

PURSUANT TO A.R.S. §38-431.01, THE GILA COUNTY BOARD OF SUPERVISORS WILL HOLD AN OPEN MEETING AT THE GILA COUNTY COURTHOUSE, BOARD OF SUPERVISORS' HEARING ROOM, 1400 EAST ASH STREET, GLOBE, ARIZONA. ONE OR MORE BOARD MEMBERS MAY PARTICIPATE IN THE MEETING BY TELEPHONE CONFERENCE CALL OR BY INTERACTIVE TELEVISION VIDEO (ITV). **ANY MEMBER OF THE PUBLIC IS WELCOME TO ATTEND THE MEETING VIA ITV WHICH IS HELD AT THE GILA COUNTY COMPLEX, BOARD OF SUPERVISORS' CONFERENCE ROOM, 610 E. HIGHWAY 260, PAYSON, ARIZONA.** THE AGENDA IS AS FOLLOWS:

WORK SESSION - TUESDAY, DECEMBER 10, 2019 - 10:00 A.M.

1. **CALL TO ORDER - PLEDGE OF ALLEGIANCE**
2. **REGULAR AGENDA ITEMS:**
 - A. Information/Discussion regarding the Forest Service 203 Road located in the Sierra Ancha Wilderness and its scheduled closing per the Tonto National Forest Travel Management Plan. **(Woody Cline)**
3. **CALL TO THE PUBLIC:** A call to the public is held for public benefit to allow individuals to address the Board of Supervisors on any issue within the jurisdiction of the Board of Supervisors. Board members may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to Arizona Revised Statute §38-431.01(H), at the conclusion of an open call to the public, individual members of the Board of Supervisors may respond to criticism made by those who have addressed the Board, may ask staff to review a matter or may ask that a matter be put on a future agenda for further discussion and decision at a future date.
4. At any time during this meeting pursuant to A.R.S. §38-431.02(K), members of the Board of Supervisors and the County Manager may present a brief summary of current events. No action may be taken on information presented.

IF SPECIAL ACCOMMODATIONS ARE NEEDED, PLEASE CONTACT THE RECEPTIONIST AT (928) 425-3231 AS EARLY AS POSSIBLE TO ARRANGE THE ACCOMMODATIONS. FOR TTY, PLEASE DIAL 7-1-1 TO REACH THE ARIZONA RELAY SERVICE AND ASK THE OPERATOR TO CONNECT YOU TO (928) 425-3231.

THE BOARD MAY VOTE TO HOLD AN EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE FROM THE BOARD'S ATTORNEY ON ANY MATTER LISTED ON THE AGENDA PURSUANT TO A.R.S. §38-431.03(A)(3).

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING.

ARF-5768

2. A.

Work Session

Meeting Date: 12/10/2019

Submitted For: Woody Cline, Member, Board of Supervisors

Submitted By: Cathy Melvin, Executive Assistant

Department: Board of Supervisors-District 3

Information

Request/Subject

Discussion regarding the Forest Service 203 Road located in the Sierra Ancha Wilderness. The road is scheduled to be closed pursuant to the Tonto National Forest Travel Management Plan. The reopening of this road may require Congressional Action.

Background Information

The Forest Service 203 Road provides the only motorized roadway access to many historic, privately-owned, occupied homesteads entering the area from Hwy 288, a few miles from the Salt River Diversion and north at Board Tree Saddle. It is also a public roadway used for motorized travel by thousands of visitors seeking to explore the Sierra Ancha Wilderness and surrounding area, such as hunters, hikers, wildland firefighters, first responders, OHV enthusiasts, livestock grazing permittees and families who live in Young and surrounding communities.

According to the legal description and map submitted to Congress in 1965, several sections of Forest Road 203 are well within the boundary of the Sierra Ancha Wilderness and there are no administrative use needs associated with this road. Without a legislated boundary adjustment, the Forest Service is legally required to decommission this road to comply with the Wilderness Act and can no longer provide any motorized use where it is within the Wilderness Boundary.

In a letter dated April 10, 2016 to Senator John McCain from Neil Bosworth, Tonto National Forest Supervisor, *"There are 10.5 miles of Forest Road 203 inside and 30.2 miles outside the Sierra Ancha Wilderness. If Forest Road 203 did not intersect the Sierra Ancha Wilderness, the Forest Service would designate Forest Road 203, in its entirety, as a motorized trail open to all motor vehicles."*

Because the 10.5 miles in question lies within the Sierra Ancha

Wilderness, the Tonto National Forest is legally required to comply with the Wilderness Act.

In the Travel Management on the Tonto National Forest Draft Record of Decision, Implementation Section, page 33, dated October 2019 it states:

"Forest Service Road 203, also known as Cherry Creek Road, will be closed to all motor vehicle use until such time as this route is no longer within the designated boundary of the Sierra Ancha Wilderness. When this route is no longer within the Wilderness Area or as otherwise authorized by Congressional Action, it will be opened and designated as a full-sized motorized trail. The effects of both of these actions have been described in chapter 2 and analyzed by resource area in chapter 3 in the final environmental impact statement."

Evaluation

It would be beneficial for the Board of Supervisors to hear from various interested parties and groups regarding the future or possible permanent closure of 10.5 miles of Forest Road 203. In addition it would be beneficial to discuss the possibility of legislative action to correct the Wilderness Boundary to allow all of Forest Road 203 to be designated a motorized trail open to all motorized vehicles.

Conclusion

N/A

Recommendation

N/A

Suggested Motion

Information/Discussion regarding the Forest Service 203 Road located in the Sierra Ancha Wilderness and its scheduled closing per the Tonto National Forest Travel Management Plan. **(Woody Cline)**

Attachments

TNF Travel Management Plan



United States Department of Agriculture

Travel Management on the Tonto National Forest

Draft Record of Decision

Gila, Maricopa, Pinal, and Yavapai Counties, Arizona



Forest Service

Tonto National Forests

October 2019

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Introduction

Summary

The environmental impact statement for the Tonto National Forest Travel Management Project has been prepared pursuant to the requirements of the National Environmental Policy Act (40 Code of Federal Regulations (CFR) 1500 through 1508), the National Forest Management Act, and the 1987 Tonto National Forest Land and Resource Management Plan (Forest Plan).

The final environmental impact statement and a draft record of decision were released in June 2016. During the subsequent administrative review opportunity, following 36CFR 218 regulations, the reviewing officer received 13 letters of objection to the draft decision. A review by the Forest Service Southwestern Regional Office determined that additional analysis was required to adequately comply with laws and policy and provide the necessary disclosure for a number of issues brought forward in objections. A supplemental environmental impact statement has been prepared to provide that additional analysis and disclosure. Accompanying the supplement is an interactive map that provides clarity in route designations at both large and small scales¹.

The final and supplemental environmental impact statements document the analysis of the existing condition (no-action alternative) and three action alternatives developed to respond to issues raised by the public and meet the purpose and need of the project, as detailed in chapter 1. Comments received on the draft environmental impact statement and the Forest Service's responses to those comments are included in volume II of the final environmental impact statement. Comments received on the draft supplemental environmental impact statement are included in appendix A of the final supplemental environmental impact statement. The final environmental impact statement, along with the supplement, disclose the environmental impacts associated with the four alternatives considered in detail, including amending the Forest Plan.

In the context of my decision, the full environmental impact statement includes both the final environmental impact statement and the supplemental environmental impact statement. Only those issues and elements identified as needing additional analysis by the regional forester's objection review were addressed in the supplemental analysis and supersede the analysis in the final environmental impact statement. Issues and resource elements that were not addressed in the supplement were deemed by the regional forester to have been adequately analyzed in the final environmental impact statement.

This draft record of decision complies with 40 CFR 1505.2 and Forest Service Handbook 1909.15, chapter 20. The forest supervisor for the Tonto National Forest has authority to sign this decision. Arizona Game and Fish Department is a cooperating agency for this project in compliance with 40 CFR 1501.6.

This draft record of decision outlines the decision to amend the Forest Plan to reflect the prohibition on cross-country motorized travel established by the Forest Service's 2005 Final Travel Management Rule,² along with additional amendments, detailed in appendix A of the final environmental impact statement. The motor vehicle use map to be published in compliance

¹ Available at: <https://usfs.maps.arcgis.com/apps/MapSeries/index.html?appid=5f4d598ce4554f2486ff2f0378d21a7b>

² http://fsweb.wo.fs.fed.us/rhwr/ohv/rules/final_rule.pdf

with 36 CFR 212.55 will function as the travel map reflecting the final decision. The interactive online map will be maintained on the Forest's website to facilitate familiarity with designations.

Location

The Tonto National Forest is one of eleven national forests in the Southwestern Region of the U.S. Forest Service. The Tonto National Forest covers approximately 2,964,308 acres in central Arizona within Gila, Maricopa, Pinal, and Yavapai Counties and is the fifth largest national forest in the National Forest System. The Tonto National Forest spans a range of ecosystems from the Sonoran Desert through a variety of chaparral and pinyon pine/juniper up to the mixed conifer and ponderosa pine of the Mogollon Rim. The Tonto National Forest is divided into six ranger districts: Cave Creek, Globe, Mesa, Payson, Pleasant Valley, and Tonto Basin (figure 1).

The Tonto National Forest abuts the northern edge of the Phoenix metropolitan area,³ including the towns of Mesa and Scottsdale. The city of Phoenix has a population of approximately 1.6 million,⁴ making it the fifth largest city and one of the fastest growing in the United States. State Highway 87 provides access through the heart of Tonto National Forest, providing access to the town of Payson and the rim country, while U.S. Highway 60 cuts along the southern portion of the Tonto, providing access to the towns of Superior and Globe

Background

On November 9, 2005, the Forest Service published travel management regulations governing off-highway vehicles and other motor vehicles on national forests and grasslands. This is referred to as the Final Travel Management Rule. This final rule was developed in response to the substantial increase in use of off-highway vehicles on National Forest System lands and related damage to forest resources caused by unmanaged off-highway vehicle use over the past 20 to 30 years. The regulations implement Executive Orders 11644 and 11989 regarding off-road use of motor vehicles on Federal lands.

Subpart B of the rule “provides for a system of National Forest System roads, National Forest System trails, and areas on National Forest System lands that are designated for motor vehicle use. After these roads, trails, and areas are designated, motor vehicle use, including the class of vehicle and time of year, not in accordance with these designations is prohibited by 36 CFR 261.13. Motor vehicle use off designated roads and trails and outside designated areas is prohibited by 36 CFR 261.13” (36 CFR 212.50(a)).

Motor vehicles are used for many activities on the Tonto National Forest, such as sightseeing, camping, hiking, hunting, fishing, recreational riding, and collecting fuelwood and other forest products, as well as permitted and administrative uses. Motor vehicle use is both a form of access to nonmotorized activities on the Tonto National Forest and a form of recreation itself. On Arizona national forests and other public lands, off-highway vehicle use varies depending on terrain and user preferences:

- Off-road motorcycles, including dirt bikes, have a narrow wheelbase width and can be ridden on single-track trails.

³ The Phoenix metropolitan area has a population of almost five million people.

⁴ According to the U. S. Census Bureau 2018 population estimates

(https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk accessed on October 2, 2019).

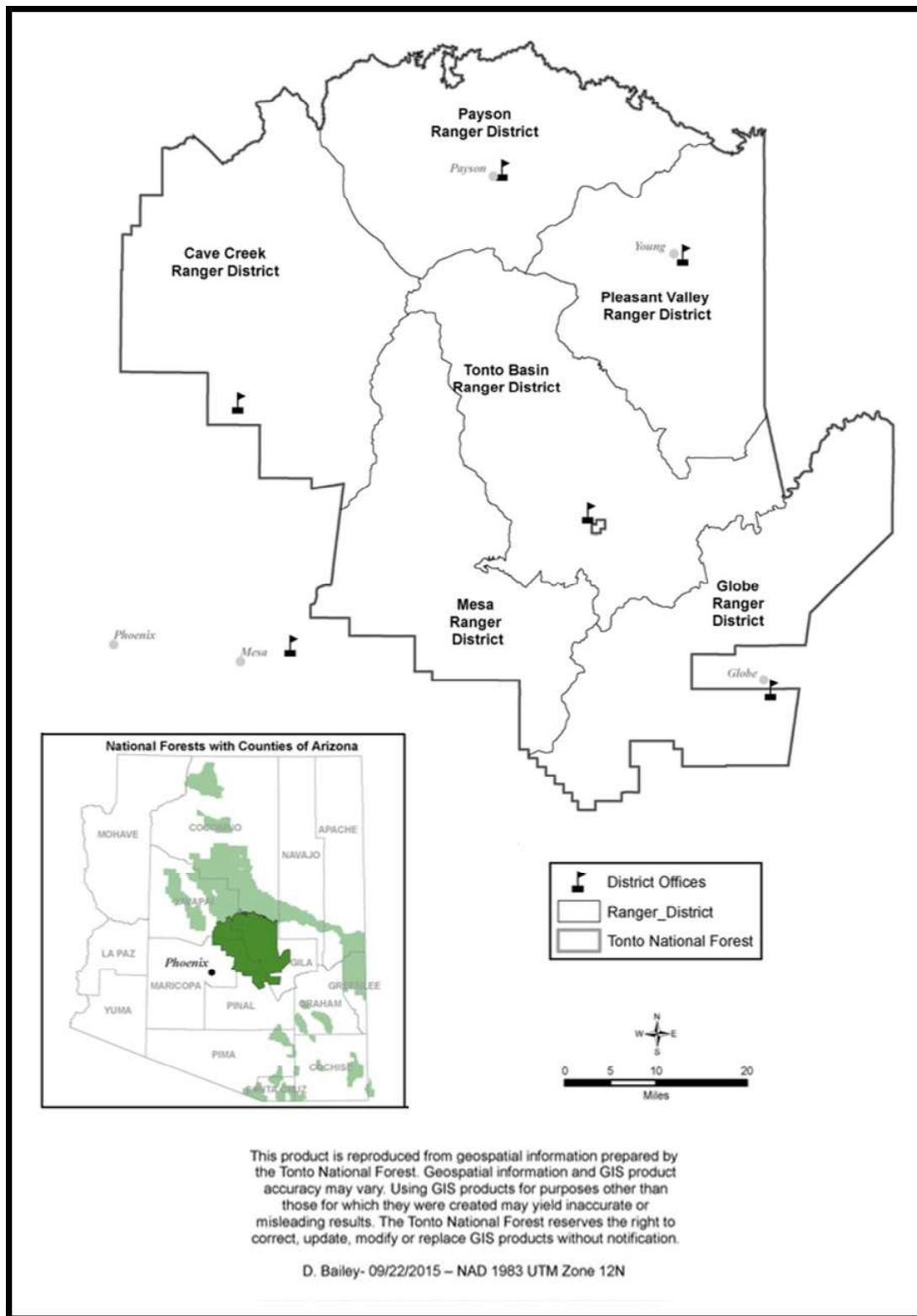


Figure 1. Map of the Tonto National Forest, including ranger districts

- All-terrain vehicles often have a wheelbase width of 50 inches or less, and riders straddle the vehicle, with riders sitting one in front of the other.
- Utility-terrain vehicles allow riders to sit side-by-side and may have a wheelbase width greater than 50 inches, but not more than 60 inches.
- Full-sized, four-by-four vehicles have enough clearance and traction to drive off paved roads.

During the past ten years, off-highway vehicle use has increased dramatically across the Nation and on millions of acres of public land in the western U.S. In Arizona, sales of off-highway vehicles increased 623 percent from 1995 to 2006.⁵ Prior to 2001, the majority of off-highway vehicle sales in Arizona consisted of all-terrain vehicles. By 2008, utility-terrain vehicles had surpassed the sales of all-terrain vehicles in Maricopa County. According to a survey conducted by Arizona State Parks, 22 percent of adult Arizona residents have participated in motorized recreation, with nearly 11 percent indicating that motorized vehicle use accounts for the majority of their recreation.

Current regulations prohibit trail construction and operation of vehicles in a manner that is damaging to the land, wildlife, or vegetation (36 CFR 261—Prohibitions). However, these regulations have not proven sufficient to control the addition of user-created routes or environmental effects.

In the Forest Plan, cross-country travel on the Tonto National Forest was restricted on the Cave Creek, Globe, Mesa, and Tonto Basin Ranger Districts unless posted open. Other restricted areas across all ranger districts are closed to cross-country travel. These areas have been closed by the Forest Plan, previous Tonto National Forest closure orders, and legislative actions, such as congressionally-designated wilderness. Approximately 703,618 acres of land are currently open for unrestricted motorized cross-country travel on the Payson and Pleasant Valley Ranger Districts.

Purpose of, and Need for, Action

The purpose of this project is to comply with the Final Travel Management Rule by providing a system of roads, trails, and areas designated for motor vehicle use by class of vehicle and time of year on the Tonto National Forest. In addition, the magnitude and intensity of motor vehicle use has increased to the point that the intent of Executive Orders 11644 and 11989, both pertaining to the use of motorized vehicles on public land, cannot be met while still allowing unrestricted cross-country travel. There are several needs associated with this project:

- To determine which, if any, National Forest System roads currently open should be closed to motorized travel;
- To determine which, if any, National Forest System roads currently closed should be open to motorized travel;
- To identify any restrictions on allowed uses, classes of vehicles, and/or seasons of use for specific routes;
- To determine which, if any, unauthorized routes should be added to National Forest System as trails or roads open for motorized access;

⁵ Arizona State Parks. 2009. Arizona Trails 2010: A Statewide Motorized and Nonmotorized Trails Plan. Available online at: http://azstateparks.com/publications/downloads/2009_Trails_2010_Final_c.pdf.

- To determine if, when, where, and how far motor vehicles may be driven off designated roads for the sole purpose of motorized dispersed camping, motorized big game retrieval, and collection of forest products; and
- To amend the Forest Plan to prohibit motor vehicle use off designated National Forest System roads, trails, and areas except as shown on the motor vehicle use map and to revise wording for consistency to comply with the Final Travel Management Rule (36 CFR 261.13).

The final environmental impact statement analyzed three action alternatives to meet the purposes of, and needs for, changes to current motor vehicle use on the Tonto National Forest. Alternative C was identified to the public as the proposed action during the scoping process and, after modification to address comments received, as the preferred alternative in the draft and final environmental impact statements. The 2016 draft record of decision identified alternative C, with minor modifications, as the alternative chosen for implementation.

Decision and Rationale

Decision

This draft record of decision documents my decision and rationale for the actions I am authorizing under the USDA Forest Service 2005 Final Travel Management Rule. My decision is to implement a modified version of alternative C as described in detail below. In addition, it is my decision to also amend the Forest Plan as described in alternative C. I select this alternative based upon my review of the alternatives and environmental impacts described in the final and supplemental environmental impact statements, the comments on the draft environmental impact statement submitted by other agencies and the public, the outcome of previous objection resolutions, and other information available in the project record. The modified alternative C is within the range of alternatives described and analyzed in the environmental impact statement.

This decision reflects over ten years of public involvement, collaboration, and consultation with individuals, groups, agencies, Tribes, and local governments with both common and widely diverse interests, coupled with the environmental analysis necessary for me to make an informed decision. I appreciate the time, energy, and viewpoints that were contributed by so many to shape the range of options considered for this decision.

The path to reaching this decision was not an easy one, and I found no simple solution that can fully achieve all the goals that I, the Forest Service, and members of the public have for the management of motor vehicle use on the Tonto National Forest. In some instances, public access needs are incompatible with environmental protection goals. In other instances, motorized recreation opportunity goals are in direct conflict with nonmotorized recreation opportunity goals. In still other instances, the needs of wildlife species conflict with the management of game and nongame species. Recognizing that no perfect solution exists, I believe my decision strikes a reasonable balance that is responsive to the majority of public input I received and is the best solution to achieve the multiple use mandate that is part of the Forest Service mission.

It is important that the reader understand this decision is a starting point for management of motor vehicle use on the Tonto National Forest in compliance with the Final Travel Management Rule. Because it includes the cumulative input of thousands of comments on nearly 5,000 miles of road, modifications are likely due to changing conditions or new information. We may find some actions could result in unforeseen circumstances in some locations. In addition, some of

the site-specific issues and concerns raised during the 2016 objection process require an exploration of options and a more focused analysis. I fully commit to additional motorized route planning and making changes to motorized use management through appropriate decision-making processes to continue improving Tonto National Forest access and motorized recreation and protecting Tonto National Forest resources for current and future generations.

The four alternatives in the final environmental impact statement are analyzed (see chapter 3) using six elements to help the reader understand the differences and similarities among them. My decision is organized in the same manner.

Roads and Trails Designated for Motor Vehicle Use

In compliance with the Final Travel Management Rule (36 CFR 212.1), I designate approximately 1,550 miles of National Forest System roads (table 1).⁶ Of these roads, approximately 169 miles are restricted to administrative use only⁷ or authorized by road use permit for the sole use of private landowners.

In addition, I designate approximately 2,721 miles of motorized trails (see table 1) in compliance with the Final Travel Management Rule (36 CFR 212.1). Many recreational users stressed the need for motorized routes that provide a challenge and a range of opportunities greater than those provided by maintenance level 2 roads. This includes the ability to rock crawl and experience the opportunity to conquer rough terrain while recreating using a motor vehicle. Attached to these comments were offers of support, primarily through volunteer work, for maintaining such motorized opportunities, including participation in a Forest Service program called Adopt a Trail.

Of the designated motorized trails, approximately 405 miles are restricted to authorized use for administrative use only.

Designated National Forest System roads and motorized trails within existing seasonal closure areas are seasonally designated for motor vehicle use.

Finally, I designate approximately 1,288 miles of roads for decommissioning.⁸ Some of these roads may already be effectively obliterated on the ground from lack of use or due to previous road closure efforts.

In general, the miles in this decision are different than those in alternative C described in the final environmental impact statement, as shown in table 1.

⁶ A detailed account of each route in this decision can be found in the project record.

⁷ “Administrative use only” means that motorized access is restricted, often with a locked gate, to Forest Service personnel or those that hold an authorized use permit to access the motorized route, such as for utility companies to maintain their facilities. These routes would not show up on the motor vehicle use map. Motorized users not authorized to be on these routes would be cited for being in violation of the motor vehicle use map. All activities associated with physically restricting use will be covered by additional environmental analysis in compliance with the National Environmental Policy Act.

⁸ The on-the-ground actions associated with decommissioning a road, along with the effects, are not part of this analysis. All activities associated with decommissioning will be covered by additional environmental analysis in compliance with the National Environmental Policy Act.

Table 1. Designated roads and motorized trails, including comparison to alternative C from final environmental impact statement

Type of Road or Trail	Miles in 2016 DROD	Class of Use	Miles in 2019 FSEIS
Routes Open to public			
Roads open to passenger vehicles (maintenance level 3-5)	511	Highway legal vehicle only	512
Roads open to high-clearance vehicles (maintenance level 2)	869	All motorized vehicle	869
Open road subtotal	1,380	N/A	1,381
Motorized trails (single track)	110	Motorcycles and dirt bikes	104
Motorized trails (less than 60")	21	All-terrain vehicles and utility-terrain vehicles	28
Motorized trails (full-sized vehicles)	2,179	All motorized vehicle	2,184
Open motorized trail subtotal	2,310	N/A	2,316
Total motorized open to public	3,690	N/A	3,697
Routes Closed to Public			
Administrative roads	170	N/A	169
Administrative trails	407	N/A	405
Total routes for administrative use only	577	N/A	574
Close or decommission	1,292	N/A	1,288
Total Roads and Trails			
Roads – public and administrative use	1,550	N/A	1,550
Motorized trails – public and administrative use	2,717	N/A	2,721
Total motorized system	4,267	N/A	4,271

Modifications of Alternative C in Final Environmental Impact Statement

Table 2 and Table 3 detail the specific modifications of alternative C from the final environmental impact statement and the final supplemental environmental impact statement, respectively, to this decision for roads and trails designated for motor vehicle use. Following is my rationale for these changes.

As part of the formal consultation process with the U.S. Fish and Wildlife Service⁹ in compliance with the Endangered Species Act, we identified motorized routes with impacts to certain species and their habitat (table 2). Based on this information, I chose to either designate the route for decommissioning or restrict the use to administrative use only to minimize the effects in compliance with the Final Travel Management Rule (36 CFR 212.55(b)). U.S. Fish and Wildlife Service identified 123 spur routes accessing inventoried dispersed camping sites that also had impacts to listed species. These spur routes are not being designated for motor vehicle use in this decision, resulting in approximately 91 miles of spur routes remaining designated as full-sized motorized trails.

Of particular concern to U.S. Fish and Wildlife Service was access through designated wilderness that Forest Service Road 393 has historically provided for the management of two threatened fish populations. By designating 0.6 miles of this route (where it is within the legal boundary of the Mazatzal Wilderness) as decommissioned to prohibit motor vehicle use within the wilderness, changes in route designation for the management of the powerline by Arizona Public Service (APS) and alternative access to Hidden Water Spring to manage the fish habitat became necessary. This alternative access is necessary to allow for the use of high-clearance vehicles, potentially pulling a trailer with a backhoe, for both power line maintenance and fish habitat management needs. Prior to this decision, the U.S. Fish and Wildlife Service and Arizona Game and Fish Department accessed the spring via the most direct route: from State Highway 87, southwest on Forest Service Road 627 to Forest Service Road 393, then southwest on Forest Service Road 393 through the southern end of the designated wilderness to Forest Service Road 2138. APS would also access their powerline southwest of the wilderness boundary by using the section of the road within the wilderness. Currently, access for APS originating from near Bartlett Lake has been difficult due to the current condition of the road.

After much communication and consideration, I am designating Forest Service Road 393 as an administrative use only maintenance level 2 road from where it crosses the Verde River near Bartlett Lake to where it intersects with route 3456 (approximately 4.3 miles); then as a maintenance level 2 road open to the public from the intersection with route 3456 to the edge of the wilderness boundary (as displayed in the existing condition and alternative D). This will provide the necessary access for APS powerline maintenance and for species management. In addition, I designate Forest Service Road 2138 as a maintenance level 2 road from where it intersects with Forest Service Road 393 to the wilderness boundary (as displayed in the existing condition and alternative D) to provide access to Hidden Water Spring for the management of the endangered fish population.

On February 18, 2015, the Tonto National Forest met with Salt River Project representatives to discuss their concerns about motorized access to conduct powerline management activities. They had identified several routes proposed for decommissioning in the alternative C of the draft environmental impact statement (table 2). While these changes were not made to alternative C in the final environmental impact statement, they are represented in either the existing condition or alternative D.

My decision modifies alternative C for Forest Service Roads 1100 and 409B. In my decision regarding these two roads, I considered recent information to minimize impacts to cultural sites and to coordinate nonmotorized recreation.

⁹ The concurrence letter and biological opinion from U.S. Fish and Wildlife Service can be found in the project record.

Table 2. Changes in motorized routes from alternative c in final environmental impact statement to 2016 draft record of decision

Route #	In Existing System?	Designation	Rationale
Cave Creek			
1100	Yes	Administrative use only; full-sized motorized trail	Motorized access for utility company to maintain their facilities; possible use for Maricopa County nonmotorized loop hiking trail
393	Yes	Maintenance level 2 road	Access for continued management of endangered fish in Hidden Water Spring
Globe			
P002	No	Maintenance level 2 road	Salt River Project request to maintain their facilities
Mesa			
3443	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
1891	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
2138	Yes	Maintenance level 2 road	Access for continued management of endangered fish in Hidden Water Spring
393 ¹⁰	Yes	Maintenance level 2 road	Access for continued management of endangered fish in Hidden Water Spring
393A	Yes	Maintenance level 2 road	Access for continued management of endangered fish in Hidden Water Spring
Payson			
1569	Yes	Decommissioned	Minimize effects to narrow-headed gartersnake and northern Mexican gartersnake
Pleasant Valley			
3010	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
775	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
905	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
1002	Yes	Administrative use only; full-sized motorized trail	Minimize effects to Chiricahua leopard frog
PV4063	No	Decommissioned	Minimize effects to Chiricahua leopard frog
720	Yes	Decommissioned	Minimize effects to Chiricahua leopard frog
PV4062	No	Full-sized motorized trail	Minimize effects to Chiricahua leopard frog
3025A	Yes	Decommissioned	Minimize effects to Chiricahua leopard frog and peregrine falcon
Tonto Basin			

¹⁰ The 0.6 miles of 393 on the Mesa Ranger District that is within the southern part of the Mazatzal Wilderness boundary is designated as decommissioned; all motorized use on this section will be prohibited.

Route #	In Existing System?	Designation	Rationale
409B	Yes	Administrative use only; maintenance level 2 road	Minimize effects to archaeological site
1491A	No	Administrative use only; maintenance level 2 road d	Salt River Project request to maintain their facilities
641B	No	Maintenance level 2 road	Salt River Project request to maintain their facilities
3362	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
1391	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
2917	Yes	Maintenance level 2 road	Salt River Project request to maintain their facilities
1512B	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
1512A	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
1512D	No	Nonmotorized (possible conversion to hiking trail)	Minimize effects to southwestern willow flycatcher
397A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
1775A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
333C	No	Decommissioned	Minimize effects to southwestern willow flycatcher
333D	No	Decommissioned	Minimize effects to southwestern willow flycatcher
397D	No	Decommissioned	Minimize effects to southwestern willow flycatcher
333	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
U3777A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
333	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
333A	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
U333	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U397H	No	Decommissioned	Minimize effects to southwestern willow flycatcher
88	Yes	Decommissioned	Minimize effects to southwestern willow flycatcher
397C	Yes	Full-sized motorized trail	Minimize effects to southwestern willow flycatcher
397B	Yes	Full-sized motorized trail	Minimize effects to southwestern willow flycatcher
396A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
465C	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U3396A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U465B	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U465A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U396B	No	Decommissioned	Minimize effects to southwestern willow flycatcher
U1391A	No	Decommissioned	Minimize effects to southwestern willow flycatcher
465B	No	Decommissioned	Minimize effects to southwestern willow flycatcher and western yellow-billed cuckoo

Additional changes resulted from objection resolution meetings, or from issues brought up in comments on the draft supplemental environmental impact statement. Many of the changes were a change in width designation, as detailed in the section “Route Designation Issues.” Other changes result in a route going from closed to open, or open to closed to public use, for a net increase in 7 additional miles open. The changes are listed in Table 3.

Table 3. Changes in motorized routes from the 2016 draft record of decision to the final supplemental environmental impact statement.

Route #	In Existing System?	Designation	Rationale
Cave Creek			
U3085	No	60-inch Trail	Objection resolution
U3089	No	Decommission	Error in GIS data
U3088	No	60-inch Trail	Objection resolution
U3089	No	60-inch Trail	Objection resolution
U3088	No	60-inch Trail	Objection resolution
U3053	No	Single Track Trail	Objection resolution
U3052	No	Single Track Trail	Objection resolution
U3051	No	Single Track Trail	Objection resolution
U2268	No	Single Track Trail	Objection resolution
FR513	Yes	60-inch Trail	Objection resolution
FR2090	Yes	60-inch Trail	Objection resolution
U3073	No	Single Track Trail	Objection resolution
U3075	No	Single Track Trail	Objection resolution
T619	No	Single Track Trail	Objection resolution
U2115	No	Single Track Trail	Objection resolution
FR2115	Yes	Decommission	Redundant route; minimize impacts
FR388	Yes	Decommission	Redundant route; minimize impacts
FR2064	Yes	Full Size Trail	Objection resolution
Unauthorized	No	Administrative Trail	Objection resolution
2200/2201	Yes	60-inch Trail	Objection resolution
FR1064	Yes	Administrative Trail	Objection resolution
Mesa			
3713	Yes	Full Size Trail	Objection resolution
3722	Yes	Full Size Trail	Objection resolution
3456	Yes	Full Size Trail	Objection resolution
3456A	Yes	Full Size Trail	Objection resolution
3456B	Yes	Full Size Trail	Objection resolution
Payson			
FR708	Yes	Maintenance level 3 road	Maintain recreation access and values for Fossil Creek Wild and Scenic River

Areas Designated for Motor Vehicle Use

In compliance with the Final Travel Management Rule (36 CFR 212.1), I designate, without changes, the eight off-highway vehicles areas described under alternative C in chapter 2 of the final environmental impact statement:

- Specific locations around Bartlett Lake (Cave Creek Ranger District) between the variable water level and the high water mark;
- Golf course (Globe Ranger District);
- Specific locations around Roosevelt Lake (Tonto Basin Ranger District) between the variable water level and the high water mark;
- Sycamore (Mesa Ranger District); and
- Four tot lots limited to children, allowing them an area to learn to ride without the presence of other motorized users. Tot lot 532 and the Wildcat tot lot are on the Cave Creek Ranger District. Sycamore and The Rolls tot lots are on the Mesa Ranger District.

Table 4. Designated off-highway vehicle area tot lots on Tonto National Forest

Name of Tot Lot	Ranger District
532	Cave Creek
Wildcat	Cave Creek
Sycamore	Mesa
The Rolls	Mesa

Permit Zones

I designate, without changes, the following three permit zones, along with the continuation of the Bulldog Canyon permit zone (Mesa Ranger District) as detailed under alternative C in chapter 2 of the final environmental impact statement. In permit zones, motorized vehicles have to stay on designated routes and cannot travel cross-country.

- Desert Vista (Cave Creek Ranger District);
- The Rolls (Mesa Ranger District); and
- St. Clair (Cave Creek Ranger District).

I recognize that designated permit zones are unique to the Tonto National Forest. However, the land within these zones have been negatively affected by off-highway vehicle use. That said, complete exclusion of motorized use to the area within the zones is not currently desirable. As with the current permit zone, motorized vehicle users are required to get a permit to access the areas, which will have locked gates and barriers restricting nonpermitted access.

Motor Vehicle Use for Big Game Retrieval

In compliance with the Final Travel Management Rule (36 CFR 212.51(b)), I designate motor vehicle use up to 1 mile on both sides of all designated roads and motorized trails solely for retrieving legally harvested elk and bear in game management units 21, 22, 23, 24A, 24B, and

37B (see alternative C in chapter 2 of the final environmental impact statement). My decision results in approximately 1,935,850 acres¹¹ where motorized retrieval is permitted.

Big game retrieval using a motor vehicle is prohibited in the following areas:

- Within all congressionally designated areas, such as wilderness areas and wild and scenic river corridors, where motorized travel is not authorized.
- Private property within and adjacent to the Tonto National Forest.
- The following special management areas, in compliance with the Forest Plan:
 - Buck Mountain Research Natural Area (Management Area 6D);
 - Proposed Upper Forks Parker Creek Research Natural Area (Management Area 5F);
 - Sierra Ancha Experimental Forest (Management Area 5E); and
 - Three Bar Wildlife Area (Management Area 6C).
- Any closure orders that restrict motorized travel that are not superseded by this decision.

The following restrictions are placed on all motorized hunters retrieving legally harvested elk and bear:

- Hunters will be required to use the most direct and least ground-disturbing route in and out of the area to accomplish the retrieval;
- Motorized retrieval will not be allowed in existing off-road travel restricted areas;
- Motorized retrieval will not be allowed when conditions are such that travel would cause damage to natural and/or cultural resources; and
- Motor vehicle use for retrieval will not be permitted to cross riparian areas, creeks, and rivers except at hardened crossings or crossings with existing culverts.

Motorized off-road travel for other hunting activities, such as scouting or accessing hunting sites, will be prohibited.

Motor Vehicle Use for Dispersed Camping

My decision designates motor vehicle use for dispersed camping on approximately 91 miles of full-sized motorized trails that access nearly 2,750 inventoried, existing, dispersed camping sites on the Tonto National Forest.¹² These routes have already been designated previously in this decision (see the “Roads and Trails Designated for Motor Vehicle Use” section).

Motor Vehicle Use for Gathering Personal Use Fuelwood

Currently, if a Tonto National Forest user receives a permit for personal use fuelwood, he or she is permitted to gather wood in specific areas during specified times (indicated by a packet with maps and regulations for gathering). The use of motorized vehicles to gather wood is not distance limited if the user is within the permitted area and not causing resource damage. It is my

¹¹ As the acreage for retrieval is directly linked to the designated route system, the total acres for this decision are slightly different from what is in the final environmental impact statement, because designated roads and motorized trails have been modified from alternative C in chapter 2 of the final environmental impact statement.

¹² For more information about how these sites were inventoried and how the mileage to them was calculated, see the Arizona Game and Fish Department Report for Inventory of Motorized Dispersed Campsites on the Tonto National Forest in the project record.

decision to continue to allow motor vehicle use for this activity within the designated fuelwood cutting areas within the Tonto National Forest, as detailed in both alternatives A and D. However, as part of the formal consultation process with the U.S. Fish and Wildlife Service in compliance with the Endangered Species Act, approximately 36,000 acres will not be designated for fuelwood gathering using a motor vehicle to minimize impacts to habitat for yellow-billed cuckoo, Chiricahua leopard frog, narrow-headed gartersnake, northern Mexican gartersnake, and hedgehog cactus in compliance with the Final Travel Management Rule (36 CFR 212.55(b)).

As with motor vehicle use for big game retrieval, fuelwood gathering using a motor vehicle is prohibited in the following areas:

- Within all congressionally designated areas, such as wilderness, where motorized travel is not authorized.
- Private property within and adjacent to the Tonto National Forest.
- The following special management areas, in compliance with the Forest Plan:
 - Buck Mountain Research Natural Area (Management Area 6D);
 - Proposed Upper Forks Parker Creek Research Natural Area (Management Area 5F);
 - Sierra Ancha Experimental Forest (Management Area 5E); and
 - Three Bar Wildlife Area (Management Area 6C).
- Any closure orders that restrict motorized travel that are not superseded by this decision.

This results in approximately 1,282,600 acres open to motor vehicle use off a designated route for those who have a permit to gather personal use fuelwood.

Motor Vehicle Parking

With my decision to designate motorized routes for dispersed camping and not the 100- or 300-foot corridors that were part of the draft environmental impact statement (chapter 2, alternatives C and D, respectively), there is the need to allow motor vehicles to park off Forest Service routes in a manner that is safe for the public and minimizes effects to natural resources.

I have decided to allow vehicle parking up to 30 feet on either side of an open road or motorized trail unless otherwise identified in compliance with Forest Service regulations found at 36 CFR 261. Parking would not be allowed in the instances listed below; however, this list is not exhaustive. State, county, and city law enforcement may cite for additional infractions, especially on state and county roads:

- Blocking, restricting, or otherwise interfering with the use of a road, trail or gate;
- Placing a vehicle or other object in such a manner that it is an impediment or hazard to the safety or convenience of any person;
- Operating a vehicle off road in a manner that damages or unreasonably disturbs the land, wildlife, or vegetative resources;
- Damaging any natural feature or other property of the United States; and
- Damaging any plant that is classified as a threatened, endangered, sensitive, rare, or unique species.

Forest Plan Amendments

As part of my decision, there will be two amendments to the Forest Plan. One forestwide amendment will modify the Forest Plan to restrict motor vehicle use to designated roads, trails, and areas per 36 CFR 261.13. The second amendment updates the percentages of recreation opportunity spectrum classification by management area in the Forest Plan. A detailed list of these amendments can be found in appendix A of this decision.

Forest Orders

Any existing Tonto National Forest orders that are not consistent with this draft record of decision will be rescinded. Orders are posted at <http://www.fs.usda.gov/detail/tonto/alerts-notices/?cid=stelprdb5246945>

Motor Vehicle Use Exemptions

The Final Rule contains specific language regarding use and exemptions (36 CFR 261.13). My decision includes the following provisions applicable under Federal regulations, existing agency policy, or changing circumstances:

After National Forest System roads, National Forest System trails, and areas on National Forest System lands have been designated pursuant to 36 CFR 212.51 on an administrative unit or a ranger district of the National Forest System, and these designations have been identified on the motor vehicle use map, it is prohibited to possess or operate a motor vehicle on National Forest System lands in that administrative unit or ranger district other than in accordance with those designations, provided that the following vehicles and uses are exempted from this prohibition:

- (a) Aircraft;
- (b) Watercraft;
- (c) Over-snow vehicles;
- (d) Limited administrative use by the Forest Service;
- (e) Use of any fire, military, emergency, or law enforcement vehicle for emergency purposes;
- (f) Authorized use of any combat or combat support vehicle for national defense purposes;
- (g) Law enforcement response to violations of law, including pursuit;
- (h) Motor vehicle use that is specifically authorized under a written authorization issued under Federal law or regulations; and
- (i) Use of a road or trail that is authorized by a legally documented right-of-way held by a state, county, or other local public road authority.

Decision Rationale

Although my decision will reduce the number of miles of motorized opportunities available compared to the existing condition, there is a compelling need for change.

I selected alternative C, with modifications based on comments and objection resolutions, because I believe this combination of actions meets the intent of the Final Travel Management Rule and the purpose and need as detailed in chapter 2 of the final environmental impact statement. Alternative C, with modifications, is most responsive to the issues identified during

the scoping process and the public comments received on the draft environmental impact statement, as further modified through objection resolutions . My conclusion is based on a review of the entire project record, which includes a thorough review of relevant scientific information and a consideration of responsible opposing views.

Meets Project Purpose and Need

The purpose of this project, as detailed in chapter 1 of the final environmental impact statement, is to comply with the Final Travel Management Rule by providing a system of roads, trails, and areas designated for motor vehicle use by class of vehicle and time of year on the Tonto National Forest. In addition, there is a need to do the following:

- Determine which, if any, National Forest System roads currently open should be closed to motorized travel.
- Determine which, if any, National Forest System roads currently closed should be open to motorized travel.
- Identify any restrictions on allowed uses, classes of vehicles, and/or seasons of use for specific routes. Determine which, if any, unauthorized routes should be added to National Forest System as trails or roads open for motorized access.
- Determine if, when, where, and how far motor vehicles may be driven off designated roads for the sole purpose of motorized dispersed camping, motorized big game retrieval, and collection of Forest products. Amend the Forest Plan¹³ to prohibit motor vehicle use off designated National Forest System roads, trails, and areas except as shown on the motor vehicle use map and to revise wording for consistency to comply with Travel Management Rule, 36 CFR 261.13.

As detailed in the “Decision” section, my decision meets all of the elements associated with the purposes of, and needs for, this project.

Prevents Proliferation of Unregulated Motorized Access

The purpose of the Final Travel Management Rule is to prevent the proliferation of unregulated motorized routes on the landscape and, by doing so, to address impacts from unregulated motorized vehicle use. My decision to implement alternative C, with modifications, meets the purpose of the Final Travel Management Rule because it prohibits motorized access except on designated roads and motorized trails and designated off-highway vehicle areas on the Tonto National Forest.

Most motorized users are responsible drivers and riders, committed to staying on designated routes when they understand where they are permitted to ride. However, resource damage from unregulated motorized access does occur on the Tonto National Forest. My decision to implement alternative C, with modifications, addresses the resource impacts associated with the proliferation of unregulated motorized access by limiting motorized access to designated routes and areas and establishing specific limited conditions for motorized access for big game retrieval and personal fuelwood gathering. Designated routes and areas also ensure consistent, defensible enforcement, as detailed in the “Law Enforcement” section in chapter 3 of the final environmental impact statement.

¹³ A detailed account of plan amendments associated with the action alternatives can be found in appendix A of this document.

In response to objections needing further analysis, additional field reviews were completed to further document the need to minimize impacts, or to conclude that a given route was acceptable for designation.

Designates Motorized System that Focuses on Minimization Criteria

The development of the environmental impact statement to comply with the Final Travel Management Rule has been a multi-year, iterative process as outlined in 36 CFR 220.5(e)(1). Shortly after the notice of intent to prepare an environmental impact statement was published in the Federal Register (February 1, 2013), the Tonto National Forest engineering staff reviewed the existing road system being managed by the Tonto National Forest. They developed a system for classifying roads to establish a desired road network from the engineering staff perspective (appendix B of the final environmental impact statement). This assessment was based on the transportation utility, maintenance history, and appropriate vehicle use class.

Once nearly every road had been analyzed, the information was reviewed on a ranger district level, involving district rangers, Forest Service personnel familiar with the existing road and resource conditions, and Arizona Game and Fish Department Wildlife Managers whose wildlife management responsibilities overlapped with the corresponding district boundaries. This review involved comprehensive discussions about public use patterns, permitted user access, and resource protection needs, based on the resource risks and the recommendations for the minimum road system identified through the Travel Analysis Process completed in 2011. The result was the proposed road and motorized trail system for alternative C in the draft environmental impact statement.

A second review of the route system was done in response to the comment process required for an environmental impact statement (40 CFR 1503.4). Reexamination of the preferred alternative route system was done at the district level and included input from district biologists, silviculturalists, para-archaeologists, and range and recreation staff, along with Forest Service law enforcement officers and district rangers, many of whom participated in trips to the field to assess current conditions on the ground.

In response to objections needing further analysis, the application of minimization criteria was tested across multiple resource variables and across all alternatives. For a detailed discussion of how minimization criteria were applied at route-specific, landscape, and forest-wide scales, please see “Application and Analysis of Minimization Criteria” in the final supplemental environmental impact statement.

Motorized Access for Dispersed Camping Provides Best Balance of Reasonable Use and Resource Protection

Alternative C, with modifications, provides interconnected loops and passages into the backcountry for hunting access, and it maintains access to popular dispersed recreation opportunities. While some members of the public wanted all unauthorized routes to be added and cross-county travel to continue, such an action would not adequately protect areas containing sensitive cultural sites or soils or habitats for threatened, endangered, or sensitive plants, animals, and fish. Adding all unauthorized routes would not provide a balance for those seeking additional areas for nonmotorized use. My decision is the result of responsible stewardship that limits the addition of unauthorized routes to those necessary for access or to enhance recreation opportunities. Alternative C, with modifications, provides ample access to the Tonto National

Forest through a manageable system of roads, trails, and areas for local residents and Tonto National Forest visitors to use. Careful consideration was given to creating loop opportunities in locations popular with off-highway vehicle users.

Alternative C, with modifications, provides the best balance of motorized access for dispersed camping and resource protection when considering the overall intent of the Final Travel Management Rule and local uses. Commenters on the draft environmental impact statement raised several concerns regarding the initial 100-foot corridor on both sides of the designated routes:

- The corridor would allow for negative impacts to resources, including cultural sites and wildlife habitat, particularly in areas that have not been affected by previous motorized use, either legal or illegal;
- The corridor would substantially decrease access to historically used sites, especially for those popular with hunters; and
- The corridor would be challenging to enforce, as many Tonto National Forest users cannot visualize 100 feet correctly, resulting vehicle use outside of the corridor.

There was little reliable, existing information to determine if the first assertion was correct. To address this, the Arizona Game and Fish Department (the cooperating agency for this project) engaged in an effort to get GIS data (latitude and longitude) for all known dispersed camping sites accessed from an existing route, most of which are unauthorized routes across the Tonto National Forest. As data collection took place, the interdisciplinary team for the project reviewed comments received on the draft environmental impact statement. One of the issues discussed was dispersed camping corridors and their relationship to inventoried roadless areas. During the discussion, the Tonto National Forest patrol captain and the Arizona Game and Fish Department wildlife manager supervisor (both part of the interdisciplinary team) indicated it would be much easier to implement designated spur routes to known, inventoried dispersed camping sites instead of 100- or 300-foot corridors. Based on this information, alternative C was modified. Furthermore, nearly 123 proposed spur routes have not been designated because they affected wildlife and habitat, such as the listed southwestern willow flycatcher, narrow-headed gartersnake, and northern Mexican gartersnake.

Concern Regarding Motor Vehicle Use for Big Game Retrieval

My decision for motorized big game retrieval lies between the amount of big game retrieval considered in alternatives B, C, and D. I made this decision based on comments received on this subject and discussions between the Arizona Game and Fish Department and the U.S. Fish and Wildlife Service. While my decision may not satisfy all those who commented, I did consider their input when identifying the species (elk and bear) for which motorized retrieval is allowed.

My decision to limit motorized big game retrieval to legally harvested elk and bear reduces motor vehicle use in the lower elevational habitat of Sonoran desert tortoise. On October 5, 2015, the U.S. Fish and Wildlife Service made a finding to remove the Sonoran desert tortoise from the Endangered Species Act candidate list. This finding, proposed to be finalized at a later date, is the result of long-term commitments by Federal agencies under an interagency agreement (the Tonto National Forest is a signatory) and the Arizona Game and Fish Department to address the primary threats to the tortoise.

The ability of Tonto National Forest users to travel off-road to retrieve big game (especially bear and elk) is the primary area of concern for those who hunt big game. In their comment letter on the notice of intent and the proposed action, the Arizona Game and Fish Department requested that the Forest Service “analyze the cumulative effects of this proposed decision (PA) (as well as allied travel management decisions) on the programmatic provision for wildlife conservation by the Department.” In response, we analyzed four big game species: bear, elk, mule deer, and white-tailed deer. After analyzing the effects of these actions on both the natural resources and the impacts to Arizona Game and Fish Department’s ability to meet its conservation mission, the U.S. Fish and Wildlife Service was asked to review the effects to listed species. It was found that the effects associated with motorized retrieval of legally harvested bear and elk are negligible and will not irreparably harm listed species habitat or result in a jeopardy determination for listed species present on the Tonto National Forest.

Although many hunters strongly prefer the ability to drive off-road to retrieve game to prevent spoilage and provide for a satisfactory hunting experience, other hunters have experienced off-road motorized use as a barrier to their satisfactory hunting. Furthermore, many commenters expressed concern about the environmental damage that often occurs during hunting season from off-road motor vehicle use.

Conflict Reduction between Users with Improvement in Long-Term Recreation Experiences

My decision to limit motorized use to designated routes, trails, and areas provides a better opportunity to focus limited resources on providing high quality recreation opportunities for all users, both motorized and nonmotorized. Both motorized and nonmotorized users will be able to know where, and under what conditions, motorized access is allowed and plan their recreational uses accordingly. Of the alternatives considered, alternative C, with modifications, establishes the simplest and most consistent conditions, along with effective enforcement, for motorized access for dispersed camping.

My decision to limit motorized access to designated roads, trails, and areas and modify the conditions for motorized access will reduce user conflicts (see the “Recreation” and “Socioeconomic” sections in chapter 3 of the final environmental impact statement). Use of the Tonto National Forest (including motor vehicle use) is expected to continue and likely increase as discussed in the “Introduction” section of this document and in the “Recreation” and “Socioeconomic” sections of chapter 3. Alternative C, with modifications, will prohibit motorized cross-country travel for the general public on a substantial amount of the Tonto National Forest.

Fostering Citizen Stewardship in National Forest Management of Roads and Trails

The successful implementation of this decision will, in large part, be based on local community members, visitors, and land managers working together to sign routes, implement mitigation measures, and encourage compliance with regulations. Because of this, I instructed my staff to prepare a draft implementation strategy¹⁴ for the management of proposed motorized trails. Already, several user groups have indicated their interest in partnering with the Tonto National Forest to implement and maintain designated motorized trails. These groups have also expressed

¹⁴ Made available along with the draft environmental impact statement electronically at <http://data.ecosystem-management.org/nepaweb/fs-usda-pop.php?project=28967>.

interest in assisting with monitoring and maintenance of designated roads, to the extent practicable.

Access to Private Lands or Other Jurisdictions

This decision maintains reasonable access to other ownerships where appropriate, where required by law, where it makes sense environmentally, and where the public interest is best served. I have made every effort to follow the principle that access for one is access for all, so single-purpose or restricted use of routes on public lands is the exception in accordance with Forest Service policy.

Scientific Consistency

My decision is based on the best available science. All practicable means to avoid or minimize environmental harm have been adopted in the design of the selected alternative. My conclusion is based on a review of the record that shows a thorough analysis using the best available science. The resource analyses disclosed in chapter 3 of the final environmental impact statement, along with all of the final resource reports incorporated by reference, identify the analysis methodologies, assumptions associated with the analysis, and scientific sources used in the analyses and disclose limitations of the analyses. In addition, all opposing science that was been presented to the Tonto National Forest during the preparation of the environmental impact statement has been considered. Documentation of these considerations can be found in the final environmental impact statement, volume II.

Public Involvement

Environmental Analysis Conducted Prior to the Environmental Impact Statement

In October 2009, the Tonto National Forest released a proposed action based on the 2006 travel analysis process. Seven public meetings were held throughout the communities in and proximate to the Tonto National Forest in November and December 2009 to gather input about the proposed action, including roads and trails proposed for motorized use. Comments to the proposed action were accepted through December 4, 2009. A draft version of an environmental assessment was released for public comment on January 6, 2012 for a 30-day comment period. Due to the length and complexity of the environmental assessment and requests from the public, an additional 30-day comment period began on February 5, 2012. Approximately 300 letters were received during the two comment periods.

Scoping for the Notice of Intent

On February 1, 2013, a notice of intent to prepare an environmental impact statement was published in the *Federal Register*, initiating a 30-day scoping period that ended March 4, 2013. Approximately 1,800 postcards and 1,670 emails were sent to interested and affected parties.¹⁵ Approximately 120 replies were received, including 20 form letters from Rim County Riders ATV Club members.

¹⁵ There was duplication in some instances with the postcards and emails where individuals and groups received both notifications.

Identification of Issues

Issues serve to highlight effects or unintended consequences that may occur from the proposed action and alternatives, giving opportunities during the analysis to reduce adverse effects and compare trade-offs for the decision maker and public to understand. Issues help set the scope of the actions, alternatives, and effects to consider in our analysis (Forest Service Handbook 1909.15.12.4).

Comments from the Tribes, the public, and other agencies submitted during the scoping period were used to formulate issues concerning the proposed action. An issue is a point of dispute or disagreement with the proposed action based on some anticipated environmental effect. A detailed discussion of issues raised in response to the proposed action and how the alternatives were developed to address these issues can be found in chapter 2 of the final environmental impact statement.

Draft Environmental Impact Statement Comment Period

On July 3, 2014, the Tonto National Forest published a notice of availability of the draft environmental impact statement in the Federal Register. Over 1,340 postcards and 1,680 emails were sent to interested and affected parties inviting them to provide timely and specific written comments (per 36 CFR 218) on the draft environmental impact statement. In conjunction with the publication of the Federal Register notice, all supporting documents, including draft specialists reports, full-sized maps, and the draft implementation strategy for managing motorized trails, were made available electronically. The initial 45-day comment period was extended to September 17, 2014, to respond to several requests for additional time to review the draft environmental impact statement. Approximately 2,500 response letters, emails, and faxes were received on the draft environmental impact statement. Of these, only 85 were unique submissions; the rest were form letters generated by environmental groups. Volume II of the final environmental impact statement details the comments received and the Forest Service responses.

As part of the requirement to consult and cooperate with other agencies, the Forest Service received a comment from Region 9 of the Environmental Protection Agency. To better understand their comments and concerns, a teleconference was set up with the Environmental Protection Agency project lead on February 10, 2015 to discuss their comments and identify how the interdisciplinary team could work with them to address their concerns. Nine areas were identified where the Forest Service and the Environmental Protection Agency would work together:

- Emissions inventory calculation;
- General conformity determination and National Ambient Air Quality Standards compliance;
- Air quality cumulative effects;
- Lack of site-specific information;
- Hydrologic resources;
- Project implementation;
- Funding;
- Clean Water Act Section 404; and
- Climate change.

Volume II of the final environmental impact statement has the detailed responses of how the Tonto National Forest staff, in collaboration with the Environmental Protection Agency, addressed each of these points.

Draft Record of Decision Objection Period

Forest Service regulations (36 CFR 218) provide for pre-decisional review of project-level decisions made under the National Environmental Policy Act. Such review allows individuals or entities who have participated during the analysis, by submitting specific written comments, to object to those aspects of the draft decision for which they have previously commented.

On June 7, 2016, the Tonto National Forest released the final environmental impact statement and draft record of decision, along with a notice for pre-decisional objections. Thirteen letters of objection for travel planning on the Tonto were received by the Southwestern Region regional forester. Some of the issues raised in objections were found to require additional analysis, and the Tonto National Forest supervisor was directed to complete such analysis.

Primary issues for additional analysis included:

- Additional air quality analysis to comply with the Clean Air Act
- Additional analysis to comply with the 2005 Travel Management Rule:
 - Application of minimization criteria
 - Relationship of designations to travel analysis for minimum road system (36 CFR 212 Subpart A)
- Analysis of impacts to Wild and Scenic Rivers
- New mapping to provide clarity for all route and area designations
- Revisiting the designation and providing rationale for designation of specific routes
- NFMA compliance for changes to Recreation Opportunity Spectrum classes

The Reviewing Officer and Responsible Official met with 12 of the 13 objectors and made commitments to take another look at certain routes of interest and other issues of objection that were found to need further analysis. All objection issues that were deemed by the Reviewing Officer to need additional analysis or clarification are addressed in the draft supplemental environmental impact statement. Issues not addressed in the supplement are considered settled issues.

Consultation and Communication with Tribes

Communication with Tribes interested in, and affected by, travel management on the Tonto National Forest has been ongoing since 2009. The following is a list of the Tribes and Tribal communities that provided comments about travel management and a summary of their input:

- **Fort McDowell Yavapai:** Supports closure of routes that access their adjacent reservation to protect Tribal resources from vandalism.
- **Gila River Indian Community and Salt River Pima-Maricopa Indian Community:** Wants the Tonto National Forest to maintain existing roads as they are now, without adding roads or unauthorized routes, and focus on enforcement to protect heritage sites.

- **Hopi:** Supports the most restrictive action for travel management, limiting motorized access, decreasing motorized route mileage, and prohibiting cross-country travel.
- **San Carlos Apache Tribe:** Wants the identification and protection of historic sites, while allowing for continued access for Tribal members to sacred, holy, traditional, cultural, and heritage resource sites. They also encourage the Tonto National Forest to decommission all unauthorized routes and as many roads as possible.
- **White Mountain Apache Tribe:** Wants all cultural heritage resources to be protected by closing routes and limiting motorized access in areas on the Tonto National Forest that are adjacent to Tribal land.
- **Yavapai Apache Nation and Tonto Apache Tribe:** Supports an action that is most restrictive for motorized access and use.
- **Yavapai Prescott Indian Community:** Also supports an action that is most restrictive for motorized access and use.
- **Ak-Chin Indian Community:** Supports a plan that will protect the land and wildlife from damage associated with motor vehicle use.

Alternatives Considered

The following sections present the other alternatives considered in detail but not selected, the alternatives considered but eliminated from detailed study, and the environmentally preferred alternative.

Chapter 2 of the final environmental impact statement describes and compares the alternatives considered in detail for the Tonto National Forest Travel Management Project. It presents the alternatives in comparative form, defining the differences between each alternative and providing a clear basis for choice among the options for the responsible official and the public. These include the preferred alternative (alternative C, not selected as described here), the no-action alternative (alternative A), and two additional action alternatives (B and D) that provide a comprehensive range for the decision-maker. The two tables at the end of chapter 2 of the final environmental impact statement provide a summary of the alternatives and the effects by resource area for each alternative.

The following information briefly describes the alternatives considered in detail in the final environmental impact statement, along with my reasons for not selecting them.

Alternative A

This alternative proposes no change from the existing condition, which consists of nearly 5,000 miles of roads and approximately 740 miles of inventoried unauthorized routes. In addition, cross-country travel would be permitted, per the Forest Plan, on the two northern ranger districts, Payson and Pleasant Valley. Current management plans would continue to guide management of the project area. No changes would be made to the current National Forest Transportation System nor would a Forest Plan amendment be necessary. The Final Travel Management Rule would not be implemented and no motor vehicle use map would be produced. While this alternative proposes no actions associated with the designation of motor vehicle use on the Tonto National Forest, it addresses the following issue:

- Authorizing motorized big game retrieval off designated routes could impact water and soil resources, wildlife habitat, cultural resources, and nonmotorized recreational experiences.

I did not select this alternative because it does not comply with the Final Travel Management Rule.

Alternative B

This alternative proposes approximately 2,367 miles of roads for decommissioning, resulting in approximately 894 miles of designated roads and 1,666 miles of motorized trails open to public use. This alternative would prohibit cross-country motorized travel except within 300 feet on both sides of designated roads and motorized trails for personal fuelwood gathering in permitted areas. A Forest Plan amendment would be necessary for this alternative. The emphasis of alternative B is limited motorized access across the Tonto National Forest, and it was developed in response to comments received during scoping. This alternative addresses the following issues:

- Designation of roads and motorized trails would result in user conflict;
- Designation of roads, motorized trails, and off-highway vehicle areas would result in impacts to water and soil resources;
- Designation of roads and motorized trails would result in impacts to wildlife habitat;
- Designation of roads and motorized trails would result in impacts to cultural resources;
- Authorizing motorized big game retrieval off designated routes could impact water and soil resources, wildlife habitat, cultural resources, and nonmotorized recreational experiences; and
- Motorized dispersed camping corridors allow motorized use in areas that can cause impacts to water and soil resources, wildlife habitat, and cultural resources.

While this alternative focuses on resource protection and would allow more nonmotorized recreational opportunities across the Tonto National Forest, I did not select it because it does not provide the following:

- Current and future motorized recreational opportunities, particularly for motor vehicle use for dispersed camping;
- Any retrieval of big game using a motor vehicle; and
- Enough opportunity for fuelwood gathering using a motor vehicle, which has the potential to negatively affect those below the poverty level, one of the potential environmental justice populations.¹⁶

Alternative C

This alternative proposes approximately 1,276 miles of roads for decommissioning, resulting in approximately 1,311 miles of designated roads and 2,341 miles of motorized trails open to public use, some of which would provide access to dispersed camping across the Forest. This alternative would prohibit cross-country motorized travel except in eight proposed off-highway vehicle areas totaling approximately 2,089 acres. It would allow motorized access, up to 1 mile

¹⁶ For more information see the “Socioeconomics” section of chapter 3 of the final environmental impact statement.

on both sides of designated roads and motorized trails, for retrieval of legally harvested elk and bear (totaling approximately 1,905,041 acres) and corridor 300 feet on both sides of designated roads and motorized trails for personal use fuelwood gathering in permitted areas. A Forest Plan amendment would be necessary for this alternative. This alternative addresses the following issues:

- Designation of roads and motorized trails would result in user conflict;
- Designation of roads, motorized trails, and off-highway vehicle areas would result in impacts to water and soil resources;
- Designation of roads and motorized trails would result in impacts to wildlife habitat;
- Designation of roads and motorized trails would result in impacts to cultural resources;
- The amount of roads and motorized trails in the proposed action does not meet the current and future needs for motorized recreation and access throughout the Tonto National Forest;
- The proposed action does not meet the needs for diverse motorized recreation opportunities;
- Authorizing motorized big game retrieval off designated routes could impact water and soil resources, wildlife habitat, cultural resources, and nonmotorized recreational experiences; and
- Motorized dispersed camping corridors allow motorized use in areas that can cause impacts to water and soil resources, wildlife habitat, and cultural resources.

Alternative C was the preferred alternative in the draft environmental impact statement. However, as indicated in the “Decision and Rationale” section of this document, I did not chose this alternative (as analyzed in the final environmental impact statement) because it would not provide enough protection for threatened and endangered species and their habitat in compliance with the Endangered Species Act. It also would not provide enough opportunity for fuelwood gathering using a motor vehicle, which has the potential to negatively affect those below the poverty level, one of the potential environmental justice populations.¹⁷

Alternative D

Alternative D was developed in response to public comments received on the proposed action and provides the highest level of motorized recreation opportunities and access across the Tonto National Forest. This alternative proposes approximately 194 miles of roads for decommissioning, resulting in approximately 3,347 miles of designated roads and 1,520 miles of motorized trails open to public use. This alternative would prohibit cross-country motorized travel except in eight proposed off-highway vehicle areas totaling approximately 6,791 acres. It would allow motorized access, up to 1 mile on both sides of designated roads and motorized trails, for retrieval of legally harvested mule deer, white-tailed deer, elk, and bear (totaling approximately 2,068,208 acres), and a corridor of 300 feet on both sides of designated roads and motorized trails for dispersed camping and for personal use fuelwood gathering in permitted areas. A Forest Plan amendment would be necessary for this alternative. This alternative addresses the following issues:

¹⁷ Ibid.

- The amount of roads and motorized trails in the proposed action does not meet the current and future needs for motorized recreation and access throughout the Tonto National Forest;
- The proposed action does not meet the needs for diverse motorized recreation opportunities; and
- Limiting motorized access for dispersed camping to 30 feet from designated roads may reduce motor vehicle use for dispersed camping access, cause user conflict, and concentrate resource impacts.

While this alternative focuses on the greatest motorized access and would allow more motorized recreational opportunities across the Tonto National Forest, I did not select it because it does not provide the following:

- Enough protection for threatened and endangered species and their habitat in compliance with the Endangered Species Act;
- A balance for nonmotorized recreational opportunities across the Tonto National Forest; and
- The level of motorized trails that public comment indicated is necessary for the current and future motorized access and use.

Alternatives Considered but Eliminated from Detailed Study

The National Environmental Policy Act requires that Federal agencies rigorously explore and objectively evaluate all reasonable alternatives and briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). Chapter 2 of the final environmental impact statement includes a description of alternatives that were considered but eliminated from detailed study and the rationale for why those alternatives were not considered in detail. These alternatives are summarized below.

Original Proposed Action Published in the Federal Register

The original proposed action would result in approximately 3,812 miles of designated National Forest System roads and trails and 1,411 acres of designated off-highway vehicle areas open to motor vehicle use on the Tonto National Forest, with approximately 280 miles of user-created routes added to the Tonto National Forest transportation system. Motorized retrieval of big game species would be limited to 1 mile on both sides of designated roads. Motorized travel for the purpose of dispersed camping would not be allowed off designated roads and trails. Vehicles would be allowed to park one vehicle length, or up to 30 feet, from the edge of the designated road or trail.

Use of Decommissioned and Closed Roads in the Existing Condition

Roads in the infrastructure database that were identified as decommissioned or maintenance level 1, either as operational or objective, were eliminated from detailed study as part of the baseline or existing condition. All routes from the infrastructure database that are maintenance level 2 through maintenance level 5 are part of the baseline and represented in alternative A.

Alternative Submitted by the Center for Biological Diversity

Limit motorized use in the following:

- Critical wildlife habitat and water resources (such as streams, lakes, and riparian areas) to decrease potential effects. This includes prohibiting motorized use within 300 feet of streams and lakes and in areas that provide critical habitat for sensitive, threatened, and endangered wildlife species.
- Areas with primitive and semi-primitive nonmotorized recreation opportunity spectrum classes from the 1985 Tonto National Forest Plan. This includes prohibiting motorized use for dispersed camping and big game retrieval in these areas.
- Areas with high cultural resource site densities or sensitive cultural resource areas. This includes prohibiting motorized use for dispersed camping and big game retrieval in these areas.
- In proximity to designated wilderness areas and inventoried roadless areas to decrease potential effects associated with noise pollution and possible illegal intrusions by motorized vehicles. This includes prohibiting motorized use within 0.25 mile of the wilderness boundary and within all inventoried roadless areas.

Environmentally Preferable Alternative

The environmentally preferable alternative is often interpreted as the alternative that causes the least damage to the biological and physical environment or the alternative which best protects and preserves historic, cultural, and natural resources. But, other factors relevant to this determination are provided in section 101 of the National Environmental Policy Act (42 USC 4321) which states that it is the continuing responsibility of the Federal government to:

- Fulfill the responsibilities of each generation as a trustee of the environment for succeeding generations;
- Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- Attain the widest range of beneficial uses of the environment without degradations, risk to health of safety, or other undesirable and unintended consequences;
- Preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Based on my consideration of the factors listed above and the effects disclosed in the final and supplemental environmental impact statements, I believe modified alternative C is the environmentally preferred alternative because it best meets the criteria identified by the Council on Environmental Quality. As described in detail in chapter 3 of the final environmental impact statement, alternative C would have similar effects to the biological and physical components of the environment as alternative B for most resources, protecting, preserving, and enhancing historic, cultural, and natural resources. Alternative C would better position the Tonto National Forest to adapt to future changes in climate conditions by promoting regulated, responsible motor vehicle use. This would allow future generations more options about how and where

motor vehicles are used on the Tonto National Forest, while still providing a balance between motorized and nonmotorized opportunities.

Legal and Regulatory Compliance

My decision complies with the laws, policies and executive orders listed below and described in chapter 3 of the final environmental impact statement. The Tonto National Forest Travel Management Project was prepared in accordance with all applicable laws and regulations.

National Forest Management Act

The National Forest Management Act amends the Forest and Rangeland Renewable Resources Planning Act of 1974 and sets forth the requirements for land and resource management plans for the National Forest System. It requires that all permits, contracts, and other instruments for the use and occupancy of National Forest System land be consistent with forest land and resource management plans. Under the act (16 USC 1604(f)(4)), forest plans may “be amended whatsoever after final adoption and after public notice.” Federal regulations at 36 CFR 219.17(b)(2) allow forests to use the provisions of the planning regulations in effect before November 9, 2000, in order to amend forest plans. These regulations are the 1982 Planning Rule. The agency directives associated with these regulations state that the responsible official shall: (1) determine whether proposed changes to a land management plan are significant or not significant in accordance with the requirements of sections 1926.51; (2) document the determination of whether the change is significant or not significant in a decision document; and (3) provide appropriate public notification of the decision prior to implementing the changes.

In the notice of intent to prepare an environmental impact statement and proposed action, the public was notified that a Forest Plan amendment would be part of this proposal and the decision. The public was advised of the need for this amendment, and its components were described and the effects of such amendments were analyzed in the draft environmental impact statement issued for public comment.

My decision to designate motor vehicle use on the Tonto National Forest, as detailed in the “Decision” section of this document, is consistent with Forest Plan goals and objectives, standards and guidelines, as documented in chapter 3 of the final environmental impact statement, with the following two exceptions:

- **Nonsignificant forestwide Forest Plan amendment:** This amendment will prohibit motor vehicle travel off designated roads, trails, and outside open riding areas where such motor vehicle use is currently permitted to comply with the Final Travel Management Rule.
- **Nonsignificant management area Forest Plan amendments:** The recreation opportunity spectrum percentages will be updated to reflect the current condition across the Tonto National Forest and changed to match designated motor vehicle use in the decision. This applies to nearly every management area in the Forest Plan. While the percentages within classes of motorized use (semi-primitive motorized, rural, urban) and within classes of non-motorized use change from the 1985 inventory, the overall acreage of non-motorized areas increases slightly (1.9 percent), while the acreage for motorized areas decreases slightly (0.6 percent), as shown in table 1 of the final supplemental environmental impact statement.

Appendix A of this decision contains specific amendment language related to these Forest Plan amendments.

Evaluation of Significance

The National Forest Management Act requires evaluation of whether proposed forest plan amendments would constitute a significant change in the long-term goods, outputs, and services projected for the national forest. The following criteria are used to determine the significance of forest plan amendments (Forest Service Manual 1926.51-52) associated with this decision.

Changes to the Forest Plan that are not significant and can result from:

Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management:

- Adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management;
- Minor changes in standards and guidelines; and
- Opportunities for additional management practices that will contribute to achievement of the management prescription.

Changes to the Forest Plan that are significant:

- Changes that would significantly alter the long-term relationship between levels of multiple-use goods and services originally projected (section 219.10(e) of the planning regulations in effect before November 9, 2000 (36 CFR parts 200 to 299, revised as of July 1, 2000)); and
- Changes that may have an important effect on the entire land management plan or affect land and resources throughout a large portion of the planning area during the planning period.

Conclusions

I have determined the Forest Plan amendments included in my decision:

- Do not significantly alter the multiple-use goals and objectives for long-term land and resource management;
- Do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management;
- Represent minor changes in standards and guidelines;
- Provide opportunities for additional management practices that contribute to achievement of the management prescription;
- Do not alter the long-term relationships between the levels of goods and services projected in the Forest Plan; and
- Do not change land allocations or management direction for other elements of the Forest Plan.

Based on consideration of the factors above, and the analysis contained in the final environmental impact statement, I determined that neither Forest Plan amendment is significant in the context of the National Forest Management Act. I hereby amend the Forest Plan with the nonsignificant amendments as detailed in appendix A of this decision.

Clean Air Act

The Clean Air Act of 1970 and its amendments provide for protecting and enhancing the Nation's air resources. The Federal and State ambient air quality standards are not expected to be exceeded as a result of implementing this decision. This action is consistent with the Clean Air Act as analyzed in the "Air Quality" section of chapter 3 of the final environmental impact statement and the supplemental environmental impact statement.

Clean Water Act

The Clean Water Act, as amended, regulates dredging and filling freshwater and coastal wetlands. Section 404 (33 USC 1344) of the Clean Water Act prohibits discharging dredged or fill material into waters (including wetlands) of the United States without first obtaining a permit from the U.S. Army Corps of Engineers. Wetlands are regulated in accordance with Federal Non-Tidal Wetlands Regulations (sections 401 and 404). No dredging or filling is part of this action and no permits are required. In addition, my decision will improve conditions with respect to sedimentation on State-listed impaired streams as detailed in the "Hydrological Resources" and "Soil Resources" sections of chapter 3 of the final environmental impact statement. This project is consistent with the Clean Water Act.

Endangered Species Act

The Endangered Species Act (16 USC 1531 et seq.) requires that any action authorized by a Federal agency does not jeopardize the continued existence of a threatened or endangered species, or result in the destruction or adverse modification of the critical habitat of such species.

On March 1, 2016, the U.S. Fish and Wildlife Service issued a biological and conference opinion on the biological assessment¹⁸ (AESO/SE 02EAAZ00-2014-F-0463), which identified that alternative C, with modifications, "may affect, is likely to adversely affect":

- Endangered southwestern willow flycatcher and its designated critical habitat;
- Threatened western distinct population segment of the yellow-billed cuckoo and its proposed critical habitat;
- Threatened narrow-headed gartersnake and its proposed critical habitat; and
- Threatened northern Mexican gartersnake and its proposed critical habitat.

Alternative C, with modifications, "may affect, but is not likely to adversely affect" ten species:

- Endangered Arizona cliffrose;
- Endangered Arizona hedgehog cactus;
- Threatened Chiricahua leopard frog and its designated critical habitat;
- Endangered Gila chub and its designated critical habitat;

¹⁸ This document, which also contains consultation history for this project, can be found in the project record.

- Endangered Gila topminnow;
- Proposed threatened headwater chub;
- Threatened Mexican spotted owl and its designated critical habitat;
- Endangered ocelot;
- Proposed threatened roundtail chub; and
- Endangered Yuma clapper rail.

Alternative C, with modifications, is not likely to jeopardize the continued existence of the experimental, non-essential population of the Mexican wolf nor will there be any negative impacts to the Sonoran desert tortoise if implementation complies with the Sonoran Desert Tortoise Candidate Conservation Agreement.

Analysis of the effects to listed species and compliance with the Endangered Species Act can be found in the “Wildlife and Plant Habitat Resources” section of chapter 3 in the final environmental impact statement.

National Historic Preservation Act

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the potential effects of a preferred alternative on historic, architectural, or archaeological resources that are eligible for inclusion on the National Register of Historic Places and to afford the President’s Advisory Council on Historic Preservation an opportunity to comment. Section 110 of the act requires Federal agencies to identify, evaluate, inventory, and protect National Register of Historic Places resources on properties they control. Potential impacts to archaeological and historic resources have been evaluated and will continue to be evaluated for routes still requiring clearance, in compliance with section 106 of the National Historic Preservation Act.

The Southwestern Region of the Forest Service developed a programmatic agreement with the State Historic Preservation Office in which Tonto National Forest personnel outlined a plan to complete National Register of Historic Places evaluations prior to project implementation for all unevaluated cultural sites located in the area of potential effect. The programmatic agreement allows each national forest in the region to sign a decision with a designated system of roads, trails, and areas and implement this system over time by including these aforementioned routes and areas on the motorized vehicle use map as they are cleared for cultural resource impacts. Analysis of the effects to cultural resources and compliance with the National Register of Historic Places can be found in chapter 3 of the final environmental impact statement in the “Heritage Resources” and “Contemporary Indian Uses” sections.

Other Laws and Executive Orders

Executive Order 11644, as Amended by Executive Order 11989

These executive orders seek to ensure that use of off-road vehicles on public lands is controlled and directed to protect resources, promote the safety of all users of those lands, and minimize conflicts among the various users of those lands. The purpose and need for this project addresses these elements by seeking to comply with the Final Travel Management Rule. The action alternatives address resource protection, user safety, and conflict among Tonto National Forest users in different ways. The effects of the alternatives with respect to these objectives are

disclosed, by resource area, in chapter 3 of the final environmental impact statement. This decision complies with the terms of these orders.

Executive Order 12898

A specific consideration of equity and fairness in resource decision-making is encompassed in the issue of environmental justice. Executive Order 12898 provides that, “each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high, and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” No adverse effects from alternative C, with modification, have been identified on minority or low-income populations. Detailed analysis and compliance with this executive order can be found in the “Socioeconomics” section of chapter 3 of the final environmental impact statement.

Executive Order 13443

This executive order directs Federal agencies to facilitate the expansion and enhancement of hunting opportunities and the management of game species and their habitat by working with state and Tribal wildlife agencies, considering economic and recreational values of hunting, and evaluating the effect of agency actions on hunting participation. This decision is a result of direct cooperation and coordination with the Arizona Game and Fish Department, along with consultation with U.S. Fish and Wildlife Service, on the issue of motorized use for big game retrieval. As detailed in the “Game and Nongame Species” section of chapter 3 in the final environmental impact statement, effects to hunters and their satisfaction were analyzed and were taken into account in making my decision.

Implementation

This decision designates motor vehicle use on the Tonto National Forest. To do this, it will be necessary to prepare the motor vehicle use map, in compliance with the Final Travel Management Rule. For successful compliance with my decision, I understand the need to mark and number routes and areas where motor vehicle use is permitted for the general public. This will require partnerships with user groups, along with identifying priority areas as we begin this task. Prior to the release of the motor vehicle use map, Tonto National Forest personnel will develop management objectives and specific trail maintenance standards for motored trails, determine a numbering system for motorized trails, and provide all roads and motorized trails with appropriate signs and markers. This is critical to the success of implementing my decision and assisting the public in understanding these forestwide changes.

Before the designated trails to existing dispersed camping sites will be shown on the motor vehicle use map and made available for public use, they will need to be surveyed for cultural resources and to make sure they are not within congressionally designated areas, inventoried roadless areas, or special management areas that restrict the use of a vehicles to system roads. Routes that pose a threat to resources, including cultural and wildlife, may not be designated or may need to be rerouted to protect cultural and prehistoric sites and certain wildlife habitat. Rerouting may require additional environmental analysis in compliance with the National Environmental Policy Act. This is also true of all unauthorized routes that have been designated by my decision but have not been surveyed, such as many of the single-track routes accidentally omitted from analysis in the draft environmental impact statement as indicated in chapter 2 of the final environmental impact statement.

Additional field survey and environmental analysis prior to implementation will need to occur for the following activities, as necessary:

- Placement of fencing and gates to implement the three additional permit zones;
- Actively decommissioning routes where ground disturbance will be necessary to permanently remove these routes;
- Rehabilitation of unauthorized routes not designated as part of my decision;
- Placement of fencing and gates to implement administrative-use-only routes or those under special road use permit; and
- Any additional ground-disturbing activities not already covered in my decision.

To prioritize the 1,288 miles of routes designated for decommissioning in my decision, we will focus this work on a district level, working with the public and our resource specialists to determine where the greatest needs are for resource protection. Twelve access routes identified in the Resolution Baseline Hydrological and Geotechnical Data Gathering Activities Project¹⁹ are designated for decommissioning in my decision. These routes will be decommissioned at the termination of the project, likely within ten years from project initiation. Prior to being decommissioned, the 12 routes will not show on the motor vehicle use map as open for motorized access.

Forest Service Road 203, also known as the Cherry Creek Road, will be closed to all motor vehicle use until such time as this route is no longer within the designated boundary of the Sierra Ancha Wilderness. When this route is no longer within the wilderness boundary or as otherwise authorized by Congressional action, it will be opened and designated as a full-sized motorized trail. The effects of both of these actions have been described in chapter 2 and analyzed by resource area in chapter 3 in the final environmental impact statement.

In addition, Forest Service Road 393, also known as the Powerline Road, will be closed to all motor vehicle use until such time as this route is no longer within the designated boundary of the Mazatzal Wilderness. When the route is no longer within the wilderness boundary or as otherwise authorized by Congressional action, it will be opened and designated as a maintenance level 2 road. With this Congressional change, the need to provide maintenance level 2 road access for powerline maintenance and listed species management originating from east of Bartlett Lake will no longer be necessary. At such time, Forest Service Road 393 will be designated a full-sized motor vehicle trail from its intersection with route 3456 to its intersection with Forest Service Road 2138. From Forest Service Road 2138 to the intersection with Forest Service Road 627, Forest Service Road 393 will be designated as a maintenance level 2 road to provide access for listed species management. The effects of these actions have been described in chapter 2 and analyzed by resource area in chapter 3 in the final environmental impact statement.

Forest Service Road 708, also known as Fossil Creek Road, enters the Tonto National Forest from the Coconino National Forest at the Fossil Creek Bridge. Much of this road is currently closed by emergency order, due to rock fall in the canyon above the river, enforced by a gate just past the Waterfall Trailhead. From the bridge to the gate the road is safe and suitable for passenger vehicles. I have decided to designate this section of the road for public access. The issue of future use for the rest of 708 is currently being analyzed through the Fossil Creek

¹⁹ A detailed list of these routes can be found in the project record.

Comprehensive River Management Plan. Designation for the remainder of route 708 will become consistent with the final decision for the river management plan, expected during summer 2020.

The draft implementation strategy²⁰ for the management of motorized trails will be the basis for implementing and managing the approximately 2,700 miles of designated trails in this decision. I see this document, and the implementation process for motorized trails, as an iterative process in which we work with the public to develop partnerships for the future of this system.

As I have stated before, my decision is not the end of planning for motor vehicle use management on the Tonto National Forest but the beginning. My decision does not preclude future options of designating additional areas as open to cross-country motorized access or establishing designated motorized roads, trails, or areas, nor will it preclude me from decreasing the size and specific location of motorized use across the Tonto National Forest. I fully commit to additional motorized route planning and making changes to motorized use management through the National Environmental Policy Act to continue improving Tonto National Forest access and motorized recreation and protecting Tonto National Forest resources for current and future generations.

Implementation Date

Once a motor vehicle use map, as directed by the Final Travel Management Rule, has been prepared and is available, free of charge, to the public. Motor vehicle use not in compliance with my decision via the motor vehicle use map will be enforced.

Administrative Review Opportunities

This proposed decision is subject to predecisional objection pursuant to 36 CFR 218, Subparts A and B. Objections will only be accepted from those who submitted project-specific written comments during scoping or other designated comment periods. Issues raised in objections must be based on previously submitted comments unless based on new information arising after the designated comment period(s).

Objections must be submitted within 45 days following the publication of this legal notice in the Arizona Capitol Times, the Tonto National Forest paper of record. The date of this legal notice is the exclusive means for calculating the time to file an objection. Those wishing to object should not rely upon dates or timeframes provided by any other source. It is the objector's responsibility to ensure evidence of timely receipt (36 CFR 218.9). A timely submission will be determined by USPS postmark, the agency's electronically generated posted date and time for email and facsimiles, shipping date for delivery by private carrier, or the official agency date stamp showing receipt of hand delivery.

Objections, including attachments, must be submitted to the reviewing official, Calvin Joyner, Regional Forester, filed via mail, express delivery, or messenger service to Objection Reviewing Officer, 333 Broadway Boulevard SE, Albuquerque, NM, 87102; (505) 842-3173 (fax); Objections may be submitted via mail, FAX, or by hand-delivery during business hours (Monday through Friday 8:00 a.m. to 4:30 p.m.). Electronic objections may be submitted by email to objections-southwestern-regional-office@usda.gov. An automated response will confirm the

²⁰ Made available along with the draft environmental impact statement electronically at: <http://data.ecosystem-management.org/nepaweb/fs-usda-pop.php?project=28967>.

electronic objection has been received. If an automated response is not received, the sender is responsible for ensuring timely filing by other means. Electronic objections must be submitted in MS Word, Word Perfect, portable document format (PDF), or rich text format (RTF). The subject line for electronic submissions should contain Tonto NF Travel Management.

Eligible objections must be filed, in writing, with the reviewing officer, and must be open to public inspection during the objection process. At a minimum, an objection must include the following (36 CFR 218.8(d)):

- (1) Objectors name and address as defined in 36 CFR 218.2, with a telephone number, if available.
- (2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection).
- (3) When multiple names are listed on an objection, identification of the lead objector as defined in 36 CFR 218.2. Verification of the identity of the lead objector must be provided upon request or the reviewing officer will designate a lead objector as provided in 36 CFR 218.5(d).
- (4) The name of the proposed project, the name and title of the responsible official, and the name(s) of the national forest(s) and/or ranger district(s) on which the proposed project will be implemented.
- (5) A description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons for the reviewing officer to consider.
- (6) A statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunity for comment (see 36 CFR 218.8(c)).

The reviewing official must set aside and not review an objection when one or more of the following applies:

- (1) they are not filed in a timely manner;
- (2) the proposed project is not subject to the objection procedures;
- (3) the individual or entity did not submit timely and specific written comments or substantive formal comments during opportunities for public comment;
- (4) except for issues that arose after the opportunities for comment, none of the issues included in the objection are based on previously submitted written comments and the objector has not provided a statement demonstrating a connection between the comments and the objection issue;
- (5) the objection does not provide sufficient information as required;
- (6) the objector withdraws the objection;
- (7) an objector's identify is not provided or cannot be determined from the signature, and a reasonable means of contact is not provided; or

- (8) the objection is illegible for any reason, including submissions in an electronic format different from that specified in the legal notice, and a legible copy cannot easily be obtained. Other issues raised in an objection that meet the requirements will be reviewed.

In addition to the identifying information outlined above, written objection comments on the proposed project must include

- (1) the name of the proposed project, the name and title of the responsible official, and the name(s) of the forest or district on which the proposed project will be implemented;
- (2) a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; suggested remedies that would resolve the objection; supporting reasons the reviewing officer should consider; and
- (3) a statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

Specific written comments are written comments within the scope of the proposed action, with a direct relationship to the proposed action, and include supporting reasons for the responsible official to consider.

Implementation Timeline

When no objection is filed within the objection filing period (per 36 CFR 218.26 and 218.32) the reviewing officer must notify the responsible official. Approval of the proposed project or activity documented in the record of decision may occur on, but not before, the fifth business day following the end of the objection filing period (36 CFR 218.12(c)(1 and 2)).

When an objection is filed, the responsible official may not sign the record of decision subject to the provisions of 36 CFR 218.12 until the reviewing officer has responded in writing to all pending objections (see 36 CFR 218.11(b)(1)). Additionally, the responsible official may not sign the record of decision subject to the provisions of 36 CFR 218 until all concerns and instructions identified by the reviewing officer in the objection response have been addressed (36 CFR 218.12(b)). Once the responsible official has complied with any instructions from the reviewing officer, the record of decision can be signed and implementation can take place immediately.

Contact Person

For additional information concerning this decision or the Forest Service administrative review process, you may contact Greg Schuster, Recreation and Partnerships Program Manager, at the Tonto National Forest Supervisor's Office at 2324 E. McDowell Road, Phoenix, AZ, 85006; or you may call (602) 225-5200.

Signature and Date

Neil Bosworth
Forest Supervisor
Tonto National Forest

Date

Appendix A: Amendments to the Forest Plan

In order to comply with the Final Travel Management Rule, the Tonto National Forest Plan would need to be amended as identified in table 4.

Table 5. Forest Plan amendments necessary to comply with the Final Travel Management Rule

Forest Plan Section/Subsection	Page	Plan Amendment
Public Issues and Management Concerns/Off-Road Vehicle (ORV) Use	13	<p>Remove following text:</p> <p>“* Open areas are primarily located in the pinyon-juniper and ponderosa-pine types of the Payson and Pleasant Valley Ranger Districts.</p> <p>** The ORV policy in the desert will be implemented gradually over the first ten years after the Plan is approved. Priorities for implementation will be in areas of highest use near the Phoenix metropolitan area.”</p>
Management Prescriptions/ Applicable to All Forest Areas	38	<p>Remove following text:</p> <p>“Annually revise and review off-highway vehicle (OHV) maps. Inform the public to ensure maximum volunteer compliance of motorized vehicle restrictions.”</p> <p>Replace with following text:</p> <p>“Annually review and update, as appropriate, the forest motor vehicle use map. Inform the public to ensure maximum volunteer compliance of motor vehicle restrictions.”</p>
Management Prescriptions/ Applicable to All Management Areas	48	<p>Remove following text:</p> <p>“Maintain all trails with numbers from 500 to 999 to Maintenance Level 1 (except those which are to be closed or are under permit) after all other trails have been maintained to their called-for maintenance level.”</p> <p>Replace with following text:</p> <p>“Maintain all designated motorized trails to standards identified in the <i>Draft Travel Management Implementation Strategy; Tonto National Forest – Phoenix, AZ</i>. Focus on partnership and volunteers to accomplish maintenance needs where appropriate.”</p>
Management Prescriptions/ Management Area 1D	60	<p>Remove following text:</p> <p>“Area is closed to off-road vehicle use unless posted as open.”</p>
Management Prescriptions/ Management Area 1E	62	<p>Remove following text:</p> <p>“OHV use prohibited unless posted as open.”</p>
Management Prescriptions/ Management Area 1F	67	<p>Remove following text:</p> <p>“OHV use prohibited unless posted as open.”</p>
Management Prescriptions/ Management Areas in 2D	82	<p>Remove following text:</p> <p>“OHV use prohibited unless posted as open.”</p>
Management Prescriptions/ Management Area 2F	86	<p>Remove following text:</p> <p>“OHV use prohibited unless posted as open.”</p>

Forest Plan Section/Subsection	Page	Plan Amendment
Management Prescriptions/ Management Area 3F	105	Remove following text: “OHV use prohibited unless posted as open.”
Management Prescriptions/ Management Area 4D	129	Remove following text: “OHV use allowed (except as noted above) unless posted as closed.”
Management Prescriptions/ Management Area 4F	140	Remove following text: “OHV use allowed unless posted as closed.”
Management Prescriptions/ Management Area 5D	153	Remove following text: “OHV use allowed unless posted as closed.”
Management Prescriptions/ Management Area 5D	159	Remove following text: “Do not exceed more than seven (7) miles of arterial and collector roads in each 5,000 acre management unit. Additional local or feeder roads necessary for timber harvest will be closed, waterbarred, and blocked with logging slash when no longer required for post- sale activities.”
Management Prescriptions/ Management Area 5G	165	Remove following text: “OHV use allowed unless posted as closed.”
Management Prescriptions/ Management Area 6F	180	Remove following text: “OHV use prohibited unless posted as open.”
Management Prescriptions/ Management Area 6J	194	Remove following text: “OHV use prohibited unless posted as open.”

Table 6 shows the specific changes to the Forest Plan relating to the recreation opportunity spectrum. P is short for primitive, SPNM for semi-primitive nonmotorized, SPM for semi-primitive motorized, RN for roaded natural, R for rural, and U short for urban.²¹

Table 6. Specific changes to the Forest Plan related to recreation opportunity spectrum by management area

Management Area	Page	Current ROS Text to be Deleted from Forest Plan	Replacement Text to be Added to Forest Plan
1E	62	P: 2% SP[NM]: 4% SPM: 70% RN: 24%	SPNM: 37.36% SPM: 30.09% RN: 32.56%
1F	67	P: 4% SP[NM]: 40% SPM: 38% RN: 18%	P: 0.63% SPNM: 44.44% SPM: 42.66% RN: 12.27%
1G	37	N/A*	SPNM: 0.06% SPM: 26.63% RN: 73.31%

²¹ For more information about the recreation opportunity spectrum classification system, see the “Recreation Resources” section of chapter 3 of the final EIS.

Management Area	Page	Current ROS Text to be Deleted from Forest Plan	Replacement Text to be Added to Forest Plan
2C	79	P: 2% SP[NM]: 98%	SPNM: 94.75% SPM: 5.25%
2D	82	SP[NM]: 2% SPM: 58% RN: 40%	SPNM: 32.73% SPM: 25.52% RN: 71.75%
2E	84	SPM: 100%	SPNM: 83.71% SPM: 9.47% RN: 6.82%
2F	86	SP[NM]: 35% SPM: 39% RN: 24% R: 1% U: 1%	SPNM: 34.78% SPM: 41.15% RN: 19.27% R: 1.59% U: 3.21%
3E	103	SP[NM]: 100%	SPM: 91.26% RN: 8.74%
3F	105	SP[NM]: 24% SPM: 21% RN: 55%	SPNM: 30.84% SPM: 6.34% RN: 61.69% R: 1.13%
3H	110	SP[NM]: 100%	SPNM: 39.20% RN: 60.80%
3I	113	P: 1% SP[NM]: 42% SPM: 36% RN: 21%	P: 0.41% SPNM: 35.99% SPM: 41.70% RN: 21.90%
4D	129	SP[NM]: 1% SPM: 55% RN: 38% R: 2% U: 4%	P: 2.69% SPNM: 21.63% SPM: 32.43% RN: 33.19% R: 4.22% U: 5.83%
4E	137	SP[NM]: 100%	SPNM: 100%
4F	140	SP[NM]: 24% SPM: 46% RN: 26% R: 2% U: 2%	P: 1.27% SPNM: 12.20% SPM: 60.82% RN: 17.89% R: 3.05% U: 4.77%
5D	153	SP[NM]: 23% SPM: 40% RN: 36% U: 1%	SPNM: 7.62% SPM: 62.40% RN: 29.39% R: 0.59%
5E	161	SP[NM]: 27% SPM: 32% RN: 41%	SPNM: 19.89% SPM: 27.43% RN: 52.68%
5F	163	SPM: 100%	SPNM: 81.79% RN: 18.21%

Management Area	Page	Current ROS Text to be Deleted from Forest Plan	Replacement Text to be Added to Forest Plan
5G	165	SP[NM]: 41% SPM: 46% RN: 12% U: 1%	P: 0.03% SPNM: 21.41% SPM: 62.59% RN: 13.38% R: 2.60%
6C	175	SP[NM]: 63% SPM: 37%	SPNM: 59.76% SPM: 26.18% RN: 14.07%
6D	177	SP[NM]: 80% SPM: 20%	P: 71.31% SPNM: 28.69%
6E	178	SP[NM]: 80% SPM: 20%	SPNM: 76.38% R: 23.62%
6F	180	SP[NM]: 1% SPM: 14% RN: 84% R: 1%	P: 0.80% SPNM: 9.48% SPM: 0.38% RN: 88.20% R: 1.14%
6J	194	SP[NM]: 37% SPM: 33% RN: 27% R: 3%	SPNM: 25.90% SPM: 46.40% RN: 24.42% R: 3.28%

*Acreage for this area were included in Management Areas 1E and 1F of the Forest Plan.