



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

517 Gold Avenue, SW
Albuquerque, NM 87102-0084
FAX (505) 842-3800
V/TTY (505) 842-3292

File Code: 1570-1

Date: April 14, 1998

Mr. George Volker
803 Annadale Way,
Tucson, AZ 85737

CERTIFIED MAIL-RETURN
RECEIPT REQUESTED
P 293 931 397

Dear Mr. Volker:

I have completed a review of your January 16, 1998, appeal of the Sonora Chub Protection Project Decision Notice (DN) and Finding of No Significant Impact (FONSI). The review was conducted in accordance with 36 CFR 215.

BACKGROUND: On January 9, 1998 the Forest Supervisor made a decision to implement alternative 1 in the Sonora Chub Protection Project Environmental Analysis (EA). This project is located on the Nogales Ranger District of the Coronado National Forest. The legal notice of the decision was published in the "Arizona Daily Star" on January 16, 1998. Your appeal was received on January 26, 1998.

I received documentation of the informal resolution efforts between the Coronado National Forest and the appellants. No resolution of the appeals was possible.

One other appeal was filed by Steve Saway on the same projects. Your appeals will be handled with Mr. Saway because the appeals are similar.

RECOMMENDATION OF THE APPEAL REVIEWING OFFICER (ARO): The Appeal Reviewing Officer has reviewed the appeal record and forwarded his recommendations to me. I have attached a copy of the ARO's letter. The ARO found that the project complied with applicable laws, regulations, and policy. The project was reasonable, and while it restricted vehicular access, it did not eliminate recreation use of the area. The wildlife values that were being protected outweighed the loss of recreation opportunities.

APPEAL ISSUES: The appellants believe that closing Forest Roads 4181 and 4180 and moving the trailhead will "eliminate" recreation opportunities. They feel that there were other viable options that would have been less restrictive. The appellants feel that this action was not proposed in a cooperative and collaborative way. Their specific concerns are as follows:

ISSUE 1. Closing Forest Roads 4181 and 4180

CONTENTION: "If you allow these roads to be closed, you will do nothing for the Sonora Chub, but you will deprive the Public access to thousands of acres of prime hunting and recreation area. There also are approximately 7 Campsites on the Canyon that will be lost."



CONTENTION: "This action would eliminate access to about nine (9) existing campsites along FR 4181 that are used by the public when visiting or hiking along Sycamore Canyon. It also eliminates access to remote portions of the forest that lie west of Sycamore Canyon that support recreational activities such as hunting, mining and hiking."

RESPONSE: The road closure will eliminate vehicle access to seven dispersed campsites along the Sycamore Canyon drainage. However, non-motorized access will be maintained to those recreation sites. Many dispersed recreation areas that have vehicular access still exist along Forest Road 682 about 1/4 of a mile to the north and along Ruby Road 1 mile to the east. A third nearby source of dispersed camping is along Forest Road 4112. These sites require a 1/2 mile hike downstream to the Sycamore Canyon Trail. Alternative 1 will cause a short drive or hike to the existing trail from nearby dispersed camping area. Recreation access is not eliminated. Vehicle access to those dispersed sites has been eliminated (Appeal Record 39) (AR 39). The loss of vehicle access to dispersed recreation, hiking and recreational mining sites is more than offset by the need to protect the wildlife species present in the area.

The Forest Supervisor is affirmed on this issue.

ISSUE 2. Relocating the Sycamore Canyon Trailhead would eliminate about nine existing campsites along FR4181.

CONTENTION: Relocating the Sycamore Canyon Trailhead north, to a point immediately south of the Ruby Road (FR39) would eliminate about nine existing campsites along FR 4181. Currently the public has been using them for hiking or dispersed recreation.

RESPONSE: Moving the trailhead will eliminate vehicle access to seven dispersed campsites along the Sycamore Canyon drainage. However, non-motorized access will be maintained to those recreation sites. Many dispersed recreation areas that have vehicular access still exist along Forest Road 682 about 1/4 of a mile to the north and along Ruby Road 1 mile to the east. A third nearby source of dispersed camping is along Forest Road 4112. These sites require a 1/2 mile hike, downstream to the Sycamore Canyon Trail. Alternative 1 will cause a short drive or hike to the existing trail from nearby dispersed camping area. Recreation access is not eliminated. Vehicle access to those dispersed sites has been eliminated (Appeal Record 39) (AR 39). The loss of vehicle access to dispersed recreation, hiking and recreational mining sites is more than offset by the need to protect the wildlife species present in the area.

The Forest Supervisor is affirmed on this issue.

ISSUE 3. The decision violates Forest Service policy because it was not done in a collaborative manner.

CONTENTION: The decision violates the Southwest Strategy. These documents call for improved collaboration among federal agencies and with the public they serve, including interested stakeholders, to address and resolve issues related to endangered species. The Forest Service did not consult with interested parties to develop feasible alternatives for the Sonora Chub Protection Project.

RESPONSE: The Record shows that the Forest Service did involve the public and other federal agencies in the decision making process (AR 7,9,11,14,15,16,17,18,21,22,24,25,30,38). The Forest also evaluated an alternate route proposed by recreationists and found it was not feasible (AR 27).

The Forest Supervisor is affirmed on this issue.

APPEAL DECISION: After reviewing the appeal record and considering the recommendations from the Appeal Reviewing Officer, I find that the Forest Supervisor complied with the intent of the Southwest Strategy and has the authority and responsibility to manage roads and recreation on the Coronado National Forest. I affirm the Forest Supervisor's decisions in the Sonora Chub Protection Project. The appellants request for relief is denied.

This decision constitutes the final administrative determination of the Department of Agriculture (36 CFR 215.18(c)).

Sincerely,

/s/ Gilbert Vigil (for)
JOHN R. KIRKPATRICK
Appeals Deciding Officer
Acting Regional Forester

Enclosure

cc:
P.Jackson
C.Gonzalez
EAP
Coronado NF