



United States
Department of
Agriculture

Forest
Service

Southwestern
Region



Decision Notice and Finding of No Significant Impact

Verde Wild and Scenic River Comprehensive River Management Plan



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**Decision Notice
and
Finding of No Significant Impact
(FONSI)**

**Verde Wild and Scenic River Comprehensive
River Management Plan**

**USDA Forest Service
Coconino National Forest
Prescott National Forest
Tonto National Forest**

Gila and Yavapai Counties, Arizona

See Map section

Figure 1. Verde Wild and Scenic River Location Map

Background

This decision includes both plan and project level components. The CRMP prescribes management strategies for future Forest Service actions and will result in the amendment of each of the three Forest Plans. The CRMP also includes some specific projects such as road and trail management activities, as well as direction to incorporate CRMP standards into rangeland management planning. These projects or activities occur on three separate national forests with each forest supervisor having decision-making authority for those projects on their respective forest. The decision components and rationale for making each decision is described in separate subsections to aid understanding this action.

We did not include standards for fire management within the CRMP. Fire management and use were not identified as an issue in VWSR management. Separate Forest Plan amendments to address new fire policy and wildland fire use are in progress on the Prescott and Tonto National Forests while the Coconino is anticipating to address fire use policy in their Forest Plan revision. Existing fire management direction and standards in the existing Forest Plans are still applicable to the VWSR.

Selection of an Alternative and Adoption of the CRMP

Based on the analysis in the revised EA, we have decided to implement Alternative 3A. This is Alternative 3, the proposed action as described in the draft EA that was made available for public comment in early January 2004, with the exception of a change to river access at the termini of Forest Roads 57 and 502. Specific descriptions of this change and the rationale for it are found later in this section. Alternative 3A was the basis for development of the final “Verde Wild and Scenic River Comprehensive River Management Plan,” which this decision approves.

Section 10(a) of the Wild and Scenic Rivers Act states, “Each component of the national wild and scenic rivers system shall be administered in such a manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values.” It also states, “Management plans for any component may establish varying degrees of intensity for its protection and development on the special attributes of the area.” Interagency guidelines for management of river areas were published in the Federal Register on September 7, 1982 and interpret the Act to mean that there is a, “... nondegradation and enhancement policy for all designated river areas, regardless of classification. Each component will be managed to protect and enhance the values for which the river was designated, while providing for public recreation and resource uses which do not adversely impact or degrade those values. Specific management strategies will vary according to classification but will always be designed to protect and enhance the values of the river area.”

We chose the alternative that balances protection and enhancement of the ORVs with reasonable public access, and use and enjoyment of the area. We recognize, as summarized in Tables 3 and 4, and Chapter 4 of the EA, that roads and trails, recreational facilities, grazing, and other authorized uses do have an effect on scenery, fish and wildlife habitat, and historic and cultural values. We also recognize that access, as well as recreational, grazing and special uses are part of

the historic and cultural context of the river corridor. We have taken action to eliminate or limit those uses that we see as having substantial, adverse impacts to the ORVs; and we will accept, but monitor, those uses that we see as not reaching the level of substantial impacts. This decision includes the following components.

Plan Amendments

Each of us has the authority and is making a decision to amend our respective Forest Plan by incorporating the CRMP. Forest Plans are mandated under the authority of the National Forest Management Act. All three of the affected Forest Plans were developed under implementing regulations at 36 CFR 219 published in the Federal Register (47 FR 43037) on September 30, 1982. These amendments, therefore, are subject to those regulations. A determination that this action results in non-significant amendments to our Forest Plans, and thus is within our authorities, is included as “Attachment A” to this Decision Notice.

“Attachment B” includes the amended pages for each of the three Forest Plans. The amendment to the Prescott National Forest Plan includes designation of a new management area while the Coconino and Tonto National Forests have existing management areas designated for the VWSR. All three forests include the CRMP as the management prescription for their respective portion of the river and applicable management areas. Formatting and wording incorporating the CRMP varies within each Forest Plan because each was developed and approved independently. It is our decision to fit new direction into each plan using existing format and style so that amended pages will be reasonably consistent with the remainder of our respective Forest Plans.

The CRMP establishes management direction, including management standards, for the entire VWSR. In addition, specific project-level decisions identified in the CRMP are being made in this Decision Notice. These decisions or management directions are described in the following sections.

Access and Travel Management

Under the National Forest Roads and Trails Act of 1964 and Federal Regulations at 36 CFR 212 and 219 (Sept. 30, 1982) we have the authority to manage the road system within the VWSR and adjoining areas.

As described in Chapter 4 of the EA, a roads analysis was conducted to evaluate access needs and environmental impacts. The following changes based on that analysis will be made to each forest’s transportation plan.

| Forest | Road/Trail | Decision |
|----------|---|--|
| Coconino | FR 502 | Open to public access from Childs (APS gate) to terminus at Verde River flood plain after FERC decommissioning. |
| | FR 9206Y (access into existing Childs Campground) | Close to public access (route will be used to provide motorized administrative access to day-use area and nonmotorized public access to FT 48. |

| Forest | Road/Trail | Decision |
|----------|----------------------------|---|
| | FR 9242 (Cavates Road) | Convert to a nonmotorized trail. |
| | FR 9244 (Verde Falls Road) | Decommission last one-tenth mile and construct a new Verde Falls Trail. |
| | FR 9245 | Decommission all one-tenth mile of road. |
| Prescott | FR 9709R | Convert to a nonmotorized trail and add to FT 16 (Ladders Trail). |
| Tonto | FR 16 | Convert last one-quarter mile to a nonmotorized trail. |
| All | Trailheads/Parking | Turnarounds/parking, barriers and signing will be installed at the ends of all public access roads. |

The first road access to the Childs area was via FR 57 and a river ford to the power plant site. Forest Road 502 was constructed at a later date and provided more reliable access because it did not require fording the river. Crossings undoubtedly occurred at the FR 16 site, but the road was not constructed until Western Area Power Authority (WAPA) constructed the Pinnacle Peak – Flagstaff 345 kV power lines in the 1960s. Although the crossings are not part of the road systems and are not maintained, many people cross the river at these locations. Those using the crossings have included WAPA and their contractors, owners of private property on the west side of the river, various agencies’ personnel, and off-road recreation users.

As summarized in Chapter 3 of the EA, the need to address road and travel management was because of the detrimental effects some roads and unauthorized cross-country travel were having on wildlife and fish habitat, and scenery. Specifically, vehicles have been creating new river crossings and have been driving up and down the riverbanks, impacting riparian vegetation, streambank stability, wildlife habitat, and water quality. This activity at the FR 16 crossing has led to motorized intrusions into Mazatzal Wilderness.

Alternative 3 would have resulted in the construction of barriers to prevent access to the FR 16/FR 9206Y crossing and closure to public use of the FR 57/FR 502 crossing. Many of the comments we received supported these closures. However, we also received many comments that expressed concern on how these actions would negatively affect recreational access to the river, limit use of historic and traditional off-highway vehicle (OHV) routes, affect access in emergency situations, and favor permittees over public users. Several of those who favored leaving the crossings open suggested an alternative of constructing bridges or concrete fords. We have considered this alternative and decided that construction, and reconstruction or maintenance needs following the frequent flood events, would result in a significant increase in effects to ORVs over the level occurring with the current numbers of crossings. This alternative would also affect the free-flowing characteristics of the river.

In an attempt to balance ORV protection, recreation access demands, and permittee or administrative access needs, we decided to provide for public access

across the river from FR 57 to FR 502. Each of these roads will terminate outside the flood plain. Turnarounds and signing will be provided. Special orders prohibiting travel off designated roads will be worded to exempt cross-country travel from the terminus of one road to the terminus of the other. We have supplemented the environmental analysis and have determined that vehicular use of this crossing will not result in significant impacts to the environment or substantially affect the ORVs. However, we will monitor the effects from use of this crossing and will take further action if substantial detrimental effects to ORVs result. We will construct barriers to prevent access to the FR 16/FR 9206Y crossing, as described in Alternative 3, since that is where most of the damage to ORVs from off-road vehicular travel is occurring. OHV users wanting to complete a loop route can use FR 1676 on the west side of the river to travel between FR 16 and FR 57.

Livestock Grazing

Under the Organic Act of 1897, as amended, the Federal Land Policy and Management Act of 1976, the Public Rangelands Improvement Act of 1978, and Federal Regulations at 36 CFR 222, we have the authority to administer range resources, regulate grazing use and make changes to grazing permits to devote lands to other public purposes. As forest supervisors, we have the responsibility to ensure that allotment management decisions are compliant with NEPA and our Forest Plans prior to permit issuance.

As documented in Chapter 3 of the EA, livestock grazing has affected ORVs (scenery, and wildlife and fish habitat) in the recent past and has been a continuing disturbance to wildlife and fish habitat since before VWSR designation. The most substantial impacts occur immediately adjacent to the river in the riparian areas. Livestock grazing is already excluded from riparian areas to protect or enhance ORVs on five of the nine allotments that contain portions of the VWSR. Livestock have authorized access to the river (about 31 miles) on parts of four allotments. They may be found in other excluded areas when they escape pastures by going around fences that end at the river, or when gates are left open or fences cut. Cattle have been removed or numbers have been very limited in three of these allotments, and reduced on the fourth allotment, in recent years due to actions taken to meet requirements of Section 7 of the Endangered Species Act and/or to protect the forage resource from excessive grazing during drought conditions.

Nearly all of the comments we received, that specifically mentioned livestock grazing, supported exclusion of grazing from either the riparian area or the entire designated corridor. One permittee raised the issue of access to Verde River water on which State water rights claims had been filed while another pointed out that livestock grazing was part of the cultural history of the area.

Our objective is to protect and enhance the ORVs while providing for resource uses that do not have substantial adverse impacts on those values. We believe that Alternative 3A provides that balance by establishing a standard that excludes livestock grazing from Verde River riparian habitat. To implement Alternative 3A for the Cedar Bench, Red Creek and Skeleton Ridge Allotments, a site specific assessment will be completed that addresses management of each entire

allotment. For the Brown Springs Allotment, permit administration will be modified to bring grazing operations into compliance with the current NEPA decision.

This approach provides a more consistent policy among the forests; the four allotments where livestock grazing is not excluded from the riparian area of the VWSR will be brought into consistency for effects on ORVs with the other five allotments. We believe that exclusion of grazing from the riparian areas or development of new management prescriptions will provide a level of protection that will mitigate nearly all of the current impacts to ORVs. At the same time, Alternative 3A will allow more flexibility in managing the range resource than Alternative 4. Two exceptions are identified in the CRMP and are part of this decision. Three access points to allow livestock to water from the Verde River, as analyzed in the EA, are authorized on the Brown Springs Allotment. As shown on Table 3 of the EA, this means only about one-quarter mile of the VWSR has been identified as accessible to authorized livestock use without changing management to address impacts to ORVs. To address an additional issue identified during the comment period, the CRMP includes an authorization to allow herding across the Verde River between FR 57 and FR 502. This allows the permittee who currently has permits on both allotments to periodically move livestock from one allotment to the other.

This decision provides the following direction for rangeland management planning:

| Forest | Allotment | Action |
|----------|----------------|---|
| Coconino | None | None |
| Prescott | Brown Springs | Adjust management to achieve the objectives described in the current permit issuance NEPA and AMP. Incorporate the CRMP standard to exclude grazing in the riparian area. Authorize 3 water lanes and trail construction to bypass the riparian area. |
| Tonto | Cedar Bench | Initiate rangeland management planning and NEPA analysis in 2005 to incorporate CRMP direction. |
| | Red Creek* | Complete rangeland management planning and NEPA analysis in 2005 to incorporate CRMP direction. |
| | Skeleton Ridge | Initiate rangeland management planning and NEPA analysis in 2005 to incorporate CRMP direction. |

* The VWSR EA made available for public notice and comment stated that a separate NEPA analysis was ongoing for revised management of the Red Creek Allotment. The separate Red Creek proposal has been withdrawn pending the outcome of this decision. The revised VWSR EA discloses the effects that exclusion of livestock from riparian areas would have on this allotment.

This decision affects only those allotments on which grazing is authorized in the VWSR riparian area. This decision does not change permitted numbers, although the EA (Table 23) does disclose possible effects to stocking, construction costs for exclusion fences, and changes to permittees' income that may result indirectly from this action. As described in "Implementation Schedule" of the CRMP,

Background

appropriate line officers on the Prescott and Tonto National Forests will initiate allotment planning in 2005 on their respective forests to identify possible fence locations and alternative water sources (as identified in EA Table 23) or changes in management to allow revision of allotment management consistent with this decision and the CRMP. The possible issue of access to Verde River water rights claims may be addressed during this allotment specific NEPA process and decision.

Alternatives Considered

As described in Chapter 2 of the EA, we considered an alternative that maximized public access and recreation opportunities, and allowed continued uses that many of the public do not consider to substantially impact the river-related values. We did not select this alternative (Alternative 2), except for access between FR 57 and FR 502, because the risk of substantial degradation to fish and wildlife habitat (specifically riparian vegetation) and scenery from the existing or predicted levels of recreation use, road-related impacts, and grazing within riparian areas was too high.

We also considered an alternative that put controls on much of the current access and recreational use and excluded historically authorized grazing from the area (Alternative 4). This alternative was supported by many of the public who feel motorized access or uses that do not specifically protect and enhance ORVs are inconsistent with the Wild and Scenic Rivers Act. We did not select this alternative because we do not believe this level of control of uses is either mandated by the Act or necessary to protect and enhance the ORVs. Additional levels of control can be added if monitoring, as prescribed in the CRMP, indicates a future need exists.

We also evaluated no change in management (Alternative 1) as required by NEPA regulations. This alternative was not selected because we do not consider it to be consistent with the Wild and Scenic Rivers Act.

Public comments suggested we should have considered additional possible alternatives. One suggestion was to restore the VWSR to its natural state. Alternative 4, which we did analyze in detail, takes a very aggressive approach to protection and enhancement (restoration). We do not interpret from the Act any Congressional intent to restore designated rivers to any pre-existing condition, and what those historic conditions might have been is speculative. We, therefore, considered this suggested alternative to be outside the purpose and need for the proposed action. Another alternative was to construct hardened ford or bridge crossings at the two traditional crossing sites near Childs so that OHV recreation users could continue to use those routes. We believe the objective of this alternative has been met through the selection of Alternative 3A. We have considered constructed crossings and believe that they would not meet the goals for managing the Verde Scenic River as free flowing, and that installation and maintenance in a major riverbed would be more disturbing to scenery, fish and wildlife habitat, and water quality than the access identified in Alternative 3A.

Public Involvement

Public involvement for the CRMP began on October 30, 2001 with the publishing of a Notice of Intent to prepare the CRMP in the Federal Register. This was followed with a letter dated January 23, 2002, which was mailed to the combined mailing lists for all three forests. Since that time, the project has been listed on the quarterly Schedule of Proposed Actions for each forest and notices have been periodically posted at Beasley Flat on the Verde River.

A scoping report was completed and posted on a project Web site (www.fs.fed.us/r3/verde_crmp/) in September 2002. This document summarized comments received during scoping and identified significant issues. Update letters were sent to the project mailing list in August 2002 and March 2003. The March 2003 letter identified alternatives to be analyzed in detail in the EA.

The EA and a draft CRMP were released to the public on January 13, 2004. Legal notices advertising the opportunity to comment on the EA and draft CRMP appeared in the Flagstaff Daily Sun, the Prescott Courier, and the Tribune newspapers of the East Valley (Mesa) and Scottsdale between January 12th and January 15th. Press releases went to media outlets on January 13th. Public open houses were held in Phoenix on January 20th and Camp Verde on January 21st.

Comments were received from governmental agencies including one Federal agency, the Western Area Power Administration; one State agency, the Arizona Game and Fish Department; as well as Salt River Project and the White Mountain Apache Tribe. In addition, 13 organizations or businesses submitted comments. Of those agencies or organizations that expressed a preference for an alternative, a little less than two-thirds favored Alternative 3 and a little more than one-third favored Alternative 4.

Approximately 150 individuals commented on the EA. About 20 percent were forms submitted at the open houses, letters, or e-mails. About 80 percent of the comments were postcards with pre-printed messages although most had additional handwritten comments. About 80 percent of individuals favored Alternative 4 and 15 percent favored Alternative 3. The other 5 percent favored either Alternatives 1 or 2.

Most comments were directed to access/travel management and livestock grazing issues. Many comments on access expressed concern regarding closing of roads. Most of the comments on livestock grazing expressed concern about the effects of grazing on Wild and Scenic River values. Three grazing permittees, including two permittees whose allotment management plans currently allow access to the river, commented that they supported Alternative 3. As previously stated, one permittee had previously raised the issue of access to claimed Verde River water rights but that permittee did not submit any comment on the EA or draft CRMP. Approximately equal numbers of comments were received on recreation capacity and management, water quality and quantity, and wildlife. Comments were used to develop Alternative 3A, strengthen the analysis in the EA, and revise elements of the CRMP.

Several individuals wanted to see commitments of funding to carry out implementation of the CRMP. As described in the CRMP, funding for the Forest Service is determined by Congressional budget allocations and mandated funding levels are outside the scope of this decision.

Finding of No Significant Impact

As line officers with delegated authority to make these decisions, it is our responsibility to review the EA and determine whether the proposed action may have a significant effect on the quality of the human environment. In compliance with 40 CFR 1508.13 and 1508.25, the following findings support our determination that there will not be a significant effect on the human environment and an environmental impact statement will, therefore, not be prepared.

Context

Geographically, and as described in Chapter 1 of the EA, the CRMP applies to management of a 41-mile segment of the Verde River that extends one-quarter mile on either side of the river. The management areas affected comprise about 0.2 percent of the total planning area on the three national forests.

Politically, the 41 mile long VWSR includes the only 2 river segments in Arizona designated under the Wild and Scenic Rivers Act. Nationwide, there are about 150 designated river segments totaling about 11,000 miles.

Based on comments received during public involvement efforts, interested and affected publics were predominantly from central Arizona. Environmental effects of the proposed action are essentially limited to the management area while the effects to human values extend to all those who visit or use the designated area.

Intensity

Beneficial vs. Adverse Impacts

The purpose of the action is to establish a plan to meet regulatory requirements and standards to better protect and enhance designated ORVs and to maintain water quality and free-flow within the river. Site-specific actions are designed to benefit ORVs by mitigating impacts of uses that have the potential to significantly affect the ORVs. Disturbances during obliteration of roads or their conversion to trails are very temporal and, as disclosed in Chapter 4 and the project record, are not significant. Long-term effects from road closures are beneficial.

Public Health and Safety

Public health and safety were not identified as specific needs or issues. However, standards and actions to protect water quality, establish limits on recreation use and capacity, close unauthorized travel ways, move facilities out of the flood plain, and improve monitoring and enforcement activities all contribute to improving public health and safety.

Unique Characteristics

The VWSR, as described above under “Context,” is unique in that these segments are currently the only designated river segments in Arizona. The purpose of this action, though, is to develop a plan and implement projects that will protect and enhance the outstandingly remarkable values that make this area

unique. This is not a proposed action unrelated to management of the VWSR that will have direct or indirect effects on the VWSR.

Controversy Over Effects

We recognize that any action we take or don't take, with regard to road management, livestock grazing and establishing recreation use capacities, will be controversial to some. We interpret the controversy criteria in a FONSI to be the degree to which the effects analysis is controversial, not whether one favors or opposes a specific alternative. In reviewing the comment letters we received on the EA (see the previous section on "Public Involvement"), we found only about ten letters that challenged any aspect of the effects analysis, and several of those did not appear to recognize our effects analysis for any alternative other than the proposed action. Compared to other projects on the three forests, this EA did not generate a high degree of controversy over the analysis of effects.

Uncertainty or Unknown Risks

This action further incorporates existing law and regulation into the Forest Plans. This direction is similar to direction implemented and adhered to by the Forest Service and other agencies (in the case of the Wild and Scenic Rivers Act) for many years. We do not foresee any highly uncertain or unknown risks of effects on the human environment. Chapter 5 of the CRMP presents a monitoring and evaluation plan to address the possibility of currently unknown risk and to monitor the success of our management strategies.

Precedence

The CRMP, by Congressional intent, establishes a precedent for future management. The management prescriptions and standards incorporated into the CRMP, however, are designed to prevent actions that could have significant effects to the ORVs or other aspects of the human environment.

Cumulative Impacts

Each issue addressed in Chapter 4 of the EA includes an analysis that looks at cumulative effects of other actions on the VWSR. Cumulative impact is based on the incremental impact of this action when added to other past, present or reasonably foreseeable future actions. The purpose of this action is to protect and enhance the ORVs by establishing standards and implementing actions that reduce detrimental effects to the ORVs. In addition, other projects on the three national forests that have the potential to impact the VWSR must address those impacts in a way that demonstrates compliance with Wild and Scenic River policy. It is, therefore, highly improbable that this action will result in cumulatively significant impacts.

Significant Scientific, Cultural or Historical Resources

One of the designated ORVs is the historic/cultural resource. The CRMP provides for protection and interpretation of this resource. Specific project level decisions are based on avoidance and monitoring. Clearance, with concurrence from the State Historic Preservation Officer, has been completed.

Threatened or Endangered Species

The Forest Service determined that this action may affect, but will not likely adversely affect, five listed species and related critical habitat and will not jeopardize a listed candidate species. The U.S. Fish and Wildlife Service concurred with this determination in a letter dated March 19, 2004.

Compliance with Laws

The purpose of this action is to better document and ensure compliance with the Wild and Scenic Rivers and Wilderness Acts. To the best of our knowledge, this decision does not threaten violation of any Federal, State, or local law or requirements imposed for protection of the environment.

Findings Required by Other Laws and Regulations

| Law | Regulation | Finding |
|---|--|---|
| National Forest Management Act (NFMA) | Compliance with Forest Plan Management of Indicator Species (MIS) | Decision is to amend the Plan to better meet management requirements. The effect of this action should improve habitat and populations of designated MIS. |
| Wild and Scenic Rivers Act | FR Vol. 47, No. 173 36 CFR 297 Subpart A | Purpose of action is to meet requirements of Act and interagency guidelines. No facets of this decision include implementation of a water resource project. Therefore, a Section 7(a) analysis is not necessary. |
| Wilderness Act | 36 CFR 293 | Verde Wild River standards meet regulations applicable to Mazatzal Wilderness. |
| Endangered Species Act (ESA) | Section 7 Consultation | Letter from USFWS dated 3/19/2004 concurring with USFS determination that the action may affect, but will not likely adversely affect, listed species or designated critical habitat. |
| Migratory Bird Treaty Act and Executive Order 13186 | | Action is expected to result in stable or upward trends in migratory bird populations and habitat within the VWSR |
| National Historic Preservation Act (NHPA) | State Historic Preservation Office concurrence | CRMP will have no direct effect on heritage properties. Any special actions to be taken will be subject to compliance under Section 106 of NHPA. |
| Clean Air Act | Section 162(a) – Class 1 airsheds | Decision does not result in any emissions of pollutants. |
| Clean Water Act | Regulatory permits | Implementation of Best Management Practices (BMPs) for surface disturbing activities will satisfy compliance. |
| Executive Order 11988 | Flood plain Management | CRMP supports protection of flood plains |
| Executive Order 11990 | Protection of Wetlands | CRMP supports protection of wetlands. |
| Executive Order 12898 | Environmental Justice | Analysis of social setting does not support likelihood of any impact to minority or low-income populations. |
| Executive Order 13112 | Invasive Species | CRMP includes standards to manage invasive species. |
| Arizona Revised Statutes | Water Quality Standards | Standards currently being met. CRMP supports continued monitoring of the reach by ADEQ and USGS. |

Implementation

Implementation of the CRMP will begin the 5th business day after the close of the 45-day appeal period, if no appeals are filed, or the 15th business day after appeal disposition, if an appeal is filed. Appeals by holders of written instruments (permits) may result in a delay to implementation of specific elements of the plan potentially affecting their permits.

Implementation will proceed as described in Chapter 4 of the CRMP.

Administrative Review or Appeal Opportunities

This decision is complex because it has elements that are subject to administrative review under three separate appeal regulations. In addition to approval of the CRMP and its attendant Forest Plan amendments, projects or activities authorized by this decision occur within three separate national forests. The following describes how each of these decision elements can be administratively reviewed.

This decision to approve the CRMP and incorporate it into the three Forest Plans is subject to administrative review (appeal) pursuant to **36 CFR 217** (November 4, 1993). Because this decision is a nonsignificant amendment to each of the Forest Plans, a written notice of appeal must be filed with the Reviewing Officer within 45 days of the date that legal notice of this decision is published in the Flagstaff Daily Sun, Prescott Courier, and East Valley Tribune (Mesa/Scottsdale). The notice of appeal must contain sufficient narrative evidence and argument to show why the decision to amend the plans should be changed or reversed, and it must include the content specified at 36 CFR 217.9(b). File a notice of appeal under this regulation to:

Harv Forsgren, Regional Forester
Attention: 1570 Appeals
USDA Forest Service
333 Broadway Blvd., SE
Albuquerque, NM 87102

The decisions to decommission, convert, close, or designate specific roads or trails are subject to appeal in accordance with **36 CFR 215** (June 4, 2003). This means that appellants can challenge implementation of those specific actions without challenging approval of the CRMP for the VWSR. Only those who submitted timely, substantive comments during the 30-day notice and comment period may file an appeal under these regulations. Written appeals must be filed with the Appeal Deciding Officer within 45 days of the publication date of the legal notice of decision in the newspapers of record (see above). The notice of appeal must contain sufficient project or activity related evidence and rationale on why the decision should be reversed and must include the content specified at 36 CFR 215.14. File a notice of appeal under this regulation to the same address shown above.

Those who hold written authorizations to occupy and use National Forest System lands and whose authorization will be affected by implementation of this decision may appeal in accordance with **36 CFR 251, Subpart C**, instead of 36 CFR 215. Those who are qualified to file under this appeal regulation must file a written notice of appeal within 45 days of the date on the letter transmitting this Decision Notice and simultaneously send a copy to the Deciding Officer (the forest supervisor of the forest issuing the written instrument). The notice of appeal must contain sufficient narrative evidence and argument to show why a decision should be reversed or changed and include the content specified at 36 CFR 251.90. Holders of grazing permits may simultaneously request mediation pursuant to 36 CFR 291.103.

Because of the complexity of the decision and administrative review processes, we urge anyone intending to file an appeal to contact the following person:

Carl Taylor
Project Leader
Tonto National Forest
2324 E. McDowell Road
Phoenix, AZ 85006

Phone: (602) 225-5200
E-mail: cataylor@fs.fed.us

Approval

Deciding Officials:



June 14, 2004

NORA B. RASURE
Forest Supervisor
Coconino National Forest

Date



June 14, 2004

MICHAEL R. KING
Forest Supervisor
Prescott National Forest

Date



June 14, 2004

KARL P. SIDERITS
Forest Supervisor
Tonto National Forest

Date