Forest Plan Revision Comments, January 01, 2008 through February 07, 2008		
This document contains comments received from January 01, 2008 through February 07, 2008		
Comment	**Source / Location**	**Date**
This is my comment on the forest travel plan. First I must tell you how upset I am after attending a public meeting that I was turned away from because the building could not accommodate everyone. I witnessed at leased 20 more people turned away.	E-mail 2830-1-Overgaard, AZ	1/22/2008
I have been trying to understand why the United State Government would be taking my rights away from me. It is my understanding that the public land belongs to every Citizen of the United States. I understand that a very minuet percentage of people will abuse the public land but why would someone think that closing it to certain uses and closing access to parts of the forest would be a solution to the problem. Punish the majority to try to solve a problem that a small amount of people cause. And those individuals don't follow rules anyways.	E-mail 2830-1-Overgaard, AZ	1/22/2008
I have lived in rural Arizona for my whole life. I have been camping for as long as I can remember. And very few times have I back packed my family to camp. My family enjoys camping and we like to go down roads that are off the main road were we will not have to dill with a lot of traffic and other campers. And what about the experience of finding a spot no one has seen or used? We also enjoy taking our grandparents and other family members that are not physically capable of packing what it would take to enjoy ourselves. If you shove everyone into campsites next to each other I would not fill safe and I would fill that I would need to lock my self up scared of the camp next to me.	E-mail 2830-1-Overgaard, AZ	1/22/2008
I am also an avid hunter that uses these same roads to access areas that would take all day to walk into just to start hunting. Worried about if someone else is there first. Allowing me to enjoy my time hunting, sitting enjoying nature not walking all day.	E-mail 2830-1-Overgaard, AZ	1/22/2008
Closing the Public Forest to motorized cross country travel is no solution to the ATV problem. Most people use the roads that you are trying to close. The ones doing any damage will continue to do it regardless of the rules. Why take away my freedoms? LEAVE ALL THE ROADS THE WAY THEY ARE. LEAVE CROSS COUNTRY TRAVEL ALONE. Enforce the laws you already have. Stop creating new ones. And stop taking my freedom away. Stop taking my children's freedom away. Leave it as it is don't change anything.	E-mail 2830-1-Overgaard, AZ	1/22/2008
I AM WRITING TO TELL YOU HOW DISAPPOINTED I AM AT THE NEW PLANS TO CLOSE FOREST ROADS. I DO NOT WANT TO SEE THIS HAPPEN FOR SEVERAL REASONS. I WAS BORN AND RAISED IN HEBER AND NOW HAVE CHILDREN OF MY OWN BEING RAISED HERE. GROWING UP WE HAD NUMEROUS FAMILY OUTINGS IN THE WOODS FROM CAMPING TO COLLECTING FUEL WOOD FOR ARE FAMILY TO A SIMPLE PICNIC. NOW I A HAVE THE GREAT JOY OF GETTING TO DO THOSE SAME THINGS WITH MY CHILDREN. I ENJOY SHOWING THEM ALL THE COOL THINGS I SAW AS A CHILD AS WELL AS DISCOVERING OUR OWN FAVORITE FAMILY SPOTS! WE NEED OUR FOREST ROADS OPEN IN ORDER TO DO THIS, ALL OF THEM!	E-mail 2830-2-Overgaard, AZ	1/24/2008

IT IS VERY IMPORTANT THAT WE TEACH OUR CHILDREN GOOD FAMILY VALUES THAT DON'T INCLUDE THE TELEVISION. WHEN WE ARE IN A REMOTE PART OF THE FOREST WE GET TO SEE AND EXPERIENCE ALL KINDS OF THINGS. MANY OF THESE PLACES WE NEED MOTORIZED VEHICLES TO ACCESS IN ORDER TO DO WANT WE PLANNED{PICNIC SUPPLIES!}. ALSO MY HUSBAND IS AN AVID HUNTER. NOT ONLY DOES HE ENJOY THIS BUT WE DEPEND ON THE MEAT TO FEED OUR FAMILY THROUGH OUT THE YEAR! IF HE HAS NO ACCESS TO WERE HE NEEDS TO GO MY FAMILY MAY GO HUNGRY. IT IS ALSO IMPORTANT TO TEACH OUR CHILDREN TO HUNT.	E-mail 2830-2-Overgaard, AZ	1/24/2008
SO MANY PEOPLE GET STRESSED OUT WITH DAILY LIFE. ONE THING THAT ALWAYS HELPS IS TO BE ABLE TO TAKE A DRIVE IN THE WOODS ON ROADS WHERE OTHERS MAY NOT BE. IN AMERICA WE SHOULD HAVE FREEDOM. IF YOU SHUT DOWN ROADS YOU WILL BE TAKING AWAY MY FREEDOMS AS WELL AS MY CHILDREN'S FREEDOMS. YOU WILL BE LIMITING THE PLACES WE CAN GO AND THE THINGS WE CAN SEE. PLEASE DON'T PUNISH MY CHILDREN. PLEASE DON'T PUNISH MY HUSBAND AND I. PLEASE DON'T CLOSE THE NATIONAL FORESTS ROADS. THEY BELONG TO ME AND I DON'T WANT THEM CLOSED!!!	E-mail 2830-2-Overgaard, AZ	1/24/2008
We are very, very unhappy that you are proposing to demolish and remove all buildings from Camp Shadow Pines. Where and who will replace these valuable areas?	Letter 2831-1-Overgaard, AZ	1/24/2008
The charging of fees for use is objectionable, National and State Parks already charge fees, National Forests are taxpayer funded now, if funding is not adequate, FS should attempt additional funds & citizens be forced to pay twice for the same service.	Letter 2832-1-Overgaard, AZ	1/24/2008
We oppose the increase of fees at Woods Canyon & Willow Springs. In an area that is economically depressed this is one area that families can enjoy.	Letter 2833-1-Overgaard, AZ	1/24/2008
We oppose the demolition of buildings at Camp Shadow Pines. This camp provides an outdoors experience for many children, especially those with handicaps. This camp has historically provided a place for children to enjoy.	Letter 2833-1-Overgaard, AZ	1/24/2008
It would be an injustice to all people if the areas in our forests are closed - I am particularly concerned about the areas in the Apache-Sitgreaves National Forests. I want my grandchildren to be able to enjoy the land our fore fathers fought for, our lands are for multi use for the people of our country! Don't make any changes to our forest.	Letter 2834-1-Overgaard, AZ	1/24/2008
My father came to Arizona from Kentucky in 1932 to work at Congress Junction gold mine. He and my Mom moved to Morenci, AZ in 1946 after WW II. My sister was born in Morenci in 1947. I spent my life traveling the backroads of Arizona. I am a hunter and so is my husband. We backpack and hike.	Letter 2835-1-Overgaard, AZ	1/25/2008
I used to take my students on field trips to the Lake Pleasant to study and learn about this beautiful and treasured land of ours. It is part of my culture. Please do not take our land away! I love and care for our hallowed land. Thank you and God bless you.	Letter 2835-1-Overgaard, AZ	1/25/2008
I do not want to have the buildings that have been an important part of handicap, underprivileged children, family reunions, church functions and many more groups of people that have used the Camp Shadow Pines buildings which has been using these government facilities to be torn down.	Letter 2836-1-Overgaard, AZ	1/25/2008
Do not charge any fees for any camping sites - or boat launching sites.	Letter 2837-1-Heber, AZ	1/25/2008

If roads are closed does this mean that the forestry service will also be obligated to stay out of the forest ALSO.	Letter 2837-1-Heber, AZ	1/25/2008
More areas open for wood cutting. Some people have no choice but to burn wood so it imposes a hard ship on them.	Letter 2837-1-Heber, AZ	1/25/2008
NO FEES, NO ROAD CLOSURES, MORE FUEL WOOD AREAS, NO GATE CLOSURES, NO BARRICADES.	Letter 2837-1-Heber, AZ	1/25/2008
I do not agree to any forest revision plan at all - It should stay the same as it is now and laws enforced, that are already on the books, to protect the current closed areas.	Letter 2838-1-Lakeside, AZ	1/25/2008
Leave the forest and its road open to the people. It will not only affect the recreation [benefits] of our area but our economy. People have the right to be able to enjoy the National Forest without all the regulations of the Forest Service. This country is getting out of line in regards to taking our Freedoms. The majority of my leisure time is riding on ATV with my husband so we are able to enjoy the Apache-Sitgreaves National Forest. LEAVE THINGS AS THEY ARE!!!	Letter 2839-1-Overgaard, AZ	1/25/2008
I have lived in these mountain since 1986. I have 4 children who have all been raised in these forests, literally. When my kids were young and even to this day, we would spend countless hours driving, camping, hiking, exploring, cooking a hot dog on a Sunday afternoon, letting our kids build forts, run and play. We would always leave the area clean and neat, teaching our kids to appreciate what is theirs and ours. We were very poor people who had the best abd cheapest entertainment for our kids and us. Many a summer day we would take family and friends to Willow Springs and our kids would swim and play while we visited, fished, and cooked out. My kids learned to swim in that lake.	Letter 2840-1-Heber, AZ	1/25/2008
You have no right to charge money, make closures of any kind or take away any part of my forest. When I don't have [to] dimes to rub together, I can use some gas and grab some lunchmeat and explore where ever I choose. I am an avid huntress and I fish also. I want to be able to go where ever I need to go in order to hunt my areas. ELK AND DEER DON'T HANG OUT BY THE ROADS!! I am totally against any fees or closures of any kind. These are my [forest]. My taxes pay for it!! It's all about power, money and control. We will continue to make a stand and remain FREE!!!	Letter 2840-1-Heber, AZ	1/25/2008
Leave things just as they are - but - Arrest and prosecute and heavily fine all those who missuse our forests. The biggest abusers seem to me to be the "off road" vehicle users, whether they ride quads, snowmobiles or 4-WD drivers who feel that they "own" the forests and are "entitled" to missuse it. Also the careless use of their "campfires".	Letter 2841-1-Overgaard, AZ	1/25/2008
Please no changes in any of our National Forests in the entire National Forests. Please also take all the fees that are already being charged off. Please no roads closed. Thanks	Letter 2842-1-Overgaard, AZ	1/25/2008
Don't Change - Don't close the Forest = **EVER**. Do Not Charge **ANY** fees for camp sites, monuments, roads, anything. The terribly **EXPENSIVE TAXES** we all pay already take care of this. It should be that the government handles the allocation of these taxes better. **NOT** to just charge more money because they were careless and foolish with the money they already have.	Letter 2843-1-Heber, AZ	1/25/2008
I want no roads closed in any forest! I want the Forest Service employees to act like and be employees of the people of this land. Not an organization impowered by themselves. They - **ALL OF YOU** - need to do what the people who pay their salaries **WANT** them to do.	Letter 2843-1-Heber, AZ	1/25/2008
We have been coming here for 40 years. Have moved here full time about 3 years ago. We came here because of the forest. We spend hours & hours in the forest every week. We travel on different roads all over. We do not want our forest closed, its for all to enjoy and we want our families to enjoy it as well. I am disabled and we drive our golf cart and stay on designated roads and trails.	Letter 2844-1-Overgaard, AZ	1/25/2008

Since our logging operations have been shut down in this part of the country our communities have struggled to survive. All of my husband's family have lived in the White Mountains / Mogollon Rim area for 5 generations now and they, along with us, have no desire to live anywhere else; therefore the increase in recreational visitors each year isn't necessarily pleasant to any of us, but we are smart enough to recognize that their presence is required for our survival. Therefore we are **vehemently opposed** to your suggestion and proposal to increase land use fees in the Black Mesa Ranger District and are equally opposed to your proposal to remove all of the buildings at Camp Shadow Pines.	Letter 2845-1-Overgaard, AZ	1/25/2008
We have been utilizing Black Canyon Lake for more than 40 years and do not see a need for added picnic tables just so **you** can **pretend** to justify charging a use fee. Again we have been going to Chevelon Lake for more than 40 years and see no justifiable reason for you to change this remote lake to a concession operation just so you can charge fees - the increase of fees in conjunction of area closures can and most certainly will have an adverse affect to the amount of recreational visitors and the movement of new people moving here - therefore affecting our local economy enormously.	Letter 2845-1-Overgaard, AZ	1/25/2008
Do not close any more of the forests - I am against all land use fees.	Letter 2846-1-Overgaard, AZ	1/25/2008
Why not leave it the way it is? Why are fees going to be charged when launching boats? Why should areas be closed off and only opened on holidays and weekends?	Letter 2847-1-Overgaard, AZ	1/25/2008
LEAVE AS IS ! ALL AREAS	Letter 2848-1-Heber, AZ	1/25/2008
Leave Camp Shadow Pines alone. This has been a valuable resource for many groups of people. Why demolish a usable facility which either deprives those who use it or to be an excuse to spend big money for a new facility.	Letter 2849-1-Heber, AZ	1/25/2008
Closure of forest land to public use would further devestate our local economy. Our area is dependent on tourism and recreation use for people from surrounding States, not just local people. Our region is one of the most dependent areas for tourism and recreation dollars in the State of Arizona. We have a large base of businesses built around 2nd homes in the White Mountain region. People come here to enjoy the recreational opportunities that abound here. Taking away the access to our land would cripple business and livelihood of thousands of people across the region. This plan is absolutely irresponsible and misguided. With all respect, "the plan" needs to be abandoned entirely in order to preserve our economy and livelyhood.	Letter 2850-1-Overgaard, AZ	1/25/2008
LEAVE IT AS IT IS.	Letter 2848-2-Heber, AZ	1/25/2008
Please leave the forest roads and entrances as they are. Do not tear down buildings etc in any of the parks or campgrounds. These have been built with our tax dollars and are meant to be there for the use and recreation enjoyment of those who wish to use them.	Letter 2841-2-Overgaard, AZ	1/25/2008
I have reviewed the maps showing roads that are being proposed for closure. At a public meeting those attending were told that the primary reason for these closures is because of maintenance costs associated with these roads. From personal experience I know that there has been little if any maintenance done on these roads by the Forest Service. The locals and most users like the primative road experience. These roads have been in existence for years. **LEAVE THEM OPEN**	Letter 2851-2-Heber, AZ	1/25/2008
Leave all as is !! Our needs are complete!	Letter 2852-1-Overgaard, AZ	1/25/2008
My family and I enjoy being in the National Forests of Arizona and New Mexico. We have family reunions and also community outings. Closing these parts of our forest will only create a huge fire danger condition around the White Mountain communities. As proven in the Rodeo-Chediski Fire. Because we were stopped from harvesting timber the forest became so overgrown that when it caught fire there was no stopping it. Please don't let this happen again.	Letter 2853-1-Heber, AZ	1/25/2008

Leave everything alone! Do not try to change or close any roads. Because the residents and **TAX PAYERS ARE HAPPY**. You will wipe our community out economy wise, if you try to take away **OUR FORESTS AND FREEDOM**.	Letter 2839-2-Overgaard, AZ	1/25/2008
We have used the Apache-Sitgreaves Forests for family outings for the last 30 years. We love the forest and have moved to be closer. DO NOT make any changes to the ROADS or ACCESS to the various recreation sites. **LEAVE THINGS AS THEY ARE**!	Letter 2854-1-Heber, AZ	1/25/2008
Close no roads. No fees charged at any lakes for boat launches or anything else.	Letter 2855-1-Show Low, AZ	1/25/2008
Close no roads. Boat launch no changes.	Letter 2856-1-Heber, AZ	1/25/2008
No Fees / No Changes / Leave the Camp Shadow Pines alone - no changes.	Letter 2857-1-Overgaard, AZ	1/25/2008
I WILL TELL YOU NOT TO CHANGE OUR LAKES, ROADS, AND OUR [ENVIORMENT] AND LIFE STYLE.	Letter 2858-1-Heber, AZ	1/25/2008
1) Camp Shadow Pines: Why remove the buildings? Are they unsafe? Who would be affected by the removal?	Letter 2859-1-Tempe, AZ	1/25/2008
2) Mogollon Rim Visitor Center: I was told the sale of T-Shirts and other items does not support funding of costs. Why? What needs to change to allow "sale for profit" to benefit this Visitor Center?	Letter 2859-1-Tempe, AZ	1/25/2008
3) Less frequent Bulletin Board maintenance: Please clarify current efforts. It does not look like there is ANY maintenance now!	Letter 2859-1-Tempe, AZ	1/25/2008
4) Please Define "Partnership from local area to perform services". Why is expected to do what and who supports costs?	Letter 2859-1-Tempe, AZ	1/25/2008
5) What determines the "frequency" for cleaning toilets? Is it because they don't need it? Is it due to lack of use?	Letter 2859-1-Tempe, AZ	1/25/2008
Leave our trails, roads, hiking trails (all) as they are and have been.	Letter 2860-1-Overgaard, AZ	1/28/2008
Attention Plan Revision Team, I was born and raised in Arizona, living in Heber for 45 years. When I heard of the plan to close the roads leading into the woods where we cut our firewood, where we camp and hunt and fish, I thought of Nazi Germany and how the people sat back until Hitler took their country over and then their lives.	Letter 2861-1-Heber, AZ	1/28/2008
There is one official who workswho works for the forest service who has used some truly Gestapo like treatment toward wood cutters here in the Heber/Overgaard area. He beat one man, confiscating his wood - also confiscated another resident's wood and it seems no one is doing a thing about it! Is this not like Nazi Germany? I protest this happening in the United States of America! This man should have been fired on the spot!!!	Letter 2861-1-Heber, AZ	1/28/2008
And I also protest the closing down of the roads in and around Heber/Overgaard and the woods to those of us who live here, pay our taxes and love our back woods country. We are not going to lie down like Germany did and let a branch of our government take over our country! I protest this and continue to protest it.	Letter 2861-1-Heber, AZ	1/28/2008

Attention Plan Revision Team, I am concerned about the Gestapo Tactics the Forest Service is beginning to use in our United States of America. I fought on the front lines in Korea for the freedom we have in our country. No department of our government should have the authority to shut the national forest down to the publics use. I should have the freedom to hunt, fish, camp and cut wood on the forest in our state of Arizona. I fought for this freedom. My children and grandchildren should have the freedom to hunt, fish, camp and cut heating wood on the national forest in the state we live in - Arizona. No department of our government should have the authority to close the woods and roads in these woods down, to the public use.	Letter 2861-2-Heber, AZ	1/28/2008
I realize there are those people who do not care for our land and use their ATV's to destroy roads. Just because this happens it does not mean the roads should be closed down to the rest of us who are law abiding people. We do not want our countryside destroyed by these ATV's, so my suggestion is you hire more help, patrol these roads and stop the foolishness the ATV's are creating. Give some big time tickets to these people, hitting them in their pocket books. But let the rest of us continue using our land and the roads.	Letter 2861-2-Heber, AZ	1/28/2008
I have lived in Heber many years. My Dad was a D.P.S. Officer for many years, until his retirement. He put in his time as an officer who protected law abiding citizens from law breakers and also protecting people from being harmed by our government. He also served in Korea to protect our freedoms. Now, it seems our government is trying to keep us from being able to live in and enjoy our forest lands in Arizona.	Letter 2862-1-Heber, AZ	1/30/2008
I protest the forest service trying to close down our forest roads and our rights to camp, hunt, and picnic and cut firewood on our national forest in and around Heber/Overgaard. There will be less cutting areas and it is hard to find wood right now in the forest. This is not right. If there are people who are destroying the woods with ATV's they are the ones that should be kept out of the forest - not the rest of us who love our forest land and use it rightly. Hire more help with the tax money we spend, so you can keep the ones out of the forest who destroy it. DON'T close it down to the rest of us!!	Letter 2862-1-Heber, AZ	1/30/2008
I have lived in Heber almost all my life. I worked in the woods until the environmentalists shut it down and I had to take a lesser paying job. We protested the shutting down of the logging in Arizona but to no avail. Those with more money and power than we had were able to do what they did. Now there is a plan by our forest service to close our woods down to cutting firewood, to camping, fishing and hunting. If not the complete closing of the woods, then the closure of roads into the woods, so we will have no access in getting off the beaten path in order to cut wood, camp or just enjoy our back country. My dad fought for his freedom and my freedom to live in and enjoy our back woods country.	Letter 2863-1-Heber, AZ	1/30/2008
Just because some idiots who destroy the land with their three and four wheelers, you want to close the woods to the rest of us! Why don't you just put a stop to the ATV's and their destruction and not penalize the rest of us law abiding citizens! If you need some help in patrolling these areas, I would be willing to do this, if you would pay me a living wage. I definitely would appreciate seeing our forests protected from misuse of ATV's, four wheel drive vehicles and those who do not care about our land. This is MY land also! I WANT our woods to remain open for the use we need it for - cutting firewood, camping, hunting and fishing - and to enjoy our God given country!	Letter 2863-1-Heber, AZ	1/30/2008
I am totally against any closing of roads. We love being able to go out camping in the outdoors to see the beauty.	Letter 2864-1-Overgaard, AZ	1/30/2008
As a citizen and a tax payer I am tired of our right being taken from us. This land is for everyone to enjoy. This plan is not right for the good of the people. We would like to be kept informed of this issue.	Letter 2864-1-Overgaard, AZ	1/30/2008

The forests belong to the people not the Federal Government, States or any other organization! Because of the various "Green" organizations ex. Sierra Club, etc our forests have been basically shut down to logging and proper management. Now there are organizations / individuals that want them off limits to everyone - I emphatically oppose this. The roads need to be kept open and access allowed for vehicles - cars, trucks, 4-wheelers, bikes, etc. Hunters need to be able to take 4-wheelers into the forest to retrieve game. Have you ever tried to drag a 500 lb elk?	Letter 2865-1-Overgaard, AZ	2/4/2008
I oppose any fees to fish to fish or launch boats at our lakes! The money we pay for fishing and hunting licenses should more than cover maintenance and up keep! The prices seem to go up nearly every year. The Federal Government seems to want to control every aspect of us citizens. Our Founding Fathers of this country warned of this and the only way we can keep our freedoms is to state our feelings - which I feel I have done!	Letter 2865-1-Overgaard, AZ	2/4/2008
The undersigned collectively submit the enclosed document, entitled The Blue Range Primitive Area: Its unique place within the National Wilderness Preservation System, which describes the legal obligation for managing the Blue Range Primitive Area and its contiguous roadless lands. We ask that this letter, paper and map be considered and entered into the public record for the Travel Management EIS and the Forest Plan Revision EIS, and that this paper also be kept on the Alpine and Clifton Ranger Districts for reference when planning potential projects and activities within the Blue Range Primitive Area and its contiguous roadless lands. The Forest can anticipate that we will provide additional comments to the respective planning processes that are relevant to other geographic areas and other issues.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
The paper provides a detailed review of the legal obligations for managing Primitive Areas (the Blue Range is the last remaining) as well as the contiguous roadless lands. However, we will reiterate the management implications below.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

RE: Travel Management Planning As prescribed by the Wilderness Act of 1964 and the subsequent case law related to the Act, we ask that the Forest Service manage the Blue Range Primitive Area and all contiguous roadless lands in a manner that preserves wilderness characteristics. Any additional open motorized routes and/or trails within the Blue Range or its contiguous roadless lands would cause physical and social impacts that would diminish the wilderness characteristics and thus the wilderness suitability of the area. Therefore, open motorized roads or trails must not be established within those units as part of the Forest Travel Management Plan_ Existing roads that form the exterior boundaries or cherry stemmed boundaries within the unit must restrict motorized use to the current motorized corridor. Additionally, motorized recreational events may not be permitted within this unit.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
RE: Forest Planning As prescribed by the Wilderness Act of 1964 and the subsequent case law related to the Act, the Forest Service must manage the Blue Range Primitive Area and all contiguous roadless lands in a manner that preserves wilderness characteristics. Therefore, we ask that the Forest Service consider and classify the lands that are adjacent to the Blue Range Primitive Area as a Wilderness Study Area so the public and agency managers clearly understand the management objectives and restrictions associated with those lands. This will encourage management activities that are legally compatible with preserving wilderness values and will deflect incompatible projects to occur in more appropriate locations.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
RE: Project Level Planning We ask, because of its legal obligation to maintain wilderness suitability of the Blue Range Primitive Area, the contiguous roadless lands and the adjacent WSA, that the Forest Service implements projects and activities in a manner that prevents degradation of wilderness characteristics. This restricts the Forest Service from considering projects including but not limited to new road construction/relocation, powerlines, material pits, and permanent installations such as communication towers. Maintenance activities on public lands for the existing manmade features such as roads, powerlines, solid waste stations and trailheads must occur within the existing footprints of those existing facilities and no expansion can be authorized until Congress determines the eventual wilderness boundaries.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

We look forward to your response indicating how the Forest will incorporate these comments into the ongoing and future planning processes. We are able to provide the GIS shape files upon request. If you have any questions regarding these public comments, please don't hesitate to contact me. Thank you.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
THE BLUE RANGE PRIMITIVE AREA: ***Its unique place within the National Wilderness Preservation System*** January 2007 The Blue Range Primitive Area was created in 1933 by administrative order under the authority of the L-20 Regulation, a regulation that was inspired by Aldo Leopold and implemented by the USFS in 1929. Under the L-20 Regulation the U. S. Forest Service [USFS] administratively created 76 Primitive Areas by the end of 1939. Today, all but one of these have been designated as statutory wilderness by Congress and are broadly considered to be among the crown jewels of the National Wilderness Preservation System. That one is the Arizona remnant of the Blue Range Primitive Area that once included lands in New Mexico. There are essential conditions attaching to this one remnant Primitive Area that distinguish it, and the agency's legal obligations toward it, from all other lands in the National Forest System.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
HISTORICAL BACKGROUND The L-20 Regulation gave administrative credence to the wilderness concept, but did little to permanently protect the wilderness characteristics of Primitive Areas. Administrative discretion remains that could modify boundaries and allow numerous activities that could impact wilderness qualities. In 1939, at the urging of Bob Marshall, L-20 was replaced by the U-Regulations which provided much stronger protection for wilderness characteristics and offered a somewhat greater assumption of permanence. The U-Regulations also required that each of the remaining Primitive Areas to be reclassified, with whatever boundary modifications might be desired, into three new categories - wilderness (100,000 acres or larger), wild (5,000 to 99,999 acre) and roadless.1 World War II interrupted this reclassification process and by the time the USFS was prepared to complete the process in the 1960s it was evident that a new legislative classification system-the Wilderness Act-would supplant the U-Regulations. Footnote ' : Not to be confused with the modern usage of "roadless areas," as in the Roadless Are	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

The Wilderness Act was first introduced in Congress in 1956 but did not pass until 1964. Forty of the pre-1940 Primitive Areas that had been reclassified as wilderness or wild under the U-Regulations by that date, along with a number of other areas of roadless National Forest lands were immediately designated as statutory wilderness in the 1964 Act-a total of 54 units totaling 9.1 million acres. A 10-year deadline was established by the Act that required the USFS to review the remaining 34 Primitive Areas for their suitability as wilderness, leading to a Presidential recommendation to Congress for each of these areas. A key feature of the Act was that the President was not bound to agree with the agency proposal and could make his own recommendation to Congress. Of course, the agency could not have its own recommendation differing from that of the President. And citizens could also recommend areas for designation, but only Congress could designate a Wilderness Area.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
STATUS OF THE BLUE RANGE The USFS did complete the review of the Blue Range as required by the Wilderness Act and recommended a wilderness that is slightly larger than the original Primitive Area, but with some significant boundary modifications. The 1933 document that initially created the Blue Range Primitive Area provided a detailed description of the outside perimeter boundary, but it did not create any type of cherry-stemmed buffer along the Blue River Road within the Primitive Area. The Presidential wilderness recommendation prompted by the Wilderness Act differed and did recommend a cherry-stemmed buffer, and it also recommended some additions and deletions to the original Primitive Area boundaries.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
In the 1970s and early 80s there were multiple attempts to introduce legislation to create an intact Blue Range Wilderness Area in both Arizona and New Mexico. In 1980, the New Mexico congressional delegation succeeded in passing a bill that designated only the New Mexico portion of the Primitive Area as wilderness. Congress has never acted regarding the Arizona portion of the Primitive Area, so that Presidential recommendation still stands.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

The Wilderness Act states that "Areas classified as "primitive areas" on the effective date of this Act shall continue to be administered under the rules and regulations affecting such areas ...until Congress has determined otherwise." (Wilderness Act, Subsection 3(b)). Since Congress has never acted with regard of the Arizona portion of the Presidentiallyrecommended Blue Range wilderness, the USES is statutorily obligated to manage all Federal land within the original Primitive Area boundaries as wilderness to protect its suitability for future designation.2 2 One significant difference is that prospecting for new mineral claims in Wilderness Areas ended in 1984 - allowing twenty years after passage of the Wilderness Act. Prospecting for new claims is still allowed in the Primitive Area.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
In view of the Presidential recommendation, the Apache-Sitgreaves Forest Plan correctly identified the Primitive Area and the Presidentially-proposed additions as special management areas that are to be managed as wilderness to maintain their wilderness characteristics until Congress acts. ***Since Congress has not acted, the proposed cherry stem along the Blue River and the proposed deletions must also be managed as wilderness, as Congress has not "determined otherwise":*** These legal nuances were well considered and integrated in the Apache-Sitgreaves Land Management Plan.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
ROADLESS LANDS CONTIGUOUS TO THE PRESIDENTIALLY-RECOMMENDED WILDERNESS There is well established judicial precedent that requires the USFS to manage all roadless lands (not just those that may have been inventoried as "roadless areas" during RARE-II) contiguous to a Primitive Area in such a manner as to not alter their suitability for wilderness designation. This is very significant for the Blue Range since there are large areas of contiguous roadless lands that are implicated. The situation that established this legal precedent involved the Gore Range/Eagles Nest Primitive Area in Colorado in a famous case known as Parker vs. the USFS (see Dennis M. Roth, The Wilderness Movement and the National Forests, chapter III, "Primitive Area Reviews and The Parker Decision," pages 26-28) The Wilderness Act directed the Secretary to study all areas classified as "Primitive" for their wilderness suitability. In the Gore Range case, the USFS wanted to conduct a timber sale on roadless land adjacent to the Gore Range/Eagles Nest Primitive Area. The proposed timber sale site had an inconspicuous old road going through it, and the USFS argued that it therefore was ur	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

Citizens of Vail, the Sierra Club and several Colorado conservation organizations filed suit based on language in the Wilderness Act of 1964 --Nothing herein contained shall limit the President ...in recommending the addition of any contiguous area [contiguous to Primitive Areas] of national forest lands predominantly of wilderness value." (Wilderness Act, Subsection 3(b)) In its February 17, 1970 ruling, the District Court noted two things: 1) they found that the contiguous area did in fact appear to have wilderness qualities (reasoning that was inhabited by elk and deer) and 2) it was "significantly interrelated with the Gore Range Primitive Area."	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
Because of its contiguity to the primitive area, the court ruled that first the President and then the Congress must be allowed to decide whether or not the contiguous land should be added to a possible future wilderness bill for the Gore Range/Eagles Nest Primitive Area. The USF5 could not log the area and thereby damage its possible wilderness suitability until Congress made its decision. On October 1, 1970, the Tenth Circuit Court upheld this ruling. The USFS appealed the decision to the US Supreme Court, which refused to hear the case. (Hendee, p 129-130) Thus, it is now settled law that affects all roadless lands contiguous to a Primitive Area. The USFS cannot administratively absolve its responsibility to protect wilderness suitability of Primitive Areas or contiguous lands which exhibit reasonable wilderness characteristics - only Congress can decide. **Until Congress does decide, one way or the other, any USFS action that would alter the existing roadless quality and potential wilderness suitability of these lands would illegally preempt Congressional prerogatives.**	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
It is important to note that Parker vs. the USFS requires the USFS to protect the "contiguous area of national forest lands predominantly of wilderness value" that surrounds the Primitive Area to meet the intent of the Wilderness Act of 1964. Subsequent Administration, USFS, and legislative authorities required the USFS to identify all additional roadless lands generally 5,000 acres or greater and to review them for wilderness suitability as well, as a part of forest plan revisions now underway. However, a forest planning decision may not trump the judicial obligations concerning roadless lands contiguous to a Primitive Area that resulted from Parker vs. the USFS.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

A nationwide Environmental Impact Statement (EIS) was completed for all of the Roadless Areas identified in the RARE II inventory process. Some of the roadless lands that are contiguous to the Blue Range Primitive Area were included in that review while other contiguous roadless lands were not. Those areas that were reviewed were provided arbitrary boundaries to separate them from the Blue Range and in some cases arbitrary boundaries to separate them from each other. The RARE II EIS rightfully did not analyze the Blue Range Primitive Area and it did not identify for Congress any of the units as being contiguous to the Blue Range Primitive Area. Congress has yet to act with regard to the Presidential recommendation for the Blue Range Primitive Area. ***Therefore, the USFS must honor its responsibility to protect wilderness suitability of the Blue Range Primitive Area and all contiguous lands with arguably reasonable wilderness characteristics until Congress decides.***	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
In 1984, Congress passed the Arizona Wilderness Act that evaluated the RARE II units in Arizona and designated 30 new Wilderness Areas on National Forest lands. The act also contained "soft release" language that released the agency of its responsibility to protect the suitability for wilderness designation, but only for those Roadless Areas that were previously inventoried in RARE-II and not subject to other, pre-existing, judicial constraints-as is the roadless land contiguous to the Blue Range Primitive Area. Clearly, that "release" did not absolve the agency of its obligations to protect the Primitive Area and its contiguous roadless lands as required by the Wilderness Act. All of the original 76 Primitive Areas existing as of 1930 have since been congressionally designated, in whole or part, as wilderness areas, except for the Arizona portion of the Blue Range. In many cases, the eventual wilderness included very substantial lands contiguous to the original Primitive Area boundaries. For instance, Congress ultimately included the contiguous lands contested in Parker vs. the USFS within the Eagles Nest Wilderness. Today Parker vs. the	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
MANAGEMENT IMPLICATIONS AND LEGISLATIVE OPTIONS The Arizona Wilderness Coalition has worked in partnership with the Sky Island Alliance to inventory all lands on the Apache-Sitgreaves National Forest that remain suitable for wilderness designation, including all of the roadless lands contiguous to the Blue Range Primitive Area. The larger Blue Range Complex (see attached map) includes the Primitive Area and all of the contiguous roadless lands south of the Pueblo Park and Red Hill Roads, between the Arizona/New Mexico state line and US Highway 191, extending far south of the Primitive Area's southern boundary and eventually south of the San Francisco River. At the southern end the contiguous land extends into New Mexico where it becomes adjacent to the legislatively designated Lower San Francisco Wilderness Study Area (WSA).	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

Because of its obligation to maintain wilderness suitability of the Blue Range Primitive Area, the contiguous roadless lands and the adjacent WSA, the Forest Service must implement projects and activities in a manner that prevents degradation of wilderness characteristics. This restricts the Forest Service from considering projects including but not limited to new road construction/relocation, powerlines, material pits, and permanent installations such as communication towers. Maintenance activities on public lands for the existing manmade features such as roads, powerlines, solid waste stations and trailheads must occur within the existing footprints for those facilities and no expansion can be authorized until Congress determines the eventual wilderness boundaries. Contemporary wilderness advocates understand that the current legal status of the Blue Range PA and associated contiguous roadless lands restricts management activities and options in a manner that is not typical for small communities surrounded by National Forest. In fact, local residents have expressed concern regarding the limited options that are available for managing th	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
CONCLUSION Until Congress acts in regard to the Primitive Area, the USFS is obligated by the Wilderness Act of 1964 to protect wilderness suitability for the entire Blue Range Primitive Area and all of the "contiguous area(s) of national forest lands predominantly of wilderness value." The agency does not have any authority to choose which of these contiguous lands that are arguably "predominantly of wilderness value," for that would usurp the prerogative of the Congress. A thoughtful wilderness legislative process for the entire Blue Range Complex has the potential to resolve local community concerns, preserve wilderness values and provide clarity for future management.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	
REFERENCES: Hendee, John C., and Chad P. Dawson. 2002. Wilderness Management: Stewardship and Protection of Resources and Values. Third edition. Golden, CO: Fulcrum Publishing. The Wilderness Act; Public Law 88-577; 88th Congress; September 3, 1964 Arizona Wilderness Act of 1984; 98`h Congress; August 8, 1984 Roth, Dennis M. 1988. The Wilderness Movement and the National Forests. College Station, TX: Intaglio Press_	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

ADDENDUM FOR TRAVEL MANAGEMENT PLANNING. As prescribed by the Wilderness Act of 1964 and the subsequent case law related to the Act, the Forest Service must manage the Blue Range Primitive Area and all contiguous roadless lands in a manner that preserves wilderness characteristics. Any additional open motorized routes and/or trails within the Blue Range or its contiguous roadless lands would cause physical and social impacts that would diminish the wilderness characteristics and thus the wilderness suitability of the area. Therefore, open motorized roads or trails must not be established within those units as part of the Forest Travel Management Plan. Existing roads that form the exterior boundaries or cherry stemmed boundaries within the unit must restrict motorized use to the current motorized corridor. Additionally, motorized recreational events may not be permitted within this unit.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
ADDENDUM FOR FOREST PLANNING As prescribed by the Wilderness Act of 1964 and the subsequent case law related to the Act, the Forest Service must manage the Blue Range Primitive Area and all contiguous roadless lands in a manner that preserves wilderness characteristics. Therefore, the Forest Service should classify the lands that are adjacent to the Blue Range Primitive Area as a Wilderness Study Area so the public and agency managers clearly understand the management objectives and restrictions associated with those lands. This will encourage management activities that are compatible with preserving wilderness values and will deflect incompatible projects to occur in more appropriate locations.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
ADDENDUM FOR PROJECT-LEVEL PLANNING Because of its obligation to maintain wilderness suitability of the Blue Range Primitive Area, the contiguous roadless lands and the adjacent WSA, the Forest Service must implement projects and activities in a manner that prevents degradation of wilderness characteristics. This restricts the Forest Service from considering projects including but not limited to new road construction/relocation, powerlines, material pits, and permanent installations such as communication towers. Maintenance activities on public lands for the existing manmade features such as roads, powerlines, solid waste stations and trailheads must occur within the existing footprints of those existing facilities and no expansion can be authorized until Congress determines the eventual wilderness boundaries.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008

Attachment - Map of Wilderness Quality Lands Contiguous with Blue Range Primitive and Wilderness Areas - click here for pdf of map.	Letter 707-1-Tucson, AZ / 2866-1-Taos, NM / 55-1-Phoenix, AZ / 2876-1-Tempe, AZ / 2867-1-Albuquerque, NM / 2868-1-Albuquerque, NM / 2869-1-Albuquerque, NM / 2870-1-Tucson, AZ / 2871-1-Albuquerque, NM / 2872-1-Durango, CO / 2545-1-Portal, AZ / 2044-1-Missoula, MT / 2873-1-Tucson, AZ / 1930-1-Grand Canyon, AZ / 2146-1-Tucson, AZ / 2874-1-Tucson, AZ / 2875-1-Seattle, WA / 1601-1-Vernon, AZ / 1950-1-Alpine, AZ	2/6/2008
We received an email from one of our members in New Mexico indicating that several routes were "excluded" from the agency's "starting point" maps because they lie within an Inventory Roadless Area (IRA) or within a "proposed Wilderness area." Although we were unable to confirm this report, it is true that other units in other Regions have attempted to "categorically exclude" adding routes within IRAs to the classified road and trail system. Therefore, we thought it best to simply send each Forest's planning team the following comments. The agency cannot impose a blanket restriction on adding "user created" routes to the classified road and trail system based solely by virtue of the route existing in an Inventoried Roadless Area (IRA) or proposed Wilderness area. These areas contain some of our greatest natural and recreational treasures, and continued enjoyments of these areas via vehicle-based recreation should be maintained consistent with the Wilderness Act and other laws.	Letter 2877-1-Pocatello, ID	2/7/2008
Lest there be any confusion, we believe the 2001 Roadless Rule is illegal and should not be the standard for analysis of IRA management. There is a possibility, if not likelihood, that the 2001 Roadless Rule will be declared illegal while the agency is developing and analyzing alternatives in their Travel Planning process. Obviously this change would require the Forest to revisit analysis of routes in IRAs and would independently justify the creation of new alternative(s) and receipt of further public comment. Even if the 2001 Roadless Rule is deemed to be the applicable standard, the agency must not interpret the Forest's authority in an unduly restrictive manner, concluding that existing unclassified (or unauthorized) routes effectively can not or should not be added to the designated route network without violating the 2001 Rule's prohibition on "road construction" in IRAs. This interpretation is contrary to the regulation and to the representations of the Forest Service and preservationist groups, who contend that the Roadless Rule does not prohibit motorized access to IRAs. See, 2001 Roadless Rule, 66 Fed.Reg. 3251 (Jan. 12, 2001).	Letter 2877-1-Pocatello, ID	2/7/2008

Indeed, preservationist interests and Wilderness advocacy groups actually "defended" motorized access to roadless areas in their strong opposition to the intervention of BRC in California ex rel Lockyer et al. v. U.S.D.A., Case No. 05-3508 (N.D.Cal.). That case, consolidated with a similar action brought by private groups led by The Wilderness Society ("TWS"), sought to challenge the 2005 State Petitions Rule. The California Association of 4 Wheel Drive Clubs, United Four Wheel Drive Associations, American Council of Snowmobile Associations and BlueRibbon Coalition moved to intervene. The plaintiffs opposed, arguing "the interests that the Off-Road Vehicle Groups assert in motorized recreation in roadless areas are not at stake in this action." Plaintiffs' Opposition to Motion to Intervene (Doc. No. 79) at 7 Case Nos. 05-3508 and 05-4038 (N.D.Cal.)(March 7, 2006) (attached as Appendix "A").	Letter 2877-1-Pocatello, ID	2/7/2008
In reaching this conclusion, the TWS plaintiffs summarized language from the Rule and its associated planning documents, stating "[i]n sum, even if the Roadless Rule is reinstated by this Court as plaintiffs request, it will not prohibit a single person's off-road vehicle use or close a single off-road vehicle trail as alleged by the Off-Road Vehicle Groups' declarants." Id. at 5. The TWS reply clarifies and extends on these conclusions, again saying the "Roadless Rule does not close any existing vehicular routes (ORV or otherwise) in any National Forest roadless areas." Plaintiffs' Surreply in Opposition to Intervention (Doc. No. 100) at 1, Case Nos. 05-3508 and 05-4038 (N.D.Cal.)(March 24, 2006) (attached as Appendix "B") (emphasis in original). That document goes on to address specific routes of concern identified by BlueRibbon declarant Don Amador and says "[a]s to the two routes Mr. Amador might hypothetically use for ORV recreation ... neither route is more than 50 inches wide, and therefore the Roadless Rule would not even apply to them." Id. at 2.	Letter 2877-1-Pocatello, ID	2/7/2008
The preservationist plaintiffs summarized their position in the Northern District of California litigation as follows: [T]he only hypothetical interest ORV users could assert vis-a-vis Roadless Rule reinstatement depends on the existence, within National Forest roadless area, of some undesignated ORV routes that (1) are more than 50 inches wide, and (2) would require immediate reconstruction to be suitable for ORV use during the period between reinstatement of the Roadless Rule and completion of an ongoing U.S. Forest Service motorized route designation process. See Plaintiffs' Opposition to Off-Road Vehicle Groups' Motion to Intervene at 5 n.2. If intervention applicants - a nationwide coalition of off-road vehicle groups - cannot identify any such route in any National Forest, that is strong evidence that no concrete interest of ORV users is in danger of impairment.	Letter 2877-1-Pocatello, ID	2/7/2008
Id. at p.2 (emphasis in original). The Court largely agreed with the preservationist argument, finding that intervention "as of right" was not justified because "the Proposed Intervenors have not made a sufficiently strong showing of their interest in this case and the impact of a remedy on that interest if Plaintiffs were to prevail to satisfy the test of intervention as of right." Order Granting in Part Motion to Intervene (Doc. No. 110) at 3 Case Nos. 05-3508 and 05-4038 (N.D.CaI.)(March 31, 2006) (attached as Appendix „C„)	Letter 2877-1-Pocatello, ID	2/7/2008

The preservationist interests have emphasized these same themes in the ongoing litigation challenging the 2001 Roadless Rule in the District of Wyoming. Oral argument was held in that case on October 19, 2007. Counsel for Defendant- Intervenors Wyoming Outdoor Council et al filed their extensive opposition brief on September 24, 2007 (Doc. No. 86) (Case No. CV-07-17-CAB (D.Wyo.)(excerpts attached as Exhibit "D"), which argued: "The [Roadless] Rule... [c]loses no existing roads or trails..." (at 9) -"The EIS also makes clear that, '[n]o existing roads or trails would be closed by the prohibitions.... at a minimum, the current level of roaded access to inventoried roadless areas would be maintained, as would all forest uses associated with existing access.'" (at 29, quoting Roadless Rule DEIS). -"although barred in wilderness areas, motorized recreational use is common in roadless areas and would continue unhindered by the Roadless Rule" (at 46 n32). nothing to prevent existing access to roads/trails in "roadless" areas.	Letter 2877-1-Pocatello, ID	2/7/2008
Despite these consistent and ongoing positions from the Forest Service and proponents of the Roadless Rule, many Forests seem to be incorrectly interpreting the reinstatement of that Rule as imposing limits on project-level designation of routes in Roadless Areas. We urge you to take all steps necessary to rectify such misinterpretation(s). As the preservationist supporters of the Roadless Rule have made repeatedly clear, the 2001 Roadless Rule does not, and was not intended to, prohibit historical and existing motorized access along roads and trails in Roadless Areas.	Letter 2877-1-Pocatello, ID	2/7/2008
Second, regarding the proposed Wilderness/recommended Wilderness issue, only Congress can designate Wilderness under the Wilderness Act. The act specifically states that, wilderness areas are "to be composed of federally owned areas designated by Congress as `wilderness areas'... no Federal lands shall be designated as `wilderness areas' except as provided for in this chapter or by a subsequent act." 16 USC §1131(a). Reviewing courts have agreed that this express command reserves the power to designate wilderness exclusively to Congress. State of Wyoming v. U.S. Dept. of Agriculture, 277 F.Supp.2d 1197, 1233 (D. Wyo. 2003), vac. on other grounds, 414 F.3d 1207 (10th Cir. 2005); Parker v. United States, 309 F.Supp. 593, 597 (D. Colo. 1970), aff'd, 448 F.2d 793 (10th Cir. 1971). While the Secretary of Agriculture, and therefore the Forest Service, certainly has responsibilities under the Wilderness Act, those duties are succinctly summarized as "the duty to study and recommend." Parker, 309 F.Supp. at 597.	Letter 2877-1-Pocatello, ID	2/7/2008
The Forest Service simply does not have the authority to make any Wilderness-specific management directives until Congress has made a determination of Wilderness status. Off-road vehicles use, which are generally prohibited in designated Wilderness areas, but frequently enjoyed within proposed wilderness areas, must be properly and effectively managed by the Forest Service in non-wilderness areas, including proposed or recommended wilderness areas.	Letter 2877-1-Pocatello, ID	2/7/2008
We strongly urge you to take all steps necessary to rectify any incorrect interpretation of the reinstatement of that Rule as imposing limits on project-level designation of routes in Roadless Areas. As the preservationist supporters of the Roadless Rule have made repeatedly clear, the 2001 Roadless Rule does not, and was not intended to, prohibit historical and existing motorized access along roads and trails in Roadless Areas. If you have any questions or require clarification, please do not hesitate to call.	Letter 2877-1-Pocatello, ID	2/7/2008