

APPENDIX F • COPIES OF DEIS COMMENT LETTERS

The following comment letters have been printed per 40 CFR regulations. Comment letters received from individuals have not been printed due to Privacy Act considerations.



SECRETARY OF STATE

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JANE DEE HULL
Secretary of State

ANNE L. LYNCH
Assistant Secretary of State

March 20, 1995

Region 3
Regional Forester's Office

MAR 23 1995

Mr. Charles Cartwright
Regional Forester, Region 3
517 Gold Avenue, S.W.
Albuquerque, New Mexico 87102

Dear Mr. Cartwright:

The Forty-second Legislature of the State of Arizona has passed Senate Concurrent Memorial 1002 and filed it in our Office March 14, 1995. The language in this resolution stipulates that we send a certified copy of the Memorial to the President of the United States, the Chief of the United States Forest Service, to the Regional Forester for Region 3, and to each member of the Arizona Congressional delegation.

Please find enclosed a certified copy of Senate Concurrent Memorial 1002.

Sincerely yours,

JANE DEE HULL
Secretary of State

CONCUR	DATE	STAFF
OM		
TYPIST:		

FILED

**Jane Dee Hull
Secretary of State**

State of Arizona
Senate
Forty-second Legislature
First Regular Session
1995

SENATE CONCURRENT MEMORIAL 1002

A CONCURRENT MEMORIAL

URGING THE UNITED STATES FOREST SERVICE TO CONSIDER AND APPROVE THE AMENDMENT "ALTERNATIVE E" PROPOSED IN THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED AMENDMENTS OF FOREST PLANS UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE REGION 3.

1 To the Region 3 Forester and Chief of the United States Forest Service:

2 Your memorialist respectfully represents:

3 Whereas, the Southwestern Region of the United States Forest Service
4 has issued a Draft Environmental Impact Statement for its proposed amendments
5 to current forest plans for Arizona and New Mexico; and

6 Whereas, these proposed amendments are intended to establish the basis
7 for ecosystem management in all of the national forests of Arizona, focusing
8 on the Mexican spotted owl and the northern goshawk in particular; and

9 Whereas, an alternative known as "Alternative E" has been considered
10 in the Draft Environmental Impact Statement; and

11 Whereas, "Alternative E" best restores and sustains the vegetation and
12 associated wildlife habitat across the landscape, best reduces catastrophic
13 fires, diseases and insect infestations and best sustains the economies and
14 culture of the people who depend on our national forests; and

15 Whereas, the United States Forest Service has indicated that of all of
16 the alternatives presented in the Draft Environmental Impact Statement,
17 "Alternative E" is the alternative that best sustains the ecosystem and the
18 array of species depending on the ecosystem, including the Mexican spotted
19 owl and the northern goshawk; and

20 Whereas, "Alternative E" best fulfills the mission of the United States
21 Forest Service.

22 Wherefore your memorialist, the Senate of the State of Arizona, the House of
23 Representatives concurring, prays:

- 1 1. That the United States Forest Service select and implement
- 2 "Alternative E" proposed in the Draft Environmental Impact Statement for the
- 3 proposed amendments of forest plans United States Department of Agriculture
- 4 Forest Service Region 3.
- 5 2. That the Secretary of State of the State of Arizona transmit copies
- 6 of this Memorial to the President of the United States, to the Chief, United
- 7 States Forest Service, to the Regional Forester for Region 3 and to each
- 8 Member of the Arizona Congressional Delegation.

PASSED THE HOUSE MARCH 13, 1995, BY THE FOLLOWING VOTE: 39 AYES, 16 NAYS,
5 NOT VOTING

PASSED THE SENATE FEBRUARY 6, 1995, BY THE FOLLOWING VOTE: 23 AYES, 6 NAYS,
1 NOT VOTING

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 14, 1995



GAME & FISH DEPARTMENT

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Governor
Fife Symington

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Director

Duane L. Shroufe

Deputy Director

Thomas W. Spalding

November 30, 1994

Charles W. Cartwright Jr.
Regional Forester
USDA, Forest Service
517 Gold Avenue SW
Albuquerque, NM

Re: **Comments on Draft Environmental Impact Statement (DEIS) for Proposed Amendments to 10 National Forest Land and Resource Management Plans (Plan Amendments) in the Southwestern Region**

Dear Mr. Cartwright:

The Arizona Game and Fish Department (AGFD) and the New Mexico Department of Game and Fish (NMDGF) have reviewed the above-referenced DEIS and submit the following joint comments for your consideration. The purpose of the Plan Amendments, as described in the DEIS, is to incorporate standards and guidelines for the Northern goshawk and Mexican spotted owl which will address the habitat needs of these two species. In pursuing the states' fish and wildlife management responsibilities, our agencies must address the habitat needs of all wildlife species. By coordinating our review of the DEIS, the two state wildlife management agencies in the Southwestern Region hope to focus attention on the effects that this change in Forest Service management direction will have on all wildlife species using forested habitats both inside and outside spotted owl and goshawk territories. We appreciate this opportunity to identify our issues and concerns related to the DEIS.

Both agencies have provided comments on the scoping materials provided prior to the release of the DEIS. Both agencies have also participated in the Goshawk Interagency Implementation Team's (GIIT) development of recommendations on which Alternative D is based. Some of the issues previously identified during the scoping process are being emphasized again in these comments because we believe that they were not adequately addressed or evaluated in the DEIS. The AGFD has recently provided comments on the Kaibab National Forest Plan DEIS and believes that the Kaibab National Forest should be included in this Regionwide analysis.

The two Departments support the concept of ecosystem management and the shift in emphasis toward uneven-aged management and longer rotation ages. Both Departments also agree with the Forest Service regarding the need for 1) amending current Forest Plans to reflect new information on the habitat needs of Mexican spotted owl and

Charles W. Cartwright Jr.
November 30, 1994
2

northern goshawk, 2) clarifying the difference between standards and guidelines, and 3) deemphasizing timber production on steep slopes.

However, the Departments believe that the DEIS does not provide an adequate or accurate analysis of the potential impacts resulting from implementation of the various management alternatives. This shortcoming deprives the Regional Forester of the opportunity to make an informed decision regarding Forest Service management direction. A summary of our major concerns is provided below. Specific comments on the DEIS can be found in Appendix A.

1. Inadequate analysis of the effects on habitat and populations of Mexican spotted owl, Northern goshawk and other wildlife

The proposed Plan Amendments would impact management of existing spotted owl and goshawk territories. Despite the controversy surrounding the management direction for these two raptors, the DEIS fails to analyze potential impacts of the alternatives on the number of breeding pairs or territories, population trends, or population viability. Although adequate information may not exist to address these issues with a high degree of certainty, the absence of any analysis calls into question the Forest Service conclusion that implementation of any of the management alternatives will have "no significant effect" on the goshawk or spotted owl. If an analysis had been conducted, we believe a different conclusion would have been reached. In addition, the DEIS management alternatives are being evaluated without the benefit of recommendations from the spotted owl recovery team. The recovery team is scheduled to release a draft spotted owl recovery plan in the near future. The Departments believe that review of this plan is necessary before an informed decision on Plan Amendments can be made.

Both agencies also want to insure that implementing Region-wide wildlife habitat requirements geared toward meeting the habitat needs of two species do not result in significant adverse impacts to a host of other species. An example is the potential loss of important wildlife cover standards and guidelines when they "conflict" with the needs of the goshawk, spotted owl or other Threatened, Endangered or Sensitive (TES) species. The existence of a goshawk territory does not create a conflict requiring removal of wildlife cover standards and guidelines. The Departments believe that the loss of wildlife cover standards and guidelines would have adverse impacts on species such as turkey, tree squirrels, black bear, white-tailed deer, mule deer and goshawk. It should be made clear that meeting the needs of TES species does not preclude the

consideration and incorporation of other species needs or other wildlife standards and guidelines in project planning.

Impacts to other wildlife species are analyzed according to whether implementation of an alternative is expected to benefit species associated with late-successional forests or those associated with early-successional forests. Impacts are then based on the anticipated percentages of early- or late-successional forests across the landscape. This is a simplistic approach that can be misleading. As indicated on page 17 of the DEIS, some species use both early- and late-successional forests. The current mix of forest conditions also will affect wildlife habitat capabilities across the landscape over the time required to achieve the desired future condition.

2. Inadequate cumulative effects analysis

The DEIS fails to adequately describe the immediate and long-term effects of past management activities on the ability of the Forest Service to 1) implement management alternatives, 2) achieve desired future conditions, or 3) maintain wildlife populations while the desired condition is being pursued. The analysis of cumulative effects is an important component of the environmental effects analysis required under the implementing regulations of the National Environmental Policy Act (NEPA).

3. The absence of a monitoring plan to evaluate the selected management approach

The DEIS standards and guidelines do not commit the Forest Service to evaluating the impacts of proposed management activities on spotted owls, goshawks or any other wildlife species. The assumptions regarding impacts to these species, other forest wildlife and their habitats need to be monitored and tested through a long-term commitment to carefully designed management experiments. These experiments would include replication of treatment and control areas across the Region to provide a reliable test of the assumptions made in the DEIS. This would be an example of the adaptive management approach preferred by both Departments.

4. Inaccurate analysis and misinterpretation of the intent of the GIIT recommendations as portrayed in Alternative D

The GIIT recommendations are misinterpreted and inaccurately portrayed in the DEIS. For example, the GIIT recommendations were described as being more restrictive with regard to prescribed burning, forage production, recreational activities and land exchange options without any explanation of the basis for these conclusions. Our review of the GIIT recommendations (Alternative D) indicates that there would be no difference between the Preferred Alternative and Alternative D with regard to these issues.

5. Lack of specific criteria used to compare alternatives

The specific rationale, processes or models used to evaluate issues and compare alternatives in the DEIS are not adequately explained, if identified at all. The Departments suggest that the specific criteria used to compare and evaluate alternatives be clearly stated in the text or in appendices.

6. Inadequate standards for old growth

The conservation of spotted owl and goshawk habitats is closely related to the conservation of old growth forest ecosystems. The preferred alternative in the DEIS has serious implications for the future of this ecosystem and for many other species that are associated with old growth habitat characteristics. The proposed old growth standard does not incorporate important habitat attributes or distribution requirements and fails to meet the recommendations of the Goshawk Scientific Committee (GSC). Both agencies are concerned that the DEIS lacks a thorough analysis of the current status and projected future of old growth in the Region based on the identified management alternatives. Both Departments continue to support the deferral of old growth blocks currently meeting old growth standards and guidelines and are concerned with the potential for commercial timber harvest within existing allocated blocks of old growth simply because it is deemed "surplus" on an ecosystem management area.

7. Unclear justification of a proposed demonstration area

Alternative F, the Preferred Alternative establishes an ecosystem demonstration area in the mixed-conifer type on the

Charles W. Cartwright Jr.
November 30, 1994
5

Apache National Forest. It is not clear 1) why this Forest and habitat type are proposed, 2) what response variables will be demonstrated, 3) if any experimental design will be used to produce reliable conclusions about the management approach, and 4) how any conclusions will be applied to future management direction. It is also not clear how this management approach can be incorporated into a future spotted owl recovery plan. Specific concerns relating to the development and implementation of the demonstration area proposed in Alternative F were previously identified in the scoping comments provided to the Forest Service by AGFD on May 26, 1994. Additional concerns relative to the demonstration area are provided by the AGFD in Appendix B.

8. Unclear, unsubstantiated or inconsistent analysis and management direction

To avoid problems and concerns that have been identified during implementation of the interim goshawk guidelines over the last two years (see AGFD white paper, Appendix C), all goals, objectives, standards and guidelines should be stated in clear, precise and, whenever possible, quantified terms. The Preferred Alternative does not describe the desired future condition or residual stand condition following harvest in enough detail to evaluate the potential environmental effects as required by the National Environmental Policy Act (NEPA). The document should clearly describe what is intended. This is necessary for public understanding and for clear direction to field personnel. When alternatives vary from interim directives, the variation should be clearly identified. The analysis should also be consistent throughout the document. Appendix A includes specific comments relating to this issue.

The Departments believe that incorporating the management recommendations described in Appendix D into Plan Amendments for the ponderosa pine type will address many of our concerns regarding impacts to other species while also addressing the habitat needs of goshawks. Many of the recommendations in Appendix D reflect the recommendations of the GIIT. Both agencies believe that application of these recommendations outside goshawk territories can enhance wildlife habitat across the landscape. However, our support for application inside and outside goshawk territories depends on the ability of the Forest Service, in cooperation with the state wildlife agencies, to monitor implementation, changes in habitat conditions and population trends. Monitoring and adaptive management are critical to achieving desired conditions. Furthermore, the extent to which the recommendations in Appendix D

Charles W. Cartwright Jr.

November 30, 1994

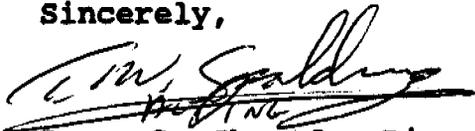
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can enhance, or be incorporated into, management direction for the spotted owl will depend on the contents of the spotted owl recovery plan.

In summary, both Departments believe the DEIS presents an inadequate analysis on which to base a Regionwide management decision. Therefore, both Departments believe the DEIS should be withdrawn pending its revision and the release of the spotted owl recovery plan.

Thank you for the opportunity to provide these comments. If you have any questions or need additional information, please contact Dave Walker at (602) 789-3604 or Bob Wilson at (505) 827-7827.

Sincerely,



Duane L. Shroufe, Director
Arizona Game and Fish Department



Jerry A. Maracchini, Director
New Mexico Department of Game and Fish

cc: John Rogers, Regional Director, U.S. Fish and Wildlife Service

Attachments

APPENDIX A

Specific Comments on Plan Amendments DEIS

APPENDIX A

Specific Comments on Plan Amendments DEIS

ALTERNATIVES

ALTERNATIVES CONSIDERED IN DETAIL

Alternative A (page 6)

Table 3 shows virtually no difference in the anticipated effects of the selected characteristics between Alternative A (the No Action Alternative) and Alternatives C and F (the Preferred Alternative). The primary reason for this is that the No Action Alternative would "...continue the strategy of issuing Mexican spotted owl and northern goshawk management direction in the form of Forest Service Manual direction." Since the Forest Service has already stated that this strategy will not continue past June 1995, implementation of Alternative A does not seem to be a feasible alternative and should be identified as such. The No Action Alternative should be revised.

Alternative C (page 7)

- 1) The description of Alternative C states that the recommendations found in USDA, Forest Service, Rocky Mountain Forest and Range Experiment Station Technical Report (RM-217), titled "Management Recommendations for the Northern Goshawk in the Southwestern United States," will be followed. RM-217 calls for 20% of an area to be in VSS 6. However, Alternative C calls for a "minimum of 15-20+%" in VSS 6. This does not follow RM-217 and can only be interpreted as a minimum of 15%.
- 2) Although 15 to 20+% old growth is identified as the "minimum," anything above and beyond this amount is considered "surplus" and would be subject to treatments not necessarily aimed at enhancing old growth characteristics. The Departments recognize a critical difference between existing and developing old growth. Please see Appendix D for recommended management direction on this issue. If the intent is to have 20% in VSS 6, as called for in RM-217, this percentage should not be identified as a range or as a minimum. As written, these statements are contradictory and must be clarified.
- 3) The landscape scale for old growth allocation needs to be clearly defined. Although old growth may be "surplus" on a given ecosystem management area, the amount of old growth across an assessment area, a District or Forest may be deficit or of low quality.

Alternative D (page 7)

Although Alternative D is described as differing from Alternative C in the percentage of an area in old growth (VSS 6), both alternatives are described as meeting RM-217's guidelines. Alternative D calls for 20% in VSS 6. Alternative C allows for 15% in VSS 6. These statements are contradictory and misleading, and must be clarified.

Alternative F (page 7)

The zone concept described for the mixed-conifer vegetation type on the Apache National Forest does not meet the first two objectives for the Plan Amendments identified on page 3 of the DEIS. Specific concerns relating to the development and implementation of Alternative F were previously identified in the scoping comments provided by AGFD on May 26, 1994. Additional concerns relative to Alternative F and the zone concept are provided by the AGFD in Appendix B.

Table 3 (page 10)

- 1) VSS 4 and VSS 6 percentages for Alternatives C and F are not consistent with RM-217 (VSS 4 is 25 vs. 20% and VSS 6 is 15 vs. 20%) and justification is not offered for the modification of recommendations by the GSC.
- 2) Alternative D is depicted as producing "the least" forage. On page 14, under Forage Production, it is stated, "Forest structures in vegetative structural stages VSS-1 and VSS-2 increase the amount of sunlight reaching the forest floor and encourage increased forage production." Alternative D has the same percent in VSS 1 and 5% more in VSS 2 than Alternatives C and F. The "produce the least" label for Alternative D is inconsistent. Furthermore, canopy closures in older VSS classes do not differ among Alternatives C, F and D. Alternative D calls for canopy closures similar to those in RM-217 and Alternatives C and F claim to follow RM-217. Thus, the description of Alternative D as it relates to forage production is misrepresented.
- 3) Alternative D is labeled as not favoring "early-successional" wildlife species. As pointed out in item 2 above, Alternative D calls for a larger percentage of an area to be in VSS 1 and 2 (25% vs. 20%), which are early successional vegetative stages. If VSS 3 is also considered an early-successional stage, the combined percentage for Alternative D does not differ from that for Alternatives C and F (both are 40%).

Therefore, the "no" label for Alternative D is inaccurate and misleading and this Alternative is again misrepresented.

- 4) One important selected effect which was omitted from Table 3 is the impact of the alternatives on all other Forest Service TES species. We recommend adding this to the selected effects identified in Table 3.
- 5) The Departments question the determination of "no significant effects" for spotted owl under Alternative F and goshawk under Alternative E. Alternative F contains no specific provisions for the preservation of spotted owl core areas or nest sites and Ganey (1994) has found that spotted owls avoid even selectively logged areas. Although Alternative E allows less canopy cover than recommended by the GSC in RM-217, Table 3 identifies "no significant effects" to the goshawk from implementation of the alternative.

AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

VEGETATION

Insect and Disease Risk

Environmental Effects (page 12)

- 1) Statements describing Alternatives A, C and F are identical to those for Alternative D, e.g., "Limitation or delay of insect and/or disease suppression may result in serious habitat fragmentation... Future pest damage and fragmentation may occur if disease suppression activities are not allowed." Despite the identical description, it is then stated that Alternative D poses a greater risk to insects and disease than do Alternatives A, C and F. Table 3 also reflects this by assigning a higher risk value to Alternative D. It is not clear why Alternative D will limit or delay insect and/or disease suppression more than the proposed action. In fact, Alternative D allows for 20% of an area to have even-aged treatments, specifically to address insect and disease problems. Statements such as these are misleading, misrepresent Alternative D and make it appear that the analysis was designed to support the Preferred Alternative.
- 2) Alternative strategies for dealing with mistletoe infected trees, such as buffers (sanitation donuts) or girdling and leaving as snags, should be evaluated in the DEIS.
- 3) Dwarf mistletoe and forest insects are endemic species which carry out valuable forest processes (nutrient cycling) and benefit wildlife species (Szaro and Balda 1979, Bennetts

1991). Witches brooms formed by dwarf mistletoe infections are the primary source of nest substrates used by spotted owls (Fletcher 1994).

**Fire Risk/Fuel Loading
Environmental Effects (pages 12-13)**

- 1) Fire risk ratings were assigned to each alternative. It is understood that fire risk factors are relative ratings and that a score of 2.0 is less risk than a score of 3.0. Aside from stating that these ratings are based on allowable tree cutting and prescribed burning activities, there is no explanation as to how these scores were derived and how they relate to fire risk for a given area over a given time period. As such, these scores are subjective and meaningless.
- 2) Alternative D was rated as having a higher risk than any other Alternative. It is not clear why Alternative D is believed to limit prescribed burning and tree cutting more than RM-217, which the proposed action claims to follow. In fact, fire is a primary management tool for Alternative D. Again, Alternative D seems to be misrepresented.

**Forest Structure
Affected Environment (page 13)**

The DEIS states that there is spotted owl and goshawk habitat outside the suitable timber base. The extent of such habitat should be quantified, in any analysis of population viability.

Environmental Effects (page 14)

The criteria used to compare ecosystem sustainability across alternatives are not presented or discussed. What is the basis for this comparison?

**Forage Production
Environmental Effects (page 14)**

Forage production depends primarily on tree density and soils, rather than the mix of successional stages (late successional stages can produce lots of forage). Alternative D does allow timber harvest (primarily smaller size classes) and prescribed fire. These management activities would not necessarily occur at decreased levels under Alternative D. As mentioned earlier under comments on Table 3, Alternatives A, C, F and D

should produce similar amounts of forage. Statements in this section, as well as in Table 3, should be revised accordingly.

WILDLIFE

Environmental Effects/SOUTHERN ZONE (page 15)

- 1) Alternatives E and F cannot be called "...consistent with Endangered Species Act requirements..." when all recent Biological Opinions (USFWS 1993) have stressed the importance of the Interim Directive #2 guidelines and neither alternative meets these guidelines.
- 2) Under this section, it is stated that individual and cumulative actions proposed for upcoming years "may affect individual owls and their reproduction but will not cause a loss of population viability..." and that these actions are "not likely to jeopardize the continued existence" of the owl. Without providing the basis for these conclusions, allowing actions that might affect individuals and their reproduction, and actions that are "not likely" to jeopardize its existence seem inconsistent with the goal of species recovery.

Northern Goshawk

Environmental Effects (page 16)

- 1) This section claims that "monitoring of management activities will ultimately verify whether the Committee's recommendations need adjustment or not." A detailed description of the monitoring scheme that is being (or will be) implemented to "verify" whether the GSC recommendations are indeed achieving stated objectives must be provided. As written, this claim is vague, yet such a monitoring plan is essential to conserving productive goshawk habitats and viable goshawk populations. To our knowledge there is no monitoring plan in place to validate and subsequently adjust the GSC's recommendations.
- 2) The analysis of each alternative indicates that the forest ecosystem may be jeopardized by focusing on late successional conditions over 60% of the territory area. This is a confusing statement since presettlement conditions were primarily late successional and obviously sustainable.

Alternative E (page 16)

- 1) Under this alternative, it is stated that some goshawk habitat may be adversely modified, "but it is not anticipated that the

modifications will affect long term northern goshawk population viability." What is the basis for this statement? Unsubstantiated statements such as this are opinions. An evaluation of the environmental consequences of management actions on a Category 2 species should be rigorous and fully documented.

- 2) If Table 3 is correct, Alternative E will have 45 percent (not 55%) of the area in "late-successional" forest conditions. These inconsistencies need to be corrected. If Table 3 is correct and the text is incorrect, accompanying statements regarding the impacts on spotted owl and goshawk habitat under this Alternative may need to be revised.

Other Wildlife (pages 16-18)

- 1) The 80+ vertebrate wildlife species associated with late-successional forests and the "number of species" using early-successional forests should be listed in appendices. Since the ecological processes of these forests and their relationships to the 80 late-successional forest species are "poorly understood", we believe it is wise to take a conservative approach toward management of late-successional forest structural components until they are better understood.
- 2) The DEIS does not address the problem of fragmentation of old growth forests. The proposed standards and guidelines are vague and provide little assurance that old growth ecosystems will be sustained. The proposed guideline that old growth "will be distributed throughout the forest" should be a standard and should be presented in much more precise terms. The Departments recommend that there be goals for maintaining and developing old growth in each assessment area, each Ranger District and each Forest to insure a broad distribution of old growth across the landscape.
- 3) The DEIS presents no standards or guidelines for old growth block sizes. Use of the IRM process "to meet desired ecosystem conditions" is vague and inadequate to prevent further fragmentation of existing old growth.

Table 6 (page 18)

- 1) Table 6 is erroneously labeled Table 5.
- 2) It would be helpful if an explanation was provided for the way these percentages were derived.

187

Alternative D (page 18)

Given current forest conditions, it is hard to comprehend how "...early-successional species would suffer..." under any of the alternatives.

Attainment of Desired Condition and Table 7 (page 18)

- 1) It is stated that each alternative was evaluated for its potential to meet wildlife objectives. Table 7 compares and rates each alternative as fair, moderate, good or high. No explanation is provided as to the criteria or rationale used to evaluate and rate each alternative.
- 2) Table 7 rates Alternative D as "moderate" and all other alternatives as "good" in their ability to manage for multiple species. As discussed in the comments provided above, there is no reason why Alternative D should receive a lower rating than all other alternatives. The DEIS completely avoids the discussion of forest density on wildlife and wildlife habitat. The Departments believe that Alternative D will better meet the needs of wildlife that use dense forests than the other Alternatives and therefore should have received a higher rating in Table 7. Again, these subjective ratings are misleading and inaccurate. If qualitative judgements such as these are to be used to evaluate alternatives, their basis must be factual and the process used to arrive at these judgements fully disclosed.

SOIL/WATER/AIR/VISUALS
Environmental Effects
Alternative E (page 19)

The last sentence in this section states: "However; the real differences between this alternative and the other alternatives, while having slightly more adverse impact on the environment, would hardly be discernible on the ground." Such unsubstantiated statements are common throughout this document and exemplify the reason for concern over the lack of rigorous analysis in the determination of environmental consequences resulting from implementation of management alternatives. The frequency of such statements calls into question the soundness and credibility of this document.

RECREATION/SPECIAL USES
Environmental Effects (page 21)

Alternative D is no more restrictive regarding recreational uses than any other alternative.

COMMODITY PRODUCTION/STATUTORY RIGHTS
Mineral & Energy Resources-Effects on Statutory Rights (page 22)

Alternative D will not differ from alternatives A, C or F with respect to effects on statutory rights.

LANDOWNERSHIP ADJUSTMENTS
Environmental Effects (page 24)

There is no basis or explanation for the DEIS conclusion that Alternative D would have the highest potential for affecting land exchange options.

ECONOMIC/RURAL COMMUNITY
Mineral and Energy Economics
Environmental Effects (page 25)

This discussion indicates that all alternatives will cause a reduction in mineral and energy production. The section concludes that "while the effects of the alternatives are nearly identical, Alternative D would have a slightly greater effect followed by Alternatives A, C and F. Alternative E would have a slightly lesser affect." How was this conclusion reached and what information was it based on? Such sweeping conclusions are simply not justified without explaining the process used to reach them. Again, as presented, they appear to be opinions and not the result of analyses based on factual information.

Timber Production Economic Effects
Affected Environment
Jobs and Income (page 26)

At the end of this section it is stated that harvest levels of 150 or 200 MMBF per year could result in "additional mill closures ..." Table 3 indicates that the no action and the proposed action will produce 200 MMBF and that the social effects will "stay same as now." Table 3 and the quoted statement are not consistent and should be clarified. It

would seem that these alternatives should not "stay same" but "get worse," as in Alternative D, which is projected to produce 150 MMBF.

Social Impacts
Affected Environment
Small Communities (pages 26 and 27)

The National Forest Management Act (NFMA) was passed in 1976. However, this discussion states that beginning in 1991, timber harvest "dropped dramatically" due in part to requirements of NFMA for the northern goshawk. As far as we understand, this law has not changed and should not have caused a sudden change in management activities 15 years later.

Appendix E
Alternative Comparison of Standards and Guidelines
Alternatives A&C(F) (Pages 91-94)

Standards

- 1) One standard is to conduct surveys in analysis areas prior to habitat-modifying management activities. However, surveys should not be driven only by management activities but also by the need for better knowledge of the owl's distribution.
- 2) The core and territory acres were a standard, not a guideline, in the previous scoping document. This standard has been supported in USFWS Biological Opinions and should be listed as a standard. Stand-modifying activities (500 ac) and two years of complete surveys (whether owls are located or not) should also be standards, not guidelines.

Guidelines

- 1) We recommend that the spotted owl breeding/rearing season of February 1 - August 31 be extended to September 30 to allow time for juvenile dispersal of the owl. This extended breeding/rearing season should apply to vegetation modifying activities outside of the core management territory, and to management activities within 0.25 mile of the nest site.
- 2) Clarify the meaning of "forest matrix". Specifically, what would be the shape and size of the matrix zone? How would they be monitored? Who would identify them?

- 3) Another guideline is to establish a management territory for every pair of owls found. The size of the territory should be based on available scientific literature. Therefore, until the Recovery Plan is available, Interim Directive 2 should be used.
- 4) The length of time each management territory should be monitored is not discussed. This time period should be stated in the document.
- 5) Provide justification of created opening sizes of no more than two acres.
- 6) The third paragraph under Guidelines states, "Suitable habitat should be managed..." The Departments question the need to manage areas currently identified as suitable for spotted owls.

APPENDIX B

**Arizona Game and Fish Department
Specific Comments on Alternative F**

APPENDIX B

Arizona Game and Fish Department Specific Comments on Alternative F

The demonstration area described in Alternative F refers to six zones in the mixed-conifer type on the Apache National Forest which vary in slope and aspect. The Arizona Game and Fish Department does not believe that the demonstration area reflects an ecosystem approach and has the following concerns relative to its application on the Apache National Forest:

- 1) The document separates the demonstration area into six individual zones. However, there is no discernable difference between proposed management strategies of Zones 2 and 3. There is similarly no difference between management strategies of Zones 5 and 6. Rather than six zones, there are in fact only four zones, as follows:

- Zone 1 - > 40% slope, north aspect
Natural Evolution Management Emphasis
- Zone 2 - < 40% slope, north aspect
Unevenaged Management Emphasis
- Zone 3 - > 40% slope, south aspect
Natural Evolution Management Emphasis
- Zone 4 - < 40% slope, south aspect
40-60% Unevenaged Management Emphasis

The Desired Condition for Zone 2 is to manage the forest using unevenaged silvicultural methods to achieve an all aged, late seral forest condition with large trees, adequate snags, down woody materials and multiple stories. Manage for 25 to 40 percent of maximum SDI.

The Desired Condition on 40-60% of Zone 4 is to manage the forest using unevenaged silvicultural methods to achieve an all aged, late seral forest condition with large trees, adequate snags, down woody materials and multiple stories. The Desired Condition on the other portion of Zone 4 is to manage the forest using evenaged silvicultural methods to achieve moderately large trees, adequate snags, down woody material, and a single storied stand. Manage for 25 to 40 percent of maximum SDI.

- 2) Habitat corridors are excluded from planning and impacts to other habitat types, biodiversity and viable populations are not considered.
- 3) The alternative disregards the best scientific evidence used to derive Interim Directive #2 for spotted owls in favor of implementing a strategy with no protection for core areas, roosts, or even nest sites. Alternative F may also be inconsistent with the Mexican Spotted Owl Recovery Plan. A draft of the recovery plan is due in early December. Forest Service figures indicate that approximately 25-30% of spotted owl core areas will not be protected and will be available for silvicultural management. In addition, a large portion of

spotted owl territories will also be available for silvicultural management. The Department continues to stress that all spotted owl cores should be protected and included within the natural evolution areas that are unavailable for treatment.

- 4) The alternative limits the natural range of variation to 25-40% SDI
- 5) Many spotted owl nests occur on slopes < 40% (Fletcher and Hollis 1994). Alternative F permits treatment in these nest areas.
- 6) Alternative F does not identify any Standards and Guidelines for old growth within the proposed demonstration area. The Apache-Sitgreaves Forests have indicated that approximately 44% of the demonstration area will be managed for old growth. This figure is based on previously allocated old growth, inventoried old growth with scores greater than 50, special management areas, and slopes greater than 40%. The AGFD believes that allocating all special management areas and slopes over 40% as old growth, without conducting inventories, will misrepresent existing and future habitat conditions.

This alternative also has the potential to promote patchiness and fragmentation of old growth by relegating stands to be managed for "natural evolution" to slopes greater than 40%. The best growing sites, flat slopes with deep soils, would be allocated for timber harvest. A map of all unavailable areas should be produced to address this concern.

APPENDIX C

Arizona Game and Fish Department White Paper

Note: This document was prepared by Arizona Game and Fish Department in 1993. The Forest Service conducted an extensive review of that document in 1994. Both documents have been included in the planning record, but because of their extensive size are not reprinted in the FEIS.

(195)

APPENDIX D

Management Recommendations

APPENDIX D

Management Recommendations

The following management recommendations for ponderosa pine are supported by both the Arizona Game and Fish Department and the New Mexico Department of Game and Fish as a means of addressing some of the concerns identified in our comments on the Forest Plan Amendments DEIS. For additional detailed information on goshawk habitat management recommendations for spruce-fir, mixed conifer, and ponderosa pine forests not covered below, please refer to RM-217. For other forest cover types not covered in RM-217, such as pinyon-juniper, use the latest scientific information, as it becomes available, to help in managing goshawk habitat.

Goshawk habitat includes the entire ponderosa pine, mixed conifer and spruce-fir forest cover types in the southwestern United States. In addition, all other forest cover types (i.e., pinyon-juniper) may be important, but the importance of those forest types remains unknown at this time. The intent of the following recommendations is to sustain approximately 40% of the landscape in old forest (large old trees) through time. This will be achieved by maintaining the existing mature (VSS 5) to old forest (VSS 6) structure across the landscape until an average of 20% of the landscape contains VSS 5 and 20% contains VSS 6.

INVENTORY

Standard: Search the entire analysis area, during the goshawk breeding season, for nesting goshawks before the habitat modifying project begins. Two years of inventory are required.

TERRITORY

Standard: Establish a 6,000 acre management territory for all known goshawk breeding areas (one breeding area may contain several nest sites).

As per RM-217, establish three 30-acre nesting areas that are currently used or suitable for use by goshawks. Establish three 30-acre replacement nesting areas that will be managed to become available for use when the existing nesting areas become unusable. Designate a 600-acre Post-fledgling Family Area (PFA) that includes the six nest areas. Establish a 5,400-acre foraging area around each PFA. If the foraging area recommendations described in the following sections are applied outside goshawk territories, the 5,400-acre foraging area designation would be unnecessary.

Guideline: If the three replacement nesting areas cannot be located within the existing PFA, designate a replacement PFA and manage it to be available for use when the replacement nest areas become suitable for use. Map the boundaries of nest areas, PFAs, and foraging areas on USGS 7.5 minute topographic maps and, if available, on a Geographic Information System.

MANAGEMENT SEASON

Standard: No adverse management activities are allowed at any time in the nest area. If PFAs are occupied during the breeding season, management activities are allowed from October through the end of February. In unoccupied PFAs, management activities are allowed from July through the end of February. Management activities are allowed year-round outside the PFAs.

HABITAT MANAGEMENT OUTSIDE GOSHAWK PFA'S AND ACROSS THE LANDSCAPE

Standard: Areas with high site potential (due to elevation, aspect, soils, hydrology etc.) will be managed according to the conditions outlined in Table 1. For example, an area with a site index of 90, having a SDI of 35% and managed at a 250 year rotation will have 56% of the landscape in VSS 5 and VSS 6. Also apply the standards and guidelines listed below for stand structure, lands classified as unsuitable, canopy cover levels (Table 1), forest age, reserve trees, shortages in VSS 5 & VSS 6, hiding and thermal cover and old-growth, to areas outside of goshawk territories in ponderosa pine forest cover type.

Guideline: The objective is to: 1) sustain as much mature and old forest across the landscape as possible, 2) provide future habitat for goshawk PFAs and improved habitat for other forest wildlife, 3) allow for future expansion of wildlife populations into currently unoccupied but potentially suitable areas, and 4) to provide wildlife movement corridors. Additional wildlife and ecosystem benefits are expected because of the longer rotation and management at the group, patch, site and landscape levels. Many high potential sites are located on north facing slopes and/or in drainages. These locations provide both denser forest habitats (including Goshawk PFAs) and movement corridors.

Low sites may not support the size and density of trees we would like. Conversely, high sites will exceed the growth that is described by the GSC. The intent, therefore, is to grow as many large, old trees as possible over time.

STAND STRUCTURE

Standard: Follow uneven-aged management within and outside goshawk territories with the option of managing up to 20% of the area outside of PFAs in even-aged patches greater than 4 acres, but not to exceed 100 acres in size.

Guideline: The intent is to develop a mosaic of forest vegetation structural stages that are interspersed throughout the landscape. Also, this will provide flexibility for managers to address forest health issues, consider existing even-aged sites (stands) larger

than 4 acres, manage urban interface areas where fire management is important, provide for wildlife habitat needs, and maximize biodiversity. Because the current proportions of VSS 5 & VSS 6 (mature and old forest) are in short supply, the intent is not to reduce this limited resource.

TREATMENT IN LANDS CLASSIFIED AS UNSUITABLE

Standard: Treatment in lands classified as "unsuitable" and/or "not capable" is allowed when the treatment is in a manner compatible with the reason for the classification and will maintain and protect wildlife values such as ponderosa pine stringers, fringe habitat, and ecotones. The intent is to provide an opportunity to restore fire to the ecosystem and not to permit commercial timber harvest on slopes greater than 40%.

CANOPY COVER MEASUREMENT

Standard: Vertical projection is the standard for measuring canopy cover.

Guideline: Convert densiometer measurements to vertical projection values by subtracting 13% (Edminster, in prep.) until better information is available.

CANOPY COVER LEVELS

STANDARD: Follow canopy cover levels in Table 1.

Guideline: For smaller trees in the 9 to 12 inch size class, the desired future forest condition is to have groups of trees managed toward the 40% canopy closure, group structure, and distribution desired in the VSS class 4. Areas with low site potential (Site Indices less than 60) may not be capable of attaining the desired canopy closure (40%) but should be managed to attain the 40% canopy closure wherever possible.

Trees in some areas of VSS 3 and 4 have low live-crown ratios because of existing high tree densities. To remedy the situation, canopy closure in VSS 4 may be reduced to 30% in areas outside the PFA and 40% in the post-fledgling family area where the average live crown ratio for a patch is less than 40%. In very dense VSS 3 (i.e., greater than 120 square feet of basal area per acre) where the live crown ratio is low, a gradual reduction (successive treatments) in tree density is necessary to provide for an intermediate crown closure on up to one half of the VSS 3 acres in an assessment area.

The intent of the policy is to have variability in canopy cover and tree density at multiple scales (i.e., group, patch, and site level). How this variability at multiple scales is defined and applied on the ground is still being discussed between the Forest Service and the other wildlife management agencies. The AGFD has recently submitted a proposal to address this issue in its comments on the Kaibab Forest Plan DEIS.

Use the best available information to determine desired canopy cover and improve management application. Also, use the best data available to determine which site, patch or group densities provide the desired canopy closure. There is still disagreement between the Departments and the Forest Service on the design and implementation of harvest prescriptions that will achieve the described canopy cover level. The Departments do not agree with the implementation on the Kaibab National Forest as described in the Kaibab National Forest Implementation and Interpretation (KNFI&I) Guidelines (see AGFD white paper).

FOREST AGE

Standard: The ponderosa pine landscape will be managed under a rotation age of 250 years.

Guideline: A 20-year entry for silviculture treatments is preferred. The intent is to have healthy forests with large, old trees with old growth characteristics interspersed through the areas. Healthy forests have endemic levels of insects, disease, and some decadence. On sites of lower productive capability (estimated site index 60 or less), trees may have old-growth characteristics but be unable to grow to the large VSS 6 size. However, sites of high productive capability (estimated to be site indices of 80 or greater) are expected to produce VSS 5 & 6 across more than 40% of the assessment area.

RESERVE TREES

Standard: Leave 4 live reserve trees, 18 inches DBH or greater in size, per acre in VSS 1-4.

Guideline: The standard applies regardless of the presence of snags. The intent is never to remove reserve trees once they have been identified. Reserve trees 18" DBH or greater in size are generally considered "yellow pine." Reserve trees are never cut. The intent of leaving reserve trees across the landscape is to provide: 1) large old green trees, 2) large-quality snags for the future to replace existing snags, and 3) future large down logs to replace the existing down logs. Snags and large down logs are critical habitat components for the survival of primary goshawk prey and for the maintenance of wildlife species diversity.

Reserve trees are in addition to the required snags per acre. Reserve trees on one acre can not be used to make up for a shortage on another acre. If more than 4 reserve trees exist, and VSS 5 & VSS 6 are limited, these reserve trees will be managed as a group of VSS 5 or VSS 6 and not as a VSS 1-4.

SHORTAGES IN VSS 5 AND VSS 6

Standard: Leave all trees of VSS 5 (18-24 inch dbh trees) & VSS 6 (trees larger than 24 inches dbh) size when there is a deficit of these VSS groups in the assessment area. An assessment area is generally 10,000 to 15,000 acres in size.

Guideline: RM-217 recommended having approximately 40% of the landscape in VSS 5's and 6's. For goshawk territories where there is a shortage of area containing VSS 5's and VSS 6's, all trees 18 inches and larger dbh are to remain. In rare instances when forest health is an extreme problem, treatment is allowed. General treatment to control insect and disease is not a valid reason to harvest large trees in deficit situations. Because the current proportions of VSS 5 & VSS 6 (mature and old forest) are in short supply, the intent is not to reduce this limited resource. Selection of assessment areas should be based on ecological criteria and should not be designed to make large trees available for harvest.

REPORTING VEGETATION DATA

Standard: Use the 6 class vegetative structural stage (VSS) system published in RM-217 for reporting tree frequency data in your project file.

Guideline: Display the VSS distribution by site capability (low, site index <60; medium, site index 60-80; high, site index >80) in project documents. Also show current VSS distribution, VSS distribution immediately after treatment, and the desired future VSS distribution. The intent is to use a consistent communication tool between the Regional Office, Forests, sister natural resource agencies, non-governmental organizations, and other interested parties. In addition, for each goshawk territory within an analysis area affected by a project, show the current VSS distribution, the proposed VSS distribution by alternative immediately after silvicultural treatment is completed, and the desired VSS distribution. If the VSS distribution is lowered below the percentage recommended by the GSC, document why the deviation occurred and how the deviation will reach the desired distribution faster than alternatives not selected.

HIDING AND THERMAL COVER

Standard: Meet current LMP standards and guidelines for cover.

Hiding cover is a necessary habitat component for goshawk prey and other wildlife. Flexibility is present within the GSC recommendations to include hiding cover while, at the same time, moving the current vegetative condition toward the Desired Future Condition (DFC). However, in the interim, before the newly planned regeneration areas have trees that are of sufficient cover size, it may be necessary to provide cover by temporarily leaving some areas in a dense condition. Current LMP standards and guidelines need to be revisited in light of the shift in management emphasis toward uneven-aged management.

OLD-GROWTH

Standard: Treatments in old-growth (whether designated, allocated, or unclassified) are limited to tree 'thinning from below' and use of fire to control regeneration.

GUIDELINES:

I. Management in Allocated Old-growth

Prior to any treatment, determine the VSS distribution within areas already allocated as old-growth. Acres in each VSS class within allocated old-growth will be applied to the overall VSS distribution in goshawk territories or analysis areas. Treatments to adjust VSS distribution will occur outside allocated old-growth. Existing blocks of allocated old-growth will be maintained where they occur.

Treatments in allocated old-growth will be designed to enhance the old-growth attributes described above and will be limited to the following:

Existing old-growth - For not at-risk old growth, thin from below, < 5" dbh and use prescribed burning. For at-risk old growth, thin from below, < 12" dbh and use prescribed burning. "At-risk" implies serious imminent ecological damage, not merely the presence of mistletoe or insects.

Developing old-growth - thin from below, < 12" dbh and prescribed burning.

Developing old-growth is distinguished from existing old-growth by having, on a stand basis, fewer than 14 trees/acre \geq 18" dbh. In managing developing old-growth, priority will be placed on maintaining those components that are hardest to replace.

II. Management in Unallocated Old-growth

A. If blocks \geq 100 acres of old-growth exist, allocate these as existing old-growth and manage them according to the strategy for allocated existing old-growth described in section I.

B. If blocks \geq 100 acres of old-growth do not exist, allocate blocks of 100 acres or more by combining existing blocks and adjacent developing old-growth. Manage these areas under the strategy for allocated developing old-growth described in section I.

Management actions outside of these guidelines will be proposed by the Forest Service only in the event of impending catastrophic events and will be preceded by an interagency coordination meeting. The purpose of the meeting will be to explain the need for the action, project objectives, project design and potential alternatives to meet the project objectives.

These recommendations do not replace or supersede existing agreements on management of old-growth reached during settlement of Forest Plan appeals.

Treatments are limited in old-growth because of 1) the scarcity of old-growth, 2) the uncertainty that the unique habitat attributes of old-growth can be reproduced silviculturally, and 3) the length of time necessary for the development of old-growth. Old-growth is being maintained to retain old-growth characteristics for a variety of wildlife species and to conserve already scarce old-growth throughout the Region. The intent is to maintain all existing allocated blocks of old-growth, to allocate old-growth where it has not yet been allocated and to enhance old-growth attributes in areas of developing old-growth.

Old-growth Attributes in Ponderosa Pine Type Are:

A. General attributes:

Large, old, yellow-bark trees; wide, long, smooth plates; heavy limbs; flat crowns; \geq 18" dbh (\geq 14" dbh at low sites); most trees over 200 years old (Thomson, Walter G, 1940), A growth rate classification of southwestern ponderosa pine. J. For. 38:547-553). Poor sites may not grow trees with all of these characteristics.

B. Desired Future Condition:

1. 2 snags/acre minimum (snag = \geq 18" dbh, \geq 30' tall)
2. 3 downed logs/acre minimum (downed log = \geq 12" diameter, \geq 8' long)

203

Appendix D
November 30, 1994
8

3. 5-7 tons of woody debris/acre minimum (woody debris = ≥ 3 " diameter)
4. Allocate and maintain at least the LMP minimum area requirement as allocated old-growth per section I above.

The intent is that all old-growth attributes identified above will be present in VSS 6. VSS 5 should have most of these attributes present and is intended to provide all of these attributes in situations where site capabilities will not allow achievement of the dbh identified for VSS 6.

CANOPY COVER LEVELS

Standard: Follow Canopy cover levels shown in Table 1 below.

Table 1. Minimum patch canopy closure at year one after treatment.

VSS Class	Outside Goshawk Post-fledging Family Areas			Post-fledging Family Area		
	SI <60	SI 60 TO 80	SI >80	SI <60	SI 60 TO 80	SI >80
4	40%*	40%	50%	50%*	1/3 60% 2/3 50%	1/3 60%, 2/3 50%
5	40%*	40%	50%	50%*	50%	50%
6	40%*	40%	50%	50%*	50%	50%
9-12 inch dense VSS 3, ≥ 120 BA	40%*	Up to 1/2 the area 50%, the remainder 30%	Up to 1/2 the area 50%, the rest at 40%	50%*	Up to 1/2 the area 50%, the rest at 40%	Up to 1/2 the area 50%, the rest 40%
9-12 inch in less dense VSS 3, ≤ 120 BA	30%*	30%	40%	40%*	40%	50%

1 Site capability

* canopy closure to be reached if site conditions permit

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Fletcher, K.W. and H.E. Hollis. 1994. Characteristics of Mexican Spotted Owl Nest Trees Found on the National Forests of Arizona and New Mexico. A Paper Presented at the First Annual Conference of the Wildlife Society in Albuquerque N.M.

Ganey, J.L. and R.P. Balda. 1994. Habitat Selection by Mexican Spotted Owls in Northern Arizona. *The Auk*. 111 (1): 162-169.

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ROBERT BIGANDO, AICP
Director

Rec'd 002-110
Regional Forester's Office

DEC 13 1994



ROBERT J. MAWSON, CBO
Deputy Director

**GILA COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

December 1, 1994

Mr. Charles W. Cartwright, Jr.
Regional Forester
U.S.D.A. - Forest Service
517 Gold Ave., S.W.
Albuquerque, NM 87102

RE: DRAFT ENVIRONMENTAL IMPACT STATEMENTS - PROPOSED FOREST
PLAN AMENDMENTS - MEXICAN SPOTTED OWL AND NORTHERN
GOSHAWK

Dear Mr. Cartwright:

I am presenting the following comments on behalf of Gila County, Arizona.

After reviewing the draft E.I.S., we conclude that alternative "C" does not represent the best alternative.

Although we support the continued use of the I.R.M. process for site specific project decisions, we feel that the full value and effectiveness of this process is negated by a minimum allocation of 15 - 20% old growth and a prohibition against steep slope harvest, along with a prohibition of management activities for prolonged periods in cumulative set-asides of critical habitat.

Management activities should be dictated by their effect on the long term health of the forest ecosystem. Especially in steep slope areas, a prohibition of any management activities will contribute to a build-up of fuel and leave the slopes susceptible to insect infestation, increasing the danger of loss of these areas to wildfire, with subsequent destruction of wildlife habitat and increased run-off and soil erosion.

It is our position that Alternative "E" provides the greatest economic benefit to forest users and ensures the long range sustainability of the forest resource by best protecting the ecosystem while having no significant adverse effects on either the Mexican Spotted Owl or Northern Goshawk.

149 South Broad Street, Suite A, Globe, Arizona 85501. Phone 602-425-2093, 425-2611
714 South Beeline Highway (P. O. Box 2297). Payson, Arizona 85547. Phone 602-474-9276
FAX: Globe 602-425-0829. Payson 602-474-0802. T. D. D. Number 602-425-0839

207

Page Two

Citing Tables 1 and 3, as well as the text of the draft E.I.S., we note that Alternative "E" offers the lowest risk for both insect/disease infestation and the occurrence of wildfires.

The vegetation structural stages, compared with the other alternatives, favor earlier successional stages, but allows old growth allocation if needed, supporting a sustainable and healthy ecosystem.

Flexibility in silviculture methods and determination of M.S.O. standards and guidelines, as well as the ability to conduct management activities, when warranted, on steep slopes and in critical habitat are also important features of Alternative "E" which will allow for improved sustainability of the resource and improved ecosystem health.

Of significant importance to Gila County is the fact that Alternative "E" would result in increased forage production, increased timber production, increased income and increased jobs while having no significant effects on either the Mexican Spotted Owl or the Northern Goshawk. Thus the continued threat to local economies, the loss of customs and culture, and the accompanying social problems would be minimized while still protecting the two species and providing for a health ecosystem.

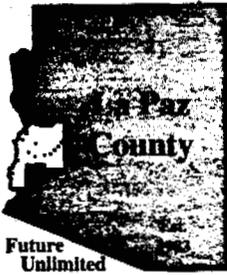
Gila County sincerely urges the adoption of Alternative "E", and appreciates the opportunity to submit comments.

Sincerely,



Bob Bigando, A.I.C.P., Director
GILA COUNTY COMMUNITY DEVELOPMENT

cc: Ron Christensen, Supervisor, District I
Pete Shumway, Chair, Eastern Arizona Counties Organization



La Paz County Board of Supervisors

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November 7, 1994

Mr. Charles W. Cartwright, Jr.
Regional Forester
U.S.D.A. Forest Service
517 Gold Avenue S.W.
Albuquerque, NM 87102

RE: Comments on Draft Environmental Impact Statement for Region 3 Forest Plan Amendments

Dear Mr. Cartwright:

La Paz County, Arizona, hereby offers comments on the Draft Environmental Impact Statement (DEIS) for the proposed Region 3 Forest Plan amendments related to management of the Mexican spotted owl (MSO) and northern goshawk. Our interest in the Region 3 Plan amendment DEIS stems from our growing concern for and awareness of how decisions made by federal land and resource managers can impact rural lifestyles and socioeconomic stability. We firmly believe that ecosystem sustainability, biological diversity and healthy resource use-based communities are not mutually exclusive. In the case of the Region 3 amendment process, the Forest Service has a very unique opportunity to select a management alternative which provides for maximizing resource usage within certain parameters while enhancing the habitat needs of the target species.

In reviewing the DEIS, it became evident that Alternative E must be selected as the "environmentally preferred alternative" as per 43 CFR 1500 *et. seq.* It not only provides the best strategy for the long term conservation of the MSO and goshawk, but also addresses some very critical forest health issues which have plagued the Forest Service in this region. It has been well documented that our southwestern forests are severely at risk to catastrophic loss from fire and insect infestation due to decades of fire suppression activities. This risk to the natural environment extends to the human environment, including life and property, at the urban/forest interface. Alternative E would reduce this danger and, therefore, ensure ecosystem sustainability while minimizing risk to communities adjacent to forested areas.

Implementation of Alternative E also has other very beneficial environmental effects. It would improve forage availability, reduce soil erosion, increase surface

Gene Fisher
District 1

Joan Bighead
District 2

Greg Upton
District 3

Dan Field
County Administrator

209

Mr. Charles Cartwright
November 7, 1994
Page 2

and subsurface water supplies, enhance air quality, and generally restore the health of the ecosystem.

An additional advantage to selecting Alternative E is that it will create at least 1,400 more jobs and will generate millions of more dollars in revenue than the other alternatives. This is critical to providing the necessary support for our rural communities and preserving local customs and culture.

However, the most important aspect of Alternative E in terms of the environmental analysis is that it consistently rated the best in almost every criterion evaluated by the Forest Service in the DEIS. Therefore, it must be selected in the Final EIS. To not do so would make a mockery of the National Environmental Policy Act process and would not be in the best interest of the forest or the people who depend on it for food, fiber, recreation and spiritual renewal.

We request that the Forest Service assign the highest priority to ecosystem sustainability in Region 3 by selecting and implementing Alternative E.

Sincerely,



Gregory Q. Upton
Chairman

NOV 14 1994



November 9, 1994

Mr. Charles Cartwright, Regional Forester
USDA Forest Service
517 Gold Avenue SW
Albuquerque, New Mexico 87102

Dear Mr. Cartwright,

On behalf of myself and the Eagar Town Council, please accept this letter as public comment regarding the Draft Environmental Impact Statement to amend Forest Plans throughout the region.

We live only a mile or so from the National Forest. As a result, most of us spend considerable time on the forest hunting, camping, wood hauling, having family cook-outs, etc.

We believe that for a healthy forest, based on past practices of the Springerville Ranger District, that 'Alternative E' be selected in the final EIS. Areas that have been managed approximately the same as 'Alternative E', have more wildlife, better timber stands, and less disease than areas that have not been managed at all.

If you are ever in our area, I would like to accompany you onto the forest and discuss these issues on-site. Thank you for your consideration.

Sincerely,


George R. Peña
Mayor

GRP:km

cc: John Rogers, Regional Director USFWS
Jack Ward Thomas, Chief USFS

TOWN OF EAGAR

BOARD OF
COUNTY COMMISSIONERS

District I
BILL R. WILLIAMS

District II
BILL L. CARTER

District III
ROY B. SPENCER



County Manager
PAT MARCIANO

Torrance County

OFFICE OF THE COUNTY COMMISSION

P.O. BOX 48
ESTANCIA, NEW MEXICO 87016
Phone 384-2418 OR 384-2254
FAX# 384-5294

November 1, 1994

Arthur S. Briggs
USDA Forest Service
Land Management Planning
517 Gold Avenue, SW
Albuquerque, New Mexico 87102

Dear Sir:

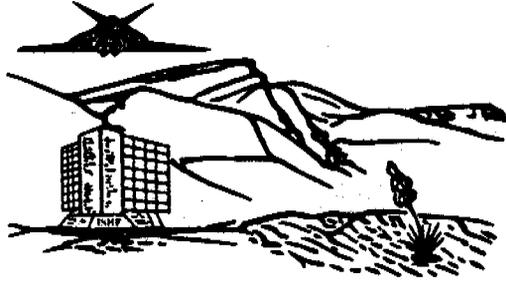
Thank you for the opportunity to comment on the draft environmental impact statement for amending ten national forest plans in the Southwestern Region.

As a Torrance County Commissioner, my concerns are both environmental and economic. I have studied all alternatives offered, and find that alternative E is, while too restrictive to allow significant economic growth, the preferred alternative.

Thank you,


Roy B. Spencer
Torrance County Commission

xc: Frank Martinez



COUNTY OF OTERO

1000 NEW YORK AVENUE, ROOM 101
ALAMOGORDO, NEW MEXICO 88310-6935

November 30, 1994

BY FAX AND REGULAR MAIL

Mr. Charles W. Cartwright, Jr.
Regional Forester
USDA Forest Service
517 Gold Ave., SW
Albuquerque, New Mexico 87102

Re: Comments on Draft Environmental Impact Statement

Dear Mr. Cartwright:

The following comments are based upon our experience with land management policies that directly impact the citizens of Otero County. Our comments are directly applicable to the land management policies of the Lincoln National Forest, but may have general application to other Forests in the Southwest Region. Otero County favors the adoption of Alternative E for the following reasons:

1. Fuel accumulation would best be reduced. This summer, the "Bridge Fire" caused the evacuation of the fourth largest community in this County. Hundreds of people were forced from their homes. In addition, there are many "in-holdings" within the Lincoln National Forest boundaries. Homes in these areas face increasing risk as fuel is allowed to accumulate from a policy which prohibits timber harvest. An alternative which does not minimize fuel accumulation will be interpreted as a deliberate policy of reckless endangerment threatening the lives and property of citizens. Appropriate action will be taken in case of the adoption of an alternative other than "E."
2. The Lincoln National Forest's health is generally poor. Infestations of bark beetles and mistletoe result in the death of many mature trees. Alternative E would help in improving the general condition of this forest.
3. The White Sands Forest Products Company is one of the few industrial employers in this County which pay decent wages to their workers. The timber harvest programs

213

Mr. Charles W. Cartwright, Jr.

November 30, 1994

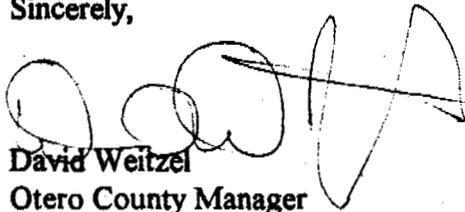
Page 2

proposed by Alternatives A, B, D, and F, make the continued viability of this company questionable. Alternative E might allow some timber harvesting in the Lincoln National Forest and ensure that this company and the jobs that it provides survive.

4. Access to Forest Lands for all purposes - hunting, camping, hiking, OHV use, fuel wood gathering, etc., will best be served by Alternative E.
5. Cattle raising is a major industry in this County. Alternative E increases forage not only for cattle but for wildlife.
6. We believe that Alternative E will create the best habitat for all species of wildlife. A land management policy based on two species is likely to have unforeseen and disastrous impacts on other kinds of plants and animals.

Otero County is an intervenor in the case of Coalition of Counties v. U.S. Fish and Wildlife Service concerning the listing of the Mexican Spotted Owl as an endangered species. We request that all work concerning changes proposed by this Draft E.I.S. be suspended until the Federal District Court has made its determination.

Sincerely,



David Weitzel
Otero County Manager

DW:sjb

JACK A. BROWN
STATE REPRESENTATIVE
DISTRICT 4

STATE CAPITOL - HOUSE WING
1700 WEST WASHINGTON
PHOENIX, ARIZONA 85007
1-800-352-8404



Arizona House of Representatives
Phoenix, Arizona 85007

COMMITTEES:
NATURAL RESOURCES, AGRICULTURE
& RURAL DEVELOPMENT
RULES
WAYS & MEANS

JOINT LEGISLATIVE TAX COMMITTEE

HOUSE ETHICS COMMITTEE

November 30, 1994

Charles Cartwright, Regional Forester
USDA Forest Service
517 Gold Avenue, SW
Albuquerque, NM 87102

Dear Mr. Cartwright:

I am writing this letter because of the concern and interest I have on the Draft Environmental Impact Statement (DEIS) to amend the Forest Plans throughout the region. I have read some information regarding the DEIS and I want to urge the Forest Service to pick Alternative E to amend these Forest Plans. It seems to me that Alternative E does more for the people and the forests for this region than any other alternative

I believe that Alternative E provides the best range forage, will return the most money to Counties for schools and roads, and will best reduce the risk of fire burning down people's homes.

Most of all I think that Alternative E does more for the ecosystem than any of the others and people are a big part of that ecosystem. By picking Alternative E, the Forest Service has the chance to do what's right for the people, and improve the ecosystem for all species.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Jack A. Brown".

JACK A. BROWN
State Representative

JAB:fd

(215)

JOE SHIRLEY, JR.
MEMBER OF THE BOARD
DISTRICT I
P.O. BOX 1952 • CHENLE, AZ 86503

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BOARD OF SUPERVISORS
OF APACHE COUNTY

P.O. BOX 428
ST. JOHNS, ARIZONA 85936

TELEPHONE: (602) 337-4364
FACSIMILE: (602) 337-2003



CLARENCE A. BIGELOW, MANAGER-CLERK
ST. JOHNS, AZ 85936

Attn: Chip Cartwright
Regional Forest Supervisor
USDA Forest Service Region 3
517 Gold Ave., SW
Albuquerque, NM 87102

November 29, 1994

Dear Mr. Cartwright:

We are writing to comment on the Draft Environmental Impact Statement to Amend the Forest Plan. As part of these comments, we include the following:

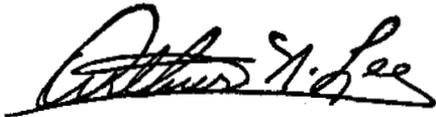
- Apache County's original comments
- USDA Forest Service, Southwestern Region. *Changing Conditions in Southwestern Forests and Implications on Land Stewardship*, U.S. Government Printing Office, 1993 (attached and incorporated).
- USDA Forest Service, Southwestern Region. *Forest Health Restoration Initiative: "Our Choice to Make"*, 1993 (attached and incorporated).
- Cooper, Charles F. "Changes in Vegetation, Structure, and Growth of Southwestern Pine Forests Since White Settlement", *Ecological Monographs*, 30 (2), 1960 (attached and incorporated).
- Kaufmann, Merrill R., William H. Moir, and W. Wallace Covington. "The Status of Knowledge of Old-Growth Forest Ecology and Management in the Central and Southern Rocky Mountains and Southwest", USDA Forest Service General Technical Report RM-213, 1992 (attached and incorporated).
- USDA Forest Service. *Fire and Forest Health: Southwestern Region*, 1992 (attached and incorporated).
- Gordon, Christine, D. Moore, G. Snider, and A. Thal. *Economic Impact Assessment of the Alternatives to the Southwest Region Forest Plan Amendment*. Silver City: Western New Mexico University, 1994 (attached and incorporated).

Our comments reflect a concern that the current preferred alternatives will adversely impact Apache County's economy, tax base, and culture. In response to these problems, and in accordance with the letter and intent of Presidential Executive Orders 12866 and 12372, the Intergovernmental Cooperation Act, §401 and 3 USC §301, and the National Environmental Policy Act, §4332(C), we request that you:

- attach our comments to the proposed rules throughout the remainder of the process
- respond in writing point by point to our comments on the Draft EIS
- coordinate with Apache County the mitigation of adverse impacts proposed changes to the forest plan would have on our custom and culture, economic stability, and tax base.

Thank you for this opportunity to comment. We look forward to your written response, and to coordinating with you amendments to forest plans which protect both ecosystems and people.

Sincerely:

A handwritten signature in black ink that reads "Arthur N. Lee". The signature is written in a cursive style with a large initial "A" and "L".

Arthur N. Lee, Chairman
Board of Supervisors of Apache County

- Alternative E generates at least \$37 million dollars more in income per year than the other alternatives.
- Alternative E creates at least 1,400 more jobs than the other alternatives.
- Receipts generated from management activities to poor rural Counties for schools and roads that depend on these receipts to maintain their schools and roads are maximized by Alternative E.
- The custom and culture of the citizens of Arizona and New Mexico will be best protected by Alternative E.
- **Alternative E is the only one which ensures the restoration of the health of the overall forest ecosystem.**
- Alternative E affords better protection of the human environment than A, C, D, or F.
- **Alternative E best ensures that the Forest Service assigns the highest priority to ecosystem sustainability.**
- **Alternative E is the alternative supported by the environmental effects analysis.**

With these comments, in conjunction with those attached, Apache County recommends the following:

- *In the record of decision, Alternative E should be identified as the "Environmentally Preferred" alternative per 43 CFR 1500 et. seq.*
- *We Recommend the integration of the Chief's Forest Health Initiative and the Southwest Region's Forest Health Restoration Initiative as the compelling and immediate management direction. At a minimum, incorporate this initiative as an evaluation criteria for each alternative considered in the Final EIS.*
- *We request that the Forest Service immediately reduce the catastrophic fire risk to private property adjacent to and/or fully surrounded by USFS land. Alternative E is the only alternative that will protect more than 250,000 homes currently at risk to fire in the Southwest Region generally and approximately 11,300 homes at risk in and around the Apache-Sitgreaves Forest.*
- *We recommend that the entire landscape be available for multiple-use management, and that it be managed for the maximum benefit of present and future generations of Americans as called for in the National Forest Management Act (16 USC §1604); the Forest Administration Organic Act of 1872 (16 USC §475); and the Multiple Use-Sustained Yield Act of 1976 (16 USC §528).*
- *We request that an Environmental Impact Statement be done on each forest in accordance with case law as developed in State of California v. Block (690 F. 2d 753, 1982).*

Apache County, Arizona
Comments on the Draft Environmental Impact Statement (DEIS)
To Amend the Forest Plan

- **Alternative E ensures better ecosystem sustainability than Alternatives A,C,D, & F by reducing risk to catastrophic loss from fire, disease and insect infestations significantly more than the other alternatives.**
- Alternative E best improves forage availability by reducing tree densities, thus more closely restoring the forest to a pre-settlement condition.
- Alternative E best reduces long term soil erosion by increasing the ability of understory growth such as grasses to regenerate.
- Alternative E increases the availability of surface and underground water runoff to streams more than the other alternatives.
- In the long term, Alternative E best enhances air quality.
- Alternative E increases the overall scenic beauty and visual qualities of the forests by creating a more pre-settlement park like atmosphere.
- Alternative E best reduces the risk to insect infestations and disease.
- Alternative E is the best alternative to ensure habitat for all naturally occurring wildlife species.
- **Alternative E best provides for the long term conservation of Mexican Spotted Owl and Northern Goshawk habitat.**
- Alternative E best attains the Desired Future Condition of Forests in the Southwest Region, particularly the Apache-Sitgreaves Forest.
- Alternative E will produce the most and highest quality forage for livestock and wildlife.
- Access to Forest Lands for whatever purposes will be strengthened by Alternative E (i.e. hunting, camping, and fuel wood cutting).
- Recreational and special use restrictions will be minimized by selecting of Alternative E.
- Development of mineral and energy resources are best provided for by Alternative E.
- Timber production is optimized by Alternative E, thus improving local economies and reducing risk from catastrophic fire. The best the other alternatives can offer is status-quo, which is leading to the demise of the timber industry and increased risk to catastrophic fire.
- Alternative E is the only alternative that realistically retains the timber industry, the primary tool for conducting tree management activities in the forest.



COCHISE COUNTY PLANNING DEPARTMENT

1415 W. MELODY LANE, BISBEE, ARIZONA 85803-3090

(602) 432-9450/9451

FAX 432-9429

November 30, 1994

Director of Land Management Planning
USDA Forest Service
517 Gold Avenue, Southwest
Albuquerque, New Mexico 87102

Re: Draft Environmental Impact Statement - Amendment of Forest Plans (Proposed)

Gentlemen:

I would first like to thank you for soliciting comments from Cochise County in the above regard. Please note that in providing comments, I will attempt to summarize the major points within the Draft EIS (DEIS) to ensure overall understanding on the part of those individuals copied on this responsive letter.

Abstract: A preferred alternative and four (4) other alternatives are described in detail within the DEIS and compared for the amendment of forest plans in the Southwestern Region (Arizona and New Mexico) to include northern goshawk and Mexican spotted owl direction. Alternative B as described in the Scoping Report was dropped. The various alternatives are as follows:

Alternative A: This alternative is the no action alternative as required by the National Environmental Policy Act regulations.

Alternative C: This alternative amends the forest plans with new standards and guidelines. This is the Forest Service proposed action.

Alternative D: This alternative amends forest plans using standards and guidelines suggested by the Goshawk Interagency Implementation Team.

Alternative E: This alternative amends forest plans using standards and guidelines suggested by Applied Ecosystems, Inc.

Alternative F: This alternative sets up an ecosystem demonstration area on the Apache National Forest; otherwise it is like Alternative C which is as mentioned above is the Forest Service preferred alternative.

DEIS

November 30, 1994

Page Two

The Forest Service preferred alternative (Alternative F) would incorporate Mexican spotted owl and northern goshawk management direction into forest plans through the forest plan amendment process. Old growth standards and guidelines would be the same for every national forest in the Southwestern Region. A specific old growth allocation (minimum of 15 to 20+) and old growth block size would be determined during the site specific Integrated Resource Management (IRM) analysis conducted for specific areas. In areas where existing old growth was surplus to identified ecosystem needs, the best would be allocated to old growth. All existing old growth would be retained in areas where the old growth age classes were deficit. Additional lands will be allocated and managed for future old growth where needed to meet the minimum 15 to 20%. Unevenaged silvicultural management will be emphasized over other methods. The option of using even-aged silvicultural methods would be determined in the IRM process during the site specific analysis for projects implementing forest plans. Mexican spotted owl guidance would follow the direction stated in Interim Directive #2 plus dispersal habitat considerations. Northern goshawk guidance would follow that which is presented in the report Management Recommendations for the Northern Goshawk in the Southwest U.S. Steep slope harvest would not be allowed. This alternative relies on the IRM process to make the site specific project design decisions.

This alternative would also allow for the establishment of a demonstration area on the Apache National Forest to test an adaptive ecosystem approach to management of the mixed-conifer type (i.e., primary Mexican spotted owl habitat).

Alternative E is patterned after Scoping Report comments received from Applied Ecosystems, Inc. (and is also being supported by the Coalition of Arizona/New Mexico Counties for Stable Economic Growth and is the reason I am describing it here as well). Mexican spotted owl standards and guidelines follow Interim Directive #2, but define small core and territory acreages (core areas 300 to 400 acres; territories 750 to 950 acres). The northern goshawk standards and guidelines are similar to those in Alternative F, except there is less VSS class 4-6 acreage and canopy covers in the non-nest portion of the territory. Old growth would be allocated as 10 percent of the area with no specific block size minimum defined. Steep slope logging would be allowed for reasons other than timber production. Alternative E also includes the addition of standards and guidelines to guide ecosystem planning, to address forest health concerns and to guide implementation of other standards and guidelines. This alternative relies on the IRM process to make the site specific project design decisions.

DEIS
November 30, 1994
Page Three

As way of specific comments from Cochise County on the DEIS, since implementation of management standards and guidelines for Mexican spotted owls and northern goshawks will primarily affect forest structure on lands classified as suitable for timber harvest and given the fact that little, if any, timber harvesting occurs on those portions of the Coronado National Forest that are located within the County, planning staff is of the opinion that the specific management standards and guidelines proposed under either Alternative F or Alternative E have limited applicability to Cochise County and as such no comments will be offered in this regard. We do thank you for soliciting our input and would appreciate being appraised of any final dispositions regarding this proposed Forest Plan amendment.

If you have any questions, please contact me at 432-9450.

Sincerely,



James E. Vlahovich
Planning Director

cc: Comprehensive Plan Committee
Board of Supervisors



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Regional Forester's Office

NOV 28 1994

NOV 18 1994

Charles W. Cartwright, Jr.
Regional Forester
Attn: Director of Land Management
Planning
USDA Forest Service
Southwestern Region
517 Gold Ave., SW
Albuquerque, NM 87102

Dear Mr. Cartwright:

The Environmental Protection Agency (EPA) has reviewed the Draft Environmental Impact Statement (DEIS) for the project entitled **Amendment of Forest Plans in the Southwestern Region - Northern Goshawk and Mexican Spotted Owl Direction, Arizona and New Mexico**. Our review is provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

The US Forest Service proposes to amend the Forest Land Resource Management Plans (LRMPs) in the southwestern region, except Kaibab National Forest, to include current northern goshawk and Mexican spotted owl direction. The Kaibab National Forest is currently developing a separate EIS for a significant forest plan amendment which will address the habitat needs for these two species. The preferred alternative amends the forest plans with new standards and guidelines per the regional Forest Service Interim Directive #2 for the Mexican spotted owl (ID #2) and the report "Management Recommendations for the Northern Goshawk in the Southwestern U.S." (RM-217). In addition, an ecosystem demonstration area on the Apache National Forest will be created.

We commend the Forest Service for their efforts to amend the LRMPs to include the current northern goshawk and Mexican spotted owl direction. Of special note is the proposal to set up an ecosystem management demonstration area on the Apache National Forest. Given the growing focus on and efforts to implement ecosystem management, we believe it is imperative that ecosystem management be based on sound science. Thus, we applaud efforts which will test management techniques and verify ecosystem management assumptions.

EPA provided DEIS comments on the Amendment of the Kaibab National Forest LRMP on October 20, 1994. Some of these comments are applicable to the proposed action and are incorporated by reference. A copy of our Kaibab letter is enclosed for your use.

223

Based upon our review, EPA has classified this DEIS as category LO-1, Lack of Objections-Adequate (See attached "Summary of the EPA Rating System"). Our detailed comments are enclosed.

We appreciate the opportunity to review this DEIS. Please send two copies of the FEIS to this office at the same time it is officially filed with our Washington, D.C. office. If you have any questions, please call me at (415) 744-1584, or Laura Fujii, of my staff, at (415) 744-1579.

Sincerely,



David J. Farrel, Acting Chief
Office of Federal Activities

Enclosures: Kaibab NF comment letter, 6 pages
EPA Rating System, 1 page
Detailed Comments, 1 page

94-325
MI002276
filename: SWLRMPAM.END

cc: USFWS, Phoenix, AZ

DETAILED COMMENTS

1. The DEIS states that the Regional Forester could make the decision on the Kaibab National Forest's LRMP amendment in combination with the decision to amend the southwestern region LRMPs (i.e., issue one Record of Decision (ROD), pg. 3). To avoid confusion and ensure an orderly NEPA process, we recommend that separate RODs be issued for the two LRMP amendment actions (Kaibab National Forest LRMP amendment, Southwestern Region LRMP amendments).

2. It is our understanding from the DEIS (pg. 24) that current practice precludes land exchanges within Mexican spotted owl or goshawk habitat even if the exchange improves owl/goshawk management. The DEIS states that guidelines do not specifically preclude such land exchanges. We recommend the Forest Service use the current amendment action to reexamine the existing practice and to clarify and improve LRMP direction regarding this issue and policy regarding base-in-exchange lands.

3. The FEIS should include a short description of the Integrated Resource Management analysis process.

325

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommend for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

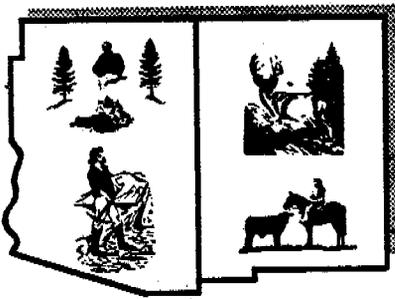
Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."



**COALITION OF ARIZONA/
NEW MEXICO COUNTIES
FOR STABLE ECONOMIC
GROWTH**

*"Working together for responsible
management."*

December 1, 1994

Charles W. Cartwright, Jr., Regional Forester
USDA Forest Service
517 Gold Ave., SW
Albuquerque, NM 87102

RE: Draft Environmental Impact Statement, Amendments of Forest Plans (Proposed) for the Southwestern Region

Dear Mr. Cartwright,

These comments are being submitted by the Arizona Counties of Apache, Cochise, Gila, Graham, Greenlee, La Paz, Mohave, Navajo and Yavapai and the New Mexico Counties of Catron, Eddy, Harding, Hidalgo, Lincoln, Luna, Sierra, Socorro and Torrance as members of the Coalition of Arizona/New Mexico Counties (Coalition). The population of the combined membership is 704,245.

INTRODUCTION

The counties in the Coalition have been adversely impacted by the Region's efforts to protect these two species. We have closely followed the listing of the Mexican Spotted owl and the guidelines to protect the Northern Goshawk. Our own research along with the findings of the Region indicate that the listing of the MSO was unwarranted.

We commend the Region's effort to draft an EIS that addresses the issue of proper ecosystem management. We feel that Alternative E best protects the two species and the overall forest health. The forest plans need to have the flexibility to apply the best management practices to site-specific planning.

SPECIFIC COMMENTS

CHAPTER 1 • PROJECT SCOPE

B. Purpose and Need For Action

Existing Condition: Forest Planning has undergone significant changes since the forest plans for the Region were developed. Court decisions and policy directives from the Forest Service Chief clearly state that these plans are programmatic and are not intended to supersede site specific planning requirements. As such, specific guidelines do little to improve the management of the Forest Lands.

If this trend were followed through to its logical conclusion, the Forest Plans that are intended to be programmatic will become so specialized as to become site specific for all management actions.

The issue of even-aged management is a perfect example of how forest plans have been improperly viewed. While there is reference to this form of timber management there

has been little on the ground implementation. Regardless of the adoption of the proposed amendments, each proposed action will have to undergo analysis to determine the impact on the overall forest health. The change in forest plans will not eliminate the need to do even-age management under some circumstances.

Your description of the existing condition recognizes the erroneous assumptions about forest plans and describes in the desired condition the need make specific decisions based on the Integrated Resource Management process. However, all of the proposed amendments do little to correct the problem.

Desired Condition: There are assumptions made for the protection of the MSO and Goshawk that are not based on science. This will create the situation where we will be managing the forests to protect these species in a manor that places other species and the overall forest health in jeopardy.

Of the alternatives, E creates the most flexibility for the IRM and site specific and ecosystem planning to take place.

C. Proposed Action

The proposed changes and additions to the forest plans are being driven by the false assumption that the Mexican spotted owl and the Northern goshawk need protection. The Forest Service has presented the argument that the Mexican spotted owl is not threatened. Litigation has been initiated to delist the Mexican Spotted owl. Therefore, management standards and guidelines this specie are premature and should be delayed until we have a court decision.

CHAPTER 2 • ALTERNATIVES

D. Forest Service Preferred Alternative

The Forest Service preferred alternative is F. It may be a good idea to limit application of this management scheme to a demonstration area. However, this is an invitation to protracted litigation from timber and livestock industries, counties and environmental groups. There needs to be a resolution to the issue Region-wide. (See last sentence in comment on Chapter 1, C. Proposed Action.)

CHAPTER 3 • AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Vegetation

Insect and Disease Risk

It is apparent that Alternative E provides for the best protection from insect and disease risk. Not only should the relatively small areas set aside for timber harvesting be treated but also other areas of the forest. The objective should be the management of the entire forest ecosystems to insure their sustainability.

Since alternatives A,C,D and F do not provide sufficient protection for the forests Alternative E should be the selected alternative.

Fire Risk/Fuel Loading

The Forest Service should be attempting to return the Southwestern Forests to conditions as closely resembling the pre-European settlement condition as possible. As in the above comment this should be forest wide, not just in areas targeted for timber harvesting.

Alternative E provides for the best management practices to reduce the risk of habitat

replacement fires. Since these types of fire events pose significant risks to both Mexican spotted owls and goshawks E is obviously the best alternative.

Forest Structure

As stated previously, all forest lands should be managed to achieve the best sustainable condition possible. The analysis using only lands classified as suitable for timber harvest neglects the fact that Mexican spotted owls and goshawks use lands outside of timber harvest areas.

The stated desired future condition is "to maintain spotted owl and goshawk habitat somewhere over the landscape continuously." In order to achieve this there has to be the six stages of forest development present. Attempting to have the forests in VSS class 6 overall to meet the arbitrary standards advocated by the Fish and Wildlife Service will ultimately render the forests unsuitable for the two birds and severely impact the habitat needs of other species.

Since the overall objective is to, "continue a sustainable forest ecosystem" alternative E should be the alternative implemented. The percentage of structural stages in suitable timber base closely resemble what would exist in a pre-European type forest and provide for a sustainable harvest of timber. The other alternatives fail to achieve the stated objective.

Forage Production

Forage production benefits not only the domestic and wild herbivores but also the Mexican spotted owl and goshawk. Without adequate forage the prey base for the two birds will diminish. Alternatives A, C, D and F create potential harm for the two species. Therefore, in the case of the currently listed Mexican spotted owl these alternatives would be in violation of the Endangered Species Act. Alternative E provides for the greatest forage production and therefore should be the choice for implementation.

Wildlife**Mexican Spotted Owl & Goshawk**

For both the Mexican spotted owl and the goshawk alternative E provides for best long term survivability and habitat retention. By posing the least risk to ecosystem sustainability than other alternatives. For alternatives A, C, D and F, the DEIS states that, "Loss of ecosystem sustainability will also mean loss of habitat and threaten population viability. There is a risk that the management guidelines may facilitate the decline of conditions they are designed to save."

The Coalition believes that for both the protection of all species and the economic survival of the rural economies alternative E should be chosen for implementation.

Other Wildlife

Table 7 inaccurately reflects alternative E per the text for the other categories. In the appropriate mix of early and late successional forest type alternative E should rank high.

If the natural condition of Southwestern forests contains fragmentation then E would best achieve this condition. This analysis is only directed at harvestable timber areas. In order to present an accurate portrayal of the habitat suitability, the EIS should show the comparison to the forest-wide condition. This would mean describing all of the available habitat outside of harvestable timber areas.

Considering the risk to the Mexican spotted owl, goshawk, all other species and the entire forest ecosystems from alternatives A, C, D and F, alternative E is the only viable option.

Studies by Covington & Moore indicate that the current conditions of the Southwestern ponderosa forest have caused a significantly decreased the water yield. If alternatives A, C, D and F maintain the current conditions the trend towards water yield reduction will continue.

Because of the increase in large wildfires with A, C, D and F air quality will be diminished. The barring of significant tracts of land from climax fire events will result in delivery of soil and ash into the stream systems. Reduced flows from the current excessive vegetation cover adversely affect water delivery to the riparian areas thereby harming those ecosystems.

Large burned areas will destroy soil productivity and present a bare and blackened landscape.

The analysis presented in table 8 does not accurately present the resulting impacts on air and water quality, water delivery, soil productivity, and visual landscape quality. Alternative E will in the long term return the forests to a more naturally functioning system. This will increase delivery and proper timing for water and increase water quality. Riparian areas and humans uses of water will benefit. Alternative E is the best alternative to achieve better air, soil and water quality, and water delivery.

Recreation/Services/Access

Transportation System Access

While alternative E will "slightly increase" the open road miles, the benefits derived from the more active management will more than offset the negative effects.

Recreation/Special Uses

The Forest Service and Environmental organizations have advanced the idea that tourism, through enhanced recreational opportunities, can replace or augment the economies impacted by the reduction of timber harvesting. Alternative E is the only alternative that will allow for the further diversification of local economies through enhanced recreational opportunities.

Commodity Production/Statutory Rights

Mineral and Energy Resources

The effects on statutory rights and commodity production are best protected by alternative E. The implementation of any of the other alternatives will dramatically increase resource development and therefore litigation and appeals. As stated above, alternative E's benefit to the long term ecosystem sustainability well offsets any negative impacts from commodity development.

Land Ownership Adjustments

Land ownership adjustments are a significant concern for the county, local and tribal governments. Any reduction of private land holdings within these local areas impacts the tax revenue producing capabilities. Alternative E provides for the least impact to this issue of concern and therefore should be the alternative selected for implementation.

Timber Production

The analysis is restricted to lands classified as suitable for timber harvest. This again ignores that fact that there is significant spotted owl habitat outside of those areas. In order to return the forests to sustainable ecosystems substantial amounts of timber are going to have to be removed. All alternatives excepting E allow too little harvesting to be effective management options.

Economic/Rural Community**Mineral and Energy Economics**

The loss of \$265,000 a year for the two states is a significant impact. However, the stated loss only reflects tax or royalty revenues. The analysis is deficient in that it does not include the loss of circulating dollars in the private sector and the revenues generated from the businesses and services connected with mineral and energy production.

Timber Production Economic Effects

It is obvious that Alternative E will provide for the best timber management flexibility of all the alternatives. It also provides for a higher level of economic sustainability. Unless the timber industry has at least this minimum level of production, much of the management infrastructure in the form of manpower and machinery will be lost to the Region.

Considering the vast amount of vegetative manipulation necessary for a return to a sustainable ecosystem the Region cannot afford the loss of the timber industry. In the national and international setting timber production is being diminished. While the Region's timber production is a "drop in the bucket" there is a cumulative effect. That economic cumulative effect is not analyzed in the DEIS.

The cumulative effects of other agency proposals, i.e. rangeland reform, have not been included in the analysis. There is also no internal cumulative effect analyzed for the impacts presented in the DEIS.

Social Environment

The adverse social effects that have already occurred will not be easily remedied by any of the alternatives. However, alternative E provides for a stabilizing long term sustainable economy. One of the chief factors of social stability is predictability. Given a predictable economic environment many of the small communities would regain much of the lost stability over time.

Land Use Policies

The statement that "other county plans are similar (to the Catron County Comprehensive Plan)" is totally erroneous. While there are a few counties in the region with similar plans to Catron County, they are in the minority. This section is totally inadequate and reflects a lack of effort on the part of the individual Forests to comply with 36 CFR 219.7(c).

The Region is well aware that even Catron County type plans and ordinances do not seek to restrict traditional federal and state regulatory authority over public lands. This is reflected in Catron County's and the Coalition's MOUs. The generalization portrayed on page 31 of the provisions of the ordinances does not even come close to describing what is in the Catron County Land Use and Policy Plan and Ordinances.

There are numerous provisions in Catron County's and other counties land use plans that are consistent with provisions in all of the alternatives. On the other hand there are few inconsistencies which can be mitigated or eliminated.

For the reasons above the DEIS is dangerously flawed and it is doubtful that a decision based on this section's analysis could survive judicial review. This section needs a total revision and it is strongly suggested that before the final is issued that intense consultation with the affected counties be initiated.

Alternative E comes closest to achieving consistency with county plans, policies and ordinances.

Payments/Receipts to Counties

Alternative E creates the least impact on the payments and receipts to counties. There is

no analysis to indicate how the two states and counties would replace the lost revenues. This is another area that requires a more in depth cumulative impact analysis. There is no reference in the DEIS of the effect these lost revenues would have on the circulating dollars to businesses and services that contract with and supply county and local governments.

CONCLUSION

If the objective is to "continue a sustainable forest ecosystem" then alternative E is the only viable alternative. The mandates for the Forest lands, to provide for a continuous supply of timber for the American people and water for agricultural purposes, are still in effect under the Organic Act. Management for other purposes has not been legislated by congress.

The DEIS is deficient in several key areas. Primarily in the analysis of economic, social and county land plans, policies and ordinances. We have repeatedly requested compliance with 36 CFR 219. The failure to do so has created these deficiencies.

We understand the difficult position the Region is in and as in the past, we offer our assistance in creating a document that will provide information by which a wise and informed decision can be made.

Sincerely,

Howard Hutchinson

Howard Hutchinson, at the
direction of the Board

xc: Board of Directors

ROBERT STOKES
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November 29, 1994

Mr. Charles Cartwright, Regional Forester
USDA Forest Service
517 Gold Avenue SW
Albuquerque, NM 87102

RE: Proposed Amendment of Forest Plans, Draft EIS.

Dear Mr. Cartwright:

Greenlee County wishes to thank you for the opportunity to comment on the Proposed Amendment of Forest Plans, Draft EIS and for being included on the Draft EIS mailing list. We also request that all future planning documents or decisions be forwarded to Greenlee for our review and comment. We trust that the comments below will be given appropriate consideration given that the proposed changes have the potential of effecting unnecessarily oppressive and possibly devastating changes to Greenlee County's social and economic structure.

The Forest Service has proposed five alternative amendments to its Southwestern regional forest plan. Each of these amendments propose that National Forests in the Southwest region should be managed with a desired future condition which will purportedly preserve the Mexican Spotted Owl (MSO) and Northern Goshawk habitat. The former bird has been listed as a threatened species. However, the Northern Goshawk is not only not threaten or endangered, but has been refused listing by the U.S. Fish & Wildlife Service.

Although it would be appropriate to question the wisdom of the very premise of the Draft EIS and preceding interim directives, Greenlee County will limit its remarks to the adequacy of the statement and the merits of the alternatives discussed. These comments will first address some inadequacies of the EIS and then give treatment to the merits of the alternatives.

ADEQUACY OF THE DRAFT EIS

Initially Greenlee County is pleased that the USFS has attempted to address planning aspects which have historically been inadequately dealt with or ignored altogether, i.e. economic, social and cultural aspects. Likewise the County commends the USFS in pointing out that all of the alternatives will have potentially devastating effects on the entire spectrum of human activity in and around the effected communities. The effects range from decreased county public revenues to loss of private sector jobs and may include the increased risk of depression, substance abuse, and domestic violence which are often associated with devastating changes to basic social fabric and economic stability.

However, Greenlee County believes that the EIS is grossly inadequate in its analysis of individual, community, regional and even international social and economic effects. For example, the Draft EIS suggests that timber harvest from the southwestern region is a mere "drop in the bucket" in national market. see EIS pg 27. However the EIS fails to recognize the reality that environmental pressure has forced substantial portion of timber to be provided by foreign suppliers thus driving up the cost of all wood related products and services from writing paper to homebuilding for United States consumers. This cost increase does have an effect on urban dwellers and rural communities alike; however, no mention or analysis of such effects is addressed in the EIS.

More importantly, the EIS treats many of the most devastating socio/economic effects as water under the bridge and suggests that the USFS has no obligation to or intention of addressing any of the problems that have already been created by MSO and Northern Goshawk management. see EIS pg 24. The EIS should treat the pre-MSO management plan as the "no action" alternative and thereby establish a true and legally appropriate baseline against which to judge all other alternatives. However, the EIS treats this reality as a historical given and the EIS does not even offer a pre-MSO management alternative.

Additionally, the socio/economic aspects of the EIS are woefully deficient in analyzing the impacts any of the alternatives will have on education funding in the affected counties. True, the EIS gives some estimates of how much money each county may lose, it does not address, however, what impact such losses may have on county school districts. see EIS pgs 31-35.

The EIS does not give the reader any of the data or information underlying the report and does not even give citations to where such information may be found. It is quite easy to make bald-faced assertions of what a community is or may become after a decision is made or offer sweeping generalized sophistry as a substitute for real analysis. However, if the intent is to inform the public and solicit their involvement, the EIS should

supply or at least cite the underlying data and thereby subject it to public scrutiny and analysis. This is, of course, much more difficult and time consuming but it is also much more honest and in keeping with the intent of the philosophy of government in the sunshine and the laws that have been enacted to further this philosophy.

The Draft EIS makes reference to the EIS prepared for the listing of the MSO as well as to information gathered concerning the listing of the Northern Spotted Owl. These other documents point to disturbing and "life-threatening" effects caused by spotted owl management. see EIS pg 28. However, as with the Northern Spotted Owl and the MSO EIS, the forest plans amendment Draft EIS sweeps such significant human concerns under the rug like so much rubbish, once again elevating the status of an animal far above the status of humans. This callous disregard for the human condition is of grave concern to Greenlee County and its citizens.

MERITS OF THE ALTERNATIVES

It is inconceivable to Greenlee County how the USFS can select as its preferred alternative any alternative which does not maximize the possibility of attaining its stated objective and desired future condition. Yet that is exactly what has occurred in the Proposed Amendment of Forest Plans, Draft EIS. The stated desired condition is that all forest plans be up to date with the latest information on the habitat needs for the two species and establish guidelines consistent with this information. As outlined below, with respect to every environmental consequence analyses in the Draft EIS, Alternative E presents the lowest risk and highest benefit to Southwest regional forests and to MSO and Northern Goshawk habitat. However, in complete disregard of its own information, USFS has selected Alternative F as its preferred alternative. see EIS pg 8.

The Draft EIS addresses various environmental issues and suggests likely environmental effects and ranks the comparative costs and benefits of each. These comparative rankings are addressed below and illustrate a clear preference for Alternative E.

Vegetation:

Insect and Disease Risk - "Risk from damage to habitat condition from insect and disease agents is ranked by alternative from highest risk to lowest risk as follows: D,C,A,F, and E." see EIS pg 12. The EIS also points out that increased management activity would result in fewer catastrophic losses than in the other alternatives. Id. Thus Alternative E is the best alternative.

Fire Risk/Fuel Loading - The risk that each alternative would produce a habitat replacement fire was given a comparative

numerical value; 1 equalling low risk; 5 equalling high risk. Alternative E has a risk rating of 2.0. The preferred alternative creates a 50% higher risk that all or substantial portions of the MSO, northern goshawk habitat will be burned to the ground. see EIS pgs 12-13. Perhaps a pre-MSO management alternative would have produced a comparative risk of 1.0. Unfortunately, such an alternative was not analyzed.

Forest Structure - Although the EIS suggests that the USFS's preferred alternative may provide some short term advantages, "In the long run, the probability of ecosystem sustainability would be the highest in Alternative E." see EIS pg 14.

Forest Production - "Alternative E would provide the greatest potential for forage production." see EIS pg 14.

It should be pointed out that if there is no forest, there will be no MSO or Northern Goshawk habitat. It is immaterial whether the habitat burns to the ground or is obliterated by disease and/or insects.

Wildlife:

Mexican Spotted Owl - Although Alternative E "may provide slightly less quality habitat conditions, . . . [a]ll the alternatives are consistent with the Endangered Species Act requirements for protecting and enhancing Mexican spotted owls and their habitat." (emphasis added) see EIS pg 15. Furthermore, "This alternative [E] presents less risk to ecosystem sustainability than the other alternatives." see EIS pg 16.

Northern Goshawk - "Loss of ecosystem sustainability will also mean loss of habitat and threaten population viability." see EIS pg 16. "This alternative [E] presents less risk to ecosystem sustainability than the other alternatives." Id.

Other Wildlife - The EIS points out that today's forest is far more dense and disease invested than the forest of the 1800's, see EIS pg 11-12. However, the best the EIS can do to discredit Alternative E is to suggest that Alternative E's higher timber harvests may not be as advantageous as the other alternatives." see EIS pg 18. Unfortunately, the EIS does not address the possibility of creating other endangered species or environmental irregularities by implementing single species management for one or two birds.

Soil/Water/Air/Visuals:

The EIS is tragically short on details with respect to these issues and Greenlee County finds that both the analysis and the data are lacking. Nevertheless, Greenlee County believes that a pre-settlement condition on Southwestern forests creates the best

possible conditions for viable and sustainable soil, water, air and visual qualities. Such a pre-settlement condition can and should include thinning by commercial harvesters. While Greenlee County disagrees with the EIS analysis, even the EIS points out that any disadvantages of Alternative E, "while having slightly more adverse impact on the environment, would hardly be discernable on the ground." see EIS pg 19.

Human Uses:

In addition to creating a more viable and healthy, long-term ecosystem, Alternative E also provides the best opportunity for preservation of the most important element of the Southwestern forest ecosystem - Humans. Every remaining aspect of the EIS analysis favors Alternative E. This is primarily because Alternative E is the only alternative which even begins to suggest what land users have known for generations, namely that the environment is in its best condition when it is managed for production and that the human environment is in its best condition when the environment is managed for production. Human use and environment are essential, indispensable elements of the Southwestern forest ecosystem. Only Alternative E seems to recognize this.

Each of the remaining issues in the EIS including Recreation/Services/Access; Commodity Production/Statutory Rights; and Economic/Rural Community issues are best served under Alternative E. In fact the EIS suggests that the other alternatives will likely increase the demand for social assistance at a time when the ability to delivery such help is steadily decreasing. Surely it cannot be the policy of the USFS to create a welfare class out of previously industrious, hard-working Americans. The National Environmental Policy Act (NEPA) requires that human issues be considered and given some effect in the decision making process, not merely mentioned and discarded. Greenlee County believes that NEPA requires such consideration because Congress has legislatively recognized that the human environment is just as important as the biological environment and that human issues and concerns should not be relegated to a lower priority than plants and animals.

CONCLUSION

Greenlee County is gravely concerned that the USFS would, in the face of its own analysis, prefer an alternative which does not offer the best opportunity to reach its desired future condition. Such a preference suggests that the USFS is being inappropriately influenced by special interest groups who are more concerned with their own agendas than what is best for Southwestern forest ecosystems. By doing so, the USFS makes itself a puppet for so-called environmental groups who threaten future litigation rather than fulfilling its obligation to assure future production

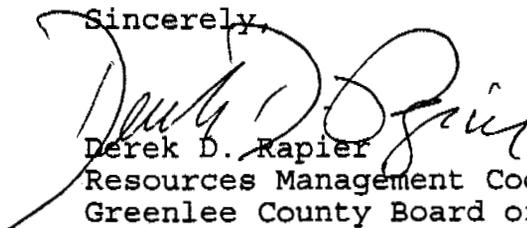
(237)

through a multiple-use and sustained yield policy as required by federal law.

Greenlee County believes that Alternative E is clearly the best alternative for achieving appropriate MSO and Northern Goshawk habitat and allowing some consideration for human activities and concerns.

By selecting Alternative E, the Forest Service has the chance to do what is right for the people and improve the ecosystem for all species.

Sincerely,



Derek D. Rapiel
Resources Management Coordinator for
Greenlee County Board of Supervisors

cc: Arizona Congressional Delegation
Governor Fife Symington
Forest Supervisor John Biddle
Clifton District Ranger Frank Hayes



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November 29, 1994

Mr. Charles W. Cartwright, Jr.
Regional Forester, Southwestern Region
USDA Forest Service
517 Gold Avenue, SW
Albuquerque, New Mexico 87102

Re: Draft EIS, Amendment of Forest Plans (Proposed)

Dear Mr. Cartwright:

Thank you for this opportunity to comment on the Draft EIS, Amendment of Forest Plans (Proposed) regarding northern goshawk and Mexican spotted owl direction.

Numerous citizens of Arizona have contacted me concerning the Draft EIS and its implications for future recreational access to Region 3 National Forests. The majority of the comments address the following:

Page 20, the Environmental Effects - Recreation Opportunities: The following passage is a direct quote from the Draft EIS: *"However, recreational special events like motorcycle racing and off-road vehicle use will also be affected by operational restrictions or permit elimination."* This language is vague and ambiguous, no distinction is made between motorcycle racing and everyday off-highway vehicle use. Permit elimination is an extreme measure which should be a last resort. Other alternatives, such as nest avoidance, or conducting the event outside of nesting season should be explored first.

The author chose to use the archaic vernacular of "off-road vehicle (ORV)," rather than off-highway vehicle (OHV), this statement should be clarified. The majority of land management agencies are now using the term "off-highway vehicle". OHV refers to vehicles which travel off of paved surfaced roads, implying that they travel on existing designated roads or routes (which is a sustainable activity). ORV implies that the vehicle travels off of roads, conceivably, cross country (generally, not a sustainable activity). Perhaps the EIS is actually referring to vehicles traveling off of roads? It is not clear what exactly is being addressed here.

239

233

Page 20, Recreation/Services/Access [Issue 5] - Transportation System/Access (27):

The third paragraph referring to the 15,000 miles or low standard, high clearance road that will be closed to use or obliterated to protect resource values like spotted owls and northern goshawks. I am aware that most of these roads were identified for closure in the RATM process as far back as 1986. However, the public is concerned over the perception that the Forest Service regards high clearance, low standard roads as a low priority. These are just the type of roads many visitors to Region 3 Forests seek out for dispersed recreation in order to avoid overcrowded, developed recreation sites. Some people contacting me have indicated that they were not aware of the RATM process. The public places a high value on motorized/mechanized access to the back country.

I would agree that resource concerns such as watershed protection, wildlife habitat enhancement, riparian improvement and Mexican spotted owl and northern goshawk should be addressed. Many times these issues can be addressed through mitigation and avoidance rather than outright closure. If possible, the Forests should reassess some of the roads scheduled for closure and examine them for values such as those identified in the primitive-roaded recreation opportunity spectrum.

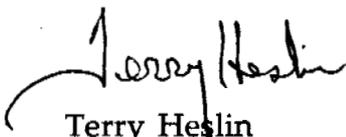
The Arizona OHV Fund is a viable resource available to Arizona National Forests. 1993 and 1994 marked the first two years that the Arizona OHV Program provided monies to various entities (including several Arizona Forests). The program is multifaceted and assists land managers in development of OHV opportunities, mitigation of OHV damage and OHV education programs to name just a few of the eligible funding areas. Arizona State Parks looks forward to a long and prosperous relationship with the Arizona Forests. Through this partnership we will continue to serve the public and protect Arizona's natural resources. Ecosystems management should include strategies to include access for people in harmony with the environment.

These words written by Dr. Rene Dubos, a world-renowned microbiologist and founding member of the Natural Resources Defense Council really capture the essence of the Arizona OHV Program:

"True conservation, means not only protecting nature against human misbehavior but also developing human activities which favor a creative, harmonious relationship between man and nature."

This is a legitimate goal for environmentalists, conservationists and land managers such as the Forest Service and Arizona State Parks.

Sincerely,



Terry Heslin
OHV Program Coordinator



United States Department of the Interior

OFFICE OF THE SECRETARY

Office of Environmental Policy and Compliance
Post Office Box 649
Albuquerque, New Mexico 87103

ER 94/661

December 5, 1994

Charles W. Cartwright, Regional Forester
U.S. Department of Agriculture
Forest Service
517 Gold Avenue SW.
Albuquerque, New Mexico 87102

Dear Mr. Cartwright:

The U.S. Department of the Interior has reviewed the Forest Service Draft Environmental Impact Statement (DEIS) for Amendment of Forest Plans (Proposed). The DEIS proposes alternatives for the amendment of forest plans in the Southwestern Region to incorporate standards and guidelines for the management of the Mexican spotted owl (owl) and the northern goshawk (goshawk). We provide the following general and specific comments on the DEIS for your consideration.

GENERAL COMMENTS

Definition and differentiation of the terms "proposed action" and "preferred alternative" would assist in the reviewer's assessment of the alternatives.

The document lacks proper literature citation. There are numerous references regarding forest pathogens, forest disturbances, forest succession and the status of populations that should be cited.

The proposed amendment to the forest plan is premature with regard to owl management. On July 7, 1994, the U.S. Fish and Wildlife Service (FWS) provided the Forest Service scoping comments on this document. FWS comments informed the Forest Service and expressed concern that the Forest plans amendment, to incorporate standards and guidelines for the management of the owl, was being developed without the benefit of recommendations forthcoming in the Mexican Spotted Owl Recovery Plan (Recovery Plan). None of the five alternatives under consideration in the DEIS currently include provision for incorporating the recommendations forthcoming in the Recovery Plan. The proposal of amendments prior to release of the Recovery Plan precludes development of alternatives that include and fully describe specific owl management guidelines that will be contained in this Recovery Plan. Consequently, the management standards and guidelines described for each of the proposed alternatives do not constitute an adequate range of alternatives nor accurately reflect attendant environmental consequences.

(241)

With the exception of the "no action" alternative, all alternatives specify continued use of the current Interim Directive #2 (ID2) guideline, which was identified as an inadequate existing regulatory mechanism and a factor contributing to the listing of the owl. The DEIS does not clarify how conflicting guidelines within ID2 and the Recovery Plan may be resolved. Continued use of ID2 does not constitute an appropriate revision of the standards and guidelines for management of the owl and owl habitat. Therefore, alternatives that contain ID2 as the basis for owl management do not constitute viable alternatives and should not be presented in any other than a no action alternative. Accordingly, it is our recommendation that flexibility be maintained that will afford coordination of standards and guidelines contained in this DEIS with those management recommendations that will be presented in the forthcoming Recovery Plan.

There is inadequate analysis of the potential effects of the proposed alternatives to the owl and the goshawk. Repeated statements of "no effect," "minor effects to habitat," and "no loss of population viability" are not substantiated by any data presented or referenced in the DEIS. This precludes independent corroboration by the reviewer. References to population viability analyses (PVA) for the owl and goshawk should be supported by proper citation, data presentation and discussion; however, in the case of the owl, the data required for such analyses are not available and no PVA's are known to have been prepared. A PVA requires estimates of survivorship and fecundity over time, neither of which is currently available for the owl. The FWS is aware of only one PVA completed for the goshawk in the southwest (see "Population viability analysis of northern goshawks on the North Kaibab Ranger District, Arizona - Final Report," Arizona Game and Fish Department 1993). These results indicate that, depending on the range of parameter values tested, the simulated goshawk population may experience either rapidly declining or rapidly increasing population trends. The lack of a plan for monitoring owl and goshawk habitat and population trends in the DEIS may result in management unresponsive to changes in these trends. In summary, the absence of data and the unsubstantiated declarations of no effect do not constitute the sufficient detail necessary for discussion of alternatives. A cumulative effects analysis should also be completed for each of the alternatives under consideration.

The DEIS adequately addresses goshawk habitat requirements in only one of the proposed alternatives. The recommendations developed by the Goshawk Interagency Implementation Team (GITT) are only incorporated into Alternative D; however, the DEIS evaluates Alternative D as the least viable management alternative. The GITT recommendations should be incorporated into other alternatives, particularly the preferred alternative, as well, and environmental consequences comparatively analyzed.

The DEIS does not address the anticipated changes to forest habitat types in great detail, nor does it adequately describe or consider the effects of the proposed management approaches to plant and other wildlife species. Federally-listed, proposed, and candidate species should be individually addressed in the "Affected Environment and Environmental Impacts" section. It is inadequate to address potential impacts on terrestrial and aquatic ecosystems on all but one National forest across two States by a two-paragraph disclaimer in the DEIS.

The alternatives presented in the DEIS apportion percentages of the forest base to various vegetative structural stages (VSS). However, there is no discussion of the biological validity of this approach, nor are we aware of any data from forest ecology literature supporting any of the specific VSS allocations. The proposed allocations are derived from calculations of the proportion of time a forest stand spends in each seral stage. This method may be appropriate where each stage accurately reflects its successional phase. However, two assumptions used in the VSS calculations are inappropriate and effectively distort (increase) the landscape percentages allocated to early seral stages: 1) use of a 20-year period for the time required for establishment of seedlings and 2) the short time (about 50 years) allotted for a stand to abide in old-growth condition. We recommend the use of VSS allocations that incorporate the actual period of time a stand spends in the earliest seral stage. For ponderosa pine and xeric mixed conifer vegetation types, this entails use of a 10-year period for the grass/forb/shrub stage and the allocation of no greater than 4-5 percent of the respective vegetation type on the landscape to this stage. In addition, we recommend that longer periods of time be allotted to the old-growth stage and the effective rotation age be extended from 200 years to at least 250-300 years. The allocations of seral stages should, perhaps more appropriately, be developed from a rigorous examination of the landscape distribution of age/size classes and the patterns of disturbance regimes in natural ecosystems. In addition, some statements in the DEIS reflect biologically unsubstantiated assumptions and criteria used in the evaluation of forest succession and effects to plant and wildlife species. Examples are:

in the long term, the sustainability of the forest ecosystem may be jeopardized by focusing on late-successional forest conditions over 60 percent of the [goshawk] territory area. (page 16, Alternative D) and

this alternative is slightly over-balanced in the later seral stage vegetation. (page 18, Alternative D).

Forest pathogens are discussed throughout the document only in terms of "risk" to forest habitat. The repeated premises that insect and disease events are above natural endemic levels are not quantified or referenced so as to permit evaluation of historical baselines and current and desired future conditions. Assessments of the effectiveness of insect and disease treatments are not possible without a clear description of conditions and the methods to treat or control pest epidemics. Insect and disease may play a role in the disturbance ecology of forests comparable to that of fire events and their suppression may result in ecosystem responses similar to those of fire suppression. In the absence of descriptions of objectives and management approaches, we are left with the conclusion that insect and disease treatments are merely reactive responses to symptoms of ecosystem stresses.

Alternative F proposes a demonstration area for "ecosystem management." However, the DEIS should clarify why this area was selected and describe the experimental management approaches to be demonstrated and the experimental design to be utilized.

The FWS recently reviewed the Proposed Amended Kaibab National Forest Plan. Review of that document and the review of this document indicate a number of inconsistencies. It is unclear whether the Forest Service intends to revise the Kaibab Plan to be consistent with the Regionwide Plan Amendments. Clarification as to the Forest Service's intention regarding these differences is needed.

SPECIFIC COMMENTS

Page 6. Table 1. Comparison of Detail Alternatives for Selected Characteristics. For alternatives C and F, this table states that steep slope (40 percent plus slopes) timber harvest is "not allowed," but page 41, under comment number 8, states: ". . . forested areas over 40 percent will not be harvested to solely meet timber production objectives, but could be harvested if the desired condition of the ecosystem, as determined in the IRM process, to meet other objectives warranted doing so." The DEIS requires clarification regarding steep slope logging and what constitutes the "other objectives" that would make it warranted.

Page 12. Chapter 3. Affected Environments and Environmental Consequences. Fire Risk/Fuel Loading. Statements on page 12, "Fire Risk/Fuel Loading," page 14, second paragraph, and page 19, fourth paragraph, assert the proposed alternatives would result in decreased levels of prescribed fire and fuel loading treatments. We disagree with the assessment that managing for owl and goshawk habitat precludes proactive management tools such as prescribed fire and understory thinning treatments. In general, we consider these management approaches necessary to correct the additive effects of fire suppression and overstory tree harvest and the results to be beneficial to owl and goshawk habitat.

Page 14. Chapter 3. Affected Environments and Environmental Consequences. Mexican Spotted Owl. The statement that asserts "Harvested suitable habitat has not generally been degraded since the owl was listed" is incorrect. The actions submitted to date for formal consultation, under the Endangered Species Act, have resulted in the estimated incidental take of 36 owls, which indicates that adverse habitat impacts have occurred.

The "environmental effects" section at the end of page 14, indicates that all alternatives follow ID2 and other guidance provided by the FWS per its biological opinions. We wish to point out that the reasonable and prudent measures provided in the biological opinions are project specific, are designed to minimize "take" only, and are limited in extent by the law. These reasonable and prudent measures do not represent the FWS recommendation on spotted owl management; rather, they are in response to specific proposed Forest Service action. We do not believe that ID2 is an adequate management prescription. In addition, the adoption of conservation recommendations provided by the FWS has not been uniform across the National forests of the Southwest Region.

Page 91, Appendix E. Alternative Comparison of Standards/Guidelines. Mexican Spotted Owl (Alternatives A and C) second paragraph. The sentence which states, "Establish a management territory . . . for every pair of Mexican spotted owls found" should be corrected to require the establishment of a territory for all pairs and confirmed singles.

Page 91. Mexican Spotted Owl (Alternatives A and C), third and fourth paragraphs. It is unclear what is meant by ". . . adverse stand or habitat structure modifying management activities." What determines if the management activity has an "adverse" effect on the habitat? It appears this is a very subjective guideline and definitions may depend on individual interpretation.

Page 91. Mexican Spotted Owl (Alternatives A and C), sixth paragraph. Management territory size was moved from a "standard" in the Scoping Document to "guidelines" in this DEIS. We recommend that the sizes of management territories should be stated as a "standard."

Page 91. Mexican Spotted Owl (Alternatives A and C), seventh paragraph. We do not agree with the statement, ". . . suitable Mexican spotted owl habitat should be managed to produce multi-storied canopies . . ." There is no need to manage to produce what already has the attributes of, and is defined as "suitable."

Page 91. Mexican Spotted Owl (Alternatives A and C), ninth paragraph. Management of "dispersal/foraging habitat" as described inappropriately combines habitat types. Although foraging activity may occur in a variety of habitat types and age/size classes, it is erroneous to depict the guidelines developed for dispersal as the management objective and desired condition for foraging habitat, particularly near or within occupied home ranges. The conditions outlined are derived from the "Dispersal Habitat Rule" and specific only to dispersal habitat.

Page 92. Mexican Spotted Owl (Alternatives A and C), first paragraph. The guideline that ". . . the shapes and exact sizes of management territories will be determined by the biologist . . ." is of concern. The factors used in determining the size and shape of territories should be as rigorously defined as possible given the variability occurring across the landscape. In addition, a standard should specify the time period an unoccupied territory will be managed as a territory. Once a territory has been established, we recommend maintaining that territory as long as the habitat is suitable for breeding owls.

Page 92. Mexican Spotted Owl (Alternatives A and C), second paragraph. The guideline to limit adverse habitat-modifying management activities in a territory to less than 500 acres is also of concern to us. Again, it is unclear what is meant by ". . . adverse habitat-modifying management." This guideline does not take into consideration the present condition of a territory, nor the habitat modification that may have already taken place within the territory.

245

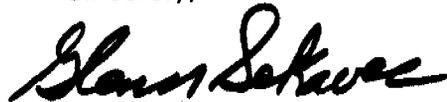
Page 104. Appendix E. Alternative Comparison of Standards/Guidelines, Alternative E. There is not enough detail presented in the standards and guidelines on how this alternative would affect owls. We would prefer to see all owl core areas included in Zone 1 and deferred from treatment. A detailed analysis of the effects to the owl under this alternative is needed.

Summary Comments

It is our opinion that the DEIS does not provide an acceptable alternative for the conservation and recovery of the owl and the goshawk nor does it provide sufficient analysis of the effects of the alternatives on these species. As we stated earlier in this letter and in this regard, we recommend that measures be taken to incorporate the management recommendations of the draft Recovery Plan and provide a more detailed and adequate analysis of the effects of the alternatives under consideration.

Thank you for the opportunity to review and provide comments on this DEIS. Should you have questions about these comments or need additional information please feel free to contact us at the above address or telephone (505) 766-3565.

Sincerely,



Glenn B. Sekavec
Regional Environmental Officer



FIFE SYMINGTON
GOVERNOR

Arizona
State Land Department

1616 WEST ADAMS
PHOENIX, ARIZONA 85007



M.J. HASSELL
STATE LAND COMMISSIONER

December 1, 1994

Charles W. Cartwright, Jr.
Regional Forester
USDA Forest Service
517 Gold Ave., SW
Albuquerque, New Mexico 87102

RE: Draft Environmental Impact Statement
Proposed Amendment of Forest Plans
Forest Service - Southwestern Region

Dear Mr. Cartwright:

I am writing on behalf of the Arizona State Land Department ("ASLD") to comment upon the above-referenced Draft Environmental Impact Statement ("DEIS"). ASLD commends the United States Forest Service ("USFS") for its analysis of the environmental impacts of the proposed amendments to the forest plans, and we thank you for the opportunity to comment on the DEIS.

The Interests and Experience of ASLD and State Land Commissioner
With Respect to Matters Addressed in the DEIS

The State of Arizona is naturally very interested in the use and management of all forested lands within its boundaries. Arizona's citizens benefit from wise and effective management of the national forests. Not only does a large segment of Arizona's population use the forests for recreational purposes, the state and its counties share in the revenues produced from the sale of forest products.

The State of Arizona also has an interest in the management of national forests in its role as the owner of lands that adjoin national forest lands. ASLD is the agency which manages the 9.4 million acres of land that were conveyed to the State in trust, for the benefit of universities, schools and certain other beneficiaries. Thousands of acres of these lands are interspersed with, or adjacent to, national forests. These lands are likely to be affected by the infestation of adjoining national forests by pests and diseases, and by the outbreak of wildfires.

247

Charles W. Cartwright, Jr.
December 1, 1994
Page 2

As you may know, I have been the Arizona State Land Commissioner since 1987, and as such I am responsible as a fiduciary for the management and protection of Arizona's 9.4 million acres of state trust lands. I am also the State Forester, and as such I am responsible for wildfire suppression on state and private lands within Arizona, and, when called upon, I am required to furnish wildfire suppression assistance on state, private and federal lands in the United States, Mexico and Canada which are covered by cooperative fire agreements. I am also a member of the National Commission on Wildfire Disasters.

Before my appointment as Arizona State Land Commissioner, I served in various positions of increasing responsibility within the United States Forest Service ("USFS"), culminating in my service as the Regional Forester for the Southwestern Region. As State Forester, and because of my extensive experience in forestry in the southwestern United States, I am knowledgeable about forest management practices as they affect the overall health of the forest ecosystem, and the risk of catastrophic wildfire in forest lands.

Overview of ASLD's Substantive Comments

ASLD urges USFS to adopt and implement forest plans that will provide for the long term health and diversity of the entire forest ecosystem. At the same time, forest plans should balance the protection of the many species that inhabit the forest (and not merely the presently popular MSO and Goshawk) with other management objectives, such as the production of timber and other forest products and the creation of a naturally sustainable forest ecology.

ASLD believes that Alternative E as described in the DEIS better accomplishes these objectives than does the alternative preferred by USFS (Alternative C/F). According to the analysis presented in the DEIS, Alternative E would better provide for the preservation of forest health and productive management of renewable forest resources without harming the forest species which the proposed amendments are designed to protect. Alternative E would entail the lowest risk from insect,

Charles W. Cartwright, Jr.
December 1, 1994
Page 3

disease, and wildfire. It would also produce the greatest amount of forage, timber production, jobs, and revenue. Considering the analysis presented in the DEIS itself, it is unclear why USFS prefers Alternative C/F.

As State Forester I am particularly concerned about the potential for the proposed amendments to exacerbate forest conditions that already present a tremendous risk of wildfire by unnecessarily increasing forest density and fuel loading.

I am also concerned that the proposed amendments do not allow sufficient flexibility to address specific situations that may arise in areas inhabited or potentially habitable by MSOs and goshawks, and which may adversely affect the forest ecosystem as a whole. The Integrated Resource Management approach, coupled with the consultation requirements under the Endangered Species Act, allow USFS to consider and balance the impact of management practices upon the two species while also considering the impact of the specific management practice on the health of the forest ecosystem as a whole. Absolute prohibition of the use of certain management tools, regardless of the specific circumstances, as provided in Alternative C/F, may have an unintended detrimental effect upon forest health, and may foster litigation by those who seek to tie the hands of forest managers. Rather than flatly prohibiting all timber cutting on slopes of 40 degrees or more, for example, the forest plans should provide that timber will not be cut on such slopes unless necessary to redress conditions that endanger the stand, or to salvage timber from slopes where trees have been damaged by fire, pests or disease.

ASLD is also concerned that the proposed amendments incorporate popular but scientifically unproved assumptions about what conditions are essential to preservation of the goshawk and the spotted owl. For example, the DEIS is replete with statements that imply that any human activity in forest areas occupied by the late successional species is incompatible with the continued health of those species. In fact, there is evidence that spotted owls and goshawks establish nests and forage for food in areas also used and occupied by humans. The amendments should prohibit human activities in such areas only

Charles W. Cartwright, Jr.
December 1, 1994
Page 4

to the extent that such activities are incompatible with the preservation of the species, and should provide for USFS to permit activities to the degree that it can be demonstrated that such activities do not harm the species.

The forest plans should also provide for transition from the present to situations that will exist at some point in the future, when the effects of these amendments will be known and forest conditions altered. For example, there is no provision for special management restrictions to terminate if and when birds abandon a territory.

Finally, ASLD is concerned that the proposed amendments overemphasize the restriction of certain management practices, ostensibly in the interests of preserving selected species, rather than seeking to achieve a healthy forest ecosystem with conditions that can be maintained over the long term.

Substantive Comments

1. USFS Should Not Mandate Forest Management Policies That Increase the Probability of Destructive and Uncontrolled Forest Fires.

While amendment of the forest plans to address the impact of forest management activities on the goshawk and the spotted owl is appropriate, ASLD is concerned about the tendency of the proposed amendments to provide for the preservation of late-successional vegetation primarily by prescribing relatively high percentages of canopy closure over relatively large areas, when such conditions may not be achievable or sustainable, and may in fact be contraindicated because of other forest conditions that increase the risk of wildfires.

Forest management practices over time have resulted in what today is a serious fire danger in national forests throughout the Southwest, including Arizona's forest lands. As a result of nearly a century of fire exclusion from many areas, our pine and mixed conifer forests, within my lifetime, have been converted from open mature forest with a few large trees to forests choked with large numbers of small trees.

Charles W. Cartwright, Jr.
December 1, 1994
Page 5

A number of conditions now prevalent in forests in the Southwestern region, that threaten the health of the forest ecosystem, would be exacerbated by the adoption of the proposed amendments without the flexibility to redress such conditions. These conditions include the following:

- There has been an overall shift from open grown forest and woodland types in which light fires burned frequently to a situation where we have millions of acres of dense chaparral and overstocked forested lands with multi-levels of vertical fuels. The proposed amendments, by prescribing extremely high canopy cover and prohibiting the removal of timber and dead woods, would exacerbate this condition.
- There are tons of accumulated dead and down fuels on the ground waiting to burn. The proposed amendments not only require that a certain amount of dead and down fuels be accumulated, they appear to prohibit such activities as fuel gathering and other removal of dead and down fuels throughout areas as large as 6,000 contiguous acres.
- On-site and off-site riparian areas have been affected by reduced run-off.
- Growth of herbs, forbes, and grasses has been reduced because of the closed brush and/or tree canopy and competition for limited moisture. As forests are made more dense under the proposed amendment, these conditions will worsen, ultimately reducing the amount of forage for other species.
- Overstocking and stagnation in timbered land have resulted in poor-condition trees, which will lead to increased mortality, especially in drought years frequently experienced here in the Southwest.

(251)

Charles W. Cartwright, Jr.
December 1, 1994
Page 6

- Wildlife habitat has been drastically altered to favor wildlife species requiring thick brush or tree stands.
- Current stands are, by historical measures, extremely dense. This density is not sustainable, as it is associated with forest health problems, such as pine beetles, drought damage, budworm defoliation, and dwarf mistletoe.

In their present condition, Arizona's forest lands are ready to explode into an all-consuming wildfire such as the June, 1990 Dude Fire near Payson. The proposed amendments would prevent USFS from cutting and/or removing timber and taking other actions that reduce the accumulation of dead and down fuels, and in some instances mandate increased accumulation of fuels, increased forest density, and increased canopy closure. Such mandates increase the risk of catastrophic forest fire.

Inflexible policies leading to increased forest density are not justified by the assumption that such conditions merely recreate or preserve past conditions in which the goshawk and the MSO once flourished. Southwestern forests have historically been shaped by fire. There is substantial scientific evidence that before Arizona was settled its forests were much more open and park-like than at present. Present forest conditions have resulted, in large part, from USFS fire suppression policies over the past century. Even assuming that it is necessary or desirable to manage our national forests primarily for the benefit of late successional species to the detriment of other species, (an assumption with which we do not agree), it does not make sense to carry out this program in a way that is likely to drastically alter large portions of the forest habitat through wildfire.

Already because of extreme fuel loading and clean air requirements, existing forest conditions cannot be remedied solely or safely through the use of prescribed fire. Timber harvest can be, and is, used to mimic the wildfires that historically maintained early successional cover types, without the risk of massive destruction posed by wildfires. USFS should

not abandon this tool through the adoption of inflexible restrictions on forest management in the interest of preserving the goshawk and the MSO.

2. USFS Should Not Ignore The Overall Health and Biodiversity of the Forest Ecosystem to Promote a Single Species.

Forest management practices have implications beyond their effects upon a single species or group of species, such as the late-successional species whose needs are addressed in the DEIS. Conditions that favor one species or group of species may not favor others. For example, forest management that favors dense, multi-story stands will reduce the prevalence of certain desired species, such as aspen and ponderosa pine, that do not regenerate under shaded conditions. Dense, multi-storied forests are also more susceptible to destruction by disease, drought, and parasites. The proposed amendments appear to ignore these considerations in favor of inflexible requirements intended to protect the goshawk and the MSO.

Extensive areas of aspen stands no longer exist, and open meadow areas are disappearing as conifer stands mature and expand. The proposed amendments would not allow sufficient flexibility to preserve the existing diversity of the forest, and is likely to result in the conversion of existing wooded lands increasingly to mixed conifers. This will ultimately reduce the diversity of vegetative and structural habitats. Forage quantity and visual appeal of forests for recreational users may decline as canopies become more dense.

While the DEIS mentions these considerations, the USFS preferred alternative (Alternative C/F) does not afford the same priority to these objectives as would another alternative (Alternative E). According to the DEIS, Alternative E would entail the lowest risk from insect, disease, and wildfire. It would produce the greatest amount of forage, timber production, jobs, and revenue. These benefits would be obtained without significant effects upon the MSO or the goshawk. The only factor that apparently favors the selection of Alternative C/F over Alternative E is the fact that Alternative C/F would favor

late-successional species, and would maintain a greater percentage of the forest area in mid-aged and older stages of vegetational structure.

3. The Forest Plans Should Retain Sufficient Flexibility to Address Specific Situations That Threaten the Health of the Forest Ecosystem.

Rather than adopting amendments that inflexibly restrict the use of management tools, the USFS should specify the desired conditions to be achieved and allow sufficient flexibility to attain those conditions by responding to the needs of the ecosystem.

For example, the proposed amendments appear to prohibit activity in management territories, even where owls or goshawks establish territories near existing human activity centers such as campgrounds. They also appear to prohibit removal of hardwood in management territories (MTs), even where extraordinarily heavy fuel loading exists. The proposed amendments require that a 6,000 acre MT be established for the goshawk regardless of where the bird is found. Goshawks are found below the ponderosa pine elevation, at sites that are largely non-coniferous and have diverse vegetation types that do not fit the guidelines and are not appropriate for a 6,000 acre MT.

We recommend that instead of absolutely prohibiting certain activities in areas 6,000 acres in size, without regard to the actual presence or absence of birds or the condition of the territories, USFS should provide that activities in core areas or MTs will be assessed through formal consultation to determine whether the activity poses any risk to the birds, and if so whether the risk of the activity is greater or lesser than the risk of foregoing the activity.

4. USFS Should Not Mandate Protective Measures That Have Adverse Consequences Unless Such Measures Are Warranted by Credible Scientific Evidence.

The proposed amendments adopt certain requirements that adversely affect forest health and which are not proven to be

Charles W. Cartwright, Jr.
December 1, 1994
Page 9

necessary for the preservation of the goshawk or the owl. For example:

1. The required MT for owls is excessively large. The most recent studies determined home range size and use by using activity contours, and based upon such studies it appears that the owls spend 80% of their time in areas significantly smaller than the 2,000 acre MT required by the proposed amendments. These studies may only support core areas in Arizona forests 439 acres in size, and MTs 983 acres in size.

2. The proposed amendments specify extremely high percentages of canopy closure throughout a MT, without scientific justification. The scientific evidence only supports high canopy density in areas immediately surrounding roost and nest sites.

3. The prohibition of management activities within Post-Fledging Areas (PFAs) and MTs at all times appears unnecessary and undesirable. Not only do owls establish nests in areas where human activity occurs, it should not be necessary to prohibit activities in core areas at times when they are not occupied. For example, the blanket prohibition of habitat-modifying activities in MSO core territory at any time, plus restrictions on activities in MTs, may eliminate opportunities to enhance or maintain habitat, e.g., by reestablishing willows in an upland riparian area. Such restrictions may require USFS to fence off nest sites to restrict access by people and wildlife. Furthermore, certain types of activities, such as fence construction/maintenance, road closure/maintenance, cattle grazing, camping, hiking, and fuel gathering, do not disturb the birds or alter the habitat for MSO capability.

4. The prohibition of all timber cutting on slopes over 40%, whether or not suitable or occupied MSO territory, appears overbroad and undesirable. For example, in certain situations cutting of timber on steep slopes may be essential to facilitate growth of aspen, to prevent destruction of a stand due to pests or disease, or to remove hazard trees.

(255)

Charles W. Cartwright, Jr.
December 1, 1994
Page 10

5. The requirement that surveys be conducted in an area prior to habitat modifying management activities also appears excessive. It should be limited to activities known to harm the birds or their required habitat, or activities that occur during the breeding season.

5. USFS Should, to the Greatest Degree Possible, Eliminate Ambiguity in the Standards Ultimately Adopted.

Ambiguity caused by the use of terms or standards that are not defined may lead to litigation that will tie USFS's hands in managing and protecting the forest ecosystem. For that reason we urge USFS to clarify the meaning of terms that appear in the proposed amendments but are not defined. For example:

1. The requirement that an MT be established for each individual or pair "found" could mean anything. An MT should only be established when the presence of single or pairs of owls is confirmed.

2. The term "adverse stand or habitat structure modifications" is not defined. Does it mean activity known to harm the birds, or that may harm birds, or something else? If this term is not sufficiently defined, then certain groups will undoubtedly argue that the term encompasses any and all activity.

Conclusion

In amending the forest plans to address the requirements of two bird species, USFS should make paramount the objective of creating a diverse and healthy forest ecosystem, in a condition that is sustainable over time. The protection of the owl and the goshawk should be balanced against other concerns such as preventing the destruction of large forested areas due to pests, disease and fire. Instead of attempting to prescribe rigid requirements to address all circumstances, the forest plans should retain sufficient flexibility to enable the USFS to address specific situations as they arise through the Integrated Resource Management (IRM) process and consultation with U.S.

Charles W. Cartwright, Jr.
December 1, 1994
Page 11

Fish and Wildlife Service as necessary to protect endangered or threatened species.

Thank you for your consideration of these comments.

Very truly yours,



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Arizona State Land Commissioner

xc: Art Briggs
Director of Land Management Planning
Southwestern Region
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259