Appeal Issue: Forest Plan Road Density - The appellant claims their comments on road density were not considered and that the Final Environmental Impact Statement (FEIS) analysis ignores and downplays many of the direct, indirect, and cumulative impacts that will result from the omission of any road density standards in this plan in violation of National Environmental Policy Act (NEPA).

Additionally, the Forest Service failed to consider cumulative impacts of the road system when combined with effects from climate change.

And, the Forest Service fails to evaluate many impacts of the road system under the different alternatives, as required by 36 CFR 219.12(h). (Sierra Club, pages 4-5)

Remedies suggested by appellant:

Because the Environmental Impact Statement (EIS) and Record of Decision (ROD) for the revised Forest Plan fail to explain why the road density standard of one mile of road per square mile of forest found in the 1986 Forest Plan was removed, the Forest Service must maintain this road density standard in the revised Forest Plan. By retaining this standard, the Forest Service will be able to manage all forest resources towards meeting the Desired Conditions.

Response:

36 CFR 219.12(h) addresses the evaluation of alternatives and states, "(u)sing planning criteria, the interdisciplinary team shall evaluate the significant physical, biological, economic, and social effects of each management alternative that is considered in detail. The evaluation shall include a comparative analysis of the aggregate effects of the management alternatives and shall compare present net value, social and economic impacts, outputs of goods and services, and overall protection and enhancement of environmental resources."

36 CFR 219.27(a)(6) requires providing for adequate fish and wildlife habitat to maintain viable populations of existing native vertebrate species and providing that habitat for species chosen under Sec. 219.19 is maintained and improved to the degree consistent with multiple-use objectives established in the plan.

The Coronado ROD states, "(t)he revised plan establishes a framework for future decisionmaking (sic) by outlining a broad, interdisciplinary program for achieving the desired goals, objectives, and future conditions of the Coronado National Forest. It represents decisions that are strategic in nature, does not make a commitment to the selection of any specific project, and does not dictate day-to-day administrative activities needed to conduct the Forest Service's internal operations (such as personnel matters, law enforcement, fleet management, or organizational changes). By applying programmatic management direction, the plan is carried out through the design, implementation, and monitoring of site-specific activities such as relocating a trail, conducting a prescribed burn, or harvesting timber. Subsequent decisions for these activities will be designed to be consistent with the strategic decisions made in the revised plan and are subject to separate analysis under the NEPA." (ROD, pages 5-6)

The density of roads on the Coronado currently varies from no roads in wilderness areas and other roadless areas to relatively high road densities in developed recreation areas and the two

popular off-highway vehicle recreation areas in Redington Pass and the Santa Rita Mountains. Guidance from the 1986 forest plan limits road density to no more than 1 mile of road per square mile of land. However, that guidance applies to the entire forest—including inventoried roadless areas and wilderness areas—where road density is limited by statute. The increase in the general public use of the forest transportation system, the proliferation of unauthorized roads, and the increase in the popularity of recreational off-highway vehicles has compounded issues regarding visitor experiences that were less prevalent when the 1986 forest plan was developed. (FEIS, Volume 1, pages 387-388). Currently, the Coronado has 0.99 mile per square mile of National Forest System roads. (FEIS, Volume 1, page 281)

In responding to the appellants concerns about the removal of road density standards, the Forest explained the revised Forest Plan provides guidance for managing road density by setting desired conditions for various land use zones. The revised Forest Plan recommends four land use zones: Roaded Backcountry, Wild backcountry, Developed Recreation, and Motorized Recreation accounting for 35 percent, 37 percent, 2 percent, and less than 1 percent respectively. (ROD, page 10) Land use zones are delineated to aid in management and provide plan direction for specific sites.

Accordingly, there are no new roads allowed in wilderness, and only those roads needed to restore access are allowed in the Wild Backcountry Land Use Zone. (FP, page 99) In the Roaded Backcountry land use zone, the desired road density standard is inferred by desired conditions and a guideline that limits the level and type of development to protect the natural character inherent in this zone. (FP, page 100)

Forest-wide desired conditions for motorized transportation include:

- The motorized transportation system is environmentally sustainable and meets public needs and desires under a changing climate. (FP, page 74)
- Unneeded roads, as identified through the transportation analysis planning process, are closed and rehabilitated to reduce human disturbance to wildlife and to reduce soil erosion. (FP, page 75)

An alternative was considered that would not allow new roads or unauthorized routes to be added to the transportation system. The revised Forest Plan provides a framework to guide new road construction to reduce impacts to sensitive resources. Potential changes or additions to the forest's transportation system are not plan-level decisions and would be evaluated in separate analysis through implementation of the Travel Management Rule (73 FR 74689). As a result, this alternative was dropped from detailed consideration. (FEIS Volume 2, Appendix A, page 126)

Under all alternatives, future changes in the miles of National Forest System roads and motorized trails would be evaluated site specifically as needs are identified and in accordance with the transportation analysis process and Travel Management Rule requirements. Public involvement and environmental analysis reviews for site-specific transportation projects are common to all alternatives. Impacts from changing the number of miles in the current motorized transportation system would vary according to use, location, road maintenance level, and other factors. (FEIS, Volume 1, page 388)

Environmental consequences including direct, indirect, and cumulative impacts from motorized activities are discussed on pages 374-378 of FEIS, Volume 1.

The FEIS discloses the no action alternative would have no change on the environment affected by the current motorized transportation system on the Coronado. The current levels of maintenance would stay the same, and roads would be decommissioned or closed in compliance with the 1986 Forest Plan or the current Travel Management Rule. This alternative presents the public the most motorized access to the national forest because there are no additional special areas that would reduce motorized access and no land use zone or management area restrictions on providing additional public access for motorized vehicles. The 1986 Forest Plan provides direction to provide and maintain a transportation system that fulfills the needs of the public. If this direction continues to be followed, adverse effects would continue to occur. These include fragmentation of habitat, noise disturbance to species, and sedimentation impacts to watersheds. In addition, the widespread access to motor vehicles in the 1986 Forest Plan places heritage sites at risk to vandalism and illegal pottery or artifact searching and collection. Under the no action alternative, the density of existing and new road construction, as 1 mile of road or less per square mile, would continue to apply forest wide outside of wilderness and other protected areas, regardless of site-specific management objectives. When new access to the national forest is acquired, building new roads may require a forest plan amendment because of the potential to increase road density beyond the guideline limits. The no action alternative would result in the most even distribution of roaded areas across the Coronado and would, therefore, provide fewer areas for quiet recreation and lower disturbance areas for wildlife. (FP, Volume 1, page 375)

Further, the 1986 Forest Plan has no specific objectives for eliminating unauthorized roads, with the consequence that user-created routes remain on the ground longer than necessary, continuing to cause resource damage. The plan also has no objective for realignment or removal of roads in wetlands or meadows, the consequence of which is roads remaining in place and causing continued erosion, soil compaction, decreased infiltration, and habitat loss or disturbance. The no-action alternative has no objective for the construction of hardened road surfaces at stream crossings where there are impacts to the surrounding vegetation, wildlife species, and watersheds. Road construction across mountain meadows would be prohibited, which would continue to protect the hydrological and soil conditions of this resource. (FP, Volume 1, page 375)

In contrast, under the revised Forest Plan, permanent road development would be prohibited on four recommended wilderness areas totaling 108,890 acres (in addition to already designated wilderness), wilderness study areas, and inventoried roadless areas. This would have the effect of keeping erosion and sedimentation produced by roads out of these designated areas. This would positively impact the surrounding vegetation, wildlife species, and watersheds that might otherwise be disturbed by vehicle presence and use by decreasing noise and ground disturbance. It would also allow for quiet recreation. (FP, Volume 1, page 375)

Permanent roads in the Wild Backcountry Land Use Zone, which comprises about 35 percent of the national forest, would be constructed only to restore motorized access where it previously existed but was lost because of the lack of legal access. Increased miles of National Forest System roads would generally equate to increased motorized access and ecological impacts from

roads and decreased opportunity for more primitive recreation. The ecological consequences of adding roads would result in decreased wildlife habitat connectivity, increased sedimentation, and impacts to plants and archaeological sites. The exact magnitude is difficult to assess at the plan scale because the effectiveness of achieving these effects is largely dependent on site-specific situation and design features. (FP, Volume 1, page 376)

In the remaining land use zones, which comprise about 38 percent of the national forest, changes to the motorized transportation system would be proposed in site-specific management actions that would be subject to direction in many different components of the revised Forest Plan. The ecological consequences of adding roads would result in decreased wildlife habitat connectivity, increased sedimentation, and impacts to plants and archaeological sites. The exact magnitude is difficult to assess at the plan scale because the effectiveness of achieving these effects is largely dependent on site-specific situation and design features. Specific objectives in the revised Forest Plan under the proposed action would identify miles of non- National Forest System roads to be eliminated each year. Removing these roads from the landscape would result in less motorized travel off the roads and trails designated on the motor vehicle use map, and it would protect wildlife, recreation, and other unique resources by reducing the influence of roads and unauthorized motorized travel. Also, removing these roads would improve watershed conditions by decreasing the number of roads that are poorly maintained or located. When roads are in poor condition, continued use increases soil erosion by water and wind. Decreasing this source of sedimentation would improve watershed conditions without decreasing administrative or public access. Specific guidelines for realignment or removal of roads in wetlands and meadows would result in better protection of sensitive plant and animal species and soil hydrology, improved water quality, increased biological diversity, increased productivity and forage yields, increased infiltration, and subsurface flow. Guidelines are provided regarding the avoidance of road construction or maintenance in wetlands or meadows, or across sensitive soils, and mitigation measures if this cannot be avoided. This would have the effect of making roads less expensive to maintain in such areas; allowing for stream stability; reduction of erosion due to roads; and allowing habitat to flourish. Indirect routes do a better job of protecting sensitive wildlife and vegetative species and erosive hydrologic soils. (FEIS, Volume 1, page 376)

Climate change is specifically addressed in Appendix A of the revised Forest Plan (pages 195-228). "The state of knowledge needed to address climate change at the scale of the Coronado National Forest is still evolving. Because none of the current climate models adequately resolves important topographic variations (such as mountain ranges versus valleys) and climate occurrences such as El Niño and La Niña or the North American Monsoon, their results are imprecise and the subject of continuing research. … In summary, climate modeling is a developing science. General circulation models are constantly improving as are statistical and dynamical downscaling techniques. Dynamical downscaling, which incorporates jet stream activity, tropical storm and monsoon tracking, and regional elevation effects, improves localized climate projections. We know enough about major trends in temperature and precipitation patterns to begin to assess impacts on the Coronado National Forest's resources and potential management responses (USDA FS 2017)." (FP, Appendix A, pages 199-200)

The Proposed Action and Alternative 1 include direction for management of resources in response to climate change. No Action and Alternative 2 do not. The effects of climate change

may compound damage that exists as a consequence of motor vehicle travel. However, whether or not the alternatives and no action contain climate change direction would not, in general, affect the Coronado's motorized transportation system. (FEIS, Volume 1, page 375)

While the revised Forest Plan does not duplicate the Travel Management Rule or the directives related to it, it is consistent with both and is meant to be used along with the directives and the motor vehicle use map. The revised Forest Plan provides a framework to guide future changes to the transportation system, which can be found in Chapter 2 under the "Motorized Transportation System" section. Potential changes to the Coronado's transportation system would be evaluated in separate analysis through future project-level decision making such as the implementation of the Travel Management Rule (36 CFR 212). These decisions would be consistent with the National Environmental Policy Act and Forest Service manual and handbook direction and would include analysis and opportunity for public involvement. Site-specific travel management planning will use the framework set by the revised Forest Plan (such as desired conditions, standards, and guidelines) and will consider potential resource impacts, access needs, public input, and alternative views. The site-specific analyses for travel management include disclosure of effects to natural and cultural resources as well as cumulative impacts. If undesirable resource conditions resulted from open roads, they could be addressed through site-specific evaluation and analysis. (FEIS, Volume 2, Appendix A, page 26)

Finally, the ROD predicts the revised Forest Plan will:

- Provide a wide range of designated visitor experiences that satisfy visitor expectations with approximately 60 percent of the Forest managed for quiet recreation, 38 percent managed for motorized access, and less than 1 percent managed for developed facilities. (ROD, page 15).
- Protect and improve air, soil and water resources that support aquatic and terrestrial habitat and contribute to high levels of biodiversity including fens, bogs, springs, and over 2,500 plant and animal species. (ROD, page 15).
- Provide for the viability of all species through habitat desired conditions needed by those species, and standards, guidelines and objectives that address species-specific needs. (ROD, page 15).

Conclusion:

In compliance with 36 CFR 219, the alternatives were evaluated appropriately and provide for adequate fish and wildlife habitat. The Forest explained their rationale for change by providing "direction by broader decisions related to wildlife and rare plant populations, vegetation communities, and various land management activities. Further direction for wildlife and plant species management and protection is provided by existing law (ESA), regulation, and policy (see Appendix F), and recovery plans and conservation agreements." (FEIS, Volume 3, page 91)

I also find the Forest analyzed the cumulative impacts of the road system and addressed climate change.

I found no violation of law, regulation, or policy. The revised Forest Plan meets the requirements of the 1982 Planning Rule with regard to evaluation of alternatives and providing for fish and wildlife habitat (36 CFR 219.12 and 219.27, published at 36 CFR parts 200 to 299, revised as of July 1, 2010).

Appeal Issue: Forest Plan changes – Appellants contend there is little to no rationale for the many substantive changes made to the Coronado's 1986 Forest Plan, which they claim weaken protections, and do not have "a rational connection between the facts found and the conclusions made." They point to specific concerns that were brought up in previous comments and identify numerous proposed changes to plan components. (Sierra Club, pages 6, 19-24).

Remedies suggested by appellant:

The appellants detailed a number of comments and proposed modifications specific to various plan components and analysis.

Response:

The responses to comments in Appendix A to the FEIS address appellants concerns.

Specifically, on page 23, the intent of the Responsible Official to achieve desired conditions is discussed: "(t)he goal of the Coronado National Forest is to achieve the desired conditions through the plan components outlined in the proposed plan."

The definition of a desired condition is contained in the revised Forest Plan on page 11: "(d)esired conditions set forth the desired social, economic, and ecological attributes of the Coronado National Forest. They attempt to paint a picture of what we (the public and Forest Service) desire the national forests to look like and the goods and services we desire them to provide. Desired conditions are normally expressed in broad, general terms and are timeless in that there is no specific date by which they are to be completed. Desired conditions may only be achievable over a long timeframe (in some cases, several hundred years). In some cases, a desired condition matches the current condition, and the goal is to maintain it. Desired conditions are aspirations and are not commitments or final decisions to approve projects.

To be consistent with the desired conditions of the plan, a project or activity, when assessed at the appropriate spatial scale described in the plan (such as landscape scale), must be designed to meet one or more of the following conditions:

- Maintain or make progress toward one or more of the desired conditions of a plan without adversely affecting progress toward, or maintenance of, other desired conditions; or
- Be neutral with regard to progress toward plan desired conditions; or
- Maintain or make progress toward one or more of the desired conditions over the long term, even if the project or activity would adversely affect progress toward or maintenance of one or more desired conditions in the short term; or

- Maintain or make progress toward one or more of the desired conditions over the long term, even if the project or activity would adversely affect progress toward other desired conditions in a negligible way over the long term.

The project documentation should explain how the project is consistent with desired conditions and describe any short-term or negligible long-term adverse effects the project may have on the maintenance or attainment of any desired condition." (FP, page 11)

As the Plan explains, desired conditions are binding constraints on a project, since projects cannot preclude the attainment of a desired condition in the long run.

The FEIS, Volume 3, Appendix H, provides a crosswalk for key direction from the 1986 Forest Plan (as amended) and the revised Forest Plan. Page 1 states, "(t)his appendix provides transparency on how management direction and plan components including goals, objectives, standards, and guidelines from the 1986 forest plan were addressed in the revised plan. Relevant direction from the 1986 plan and new direction from the revised plan direction (retained or carried forward with no changes, modified, or deleted) are presented along with rationale for changes. This is not an exhaustive account of all plan direction but it highlights key decisions."

Conclusion:

The revised Forest Plan, FEIS, FEIS Appendices, and ROD clarify the role of standards and guidelines and provide extensive rationale to support the decision to integrate the previous management direction into a combination of desired conditions and guidelines based on the best available scientific information. Protections provided by the Forest Plan are not weakened as plan components (including Desired Conditions) are binding at the project level. The revised Forest Plan meets the requirements of the 1982 Planning Rule.

Appeal Issue: Recommended Wilderness Evaluation - The appellant states wilderness recommendations are arbitrary and capricious because the Forest Service failed to explain the process used to decide what areas moved forward as recommended wilderness in violation of both NEPA and the APA. They also specifically question several areas identified below. (Sierra Club, pages 15-17)

Recommended Wilderness

The Forest Service has failed to adequately explain how the area or situation has changed to result in the areas no longer being recommended wilderness.

Wilderness Study Act (WSA) Areas

As a preliminary matter, it is important the Forest Service recognize and acknowledge that all WSAs must be managed to preserve their Wilderness character. The Guidelines for WSAs and recommended wilderness do reflect this requirement, but they should have been included as Standards. Additionally, we recommended that one of the Standards should be that any WSAs

that are not now withdrawn from mineral entry should be recommended for withdrawal. We appreciate that the LRMP includes a Standard for WSAs that "[s]alable minerals extraction will not be allowed."

Remedies suggested by appellant:

In order to actually manage WSAs and recommended wilderness areas to preserve their Wilderness character, we request that a Standard be included that would require the Forest Service to prohibit motorized or mechanized activity in WSAs and recommended wilderness areas where those activities are resulting in the creation of roads or routes on the ground.

We do request that the Forest Service also make a recommendation that all WSAs and recommended wilderness areas are recommended for mineral withdrawal.

Response:

The New Mexico Wilderness Act of 1980 designated the Bunk Robinson and Whitmire Canyon Wilderness Study Areas. The Arizona Wilderness Act of 1984, added acres to both areas and established the Mount Graham Wilderness Study Area. Under both Acts, the areas are subject to valid existing rights and the Secretary of Agriculture is directed to administer the lands so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System, provided that, within the areas, current levels of motorized and other uses and improvements shall be permitted to continue subject to reasonable rules and regulations.

"To allow for flexibility in managing wildlife habitat—and because their ecosystems are well represented in other Arizona wilderness areas—both wilderness study areas [Bunk Robinson and Whitmire Canyon] were recommended for non-wilderness designation in the 1986 forest plan. Until Congress makes a decision, Bunk Robinson and Whitmire Canyon Wilderness Study Areas will continue to be managed to maintain their existing wilderness character." (FP, page 119).

The 1986 Forest Plan recommended only the Mount Graham Wilderness Study Area for wilderness (61,315 acres). The 2018 revised Forest Plan recommends the Mount Graham Wilderness Study Area and three additional areas for wilderness designation totaling 108,890 acres.

"The revised forest plan describes desired conditions for these areas as well as guidelines to protect wilderness character." (FP, Volume 1, page 32)

During the planning process for revision of the forest plan, the Forest Service evaluated land parcels relative to established inventory criteria for potential wilderness. The Coronado National Forest "Potential Wilderness Area Evaluation Report" documented this review in accordance with the "potential wilderness evaluation process" outlined in Forest Service Handbook 1909.12, Chapter 70. From that evaluation, areas were recommended for congressional designation as wilderness in revised forest plans specified by the three action alternatives. (FEIS, Volume 1, page 354)

The report documented "(t)he presence of current or prior inconsistent uses does not disqualify an area for wilderness recommendation (such as the historic mining and ranching that took place

or current smuggling, illegal activities, and enforcement). Existing and potential uses of an area are considered during the wilderness evaluation process. Inconsistent uses can detract from the undeveloped criteria during the wilderness capability assessment. However, undeveloped is one of a total of five characters used to assess wilderness capability (FSH 1909.12 Chapter 70; January 31, 2007). With these inconsistent uses, these areas were given an overall rating of medium for capability after considering the other criteria." (Potential Wilderness Area Evaluation Report, pages 31-32 and 38-39)

Desired Conditions, Standards, and Guidelines for Recommended Wilderness Areas and Wilderness Study Areas are described on pages 119-120 of the revised Forest Plan. Both recommended wilderness and wilderness study areas are managed to maintain their wilderness character. Guideline 7 specifically states, "(m)echanized or motorized trails should not be designated." (FP, page 120)

As described in the ROD, "(t)he revised plan recommends 108,890 acres for addition to the National Wilderness Preservation System. This includes Mount Graham (61,315 acres), Ku Chish (26,245 acres), Chiricahua Addition North (5,012 acres), and Whetstone (16,317 acres)."

The appellants request that recommended wilderness and wilderness study areas be withdrawn from mineral entry was responded to on pages 122-123 of FEIS, Volume 2, Appendix A.

Conclusion:

Consistent with Agency policy, the Forest Service completed an assessment of areas that meet the criteria for potential wilderness through the wilderness evaluation process in compliance with Forest Service policy and planning direction found in the Forest Service Manual 1920 and Forest Service Handbook 1909.12. (Forest Service Handbook 1909.12, Chapter 70 (January 2007) is the policy direction that guides the wilderness evaluations.)

After considering as many as 255,908 acres (16 areas), the revised Forest Plan designates four areas as recommended wilderness. It carries forward the Mount Graham area from the 1986 plan and includes three additional areas, totaling 108,890 acres. The 1986 Forest Plan designated 61,315 acres (Mount Graham WSA) as recommended wilderness. The 2018 revised Forest Plan designates 108,890 acres (includes Mount Graham WSA) as recommended wilderness. (FEIS, Volume 1, page 42)

The Deciding Official appropriately considered the suitability evaluations conducted on nearly 420,000 acres, weighed the public value of wilderness, wilderness characteristics of the various areas, and the potential impact of wilderness designation on both current and future land uses and activities.

I find the project record adequately addresses the appellant's concerns and supports the recommendations.

Appeal Issue: Mexican gray wolf - The appellants assert new information about the Mexican gray wolf requires immediate action by the Forest Service to address the recovery plan and integrate relevant connectivity and species diversity requirements into the revised Forest Plan in order to comply with ESA. (Sierra Club, pages 24-26).

They claim the Coronado National Forest can facilitate Mexican wolf recovery by integrating relevant connectivity and species diversity requirements into the revised Forest Plan.

Remedies suggested by appellant:

If the Forest Service recognizes the deficiencies in the revised Forest Plan we have outlined and determines to revise the Forest Plan to ensure compliance with federal regulations and to protect natural resources found in the forest, we would expect that the Mexican gray wolf will be included as a species of concern and that the revised Forest Plan will reflect the actions necessary to support recovery of this species.

If the Forest Service moves ahead with implementation of the revised Forest Plan, we strongly recommend that the Forest Service immediately begin the process to develop an amendment to the revised Forest Plan that addresses the need to support Mexican gray wolf recovery.

Response:

Forest Service regulations for implementing the National Forest Management Act (NFMA) require that the plan "(p)rovide for adequate fish and wildlife habitat to maintain viable populations of existing native vertebrate species and provide that habitat for species chosen under 36 CFR 219.19 is maintained and improved to the degree consistent with multiple-use objectives established in the plan" (1982 rule, 36 CFR 219.27). As described in 36 CFR 219.19, the agency achieves this mandate by managing wildlife habitats (primarily indicated by vegetation community composition and structural stage per 36 CFR 219.26), developing additional plan components for particular species if needed, and then evaluating the effects of the alternatives "in terms of both amount and quality of habitat and of animal population trends" (36 CFR 219.19(a)(2)).

The Endangered Species Act of 1973 (ESA) states, "(f)ederal agencies shall use their authorities to further the purpose of the ESA by carrying out programs for the conservation of endangered and threatened species" (Sect. 7(a)(1)). However, the Forest Service is not required by the ESA or other law or regulation to adopt any particular management guidance to meet this requirement. For example, conservation measures identified in species recovery plans, conservation assessments or similar documents produced by the U.S. Fish and Wildlife Service (USFWS) or other Federal and State agencies are considered and commonly incorporated directly into Forest Plans, but the plan need not incorporate all such recommendations.

The ESA Sections 7(a)(2) and 7(a)(4) require federal agencies to consult on activities that may affect threatened, endangered or proposed species. The USFWS published a revision to the regulations for the nonessential experimental Mexican wolf population in January 2015 (80 FR 2512), which included designation of all of the Coronado National Forest as part of a nonessential experimental population. The rule states the Forest Service must comply with sections 7(a)(1) and 7(a)(4) of the Endangered Species Act;

- 7(a)(1) requires Federal agencies to carry out programs for the conservation of endangered species and,

- 7(a)(4) requires conference on activities that could jeopardize the continued existence of species proposed for listing.

For purposes of interagency consultation, nonessential experimental populations such as the Mexican wolf are treated like species proposed for listing (hence the reference to ESA Sect. 7(a)(4)).

Regulations for implementing the ESA identify four conditions for reinitiating formal consultation, which are included in Biological Opinions: "(1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the Agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action" (50 CFR 402.16).

The USFWS Mexican Wolf Recovery Plan, First Revision, was released November 2017. A Biological Report was prepared to accompany the recovery plan. The Biological Report included information on the distribution and quality of habitat, including maps in Appendix A illustrating much of the Coronado National Forest currently constitutes suitable habitat for Mexican wolves. The Biological Opinion, page 318, listed changed circumstances that would generally warrant reinitiating consultation on the Revised Plan; however, revision of a recovery plan is not among the changes that require additional consultation.

Forest Service policy states, "(t)he Forest Service shall encourage the reintroduction of listed wildlife, fish, and plants onto suitable unoccupied habitat when such actions promote recovery of the species. Reintroductions of species on National Forest System lands is primarily the responsibility of U.S. Fish and Wildlife Service, National Marine Fisheries Service, and/or state fish and wildlife management agencies, with cooperation from the Forest Service" (Forest Service Manual 2674).

The Coronado Forest Plan record discloses the Forest Service complied with procedural and substantive components of the 1982 planning rule related to species viability and diversity.

Many elements of the Coronado Forest Plan were developed to improve wildlife habitats, including those used by the Mexican wolf. Although very few plan elements deal with individual species, several provide direction that is relevant for Mexican wolf conservation and recovery:

- Forest-wide desired conditions for animals and rare plants – "Naturally occurring native ecosystems are present and sustainable across the Coronado National Forest, providing habitat to support a full complement of plants and animals, including sensitive and rare species. Habitats are interconnected within the national forest boundary while the interspaces between ecosystem management areas allow for movement of wide-ranging species and promote natural predator-prey relationships" (FP, page 65).

- Guidelines for protection – "1. Activities occurring within federally listed species habitat should apply habitat management objectives and species protection measures from approved recovery plans. 2. Where the Forest Service has entered into signed conservation agreements that provide guidance on activities or actions to be carried out by national forest staff, those activities or actions should be undertaken consistent with the guidance found within those conservation agreements" (FP, page 67)

- All the management approaches listed on page 68: "1. Maintaining strong partnerships between the Forest Service, State and Federal agencies, county and local governments, and nongovernmental organizations to accomplish conservation planning and management. 2. Using results from the monitoring of management indicator species to design adaptive management strategies to meet species conservation needs. 3. Cooperating and collaborating with State and Federal wildlife management agencies and other partners to monitor and restore wildlife, fish, and rare plant species occurring on National Forest System lands. 4. Coordinating with Animal and Plant Health Inspection Service Wildlife Services and State and Federal wildlife agencies to resolve wildlife resource conflicts on Forest Service administered lands. 5. Cooperating with State and Federal agencies, counties, and municipal governments, and nongovernment organizations to reestablish extirpated species, recover federally listed species, and to manage Forest Service sensitive species in a way that prevents trends toward Federal listing. 6. Coordinating with county, municipal, State, and Federal agencies, adjacent landowners, and nongovernmental organizations to ensure habitat connectivity between sky islands is preserved, restored, and enhanced for wildlife using corridors between ecosystem management areas of the Coronado. In particular, forest boundaries identified as being critical for wildlife ingress and egress (see figure 3) are prioritized during coordinated efforts. 7. Considering potential changes in climate when designing projects and analyzing the effects of proposed projects on wildlife species, especially those species that have been identified as being sensitive to change. 8. Considering the reintroduction of extirpated species to habitats that are reasonably assured to remain suitable through climate change" (FP, page 68)

Many of these plan elements directly address the concerns identified in this appeal. Multiple management approaches relevant for conservation, recovery and reintroduction of rare species align with Forest Service Manual direction (Forest Service Manual 2674) for jurisdiction over wildlife and rare species management.

The effects of implementing plan alternatives on wolves is disclosed in the FEIS (Volume 1, page 58, pages 265-268) and evaluated in more detail in the Biological Assessment (pages 62-68). The Biological Assessment analysis concludes that the proposed action is not likely to jeopardize continued existence of the species. In the Biological Opinion, the USFWS agreed with that determination (page 443).

The Biological Opinion, page 1, also states the USFWS consulted on the land management plan as a "framework programmatic action." As defined in 50 CFR 402.02, consultation on this type of action "approves a framework for the development of future action(s) that are authorized, funded, or carried out at a later time and any take of a listed species would not occur unless and until those future action(s) are authorized, funded, or carried out and subject to further section 7

consultation" (80 FR 26844). Future projects will be subject to the ESA's Sect. 7(a)(2) interagency consultation requirements, including incorporation of site-specific information on the species that should be considered, the spatial extent and quality of habitat and likely effects of the activities.

Conclusion:

The record for the Coronado revised Forest Plan clearly demonstrates the Forest Service met legal requirements for contributing to Mexican wolf recovery and for considering the effects of agency actions on the species. Plan components were developed to improve habitat conditions across the forest and to contribute to the viability and diversity of many species, including wolves. Analyses in the FEIS concludes that implementation of the plan would not reduce viability of Mexican wolves in the forest, and the USFWS agreed with the determination made in the Biological Assessment that plan implementation would not jeopardize the species. Furthermore, plan documents recognize the potential for wolves to be translocated to the Coronado National Forest, and state the forest would coordinate recovery activities with agencies that have primary jurisdiction for such efforts (USFWS and AZFGD). Together, the conservation measures in the plan and participation in potential future recovery activities for Mexican wolves demonstrate compliance with ESA Sect. 7(a)(1) as well as related NFMA requirements (1982 rule, 36 CFR 219.19, 219.26, 219.27). The record of interagency consultation meets the procedural requirement of ESA Section 7(a)(2) and 7(a)(4). Although the Biological Opinion was provided prior to the public release of the revised recovery plan, the availability of the recovery plan does not necessarily require additional interagency consultation under Section 7(a)(2) of the Endangered Species Act, nor does it require amendment of the revised forest plan. The circumstances that could trigger re-initiation are described in the Biological Opinion, and the decision to reinitiate consultation on the Coronado Forest Plan would be made by the USFWS and USFS. Project-level implementation of the plan would require consultation for Mexican wolves if Forest Service activities may affect that species. I find no violation of law, regulation, or policy.