into either the Preferred Alternative (Alternative E) or in the Common to All Sections, so it will be vacated in the final version of our plan.

Additionally, the old name was used because the referenced decision came directly from a decision document written before the name change and APHIS Wildlife Services was not invited as a Cooperating Agency because predator control was not an issue, and because inclusion of it in the RMPs/EIS would violate the 1995 MOU between our agencies. The request to be a Cooperating Agency has been forwarded to the BLM Arizona State Office for formal consideration.

Alternative A does not reference either the MOU or EA mentioned because the decisions in Alternative A predate both the MOU and the EA. However, the language you suggest describes a management interrelationship between BLM and APHIS-WS that is

appropriate to include in the document section 2.13 – Interrelationships. That section was modified to include the language you suggested.

**Public Comments (TE-8):**

**Comment:** The BLM specifically identifies the need to "Modify existing agreements with the Animal and Plant Health Inspection Service (APHIS) animal damage control, specifically targeting individual predators rather than predator populations." The inclusion of predator management in the draft EIS specifically in relation to WS is in violation of the 1995 Memorandum of Understanding between the BLM and WS. In the MOU, it was agreed upon that WS would complete the NEPA documents and decision records on activities related to predator control primarily for livestock protection on BLM lands. WS completed an environmental assessment (EA) for predator work on public lands in 1999. The BLM would complete NEPA compliance for nonpredator wildlife damage management activities initiated by BLM to protect natural resources and facilities. (U.S. Department of Agriculture, Phoenix, AZ - Comment: #1501, letter #271)

**Comment:** I am requesting that the discussion to modify "Animal Damage Control" documents be removed as an issue for consideration or be treated as common to all alternatives with the following language: "Animal Damage Control will be conducted by APHIS- WS consistent with the national Memorandum of Understanding between BLM and APHIS-WS. Planning of wildlife damage management will include consideration of BLM resources, including wilderness and roadless areas. APHIS-WS is responsible for NEPA compliance on wildlife damage management projects they conduct. Wildlife damage management may also be conducted by the State of Arizona or their designee, consistent with the creation of the national monuments." (U.S. Department of Agriculture, Phoenix, AZ - Comment: #1505, letter #271)

**Public Concern (TE-9):**

*Commenter recommends making changes to the Preferred Alternative to provide additional*

*protections for resources, including riparian areas, air quality, and wildlife.*

**Response (TE-9):**

We believe the plan addresses your concerns.

**Public Comments (TE-9):**

**Comment:** Based on our review, we have rated the DEIS as Environmental Concerns - Insufficient Information (EC-2) (see enclosed "Summary of Rating Definitions"). EPA is concerned with the health of riparian resources in the planning area, including water quality and soils, and with impacts to air quality from OHV use in areas that currently do not meet air quality standards for particulate matter less than 10 microns (PM10). We are also concerned that the resource management plan predicts resource conditions to deteriorate somewhat in the long term as recreation continues to increase in the planning area. While land protections and recreation management actions will help reduce impacts, the cumulative impacts from growth in the Phoenix area might offset the benefits from these management actions. Because of these traits, EPA recommends several changes to the Preferred Alternative to provide additional protections for resources, including riparian areas, air quality and wildlife. (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2167, letter #396)

**Public Concern (TE-10):**

*Respondents feel that Chapter 3 should include detailed descriptions of the habitat requirements for each special status species, delineate this habitat in the planning area, and discuss current population status and trends, especially as the habitat conditions and population trends may be affected by actions in the planning area. The EIS should describe desired future conditions specific to each special status species' habitat requirements, and actions for achieving these. Wildlife species of concern should include not just threatened and endangered species and special concern species, but also all monument objects.*

**Response (TE-10):**

The Resource Management Plans are a landscape-level plan, and analysis is conducted at a landscape level. At that level it is often difficult or impossible to derive specific quantified impacts. Actions required to implement the plan would receive more detailed scrutiny and environmental analysis that could more specifically address possible effects to biological resources and specific wildlife populations.

An additional table describing special status species occurrence and habitat use in the planning areas has been added as Appendix U. Riparian habitat condition data is presented in Appendix Q1 and Q2.

Analysis in Chapter 4 has been expanded to describe how various types of activities can impact biological resources relative to the proposed action.

**Public Comments (TE-10):**

**Comment:** The Draft RMP describes a number of actions that impact special status species in the planning area in Chapter 4, including roads, livestock grazing, habitat fragmentation and disturbance, vegetation treatments, and recreation. The fact that these actions would occur under all alternatives requires a rigorous environmental analysis of effects to special status species in the EIS. The draft RMP/EIS should provide detailed information about habitat requirements, baseline information on current habitat conditions, and the desired future conditions for all special status species. The effects analysis in the DEIS is inadequate, providing in many cases only generalities and assumptions, rather than clear directions and baseline data. Habitat requirements: Chapter 3: Affected Environment should include detailed descriptions of the habitat requirements for each species, delineate this habitat in the planning areas, and discuss current population status and trends, especially as the habitat conditions and population trends may be affected by actions in the planning area. While some general information is provided for some species, it is completely lacking for others. For example, the only information provided for game species is a list of whether the species is present, including

for species that are also Monument Objects (e.g. pronghorn, javelina, mule deer, and mountain lions) (3.5.3) RMP at 397. There is no information provided about habitat or species trends, except for a map of bighorn sheep habitat (Map 3-10) and a general statement that "recent drought conditions have generally affected large game population trends." (3.5.3) RMP at 398. There is little to no discussion of current conditions for special status species, except general statements about whether a species is likely to be present, and what general threats it possess (3.5.5) RMP at 398 to 402. Significantly, there is no information presented at all for several species that are monument objects, including the lowland leopard frog, the Mexican garter snake, and the common black hawk. As mentioned previously, in order to comply with the Monument Proclamation, the BLM must be able to demonstrate that it is prioritizing protection of these species. When there is no information presented on the status or trends of these species, it is impossible to evaluate the potential impacts of management activities on their future population status, and therefore the impact assessment is inherently flawed and inadequate. Desired future conditions: While we support the statements listed under Desired Future Conditions for special status species [(2.7.1.4) RMP at 214 to 220], they do not constitute an analysis or a plan. Instead, they are broad statements, mostly communicating the agencies' intention to comply with the Endangered Species Act and other regulations pertaining to special status species management. The EIS should describe desired future conditions specific to each special status species' habitat requirements, and actions for achieving these. In addition, the same comments apply as above. The BLM should include desired future conditions for all Monument Objects. Conclusion: While the draft RMP does contain numerous lists of species, and references applicable laws, plans, and guidance, this does not constitute an analysis, even at the programmatic level. The EIS should provide a clear management vision that is consistent with the requirements of the Endangered Species Act to protect habitat and provide for the recovery of all special status species and Monument Objects. This vision must include an analysis of habitat

requirements, baseline information regarding current conditions, and desired future conditions for each species. The BLM and NPS should seek to go beyond maintenance of the status quo with a plan that will ensure the health, recovery, increase, and long-term survival of the plant and wildlife populations that inhabit the landscape currently and those that may in the future if conditions are right. Recommendation: BLM must present data on the status, trends, and potential future trends of all wildlife species of concern in Chapter 3 and 4. Wildlife species of concern should include not just threatened and endangered species and special concern species, but also all Monument Objects. In particular, there is currently no information of several Monument Objects, including the lowland leopard frog, the Mexican garter snake, and the common black hawk. The Final RMP must include a thorough analysis of the current and projected status of species, and provide clear and consistent management goals to help species recover. BLM must provide this information if it is to complete its requirements under NEPA to provide an analysis of direct, indirect, and cumulative impacts. (The Wilderness Society/AZ Wilderness Coalit., Denver, CO - Comment: #2273, letter #343)

#### **Public Concern (TE-11):**

*Respondents suggest designating the Upper Agua Fria River Basin WHA to improve pronghorn and mule deer movement, and provide thousands of acres of Category I desert tortoise habitat. They urge conservative grazing practices in grassland habitats to assure sufficient forage for pronghorn and standing cover for both fawn hiding cover and nesting grasslands birds. Commenters are also concerned that seasonal access limitations and Special Recreation Uses could impede access for volunteer work, scientific research, site monitoring, and interpretive development.*

#### **Response (TE-11):**

The management contained in Common to All Alternatives is adequate to protect the wildlife habitat in the Upper Agua Fria River Basin area. The area is not suitable for desert tortoise as it is

higher than the known elevation range for this species.

We will continue to coordinate with the Arizona Game & Fish Department, the Tonto and Prescott National Forests, and other agencies in planning and implementing actions to protect pronghorn habitat and populations in the national monument and other grasslands in the nearby Upper Agua Fria River Basin area.

**Public Comments (TE-11):**

Comment: EPA recommends the following changes to the preferred alternative for the protection of wildlife: Designate the Upper Agua Fria River Basin WHA to improve pronghorn and mule deer movement, and provide thousands of acres of Category I desert tortoise habitat (p. 308). (U. S. Environmental Protection Agency, San Francisco, CA - Comment: #2196, letter #396)

Comment: 2.6.1.3 Biological Resources We support the recommended designation of a Pronghorn Antelope Wildlife Habitat Area (WHA) Designation of identified pronghorn antelope habitat in AFNM. The proposed Pronghorn Antelope Fawning Habitat (WHA) would be the area of focus for grasslands birds and a recommendation that the Sonoran Audubon Society has developed to expand the Important Bird Area to include this habitat. Grasslands dependent bird species have been documented nesting on the AFNM in the grasslands, including the Cassin's Sparrow, which is documented in the survey block on the AFNM for the Arizona Breeding Bird Atlas (Corman and Gervaise-Wise.2005.University of New Mexico Press) and was confirmed in the summer of 2005 on Perry Mesa by the Sonoran Audubon Society. We urge conservative grazing practices in these habitats to assure sufficient forage for pronghorn and standing cover for both fawn hiding cover and nesting grasslands birds, particularly in the spring and during pronghorn fawning in late spring and early summer. (Audubon Arizona, Phoenix, AZ - Comment: #1232, letter #279)

**Comment:** The herd of pronghorn in the Monument is separated from other populations as a result of fragmented habitat due to Interstate 17. The management of the grasslands on the mesas for the benefit of this population is imperative. SAS is the steward for this grassland IBA. The designation of a pronghorn antelope management area on Perry Mesa would be useful to the IBA expansion plans into the grasslands. The desire is to establish an area search for upland bird populations in the grasslands proximate to Joe's Hill. That coincides with identified antelope fawning areas. The proposed Pronghorn Antelope Fawning Habitat (WHA) would be the area of focus for SAS grasslands birds. The proposed seasonal access limitations could impede accomplishment of that objective without more extensive coordination with the BLM for scheduled visits. Also a concern that Special Recreation Uses are all that will be allowed during the spring summer raises the question about access for Sonoran Audubon to do the volunteer work, ref. page 506, Alternatives C, D and E, "Limiting vehicle routes in pronghorn corridors might restrict access to cultural resources, which would protect sites from human intrusions, but would limit opportunities for scientific research, site monitoring, and interpretive development". This problem is common to many volunteer groups and in wilderness areas. (Sonoran Audubon Society - Comment: #1243, letter #287)

**Comment:** Elements the Arizona Antelope Foundation supports in the management of AFNM include: Pronghorn Antelope Wildlife Habitat Area (WHA) -Designation of identified pronghorn antelope habitat in AFNM. (The Arizona Antelope Foundation, Phoenix, AZ - Comment: #2005, letter #273)

**Public Concern (TE-12):**

*Commenter feels BLM should propose solutions for vegetation communities that are below ideal conditions, and should impose use restrictions in these areas.*

**Response (TE-12):**

The plan includes the land health standards for watershed and riparian function as well as

desired plant community. It also describes desired future conditions for vegetation which we believe are appropriate and achievable.

**Public Comments (TE-12):**

**Comment:** The BLM should propose solutions for vegetation communities that are below ideal conditions, and should impose use restrictions in these areas. (Center for Biological Diversity, Tucson, AZ - Comment: #1569, letter #338)

**Public Concern (TE-13):**

*Respondents feel non-native species should not be used under any circumstance within the planning area and that BLM should use native species when restoring or rehabilitating rangelands.*

**Response (TE-13):**

As stated in 2.7.1.4, the use and perpetuation of native species would be emphasized when restoring or rehabilitating rangelands. We feel the conditions under which non-native species would be considered adequately address the associated risks.

**Public Comments (TE-13):**

**Comment:** Non-native species should [NOT] be used under any circumstance within the planning area. The state of Arizona has a long history of using non-native species for management reasons, only to have those species escape and become noxious invaders of our wildlands. Restoration and rehabilitation cannot be achieved using non-native species and the use of native species should be mandated in the plan. The use of non-native perennial species and grasses risks the displacement of native species of the same vegetation type. Only locally-genotypic native plant species should be used. (Center for Biological Diversity, Tucson, AZ - Comment: #1592, letter #338)

**Comment:** Elements the Arizona Antelope Foundation supports in the management of AFNM include: Use native species when restoring or rehabilitating disturbed or degraded rangelands. Non-native plants may be used under limited circumstances in accordance with the Land Health Standards and Guidelines. (The

Arizona Antelope Foundation, Phoenix, AZ - Comment: #2002, letter #273)

**Public Concern (TE-14):**

*Commenters recommend that BLM consider proactive management for the loach minnow in the Agua Fria River Drainage.*

**Response (TE-14):**

Loach minnow have never been documented as occurring in the Agua Fria River Drainage. The potential habitat on BLM-administered lands is not currently suitable due to non-native fish infestation. The plan contains conservation actions for riparian/aquatic habitat, exotic species and spikedace. We believe these actions are adequate to protect and restore habitat for loach minnow as well. If the AGFD or USFWS propose stocking the loach minnow into the Agua Fria River Drainage, BLM would, at that time, consider the proposal.

**Public Comments (TE-14):**

**Comment:** We would like to commend BLM for its proactive management stance for Gila topminnow, Gila chub, desert pupfish, and spikedace in the Agua Fria River drainage. We recommend that BLM also consider proactive management actions for the threatened loach minnow in the Agua Fria River basin. Although loach minnow was not found in historical collections from the Agua Fria River basin, according to our fisheries expert, Mr. Rob Clarkson, there is no reason to assume they were not once present there. Consideration of loach minnow should not be discounted merely because of inadequate sampling before the onset of human perturbations that may have resulted in the species' loss. Significant opportunities for conservation actions for loach minnow may be present in the drainage and we encourage BLM to pursue them aggressively. Other agencies and organizations have made similar recommendations. (Bureau of Reclamation, Glendale, AZ - Comment: #1516, letter #399)

**Public Concern (TE-15):**

*Respondent wants historic bighorn sheep habitat identified in the Agua Fria National Monument.*

**Response (TE-15):**

The map presented in the plan was of occupied desert bighorn sheep habitat, not potential habitat. The AFNM contains historic habitat for this species. The plan allows for reintroductions and transplants of desert bighorn sheep into the AFNM. (See document section 2.7.1.4 – Biological Resources in Management Common to Both Planning Areas.)

**Public Comments (TE-15):**

**Comment:** We (ADBSS) are grateful that the DRMP identifies bighorn sheep habitat within the Harquahala management area. We are distraught, however, that no bighorn habitat was identified in the Agua Fria planning area. Much of that area historically contained bighorn sheep and it should be a candidate for future reintroductions. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2140, letter #342)

**Public Concern (TE-16):**

*Commenters believe the management emphasis on recreation is inconsistent with bighorn sheep management and found it difficult to assess impacts to bighorn sheep conservation.*

**Response (TE-16):**

Game species, including bighorn sheep, are given management priority in Section 2.7.1.4, Priority Species and Priority Habitats. If resource conflicts arise between recreation and these priority species, they would be resolved in favor of the wildlife resources. Also included in Section 2.7.1.4 are several Desired Future Conditions (DFCs) which additionally prioritize wildlife habitat management across all areas.

Several Wildlife Habitat Areas (WHAs) are allocated for priority management of wildlife resources, including desert bighorn sheep.

Section 202 (c) (9) of the Federal Land Policy and Management Act of 1976, as amended (FLPMA), requires Federal agencies to consider State, local and tribal plans, to the extent practical to assist in resolving inconsistencies between Federal and non-Federal plans and provide for meaningful involvement by the State

in the development of the plan. We believe the plan is consistent with FLPMA.

**Public Comment (TE-16):**

**Comment:** Further, the Department [AZGFD] believes a management emphasis on recreation in this area is inconsistent with the Department's bighorn sheep management plans and is thus not in compliance with Section 202 (c) (9). (The State of Az Game and Fish Department, Phoenix, AZ - Comment: #1348, letter #401)

**Comment:** We (ADBSS) found it difficult to assess the impacts to bighorn sheep conservation by aligning known bighorn sheep habitat with the various prescriptions and allocations for Recreation Management Zones, Special Recreation Management Areas, Primitive Travel Management Areas, Wilderness Characteristics, Visual Resource Management and Areas of Critical Environmental Concern. Certainly there must be an easier way to ensure that conflicts between these varied resource management strategies do not exist and that they do not, either individually or collectively, present an obstacle to bighorn sheep conservation or towards providing opportunities for responsive wildlife dependent recreation. (Arizona Desert Bighorn Sheep Society, Mesa, AZ - Comment: #2141, letter #342)

**Public Concern (TE-17):**

*Commenter recommends clarifying if the Preferred Alternative would restrict motorized events in Category II desert tortoise habitat.*

**Response (TE-17):**

Limitations to motorized events in desert tortoise habitat can be found in document section 2.7.1.4 – Biological Resources in the Management Common to Both Planning Areas. In summary, motorized events would not be authorized between March 1 and October 15.

**Public Comments (TE-17):**

**Comment:** EPA recommends the following changes to the preferred alternative for the protection of wildlife: It is not clear if the preferred alternative would restrict motorized events in Category II desert tortoise habitat (p.