



U.S. Department of the Interior
Bureau of Land Management

Arizona State Office

December 1994



FINAL

**Arizona Statewide Wild and Scenic Rivers
Legislative Environmental Impact Statement**



The Bureau of Land Management is responsible for the balanced management of the public lands and resources and their various values so that they are considered in a combination that will best serve the needs of the American people. Management is based upon the principles of multiple use and sustained yield; a combination of uses that take into account the long term needs of future generations for renewable and nonrenewable resources. These resources include recreation, range, timber, minerals, watershed, fish and wildlife, wilderness and natural, scenic, scientific and cultural values.

BLM/AZ/PL-95/002+4333



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona State Office
3707 N. 7th Street
P.O. Box 16563
Phoenix, Arizona 85011



IN REPLY REFER TO:
1790/8351 (931)

Dear Reader:

Enclosed for your review is a copy of the final Arizona Wild and Scenic Rivers Legislative Environmental Impact Statement. After a public review period, which will incorporate and be concurrent with the 30-day waiting period required by the Council on Environmental Quality (40 CFR 1506.10(2)), this environmental impact statement will be sent to the Secretary of the Interior. With the Secretary and the President's approval, it then will be forwarded to Congress where it will become a component in the decision making process which Congress will use in selecting river segments for inclusion in the National Wild and Scenic Rivers System.

The review period will be in effect until January 31, 1995. Comments should be sent to the Bureau of Land Management at the address listed below.

Copies of the comments will be forwarded to Congress along with the final Legislative environmental impact statement. Copies of the comments will be maintained in the Bureau of Land Management Arizona State Office for 60 days after the close of the review period. This record will be available for public review.

Please send comments to:

Phillip Moreland, Branch Chief
Planning, Environmental, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

Sincerely,

Herman L. Kast
Deputy State Director
Lands and Renewable Resources

309

Enclosure

Bureau of Land Management, 1994

ARIZONA WILD AND SCENIC RIVERS
FINAL LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

Draft ()

Final (X)

The United States Department of the Interior, Bureau of Land Management

1. Type of Action: Administrative (); Legislative (X)
2. Abstract: The document analyzes the environmental impacts of implementing four alternatives including a recommended alternative and no action alternative that determine the suitability of 20 Arizona rivers and recommend suitable rivers areas to Congress for designation in the National Wild and Scenic Rivers System. An appendix contains 20 river-specific environmental impact statements analyzing the environmental consequences of a recommended alternative for designation and appropriate options.
3. Approximately 2,000 copies of the draft document were distributed for a 90-day public review and comment period, announced in the Federal Register, that extended from April 8 to July 8, 1994. Five public hearings were held during the review and comment period.

Chapter 5 includes a list of agencies, groups, and individuals to whom the document was sent and contains copies of the transcripts from the public hearings and of the letters received on the draft document along with responses from Bureau of Land Management personnel.

4. Responsible official:


Lester K. Rosenkrance
State Director

5. For further information contact:

Phillip Moreland, Branch Chief
Planning, Environmental, Lands and Recreation (931)
Arizona State Office
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

6. Draft filed with the Environmental Protection Agency: April 8, 1994
Final filed with the Environmental Protection Agency: December 15, 1994 (Est)

Recommended:



Lester K. Rosenkrance
State Director

for

ARIZONA WILD AND SCENIC RIVERS

FINAL

LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

DECEMBER, 1994

Bureau of Land Management, 1994

FOREWORD

INTRODUCTION

In developing resource management plans for public lands over which it has management responsibilities, the Bureau of Land Management in Arizona began considering wild and scenic river classifications as early as 1985.

By 1992, 15 river areas including 16 rivers (the Gila Box area, discussed in the Safford District Resource Management Plan, included the Gila and Lower San Francisco Rivers) associated with Bureau of Land Management administered public land had been found eligible for further wild and scenic study. Seven of river areas were discussed in the Safford District Resource Management Plan (1993). Two river areas were evaluated in the Arizona Strip District Resource Management Plan (1991) and six were assessed in the Kingman Resource Management Plan (1993).

In 1993 four other river areas were evaluated in amendments to the Yuma District, Phoenix Resource Area, and Safford District Resource Management Plans.

Following the public, other agency, and internal review of the draft legislative environmental impact statement, the State Director modified the proposed action by incorporating the all suitable option for Clenega Creek into the recommended alternative. Thus, the recommended alternative analyzed in the final environmental impact statement includes 14 river study areas. Where appropriate, the changes in the relevant acreage and mileage totals have been incorporated into this document.

ORGANIZATION OF THE LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

Chapter 1 (Introduction)

Chapter 1 initiates the environmental impact statement. It includes a statement of the

purpose and need for the action. This is followed with a description of which Arizona Bureau of Land Management offices administer public lands through which the subject rivers flow. A section on interrelationships itemizes the major types of land use plans (resource management plans, wilderness areas, areas of critical environmental concern, and riparian national conservation areas) pertaining to potential wild and scenic rivers. A summary of federal, tribal, state, and local agencies and private lands is included to identify other entities associated with the river study areas.

The final section in chapter 1 discusses the scoping procedures and identifies the significant issues considered in the legislative environmental impact statement.

Chapter 2 (Alternatives)

Chapter 2 describes the alternatives that were developed to resolve the environmental issues and management actions that are associated with the implementation of those alternatives. Four alternatives were defined.

The recommended alternative determines as suitable and recommends to Congress for designation into the National Wild and Scenic Rivers System 14 river study areas. The recommended alternative determines six rivers as nonsuitable and does not recommend these for designation. The all suitable alternative determines all 20 of the eligible rivers to be suitable for designation. The legislative protection alternative determines all or portions of 15 river study areas that are not under legislative protection to be suitable for designation and determines nonsuitability for river study areas and segments that are in wilderness or riparian national conservation areas already under legislative protection. The fourth alternative, no action, determines all 20 eligible rivers to be nonsuitable.

Chapter 3 (Affected Environment)

The chapter addressing the affected environment identifies and summarizes the resources and other components that could be affected by implementation of the alternatives.

Chapter 4 (Environmental Consequences)

Chapter 4 is an analysis of the potential impacts from implementation of the four alternatives. The analysis focuses on the identified issues for each alternative, summarizes the relevant elements of the affected environment, identifies the appropriate management actions that may cause impacts, and contains a conclusion identifying the nature and type of impact.

Chapter 5 (Consultation and Coordination)

This chapter details the involvement of the public, and federal, state, and tribal agencies in the development of the environmental impact statement. Chapter 5 contains a list of places and persons to whom copies of the draft legislative environmental impact statement were sent, and contains an extensive record of public comments and Bureau of Land Management responses. This record includes the following.

- a summary of the public scoping meeting comments;**
- transcripts of the statements given at the five public hearings, and copies of materials submitted for the record at those hearings;**
- copies of letters commenting on the draft legislative environmental impact statement, and attachments sent with those letters.**

All original materials are available for review at the Arizona state office.

The River Appendix

The river appendix contains 20 individual environmental documents. Each river-specific document discusses issues and evaluates the impacts of implementing two or more reasonable alternatives addressing suitability and nonsuitability.

Other Considerations

The numbers of acres and miles mentioned and discussed in the document are approximations. River specific management plans will be developed after Congress selects specific rivers and segments for the National Wild and Scenic Rivers System. Management plans will include precisely defined river corridors and boundaries and detailed management approaches.

For the purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation stages will be approved.

In compliance with the Council on Environmental Quality regulations for Implementing the National Environmental Policy Act, this document concentrates on significant issues identified in the scoping process (40 CFR 1501.7). A number of concerns were identified in the scoping meetings. All of the public comments were considered. However, unless the concerns were regarded by Bureau of Land Management personnel to be significant, they were not analyzed in detail.

Major textual modifications to the draft document are displayed in bold (dark) print in this final legislative environmental impact statement.

TABLE OF CONTENTS

FOREWORD: ORGANIZATION OF THE LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT		P. i
Chapter 1 (Introduction)	P. v	
Chapter 2 (Alternatives)	P. v	
Chapter 3 (Affected Environment)	P. vi	
Chapter 4 (Environmental Consequences)	P. vi	
Chapter 5 (Consultation and Coordination)	P. vi	
The River Appendix	P. vi	
SUMMARY		P. xiii
PURPOSE AND NEED		P. xiii
ISSUES		P. xiii
ALTERNATIVES		P. xiv
ENVIRONMENTAL CONSEQUENCES		P. xvii
CHAPTER 1: PURPOSE AND NEED		P. 1
INTRODUCTION		P. 1
PURPOSE AND NEED FOR THE ACTION		P. 1
THE ELIGIBILITY AND SUITABILITY PROCESS		P. 1
RIVER STUDY AREA MANAGEMENT		P. 11
The Arizona Strip District	P. 11	
The Phoenix District	P. 11	
The Safford District	P. 12	
The Yuma District	P. 13	
INTERRELATIONSHIPS		P. 13
Management Areas	P. 13	
Other Interior Department Agencies	P. 17	
Other Federal Agencies	P. 17	
Native American Tribes	P. 18	
State Agencies	P. 18	
Counties	P. 18	
Private	P. 19	
Other	P. 19	
SCOPING		P. 21
Scoping Issues	P. 21	
Issues considered but not discussed in detail	P. 21	
WILD AND SCENIC RIVER DESIGNATION ISSUES		P. 23
CHAPTER 2: DESCRIPTION OF THE ALTERNATIVES INCLUDING THE RECOMMENDED ALTERNATIVE		P. 25
INTRODUCTION		P. 25
RECOMMENDED ALTERNATIVE		P. 27
MANAGEMENT ACTIONS	P. 28	
Wild and Scenic River management actions	P. 29	
Ongoing management actions	P. 29	

ALL SUITABLE ALTERNATIVE		P. 31
MANAGEMENT ACTIONS	P. 32	
Wild and Scenic River management actions	P. 32	
Ongoing management actions	P. 34	
LEGISLATIVE PROTECTION ALTERNATIVE		P. 36
MANAGEMENT ACTIONS	P. 39	
Wild and Scenic River management actions	P. 39	
Ongoing management actions	P. 40	
NO ACTION ALTERNATIVE		P. 41
MANAGEMENT ACTIONS	P. 41	
Wild and Scenic River management actions	P. 41	
Ongoing management actions	P. 42	
CHAPTER 3: AFFECTED ENVIRONMENT		P. 45
INTRODUCTION		P. 45
GENERAL ENVIRONMENT		P. 45
OUTSTANDINGLY REMARKABLE VALUES		P. 48
Outstandingly remarkable scenic values	P. 48	
Outstandingly remarkable recreational values	P. 48	
Outstandingly remarkable fish and wildlife and aquatic habitat values	P. 48	
Outstandingly remarkable cultural resource, historical, and paleontological values	P. 48	
Outstandingly remarkable geologic values	P. 49	
Outstandingly remarkable hydrologic values	P. 49	
MINERALS DEVELOPMENT AND POTENTIAL		P. 49
PUBLIC LANDS RESOURCES		P. 51
RECREATION		P. 53
FISH AND WILDLIFE		P. 55
RIPARIAN VEGETATION		P. 57
CULTURAL RESOURCES		P. 59
WATER RESOURCES		P. 61
LIVESTOCK GRAZING		P. 63
POPULATION AND LOCAL ECONOMY		P. 65
TRAVEL AND TOURISM		P. 66
CHAPTER 4: ENVIRONMENTAL CONSEQUENCES		P. 69
INTRODUCTION		P. 69
Methodology	P. 69	
Assumptions	P. 69	
IMPACTS FROM IMPLEMENTING THE RECOMMENDED ALTERNATIVE		P. 70
Outstandingly remarkable values	P. 70	
Impacts on outstandingly remarkable scenic values	P. 70	
Impacts on outstandingly remarkable recreational values	P. 74	
Impacts on outstandingly remarkable geologic values	P. 76	
Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values	P. 78	
Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values	P. 80	

Impacts on outstandingly remarkable hydrologic values	P. 83	
Impacts on minerals development	P. 85	
Impacts on travel and tourism	P. 89	
Cumulative effects of implementing the recommended alternative	P. 90	
Irreversible and irretrievable commitments of resources involved in the recommended alternative	P. 93	
Unavoidable adverse effects	P. 93	
Short-term uses of the environment versus long-term productivity	P. 93	
IMPACTS FROM IMPLEMENTING THE ALL SUITABLE ALTERNATIVE		P. 94
Outstandingly remarkable values	P. 94	
Impacts on outstandingly remarkable scenic values	P. 94	
Impacts on outstandingly remarkable recreational values	P. 96	
Impacts on outstandingly remarkable geologic values	P. 98	
Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values	P. 100	
Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values	P. 102	
Impacts on outstandingly remarkable hydrologic values	P. 105	
Impacts on minerals development	P. 107	
Impacts on travel and tourism	P. 110	
IMPACTS FROM IMPLEMENTING THE LEGISLATIVE PROTECTION ALTERNATIVE		P. 112
Outstandingly remarkable values	P. 112	
Impacts on outstandingly remarkable scenic values	P. 112	
Impacts on outstandingly remarkable recreational values	P. 113	
Impacts on outstandingly remarkable geologic values	P. 117	
Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values	P. 119	
Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values	P. 122	
Impacts on outstandingly remarkable hydrologic values	P. 124	
Impacts on minerals development	P. 126	
Impacts on travel and tourism	P. 130	
IMPACTS FROM IMPLEMENTING THE NO ACTION ALTERNATIVE		P. 132
Outstandingly remarkable values	P. 132	
Impacts on outstandingly remarkable scenic values	P. 133	
Impacts on outstandingly remarkable recreational values	P. 135	
Impacts on outstandingly remarkable geologic values	P. 137	
Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values	P. 137	
Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values	P. 139	
Impacts on outstandingly remarkable hydrologic values	P. 139	
Impacts on minerals development	P. 140	
Impacts on travel and tourism	P. 140	

CHAPTER 5: CONSULTATION AND COORDINATION	P. 143
INTRODUCTION	P. 143
ELIGIBILITY	P. 143
SCOPING	P. 143
OTHER AGENCY CONSULTATION AND COORDINATION	P. 144
PREPARERS	P. 145
AGENCIES AND ORGANIZATIONS TO WHOM COPIES OF THE DRAFT DOCUMENT WERE SENT	P. 157
SUMMARY OF PUBLIC COMMENTS/ISSUES	P. 159
COMMENTS AND RESPONSES ON THE DRAFT DOCUMENT	P. 158
Introduction	p. 159
Overview of the Public Comments	p. 159
PUBLIC HEARING TRANSCRIPTS	P. 161
RESPONSES TO STATEMENTS IN THE PUBLIC HEARING TRANSCRIPTS	P. 245
GENERAL RESPONSES TO COMMENTS IN THE TRANSCRIPTS AND LETTERS	P. 251
LETTERS AND BUREAU OF LAND MANAGEMENT RESPONSES	
Letters from federal agencies	P. 261
Letters from state agencies	P. 281
Letters from county and local agencies	P. 293
Letters from special interest groups	P. 345
Letters from individuals	P. 439
Letters received after the close of the comment period	P. 535
GLOSSARY	P. 539
REFERENCES	P. 545
INDEX	P. 549
APPENDIX	P. 551
LIST OF TABLES	
TABLE 1-1: OUTSTANDINGLY REMARKABLE VALUES	P. 12
TABLE 1-2: RIVERS BY RESOURCE MANAGEMENT PLAN	P. 14
TABLE 1-3: RIVERS BY WILDERNESS AREA	P. 15
TABLE 1-4: RIVERS BY RIPARIAN NATIONAL CONSERVATION AREA (RNCA)	P. 16
TABLE 1-5: RIVERS BY AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)	P. 17
TABLE 1-6: RIVERS BY COUNTY	P. 19
TABLE 2-G1: ALTERNATIVES: SUMMARY OF MILES/ACREAGE BY CLASSIFICATION	P. 25
TABLE 2-G2: ALTERNATIVES: ACREAGE BY MANAGEMENT CLASSIFICATION	P. 26
TABLE 2-G3: MANAGEMENT ACTIONS BY ALTERNATIVE	P. 27
TABLE 2-RA1: RECOMMENDED ALTERNATIVE: BLM MILES/ACRES WITH CLASSIFICATIONS	P. 28
TABLE 2-AS1: ALL SUITABLE ALTERNATIVE: BLM MILES/ACRES WITH CLASSIFICATIONS	P. 33
TABLE 2-LP1: LEGISLATIVE PROTECTION ALTERNATIVE: BLM MILES/ACRES	P. 37
TABLE 2-LP2: ELIGIBLE RIVERS AND SEGMENTS WITH ADMINISTRATIVE PROTECTION	P. 38
TABLE 2-IMP: SUMMARY OF IMPACTS BY ALTERNATIVE	P. 44

TABLE 3-1: RIVERS BY DISTRICT AND RESOURCE AREA	P. 46
TABLE 3-2: BAILEY AND KUCHLER POTENTIAL NATURAL VEGETATION AND ECOREGIONS OF THE UNITED STATES	P. 47
TABLE 3-3: LOCATABLE MINERAL POTENTIAL BY ELIGIBLE RIVER SEGMENT	P. 50
TABLE 3-4: WILD AND SCENIC RIVER AREAS LOCATABLE MINERALS BY ACREAGE	P. 51
TABLE 3-5: WILD AND SCENIC RIVER AREAS LANDS ACTIONS	P. 52
TABLE 3-6: WILD AND SCENIC RIVER AREAS: RECREATION AND TOURISM	P. 54
TABLE 3-7: RIVER AREAS: FEDERAL SPECIAL STATUS SPECIES	P. 56
TABLE 3-8: RIPARIAN VEGETATION BY WILD AND SCENIC RIVER AREA	P. 58
TABLE 3-9: CULTURAL RESOURCES BY WILD AND SCENIC RIVER AREA	P. 60
TABLE 3-10: WILD AND SCENIC RIVER AREAS WATER RESOURCES	P. 62
TABLE 3-11: WILD AND SCENIC RIVER AREAS LIVESTOCK GRAZING	P. 64
TABLE 3-12: ARIZONA POPULATION: 1980-1990	P. 65
TABLE 3-13: ARIZONA POPULATION PROJECTIONS: 1994-2015	P. 66
TABLE 3-14: VISITOR STATISTICS: NATIONAL AND STATE PARKS/AREAS DISPLAYED BY COUNTY	P. 67
TABLE 4-RA1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES	P. 71
TABLE 4-RA2: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE RECREATION VALUES	P. 75
TABLE 4-RA3: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE GEOLOGIC VALUES	P. 77
TABLE 4-RA4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES	P. 79
TABLE 4-RA5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC AND PALEONTOLOGIC VALUES	P. 81
TABLE 4-RA6: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE HYDROLOGIC VALUES	P. 84
TABLE 4-RAMN1: SEGMENTS WITH MINERAL POTENTIAL	P. 86
TABLE 4-RAMN2: RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS	P. 87
TABLE 4-RAMN3: RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL	P. 88
TABLE 4-RAT1: VISITOR USE CHANGES	P. 89
TABLE 4-AS1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES	P. 95
TABLE 4-AS2: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE RECREATION VALUES	P. 97
TABLE 4-AS3: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE GEOLOGIC VALUES	P. 99
TABLE 4-AS4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES	P. 101
TABLE 4-AS5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC AND PALEONTOLOGIC VALUES	P. 104
TABLE 4-AS6: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE HYDROLOGIC VALUES	P. 106
TABLE 4-ASMN1: SEGMENTS WITH MINERAL POTENTIAL	P. 107
TABLE 4-ASMN2: RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS	P. 108
TABLE 4-ASMN3: RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL	P. 109
TABLE 4-AST1: VISITOR USE CHANGES	P. 111
TABLE 4-LP1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES	P. 114

TABLE 4-LP2: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE RECREATION VALUES	P. 116
TABLE 4-LP3: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE GEOLOGIC VALUES	P. 118
TABLE 4-LP4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES	P. 120
TABLE 4-LP5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC AND PALEONTOLOGIC VALUES	P. 123
TABLE 4-LP6: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE HYDROLOGIC VALUES	P. 125
TABLE 4-LPMN1: SEGMENTS WITH MINERAL POTENTIAL	P. 127
TABLE 4-LPMN2: RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS	P. 128
TABLE 4-LPMN3: RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL	P. 129
TABLE 4-LPT1: VISITOR USE CHANGES	P. 132
TABLE 5-1: SCOPING MEETINGS	P. 144
TABLE 5-CR1: PUBLIC HEARING PLACES, DATES, ATTENDANCE	P. 161
TABLE 5-CR2: LIST OF PUBLIC HEARING SPEAKERS	P. 162
TABLE 5-CR3: LETTERS COMMENTING ON THE DRAFT DOCUMENT	P. 257
COMPARISON OF ALTEWRNATIVES (BAR CHART)	P. xvi
BUREAU OF LAND MANAGEMENT RIVER STUDY AREAS (MAP)	P. 3
CHART 1-1: SUITABILITY ASSESSMENT SUMMARY	P. 8

SUMMARY

PURPOSE AND NEED

This document is a response to three separate federal legislative acts associated with land use management. One is the Federal Land Management and Policy Act of 1968 which directs the Bureau of Land Management to develop land use plans for the public lands (P.L. 94-579, Sec. 202(a)). Another is the Wild and Scenic Rivers Act which stipulates that in all "planning for the use and development of water and related land uses, consideration shall be given ... to potential national wild, scenic and recreational river areas ... (P.L. 90-542, Sec. 5(d)). The third is the National Environmental Policy Act which requires agencies to develop a "detailed statement" addressing environmental impacts and alternatives of any proposal for legislation (PL 91-190, Sec 102(C)).

Potential wild and scenic river areas were identified during the development of seven separate resource management plans by Arizona Bureau of Land Management districts and resource areas between 1985 and 1993. The river areas were evaluated and, on the basis of criteria in the Wild and Scenic Rivers Act, 20 were determined to be eligible for additional consideration because they were free-flowing and possessed at least one outstandingly remarkable value that required special protection. The 20 eligible river areas were assigned tentative management classifications as wild, scenic, or recreational.

At this point (early 1993), the State Director decided to prepare an environmental impact statement and published a Notice of Intent (February, 1993). An internal evaluation was initiated to determine the suitability of the rivers based on criteria defined in the Bureau of Land Management Wild and Scenic Rivers Manual (MS 8351.33). Suitability assessments containing suitability recommendations for each river were completed and made available to the public in September, 1993. The suitability

assessments were the basis for the State Director's selection of the proposed action discussed in the draft legislative environmental impact statement to determine 13 river study areas as suitable and recommend them for designation by Congress into the National Wild and Scenic Rivers System. A rigorous public involvement schedule was launched and 14 public scoping meetings were held throughout Arizona to identify public issues and concerns regarding wild and scenic river designation.

Following the public, other agency, and internal review of the draft legislative environmental impact statement, the State Director modified the proposed action by incorporating the all suitable option for Cienega Creek into the recommended alternative. Thus, the recommended alternative analyzed in the final environmental impact statement includes 14 river study areas. Where appropriate, the changes in the relevant acreage and mileage totals have been incorporated into the this document.

The purpose of the action is to identify Arizona rivers with outstandingly remarkable values and to (1) determine suitability and recommend designation by Congress for inclusion in the National Wild and Scenic Rivers System, and (2) recommend the remaining rivers as nonsuitable for designation.

ISSUES

Two general types of issues emerged from the scoping meetings held during March and April 1993. One of these types involved issues and concerns specifically associated with a particular river area. These issues focused on how designation might impact access, grazing, mineral exploration, water rights, recreation, local development and other local concerns. These specific issues were addressed in the alternatives developed and analyzed in the

OUTSTANDINGLY REMARKABLE VALUES

River Study Area	Scenic	Recreation	Fish and Wildlife Habitat	Cultural and Historic	Geologic	Hydrologic	Paleontologic	Aquatic
Agua Fria River*	YES		YES	YES				
Aravaipa Creek*		YES	YES					
Big Sandy River*	YES		YES					
Bill Williams River*	YES	YES	YES					
Bonita Creek*			YES	YES				YES
Burro Creek*	YES	YES	YES	YES				
Cienega Creek*			YES					
Francis Creek	YES		YES					
Gila Box: Gila River*	YES	YES	YES	YES	YES	YES		
Hassayampa River	YES		YES					
Hot Springs Canyon			YES					
Gila Box: Lower San Francisco River*	YES	YES	YES	YES	YES	YES		
Middle Gila River*	YES		YES					
Paria River*	YES	YES	YES	YES	YES			
San Pedro River	YES	YES	YES	YES		YES	YES	
Santa Maria River*	YES		YES					
Swamp Springs*			YES					
Turkey Creek	YES	YES		YES				
Virgin River*	YES	YES	YES					YES
Wright Creek			YES	YES				

* = Included in the recommended alternative
 YES = Outstandingly remarkable value present

individual river environmental documents contained in the appendix.

The second type of issues was statewide in nature. Among the issues were concerns about dual designation (e.g.: wild and scenic river designation in wilderness areas), mineral development, tourism, and the protection of the outstandingly remarkable values. These statewide issues were major considerations in the development of the four alternatives with their differing combinations of river areas.

ALTERNATIVES

In compliance with the Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (40 CFR 1500) a draft legislative environmental impact statement was prepared and circulated for public review and comment. The alternatives analyzed in the draft legislative environmental impact statement included one that was identified as the Bureau of Land Management proposed

action. In this final legislative environmental impact statement, the term "proposed action" has been replaced by "recommended alternative."

The Bureau of Land Management's recommended alternative determines the suitability and recommends for designation by Congress into the Wild and Scenic River System 14 river study areas. Three other alternatives are analyzed. The all suitable alternative determines all of the 20 eligible river areas to be suitable for designation. The legislative protection alternative, determines as suitable those portions of eligible rivers which are not already protected by wilderness or national conservation status. A fourth alternative, no action, determines nonsuitability for all 20 eligible river areas.

Each alternative involves a different aggregation of eligible river areas, acres, and miles. The 14 river areas included in the recommended alternative contain 74,860 acres of public land and total 241 river miles. The all suitable alternative consists of 20 river areas encompassing 103,100 public land acres and 315 river miles. Portions of 15 river areas are included in the legislative protection alternative. This alternative covers 42,550 acres of public land and 119 river miles. No river areas are recommended in the no action alternative.

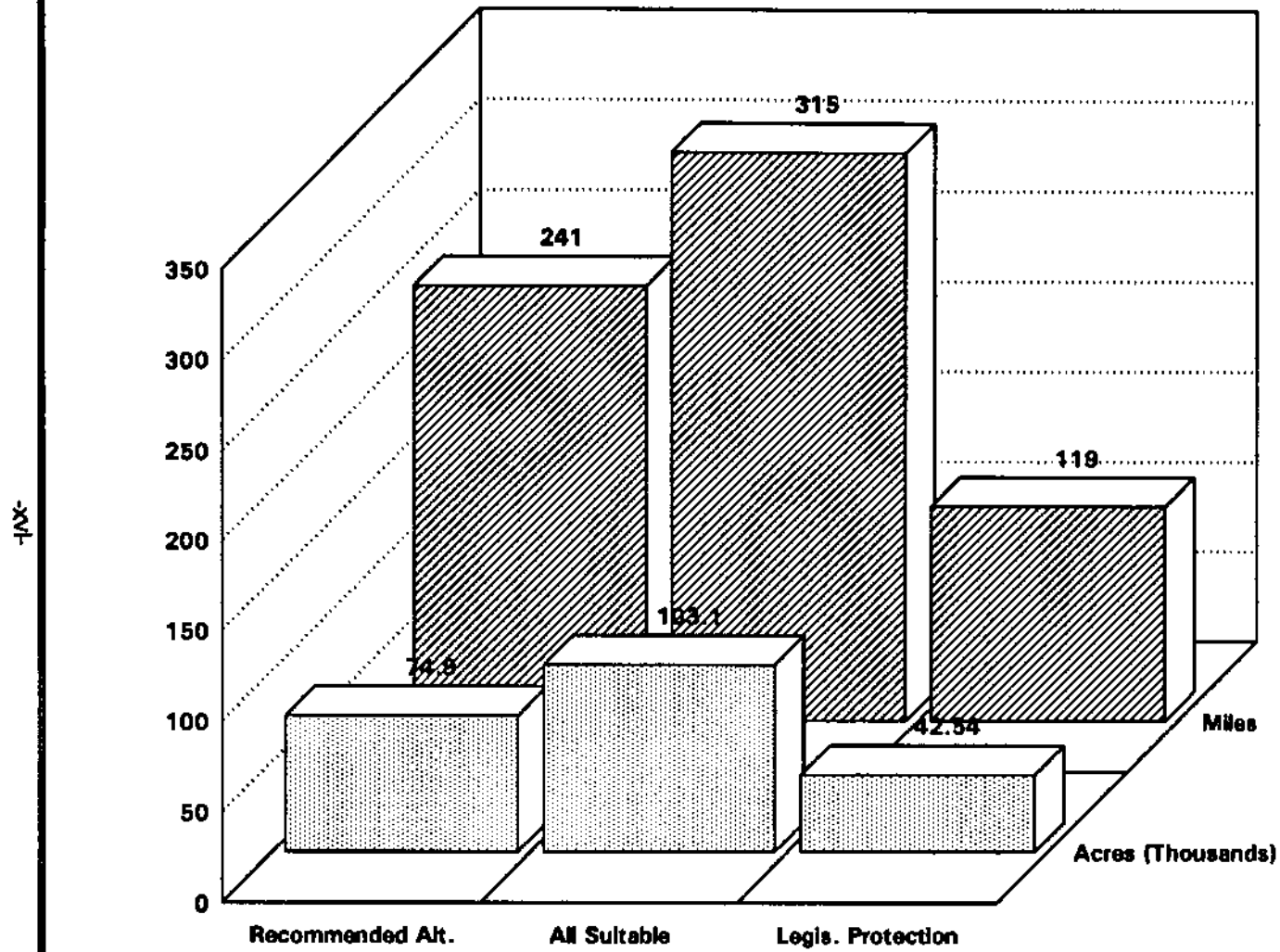
The management actions of each alternative differ in a variety of ways. For example, each alternative proposes a different mixture of wild,

scenic, and recreational segments. Since wild and scenic river designation requires different levels of protective management for the various classifications, management actions for the alternatives consequently vary.

Ongoing management actions associated with wilderness, riparian national conservation area, and area of critical environmental concern administration also differ between alternatives. This is due to the different combinations of legislatively and administratively protected lands in the alternatives. Approximately 31,000 acres of lands in wilderness and 22,000 acres in riparian national conservation areas are included in the recommended alternative. In addition, the recommended alternative includes 14,500 acres in areas of critical environmental concern. The all suitable alternative has 36,000 acres in wilderness, 22,000 acres in riparian national conservation areas, and 22,600 acres in areas of critical environmental concern. In contrast, none of the lands in the legislative protection alternative are under the legislative protection of wilderness or riparian national conservation areas. This alternative does incorporate 21,600 acres under the administrative protection of areas of critical environmental concern.

A third variation in the management actions is created by the nonsuitability recommendations in the alternatives. The recommended alternative recommends six eligible river areas as nonsuitable. Portions of 12 river areas are

Comparison of Alternatives (Acres and Miles)



recommended as nonsuitable in the legislative protection alternative. The no action alternative recommends nonsuitability for all the eligible river areas; the all suitable alternative considers all the river areas as suitable.

Finally, an additional variation in wild and scenic river management actions, and ongoing management actions is caused by the different combinations of outstandingly remarkable values in the alternatives. For example, the recommended alternative includes 11 rivers with outstandingly remarkable scenic values; the legislative protection alternative includes 12 study areas with outstandingly remarkable scenic values. Because of this, recreation management actions, or riparian vegetation management actions, or cultural resource management actions, and so forth, are not the same in each alternative.

ENVIRONMENTAL CONSEQUENCES

The document analyzes the impacts on the outstandingly remarkable values, minerals development, tourism and dual designation that would result from implementing the alternatives that recommend suitability and nonsuitability for the river areas.

Impacts from Implementing the Recommended Alternative

The outstandingly remarkable scenic values on 66,650 acres would benefit from long-term legislative protection under the Wild and Scenic River Act. The outstandingly remarkable scenic values on 20,340 acres recommended as nonsuitable would not have long-term legislative protection. Protection would be provided by ongoing management actions.

There would be a beneficial impact on the outstandingly remarkable recreation values on 54,330 acres of public land from long-term legislative protection under the Wild and Scenic Rivers Act. On about 3,974 acres recommended as nonsuitable, the outstandingly

remarkable recreational values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. However, protection would be provided by ongoing management actions.

A beneficial impact from long-term legislative protection under the Wild and Scenic Rivers Act would affect the outstandingly remarkable geologic values on 17,880 acres. There would be no long-term legislative protection under the Wild and Scenic Rivers Act for 424 acres recommended as not suitable. Protection for these outstandingly remarkable values would be provided by ongoing management actions.

There would be beneficial consequences for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values on 75,440 acres. On about 27,100 public land acres there would be no long-term legislative protection under the Wild and Scenic Rivers Act for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values identified in the eligibility evaluations. However, protection would be provided by ongoing management actions.

The outstandingly remarkable cultural, historic, and paleontologic values on 45,660 acres would benefit from long-term legislative protection under the Wild and Scenic River Act. The outstandingly remarkable cultural, historic, and paleontologic values on 9,600 acres recommended as nonsuitable would not have long-term legislative protection. Protection for these outstandingly remarkable values would be provided by ongoing management actions.

There would be a beneficial impact on the outstandingly remarkable hydrologic values on 8,900 acres of public land from the long-term legislative protection under the Wild and Scenic Rivers Act. On about 430 acres recommended as not suitable the outstandingly remarkable hydrologic values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. Protection would be provided by ongoing management actions.

An adverse impact would occur on minerals development from implementation of the recommended alternative. About 2,600 acres with a moderate-to-high potential for locatable minerals would be withdrawn. Over 4,360 acres with a moderate locatable mineral potential would be withdrawn. Nearly 1,240 acres with a low-to-moderate locatable mineral potential would be withdrawn.

There would be no adverse impacts on tourism from implementation of the recommended alternative. Minor indirect beneficial impacts from increased tourism would occur in Graham and Greenlee counties.

Impacts from Implementing the All Suitable Alternative

The outstandingly remarkable scenic values on 87,470 acres would benefit from long-term legislative protection under the Wild and Scenic River Act. There would be a beneficial impact on the outstandingly remarkable recreational values on 58,800 acres of public land from the long-term legislative protection under the Wild and Scenic Rivers Act. A beneficial impact from long-term legislative protection under the Wild and Scenic Rivers Act would affect the outstandingly remarkable geologic values on 18,300 acres.

There would be beneficial consequences for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values on 102,440 acres. The outstandingly remarkable cultural, historic, and paleontologic values on 55,250 acres would benefit from long-term legislative protection under the Wild and Scenic Rivers Act. There would be a beneficial impact on the outstandingly remarkable hydrologic values on 9,340 acres of public land from the long-term legislative protection under the Wild and Scenic Rivers Act.

A long-term adverse impact would occur on minerals development from implementation of the all suitable alternative. About 2,800 acres with a moderate-to-high potential for locatable

minerals would be withdrawn. Over 5,700 acres with a moderate locatable mineral potential would be withdrawn. Nearly 2,460 acres with a low-to-moderate locatable mineral potential would be withdrawn. About 1,240 acres with a low potential for locatable minerals would be withdrawn.

There would be no adverse impacts on tourism from implementation of the all suitable alternative. Minor indirect beneficial impacts from increased tourism would occur in Graham and Greenlee counties.

Impacts from Implementing the Legislative Protection Alternative

The outstandingly remarkable scenic values on 34,010 acres would benefit from long-term legislative protection under the Wild and Scenic River Act. The outstandingly remarkable scenic values on 53,480 acres recommended as nonsuitable would not have long-term legislative protection under the Wild and Scenic Rivers Act. However, protection would be provided by ongoing management actions.

There would be a beneficial impact on the outstandingly remarkable recreation values on 15,070 acres of public land from the long-term legislative protection under the Wild and Scenic Rivers Act. On about 43,730 acres recommended as not suitable the outstandingly remarkable recreational values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. Protection for these outstandingly remarkable values would be provided by ongoing management actions.

A beneficial impact from long-term legislative protection under the Wild and Scenic Rivers Act would affect the outstandingly remarkable geologic values on 3,240 acres. There would be no long-term legislative protection under the Wild and Scenic Rivers Act for 15,050 acres recommended as not suitable. Protection would be provided by ongoing management actions.

There would be beneficial consequences for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values on 41,940 acres. On about 60,500 public land acres there would be no long-term legislative protection under the Wild and Scenic Rivers Act for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values identified in the eligibility evaluations. However, protection would be provided by ongoing management actions.

The outstandingly remarkable cultural, historic, and paleontologic values on 20,775 acres would benefit from long-term legislative protection under the Wild and Scenic Rivers Act. The outstandingly remarkable cultural, historic, and paleontologic values on 34,480 acres recommended as nonsuitable would not have long-term legislative protection. Protection would be provided by ongoing management actions.

There would be a beneficial impact on the outstandingly remarkable hydrologic values on 3,240 acres of public land from the long-term legislative protection under the Wild and Scenic Rivers Act. On about 9,340 acres recommended as not suitable the outstandingly remarkable hydrologic values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. However, protection would be provided by ongoing management actions.

A long-term adverse impact would occur on minerals development from implementation of the legislative protection alternative. About 2,830 acres with a moderate-to-high locatable mineral potential would be withdrawn. Approximately 5,500 acres with a moderate locatable mineral potential would be withdrawn. Another 2,450 acres of low mineral potential acres would be withdrawn under the Wild and Scenic Rivers Act.

There would be no adverse impacts on tourism from implementation of the legislative protection

alternative. Minor indirect beneficial impacts from increased tourism would occur in Graham and Greenlee counties.

Impacts from Implementing the No Action Alternative

The outstandingly remarkable scenic values on 87,490 acres recommended as nonsuitable would not have long-term legislative protection under the Wild and Scenic Rivers Act. Protection would be provided by ongoing management actions. On about 58,800 acres recommended as not suitable the outstandingly remarkable recreational values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. Protection would be provided by ongoing management actions. There would be no long-term legislative protection under the Wild and Scenic Rivers Act for 18,290 acres recommended as not suitable; protection, however, would be provided by ongoing management actions. On about 102,440 public land acres there would be no long-term legislative protection under the Wild and Scenic Rivers Act for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values identified in the eligibility evaluations. Protection would be provided by ongoing management actions. The outstandingly remarkable cultural, historic, and paleontologic values on 55,250 acres recommended as nonsuitable would not have long-term legislative protection. Protection would be provided by ongoing management actions. On about 9,340 acres recommended as not suitable the outstandingly remarkable recreational values would not receive long-term legislative protection under the Wild and Scenic Rivers Act. Protection would be provided by ongoing management actions.

There would be no adverse impacts on minerals development from implementation of the all suitable alternative. There also would be no adverse impacts on tourism from implementation of the all suitable alternative.

Bureau of Land Management, 1994

CHAPTER 1

INTRODUCTION AND PURPOSE AND NEED

INTRODUCTION

This document complies with the regulations for implementing the National Environmental Policy Act Issued by the Council on Environmental Quality (CFR 1500), the Department of Interior Environmental Manual (DM 516), the Bureau of Land Management Manual 8351 - *Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, and Management*, the Bureau of Land Management Environmental Handbook (MS 1792-H), and the Arizona Bureau of Land Management Environmental Handbook (1792-H).

Environmental impact statements are not decision documents. They are a component of the decision making process. The environmental impact statement, however, is important because it is developed around a public involvement process. The process begins with public scoping meetings intended to focus on significant issues identified by affected groups. These groups include the public, federal, state and local agencies, and Indian tribes. The public involvement process continues with a public review and hearings on the draft environmental document. **Transcripts of the public hearings and letters commenting on the draft, along with appropriate responses from the Bureau of Land Management, are incorporated into the final environmental impact statement.**

This document is a final legislative environmental impact statement. It has the same contents as other environmental impact statements but is prepared for Congressional action, based on agency recommendations. **After a 30-day public review period, this document will be transmitted to the Department of the Interior through the Director of the Bureau of Land**

Management. The Secretary of the Interior transmits the document to Congress for decisions.

In this document the environmental impacts of implementing four alternatives are examined. One of these is the proposed Bureau of Land Management action; three other reasonable alternatives are examined. Congress can select any of these alternatives, or portions of several, in its decision to include rivers in the National Wild and Scenic Rivers System.

PURPOSE AND NEED FOR THE ACTION

The purpose of the action is to identify Arizona rivers with outstandingly remarkable values and to (1) determine suitability and recommend designation by Congress for inclusion in the National Wild and Scenic Rivers System, and (2) recommend the remaining rivers as nonsuitable for designation.

The action is a response to the Wild and Scenic Rivers Act of 1968 (P.L. 90-542), and complies with the National Environmental Policy Act of 1969 (P.L. 91-190) and the Federal Land Policy and Management Act of 1976 (P.L. 94-579).

THE ELIGIBILITY AND SUITABILITY PROCESS

The purpose of the National Wild and Scenic Rivers Act (Public Law 90-542) enacted October 2, 1968, is to preserve in "free-flowing condition" and to protect for the "benefit and enjoyment of present and future generations ... certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values" (Sec. 1(b)).

CHAPTER 1

Bureau of Land Management, 1994

CHAPTER 1

Bureau of Land Management, 1994

CHAPTER 1

The Wild and Scenic Rivers Act further states that in all "planning for the use and development of water and related land uses, consideration shall be given by all federal agencies involved to potential national wild, scenic and recreational river areas The Secretary of the Interior ... shall make specific studies and investigations to determine which additional wild, scenic, and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved" (Sec. 5(d)).

In developing resource management plans, Arizona Bureau of Land Management personnel became aware of the need to inventory and classify rivers in the resource areas and districts in order to develop management strategies and techniques to protect each river's resource values.

As mentioned earlier, eligibility evaluations that identified rivers with free flowing characteristics and outstandingly remarkable values were conducted as part of the Arizona Bureau of Land Management Resource management planning process. By 1993 there were 19 river areas identified as river study areas. The 19 river study areas contained 20 rivers. Half-mile wide corridors were defined for each river segment in accordance with the Wild and Scenic Rivers Act (1/4-mile on each side).

Waterways in the Study Areas were assigned tentative classifications for protective management as Wild, Scenic, or Recreational on the basis of criteria in the Wild and Scenic Rivers Act.

- (1) Wild river areas -- Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America.
- (2) Scenic river areas -- Those rivers or

sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.

- (3) Recreational river areas -- Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past (P.L. 90-342, Sec. 2(b)).

The Bureau of Land Management has defined management objectives and standards for the three categories of rivers. The following summarizes the management objectives and standards contained in the Bureau of Land Management Manual 8351 - *Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, and Management*. Copies of the Manual are available for reference in the Arizona Bureau of Land Management Field Offices.

(1) Wild Rivers:

Management of wild river areas should give primary emphasis to protecting the values which make it outstandingly remarkable while providing river-related outdoor recreation opportunities in a primitive setting.

Allowable management practices might include construction of minor structures for ... [improvement of fish and game habitat, grazing protection from fire, insects, or disease, rehabilitation or stabilization of damaged resources], provided the area will remain natural appearing and the practices or structures are compatible and in harmony with the environment. Developments such as trail bridges, occasional fencing, natural-appearing water diversions, ditches, flow

CHAPTER 1

measurement or other water management devices, and similar facilities may be permitted if they are unobtrusive and do not have a significant direct and adverse effect on the natural character of the river area (MS 8351.51A).

(2) Scenic Rivers:

Management of scenic river areas should maintain and provide outdoor recreation opportunities in a near-natural setting. The basic distinctions between a "wild" and a "scenic" river area are the degree of development, types of land use, and road accessibility. In general, a wide range of agricultural, water management, silvicultural, and other practices or structures could be compatible with scenic river values, providing such practices or structures are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment.

The same considerations set forth for wild river areas should be considered, except that motorized vehicle use may, in some cases, be appropriate and that development of larger scale public-use facilities within the river area, such as moderate-sized campgrounds, interpretive centers, or administrative headquarters would be compatible if such facilities were screened from the river (MS 8351.51B).

(3) Recreational Rivers:

Management of recreational river areas should give primary emphasis to protecting the values which make it outstandingly remarkable while providing river-related outdoor recreation opportunities in a recreational setting. Recreational classification is a determination of the level of

development and does not prescribe or assume recreation development or enhancement. Management of recreational river areas can and should maintain and provide outdoor recreation opportunities. The basic distinctions between a "scenic" and a "recreational" river area are the degree of access, extent of shoreline development, historical impoundment or diversion, and types of land use. In general, a variety of agricultural, water management, silvicultural, recreational, and other practices or structures are compatible with recreational river values, providing such practices or structures are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment.

Recreation facilities may be established in proximity to the river, although recreational river classification does not require extensive recreational development. Recreational facilities may still be kept to a minimum, with visitor services provided outside the river area. Future construction of impoundments, diversions, straightening, riprapping, and other modification of the waterway or adjacent lands would not be permitted except in instances where such developments would not have a direct and adverse effect on the river and its immediate environment (MS 8351.51C).

In the summer of 1993, in response to a request of the Arizona Congressional delegation, suitability assessments for each of the 20 rivers were prepared by the Arizona field offices. The assessments addressed suitability and nonsuitability determinations for each of the rivers. Factors considered in the suitability determination for each study area were based on the Wild and Scenic Rivers Act (e.g.: Section 4(a)) and the Bureau of Land Management Wild

CHAPTER 1

and Scenic Rivers Manual (MS 8351: *Policy and Program Direction for Identification, Evaluation, and Management*).

The factors included the following considerations:

- Characteristics which make the area a worthy addition to the National Wild and Scenic Rivers System.
- Status of landownership, minerals (surface and subsurface), use in the area, including the amount of private land involved and associated or incompatible uses.
- Reasonably foreseeable potential uses of the land and related waters which would be enhanced, foreclosed, or curtailed if the area were included in the National Wild and Scenic Rivers System, and the values which could be foreclosed or diminished if the area is not protected as part of the National Wild and Scenic Rivers System.
- Federal, public, state, tribal, local, or other interests in designation or nondesignation of the river, including the extent to which the administration of the river, including the costs thereof, may be shared by state, local, or other agencies and individuals.
- Estimated cost, if necessary, of acquiring lands, interests in lands, and administering the area if it is added to the National Wild and Scenic Rivers System.
- Ability of the agency to manage and/or protect the river area or segment as a wild and scenic river, or other mechanisms (existing and potential) to protect identified values other than wild and scenic river designation.

- Valid historical or existing rights which could be adversely affected.

- Additional issues and concerns.

These reports, completed in September 1993, were distributed to the Congressional delegation, affected state, federal, and local agencies, interest groups, and libraries throughout the state. The Bureau of Land Management, in written notification to nearly 1,000 people who had expressed interest in wild and scenic river information, and statewide press releases, announced the availability of these reports. Copies were filed and made available for review at libraries and Bureau of Land Management offices in Arizona and St. George Utah. **Chart 1-1 identifies factors considered for suitability determination for each river study area in the development of the recommended alternative (P.L. 90-542, Sec 4(a)); BLM MS 8351.33A).**

The Arizona State Director reviewed these assessments and concluded that all or parts of 13 Arizona rivers were suitable and should be recommended for designation into the National Wild and Scenic Rivers System. The State Director's recommendation for the 20 Wild and Scenic River study areas **was identified in the draft environmental impact statement as the proposed action. In this final environmental impact statement the State Director's recommendation is identified as the recommended alternative.**

The environmental impacts of the recommended alternative for suitability determination and other reasonable alternatives are analyzed in the environmental documents contained in the river appendix. There are at least two alternatives for each river study area: the recommended alternative and no action. In the case of river study areas where the recommended alternative recommends suitability as Wild, Scenic, Recreational the no action alternative recommends nonsuitability. Where the

CHAPTER 1

recommended alternative is for nonsuitability, another alternative examines the impacts of determining all the eligible segments suitable. In some cases, where it is reasonable, a part

suitable alternative, which recommends suitability only for part of the eligible segments, is analyzed as a third alternative.

**CHART 1-1
SUITABILITY ASSESSMENT SUMMARY**

RIVER STUDY AREA	CHARACTERISTICS WHICH SUPPORT/DO NOT SUPPORT DESIGNATION	OTHER MAJOR SUITABILITY FACTORS	BLM SUITABILITY RECOMMENDATION (RECOMMENDED ALTERNATIVE)
Agua Fria River	Agua Fria has been recognized for uniqueness and importance in the region's landscape and history. Special protection of the free-flowing values and outstandingly remarkable values is required.	Future population growth of Phoenix Metropolitan area could threaten free-flowing values and values in the future. BLM manages 94% of the acreage in corridor.	Three segments (22.4 mi.) recommended suitable.
Avavaipa Creek	Due to the quantity and diversity, the creek possesses Nationally significant outstandingly remarkable values worthy of recognition in the NWSRS.	Designation would expend the representation of the Mexican Highland Section of the Basin and Range Physiographic Province in the NWSRS.	Only segment (10 mi.) recommended suitable.
Big Sandy River	Potential raising of Alamo Dam would threaten the free-flowing values of Segment B, which includes an extremely valuable riparian ecosystem, providing significant habitat for birds, fish, endangered species and other wildlife. Special management protection is needed in the recommended river segment.	Most of the area in Segment A is recommended as nonsuitable because it is in other than public ownership, so protection of values by BLM would be impractical.	Segment A (19.0 mi) recommended nonsuitable. Segment B (9.2 mi) recommended suitable.
Bill Williams River	This river would be a unique addition to the NWSRS as a representative of the Sonoran Desert/Mexican Highland transition of the Basin and Range Physiographic Province; designation would protect free-flowing characteristics and outstandingly remarkable fish and wildlife, scenic and recreation values.	With designation, BLM would provide protection for the outstandingly remarkable values of 21.1 miles of river corridor, complementing the management of two adjacent wilderness areas. The Fish and Wildlife Service, administers, and has determined to be eligible, an additional 11 mile segment further downstream.	All BLM segments (21.1 mi) recommended suitable.
Bonita Creek	Recommended segment has nationally significant fish and wildlife habitat, as well as unique cultural sites of national importance in American archaeology. These deserve protection, as part of the NWSRS.	Lower portion recommended nonsuitable considered unmanageable as a component of the NWSRS because of rights and operations of city primary water system and presence of 4 parcels of private land totalling 350 acres.	Partial segment (8.1 mi.) recommended suitable. Remainder of segment (8.9 mi.) recommended nonsuitable.
Burro Creek	The segments recommended represent the best sections in terms of scenic quality and primitive recreation. The most spectacular canyonlands along Burro Creek are included in these segments. Special resource protection of scenic, recreational, and cultural values would be afforded in the long term by proposed designation on federal portions of the river (7,190 ac.).	Substantial State Trust (2,840 ac.) and private lands (3,350 ac.) exist in Segments A, C, and E. Local sentiment is against designation of Burro Creek. State of Arizona has not supported or opposed designation. Some threats to scenic quality from mining activities exist without designation.	Portion of Segment A (2.2 mi); entire Segment B (8.5 mi); all of Segment D (8.0 miles) and portion of Segment E (5.5 mi.) be recommended suitable. Segment C (7.1 mi.), portion of Segment A (11.3 mi.), and portion of Segment E (8.0 mi.) recommended nonsuitable.

CHAPTER 1

RIVER STUDY AREA	CHARACTERISTICS WHICH SUPPORT/ DO NOT SUPPORT DESIGNATION	OTHER MAJOR SUITABILITY FACTORS	BLM SUITABILITY RECOMMENDATION (RECOMMENDED ALTERNATIVE)
Cienega Creek	The segments are not nationally significant, there are no threats to free-flowing values or outstandingly remarkable values, and no additional protective management needed for habitat of endangered Gila topminnow.	No substantial changes in management would occur if river segments were added to NWSRS.	Segments A (4.0 mi.) and B (6.5 mi.) recommended suitable.
Francis Creek	This is not a nationally significant river segment, but is locally significant since the community of Bagdad gets 85% of its domestic water from this stream and has a access road and pumping station located in the midsection of the segment. No known threats to free-flowing characteristics in foreseeable future exist.	The majority of this segment is in private ownership (1,670 ac.) and State Trust land ownership (530 ac.). Manageability by BLM portions (1,360 ac.) could be difficult since the private land owners oppose designation.	Segment (11.4 mi.) is recommended nonsuitable.
Gila Box: Gila River	This is a nationally significant waterway, and an integral part of the nation's and Arizona's history. Today the river continues its role in modern society providing water for mining, agriculture, and domestic uses, habitat for wildlife, and opportunities for recreation. Designation would add protection to the values, ensure continued commercial and recreational use, and to ensure its legacy for future generations.	There are no valid existing rights, current land uses, adjacent private land uses, land ownership patterns, upstream water rights, or other issues that could impair BLM's ability to preserve the free-flowing nature and outstandingly remarkable values.	Three river segments (26.8 mi.) are recommended suitable.
Hassayampa River	The Hassayampa River would be unmanageable as a whole. The majority of private land ownership is by a multitude of owners. Public Land ownership in Segments A and C accounts for about 24% of the total river area. Mining is predominant use in Segment C.	The majority of Segment B is adequately protected in Hassayampa River Canyon Wilderness. There are no threats of development or other actions which could be prevented through a NWSRS designation.	Three river segments (33.4 mi.) are recommended nonsuitable.
Hot Springs Canyon	The segment is not nationally significant, there are no threats to free-flowing values or outstandingly remarkable values, and no additional protective management needed for fish and wildlife values.	If not designated, would be managed as part of the Swamp Springs/Hot Springs Watershed ACEC. If designated, there would be little, if any change from current management.	One segment (6.0 mi.) is recommended as nonsuitable.
Gila Box: Lower San Francisco River	This river is nationally and regionally significant due to the role it played in the exploration and settlement of the Southwest. Designation of recommended segments would expand the representation of the Mexican Highlands section of the Basin and Range Physiographic Province in the NWSRS, while providing special protection to the outstandingly remarkable hydrologic and recreation values.	No existing or planned uses would be adversely affected by designation. Future electrical needs at the mine in Morenci and the presence of private land along the river may create manageability problems in the upper end of Segment 1. Continued growth of tailing impoundments north of the study river could degrade the outstanding scenery.	The lower end of Segment 1 (3.4 miles) and Segment 2 (3.0 mi.) are recommended suitable. The upper end of Segment 1 (1.6 mi.) is recommended nonsuitable.

CHAPTER 1

RIVER STUDY AREA	CHARACTERISTICS WHICH SUPPORT/ DO NOT SUPPORT DESIGNATION	OTHER MAJOR SUITABILITY FACTORS	BLM SUITABILITY RECOMMENDATION (RECOMMENDED ALTERNATIVE)
Middle Gila River	The federal portions of Segment 3 would benefit by special management protection of scenic, recreational, wildlife habitat, and geologic values. The remaining segments recommended as nonsuitable due to the difficulty of manageability due to the amount of private and tribal lands.	The San Carlos Apache Tribe which owns 19.1 miles of shoreline out of the 32 miles of river segment has strongly opposed adding the Middle Gila to the NWSRS. No known proposals which would threaten free-flowing values, however, major flooding (1992-93) could trigger future impoundment proposals.	A portion of Segment 3 (7.5 mi.) is recommended suitable. Segments 1 (5.5 mi.), 2 (12.5 mi.), and the remainder of 3 (8.5 mi.) are recommended nonsuitable.
Paria River	Outstanding scenic values consisting of deep, narrow colorful sandstone gorges to 2,600 feet in depth. Exemplifies the classic structural geologic features of the Colorado Plateau in its 7 layered formations and erosive patterns. Requires special management protection beyond the protection provided by the wilderness designation.	Designation would not seriously restrict, curtail, or foreclose any on-going or proposed activities.	The Arizona Strip Resource Management Plan (1992) previously recommended BLM Arizona segment suitable (28 mi.), as well as an additional 7 miles managed by the Department of Interior in Utah and Arizona
San Pedro River	The river is a nationally prominent riparian ecosystem and ranks as the top area in the western hemisphere for paleontological sites associated with early mankind. Groundwater depletion on adjacent lands and in Mexico could adversely affect surface flows.	The 2.0 miles recommended as nonsuitable lie between the southern and northern sections of the San Pedro Riparian NCA. These were found nonsuitable because a decision was made not to acquire easements for access.	Two river segments (44 mi.) are recommended suitable. A portion of one segment (2.0 mi.) of private land is recommended nonsuitable.
Santa Maria River	Potential raising of Alamo Dam would threaten the free-flowing values of Segment A, which includes an extremely valuable riparian ecosystem, providing significant habitat for birds, fish and other wildlife. This segment is currently an important backcountry travel route in the Arrastra Mountain Wilderness Area. Special management protection is needed in the recommended river segment.	The segments not recommended for designation were determined nonsuitable because the protection of outstandingly remarkable values would be unmanageable by BLM, due to the intermingled land ownership (private and State Trust Lands).	Portion of Segment A (17.8 mi.) is recommended suitable. The remainder of Segment A (3.4 mi.) and Segment B (17.8 mi.) are recommended nonsuitable.
Swamp Springs	The segment is not nationally significant, there are no known threats to free-flowing values or outstandingly remarkable values, and no additional protective management needed for wildlife species.	If not designated, would be managed as part of the Swamp Springs/Hot Springs Watershed ACEC. If designated, there would be little, if any change from current management.	One segment (2.5 mi.) is recommended nonsuitable.
Turkey Creek	The river area is not considered unique or of national importance, there are no threats to the free-flowing characteristics, and outstandingly remarkable values are adequately protected in an ACEC.	Wilderness, ACEC, and riparian management would provide essentially the same protection afforded by NWSRA designation.	One segment (3.2 mi.) is recommended nonsuitable.

CHAPTER 1

RIVER STUDY AREA	CHARACTERISTICS WHICH SUPPORT/ DO NOT SUPPORT DESIGNATION	OTHER MAJOR SUITABILITY FACTORS	BLM SUITABILITY RECOMMENDATION (RECOMMENDED ALTERNATIVE)
Virgin River	The Virgin River would be a worthy addition to the NWRFS, because it would be the only representative river in the transition zone between the Basin and Range and Colorado Plateau Physiographic Provinces. The outstandingly remarkable values require special management protection.	The Arizona portion is manageable, and designation would not seriously restrict, curtail, or foreclose any on-going or proposed activities. However, there could be some impacts on water development upstream in southwest Utah.	BLM recommends four segments in Arizona recommended as suitable, but proposes that Congress direct affected agencies in Utah, Arizona, and Nevada to study as a NWRFA 5(a) Study River.
Wright Creek	The segment is not nationally or regionally significant, no threats to free-flowing values, and outstandingly remarkable values have adequate protection in Area of Critical Environmental Concern.	Although general local interest in Congressional designation may be considered moderate to high, Wright Creek by itself has generated little specific comment.	One river segment (13.0 mi.) recommended non-suitable.

RIVER STUDY AREA MANAGEMENT

Arizona Bureau of Land Management public lands are administered by a state office, four district offices, and ten resource area offices.

The Arizona Strip District

The Arizona Strip District administers nearly 2.9 million acres, or more than 54 percent of the 5.3 million-acre Arizona Strip. The area is composed of lands north and west of the Colorado River to the Utah border, and west to the Nevada border. The district and resource area offices are in St. George, Utah.

Most Arizona Strip District lands are located in the Colorado Plateau physiographic province; the western portion is located in the Basin and Range province.

The Arizona Strip District administers public land in two of the wild and scenic river study areas. The Virgin River study area is administered by the Shivwits Resource Area. The Paria River study area is administered by the Vermilion Resource Area.

The Phoenix District

The Phoenix District consists of approximately 7.1 million acres of land generally located in the central and western portions of the state. The district has three resource area offices, each responsible for a different geographical subarea. Eight wild and scenic river study areas are managed by the Phoenix District.

Five of these study areas are in the Kingman Resource Area, which covers about 2.6 million acres in west central Arizona. The study areas include the Big Sandy River, Burro Creek, Francis Creek, the Santa Maria River, and Wright Creek.

The Phoenix Resource Area manages nearly one million acres of public lands in central and eastern Arizona. Three of the wild and scenic river study areas are administered by this resource area. The study areas are the Agua Fria River, the Hassayampa River, and the Middle Gila River below Coolidge Dam.

The third Phoenix District resource area office, the Lower Gila Resource Area, manages over 3.7 million acres in west central Arizona. A portion of the Santa Maria River is in this resource area. Table 1-1 lists the 20 rivers and their outstandingly remarkable values.

CHAPTER 1

TABLE 1-1
OUTSTANDINGLY REMARKABLE VALUES

River Study Area	Scenic	Recreation	Fish and Wildlife Habitat	Cultural and Historic	Geologic	Hydrologic	Paleontologic	Aquatic
Agua Fria River*	YES		YES	YES				
Aravaipa Creek*	YES	YES	YES					
Big Sandy River*	YES		YES					
Bill Williams River*	YES	YES	YES					
Bonita Creek*			YES	YES				YES
Burro Creek*	YES	YES	YES	YES				
Cienega Creek*			YES					
Francis Creek	YES		YES					
Gila Box: Gila River*	YES	YES	YES	YES	YES	YES		
Hasayampa River	YES		YES					
Hot Springs Canyon			YES					
Gila Box: Lower San Francisco River*	YES	YES	YES	YES	YES	YES		
Middle Gila River*	YES		YES					
Paria River*	YES	YES	YES	YES	YES			
San Pedro River	YES	YES	YES	YES		YES	YES	
Santa Maria River*	YES		YES					
Swamp Springs			YES					
Turkey Creek	YES	YES		YES				
Virgin River*	YES	YES	YES		YES			YES
Wright Creek			YES	YES				

* - Included in the recommended alternative
YES = Outstandingly remarkable value present

The Safford District

The Safford District covers approximately 1.8 million acres of public land in southeastern Arizona from Tucson east to the New Mexico border and south from Winkelman to the Mexican border. Nine wild and scenic river study areas are in the Safford District.

The Gila Resource Area, one of three resource

area offices in the Safford District, manages five wild and scenic river study areas. These are Aravaipa Creek, Bonita Creek, Gila Box: Gila, Gila Box: Lower San Francisco River, and Turkey Creek.

Four wild and scenic river study areas are administered by the Tucson Resource Area. These include Cienega Creek, Hot Springs Canyon, the San Pedro River, and Swamp

CHAPTER 1

These include Cienega Creek, Hot Springs Canyon, the San Pedro River, and Swamp Springs Canyon.

No river areas were determined to be suitable in the third Safford resource area, the San Simon Resource Area.

The Yuma District

The Yuma District covers nearly 2.5 million acres of public land in western Arizona and about 80,000 acres in California. The Havasu Resource Area manages public land in the Bill Williams river study area. There are no eligible rivers in the Yuma District's Yuma Resource Area.

INTERRELATIONSHIPS

While the management of the wild and scenic rivers discussed in this document would be the responsibility of the Bureau of Land Management, the administration of the river study areas has a number of interrelationships. Among these are the existing land uses established by the Bureau of Land Management for public lands.

This section summarizes four of the management areas in which the wild and scenic river study areas are located, and lists some of

the federal, tribal, and state agencies that would be affected by future river management. County and private land data are also listed.

Management Areas

The Bureau of Land Management has administrative responsibilities for more than 14 million acres of public land in Arizona. Management actions and uses on all of the Bureau of Land Management public lands are governed by land use plans. In addition, special management guidance governs actions and uses on a variety of other planning units including wilderness areas, riparian national conservation areas, areas of critical environmental concern, special management areas, recreation management areas, riparian management areas, and livestock grazing allotments. Details on four special categories of management are discussed below.

- Land use plans

Approximately 90 percent of the 14.2 million acres of Arizona public lands are under resource management plans developed since 1984. The remainder is under a management framework plan developed in 1983. Table 1-2 lists the subject rivers and associated land use plans.

CHAPTER 1

TABLE 1-2 RIVERS BY RESOURCE MANAGEMENT PLAN

RIVER AREA	RESOURCE MANAGEMENT PLAN (RMP)	TOTAL RIVER STUDY AREA IN RMP (BLM PUBLIC LAND ACRES)
Agua Fria*	Phoenix Resource Area	6,710
Aravaipa*	Safford District	3,200
Big Sandy*	Kingman Resource Area	4,220
Bill Williams*	Yuma District	4,650
Bonita Creek*	Safford District	3,570
Burro Creek*	Kingman Resource Area	9,460
Clonaga Creek*	Safford District Amendment	3,200
Francis Creek	Kingman Resource Area	1,360
Gila Box*	Safford District	7,460
Havasampa	Phoenix Resource Area	6,386
Hot Springs	Safford District	1,600
Lower San Francisco*	Safford District	1,874
Mid Gila*	Safford District	6,130
Paria*	Arizona Strip District	8,960
San Pedro*	Safford District Amendment	12,256
Santa Maria*	Kingman Resource Area	7,060
Swamp Springs	Safford District	640
Turkey Creek	Safford District	1,100
Virgin*	Arizona Strip District	9,344
Wright Creek	Kingman Resource Area	3,861

* = Recommended alternative

• Wilderness Areas

Wilderness areas are authorized by Congress. The Arizona Bureau of Land Management is responsible for approximately 1.4 million acres of wilderness. Arizona wilderness areas were created under three separate bills: the Aravaipa Wilderness Act of 1984 (6,699 acres;

August 8, 1984), the Arizona Wilderness Act of 1984 (265,600 acres; August 28, 1984), and the Arizona Desert Wilderness Act (1,260,000 acres; November 29, 1990).

Table 1-3 lists the eligible wild and scenic river study areas and the approximate acres in wilderness areas.

CHAPTER 1

TABLE 1-3 RIVERS BY WILDERNESS AREA

RIVER AREA	WILDERNESS AREA	TOTAL RIVER STUDY AREA (BLM PUBLIC LAND ACRES)	TOTAL RIVER STUDY AREA IN WILDERNESS (ACRES)	PCT OF RIVER STUDY AREA IN WILDERNESS
Agua Fria*		6,710		0.0
Aravaipa*	Aravaipa Canyon	3,200	3,200	100.0
Big Sandy*	Arresta Mountain	4,220	2,580	61.1
Bill Williams*	Rewhite Mountains Swansea	5,149	2,750 1,800	53.4 35.0
Bonita Creek*		3,570		0.0
Burro Creek*	Upper Burro Creek	9,460	3,226	34.1
Clonaga Creek*		3,200		0.0
Francis Creek	Upper Burro Creek	1,360	480	35.3
Gila Box*		7,460		0.0
Hassayampa	Hassayampa River Canyon	6,388	3,526	55.2
Hot Springs		1,600		0.0
Lower San Francisco*		1,874		0.0
Mid Gila*	Needle's Eye	6,130	2,240	36.5
Paria*	Paria-Vermilion Cliffs	8,960	8,960	100.0
San Pedro*		12,256		0.0
Santa Maria*	Arresta Mountain	7,080	4,270	60.3
Swamp Springs	Redfield Canyon	640	640	80.0
Turkey Creek	Aravaipa Canyon	1,100	370	33.6
Virgin*	Pakute-Beaver Dam	9,344	5,080	54.5
Wright Creek		3,861		0.0
Totals		103,660	38,660	37.3

* = Recommended alternative

Management actions and uses in wilderness areas are governed by the Wilderness Act and management plans developed by the Bureau of Land Management.

- Riparian national conservation areas

Information on the approximate acreage of the riparian national conservation areas in eligible wild and scenic river study areas is shown in

Table 1-4.

Riparian national conservation areas are established by Congressional authority. In Arizona the San Pedro River Riparian National Conservation Area (54,189 acres with an additional 6,521 acres acquired by exchange) was established November 18, 1988; the Gila Box Riparian National Conservation Area

CHAPTER 1

(20,900 acres) was created November 28, 1990

by the Arizona Desert Wilderness Act.

TABLE 1-4
RIVERS BY AREA OF RIPARIAN NATIONAL CONSERVATION AREA (RNCA)

RIVER AREA	RIPARIAN NATIONAL CONSERVATION AREA (RNCA)	RIVER STUDY AREA (ACRES)	RIVER STUDY AREA IN RNCA (ACRES)	PCT OF RIVER STUDY AREA IN RNCA
Agua Fria*		6,710		0.0
Aravaipa*		3,200		0.0
Big Sandy*		4,220		0.0
Bill Williams*		4,650		0.0
Bonita Creek*	Gila Box Riparian National Conservation Area	3,570	3,570	100.0
Burro Creek*		9,460		0.0
Cienega Creek*		3,200		0.0
Francis Creek		1,360		0.0
Gila Box*	Gila Box Riparian National Conservation Area	7,460	6,050	100.0
Hassayampa		6,386		0.0
Hot Springs		1,600		0.0
Lower San Francisco*	Gila Box Riparian National Conservation Area	1,874	40	2.1
Mid Gila*		6,130		0.0
Paria*		8,960		0.0
San Pedro*	San Pedro Riparian National Conservation Area	12,256	12,256	100.0
Santa Maria*		7,080		0.0
Swamp Springs		640		0.0
Turkey Creek		1,100		0.0
Virgin*		9,344		0.0
Wright Creek		3,861		0.0
TOTALS		103,560	23,326	22.5

* = Recommended alternative

• Areas of Critical Environmental Concern

Areas of critical environmental concern are established by administrative action through the land use planning process in accordance with the Federal Land Management and Policy Act of 1969. Areas of critical environmental concern in

Arizona have been established to protect and preserve historic, cultural, scenic, fish and wildlife habitat, riparian and vegetation, geologic, paleontologic, recreation, and hydrologic resource values.

Arizona has 621,286 acres in 55 separate areas

CHAPTER 1

of critical environmental concern. Table 1-5 shows the eligible wild and scenic river study

areas and appropriate area of critical environmental concern acreage.

**TABLE 1-5
RIVERS BY AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)**

RIVER AREA	AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC)	TOTAL RIVER STUDY AREA (BLM PUBLIC LAND ACRES)	TOTAL RIVER STUDY AREA IN ACEC (ACRES)	PCT RIVER STUDY AREA IN ACEC
Agua Fria*	Perry Mesa	6,710	2,160	32.2
Aravaipa*		3,200		0.0
Big Sandy*	3 Rivers Riparian	4,220	1,010	23.9
Bill Williams*	3 Rivers Riparian	4,650	600	12.9
Bonita Creek*		3,570		0.0
Burro Creek*	Burro Creek Riparian and Cultural	9,460	4,935	52.2
Cienega Creek*		3,200		0.0
Francis Creek	Burro Creek Riparian and Cultural	1,360	480	35.3
Gila Box*		7,460		0.0
Haasayampa		6,386		0.0
Hot Springs	Swamp Springs /Hot Springs	1,600	1,600	100.0
Lower San Francisco*		1,874		0.0
Mid Gila*		6,130		0.0
Paria*		8,960		0.0
San Pedro*	St David Cienega San Pedro River San Rafael	12,256	190 560 370	1.5 4.8 3.0
Santa Maria*	3 Rivers Riparian	7,080	1,060	15.0
Swamp Springs		640		0.0
Turkey Creek	Turkey Creek Riparian	1,100	560	50.9
Virgin*	Virgin River Corridor	9,344	9,344	100.0
Wright Creek	Wright and Cottonwood Creeks	3,861	3,860	100.0
TOTALS		103,560	27,629	26.7

* = Recommended alternative

Other Interior Department Agencies

Other agencies in the Department of the Interior with lands adjacent to, or administrative responsibilities associated with the subject rivers, include the National Park Service, the Bureau of Indian Affairs, the Fish and Wildlife

Service, the Bureau of Reclamation, the U.S. Geological Survey, and U.S. Bureau of Mines.

Other Federal Agencies

Federal agencies outside the Department of Interior with lands adjacent to or administrative

CHAPTER 1

responsibilities associated with the subject rivers include the U.S. Forest Service, U.S. Army Corps of Engineers, Department of the Army, Department of the Air Force, Marine Corps, and the International Boundary and Waters Commission.

Native American Tribes

Tribal groups with lands adjacent to or administrative responsibilities associated with the subject rivers include the Colorado River Indian Tribes, Cocopah, Quechan, Kalbav-Paiute Tribe, Havasupai, Hualapai, San Carlos Apache, Tohono O'Odham, and the Salt River Pima-Maricopa Indian Community and Gila River Pima-Maricopa Indian Community. California tribal groups include the Mohave and

Chemehuevi with lands on the western shores of the Colorado River.

State Agencies

State agencies with lands adjacent to or administrative responsibilities associated with the subject rivers include the Arizona State Land Department, Arizona Department of Environmental Quality, Arizona Parks Department, Arizona Game and Fish Department, and Arizona Department of Water Resources.

Counties

The 20 river study areas flow through portions of 11 Arizona Counties. These are displayed in Table 1-6.

CHAPTER 1

TABLE 1-6
RIVERS BY COUNTY

RIVER AREA	COUNTY
Agua Fria*	Yavapai
Aravaipa*	Graham, Pinal
Big Sandy*	Mohave
Bill Williams*	Mohave, La Paz
Bonita Creek*	Graham
Burro Creek*	Mohave, Yavapai
Cienega Creek*	Pima
Francis Creek	Mohave, Yavapai
Gila Box*	Graham, Greenlee
Haasayampa	Maricopa, Yavapai
Hot Springs	Cochise
Lower San Francisco*	Greenlee
Middle Gila*	Gila, Pinal
Paria*	Cocconino
San Pedro*	Cochise
Santa Maria*	Mohave, La Paz, Yavapai
Swamp Springs	Graham
Turkey Creek	Graham
Virgin*	Mohave
Wright Creek	Mohave

* = Recommended alternative

Private

There are approximately 80 miles of river that cross private land (24,000 acres) in the 20 wild and scenic river study areas considered in this document.

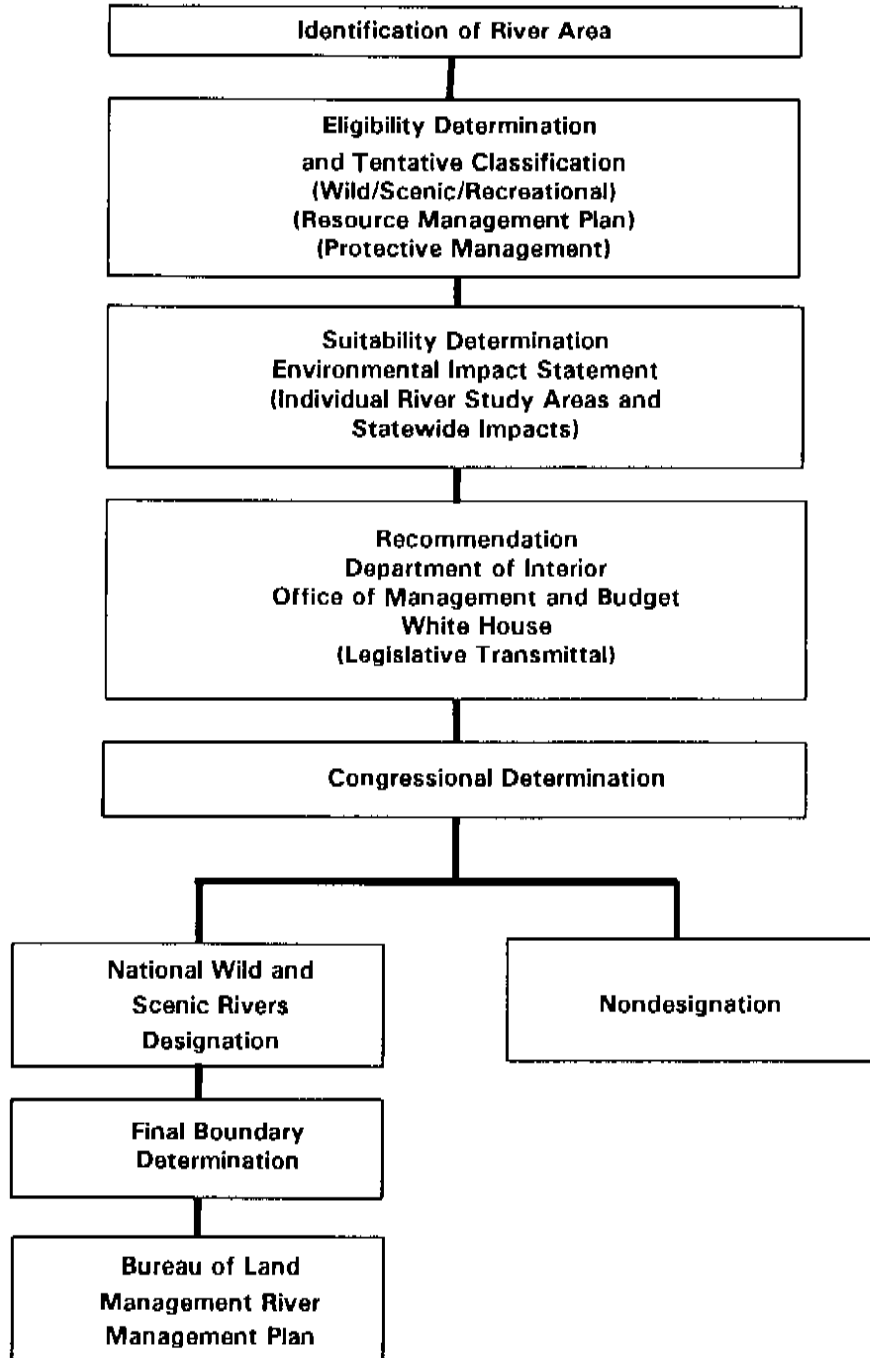
Other

Several of the rivers on Arizona lands administered by the Bureau of Land

Management flow from and into other jurisdictions. The headwaters of the San Pedro River are in Mexico. The San Francisco River flows into Arizona from New Mexico. The Paria and Virgin Rivers flow south into Arizona from Utah. The Virgin River flows from Arizona into Nevada.

Figure 1-1

ELIGIBILITY AND SUITABILITY PROCESS



CHAPTER 1

SCOPING

Fourteen public open house meetings were announced and held in 12 of the 15 Arizona counties and one Utah county. Over 450 people attended the open house meetings held between March 29 and April 22, 1993. Issues relating to wild and scenic river study areas on Bureau of Land Management administered public land were raised by the general public, affected parties and groups, Indian tribes, commercial and industrial interests, and federal and state agencies during the scoping period.

In addition, as part of the scoping process, the Bureau of Land Management developed mailings and newspaper announcements encouraging people to send their concerns and issues to the field and state offices.

Scoping Issues

Chapter 5, Consultation and Coordination, includes an extensive listing of public comments received during the scoping period. The list is organized into categories that reflect specific resource-oriented concerns (minerals, lands, recreation, fish and wildlife habitat, water resources).

The issues identified below summarize and consolidate the individual items in the larger listing. For example, the individual concerns about recreation, fish and wildlife habitat, riparian vegetation, and hydrology are incorporated into the discussions for the specific outstandingly remarkable values.

- Impacts on outstandingly remarkable scenic values
- Impacts on outstandingly remarkable recreation values
- Impacts on outstandingly remarkable fish and wildlife habitat values
- Impacts on outstandingly remarkable cultural resource and historic values
- Impacts on outstandingly remarkable geologic values

- Impacts on outstandingly remarkable hydrologic values
- Impacts on outstandingly remarkable aquatic values
- Impacts on mineral development
- Impacts on tourism
- Impacts on water rights
- Impacts on water quality and stream flow
- Impacts of dual designation
- Impacts on rights of way and development
- Impacts on private property
- Cost to the federal government of Arizona wild and scenic rivers
- Need to evaluate the Colorado River

Issues considered but not discussed in detail

- Impacts on water rights.

Designation as a Wild, Scenic, or Recreational river would not affect existing, valid water rights. The Wild and Scenic Rivers Act creates a federal reserved water right for a quantity of water sufficient to meet the purposes of the act on designated river segments. The Bureau of Land Management would have the responsibility to preserve each designated segment in its free-flowing condition to protect its outstandingly remarkable values. The quantity of water necessary to fulfill that responsibility would be determined through assessments of instream flow needs.

A new federal reserved water right asserted by a wild and scenic river designation would be junior to all valid and existing rights. This action would have no impact on existing water rights either upstream or downstream because it would be junior to any existing right.

In addition, the Bureau of Land Management would seek to acquire other means of protection through the purchase, on a willing seller-willing buyer basis, of senior downstream water rights, land exchanges, negotiated agreements, or other appropriate arrangements.

This issue will not be discussed further.

CHAPTER 1

**CHART 1-2
SCOPING MEETINGS**

PLACE	DATE	REGISTERED
Parker, La Paz County, Arizona	March 29, 1993	19
Bagdad, Yavapai County, Arizona	April 5, 1993	93
Kingman, Mohave County, Arizona	April 6, 1993	14
Wickenburg, Maricopa County, Arizona	April 7, 1993	17
Winkelman, Pinal County, Arizona	April 12, 1993	9
Tucson, Pima County, Arizona	April 13, 1993	34
Phoenix, Maricopa County, Arizona	April 14, 1993	54
Benson, Cochise County, Arizona	April 15, 1993	10
St. George, Washington County, Utah	April 16, 1993	21
Clifton, Greenlee County, Arizona	April 19, 1993	45
Safford, Graham County, Arizona	April 20, 1993	38
Klondyke, Graham County, Arizona	April 21, 1993	21
Sierra Vista, Cochise County, Arizona	April 22, 1993	30
Sonolita, Santa Cruz County, Arizona	April 23, 1993	10

CHAPTER 1

- Impacts on water quality and stream flow.

Since federal reserved water rights would be junior to existing rights, there would be no affect on stream flow from designation. Management plans for designated rivers will address water quality and stream flow monitoring.

- Impacts of dual designation.

Dual designation refers to the designation of a wild and scenic river in an area already under special congressional protection such as in wilderness, or a riparian national conservation area. This issue resulted in the development of the legislative protection alternative analyzed in the document. The issue is discussed in detail under the legislative protection alternative.

- Impacts on rights of way and development.

While new rights of way are discouraged, they are not prohibited in wild and scenic river areas. Since wild and scenic river designation does not authorize the Bureau of Land Management to regulate activities on private land there would be no significant impacts to any private developments.

- Impacts on private property.

Wild and scenic river designation does not authorize the Bureau of Land Management to regulate or control activities on private land.

- Wild and scenic river cost to the federal government.

The Bureau of Land Management is required by the Wild and Scenic Rivers Act to evaluate rivers for wild and scenic river designation. Outside of the necessary expenses associated with the cost of public involvement (meetings, document publication), the cost of this effort in Arizona has not required additions to the normal operating budget.

- Need to evaluate the Colorado River.

Consideration of evaluating the Colorado River below Hoover Dam for wild and scenic river eligibility was considered but rejected because of the number of agencies with river management responsibilities. The Bureau of Land Management would support the development of an interagency environmental impact statement addressing the eligibility and suitability of the Colorado River.

Chapter 5 contains an extensive selected list of the public comments received during the scoping meetings and in letters. Responses to the comments listed in Chapter 5 were prepared and reviewed by Bureau of Land Management personnel.

WILD AND SCENIC RIVER DESIGNATION ISSUES

An interdisciplinary team of resource specialists reviewed public comments received during the scoping meetings to determine the areas of major concern. The team, together with resource managers, incorporated these major concerns into the design and selection of a range of reasonable alternatives. Review comments submitted at public hearings and in letters were carefully reviewed. Where appropriate, the environmental impact statement was revised in accordance with the review comments. The transcripts of the five public hearings, and complete copies of the letters received during the 90-day public comment period are included in chapter 5.

Four alternatives are analyzed in this statewide wild and scenic river environmental impact statement. One, the recommended alternative approved by the State Director, determines that all or parts of 14 rivers are suitable for designation into the National Wild and Scenic Rivers System. Another is an alternative that determines nonsuitability and recommends that Congress does not designate the river study areas. This alternative would be a continuation of present management. A third alternative

CHAPTER 1

determines all 20 eligible rivers as suitable for designation by Congress into the National Wild and Scenic Rivers System. The fourth alternative, based on the dual/multi-designation

issue raised during the scoping period, determines suitability only for those eligible rivers and portions of rivers that have no other legislative protection.

CHAPTER 2 ALTERNATIVES INCLUDING THE RECOMMENDED ALTERNATIVE

INTRODUCTION

Four alternatives for wild and scenic river suitability recommendations are described in this chapter. This is considered a reasonable range of alternatives developed in response to information gathered during the scoping process.

Because of the statewide nature, the alternatives in the statewide document differ from those for each of the rivers in the river appendix. The alternatives in the appendix deal specifically with 20 river study areas and individually address the issues associated with determining suitability and recommendations for river areas and segments for designation. At least two alternatives were developed for each river; where appropriate, more were formulated.

In contrast, the alternatives in this document have been designed to focus on the aggregated impacts of various statewide options. An internal suitability report was developed to evaluate the 20 rivers (40 segments) determined to be eligible for further study. This internal

document identified 27 segments in 13 river study areas as suitable for recommending designation. The remaining seven rivers were identified as nonsuitable. This combination of rivers was identified as the Bureau of Land Management proposed action in the draft environmental impact statement; in this final environmental impact statement the Bureau recommendation with 29 segments in 14 river study areas is the recommended alternative.

Other reasonable combinations of eligible river study areas have been constructed. They range from one which recommends designation of all the river study areas to one in which no recommendation for designation is made (the required no action alternative). There is one alternative that recommends only those rivers that are suitable and not under any existing legislative protection for designation.

Each segment in the study areas was classified as wild, scenic, or recreational in the eligibility phase of the assessment. Table 2-G1 shows the array of classifications in the phase.

**TABLE 2-G1
ALTERNATIVES: SUMMARY OF MILES/ACREAGE BY CLASSIFICATION**

ALTERNATIVE	RIVERS (BLM public land acres)	WILD (BLM public land acres)	SCENIC (BLM public land acres)	RECREATIONAL (BLM public land acres)
Recommended alternative	241 miles/74,860 acres	34,522	13,752	26,588
All Suitable	315 miles/103,861 acres	49,478	23,433	29,880
Legislative Protection	119 miles/42,650 acres	12,430	16,177	13,840

CHAPTER 2

The alternatives contain different amounts of public land already under legislative protection (wilderness and riparian national conservation areas) or special administrative protection (areas of critical environmental

concern). The differences are displayed in Table 2-G2. (The all suitable alternative and the no action alternative have the same amount of wilderness, riparian national conservation area and area of critical environmental concern acreage.)

**TABLE 2-G2
ALTERNATIVES
SUMMARY OF ACREAGE INCORPORATED BY MANAGEMENT CLASSIFICATION**

ALTERNATIVE	WILDERNESS (BLM public land acres)	RINCA (BLM public land acres)	ACEC (BLM public land acres)
Recommended alternative	31,480ac	21,916ac	14,465ac
All Suitable	36,459ac	21,916ac	21,638ac
Without Legislative Protection	0	0	17,636ac
No Action	36,459ac	21,916ac	21,638ac

Table 2-G3 displays selected management actions that would occur under the three alternatives recommending wild and scenic river designation. Management actions identified with an asterisk (*) are required for segments

designated as Wild. The other management actions are ongoing and are implemented through resource management plans, or plans for wilderness areas, riparian national conservation areas, and areas of critical environmental concern.

CHAPTER 2

**TABLE 2-G3
SUMMARY OF PROPOSED MANAGEMENT ACTIONS BY ALTERNATIVE**

MANAGEMENT ACTION	RECOMMENDED ALTERNATIVE	ALL SUITABLE ALTERNATIVE	LEGISLATIVE PROTECTION ALTERNATIVE
*New mineral entry prohibited	8,230ac	10,997ac	12,338ac
*No surface patent	20,459	39,021	42,672
*Restricted motorized use	8,230ac	13,130ac	12,338ac
*Prohibit major water developments	241mi	315mi	106mi
*Prohibit major recreation facility developments	8,230ac	13,130ac	12,338ac
*Prohibit new road and trail development	8,230ac	13,130ac	12,338ac
*Prohibit woodcutting	8,470ac	13,370ac	12,578ac
Mineral withdrawal in ACECs	2,488ac	10,166ac	20,195ac
Acquisitions	17,943ac	20,034ac	18,403ac
Discourage new ROWs	71,660ac	103,446ac	42,558ac
New roads prohibited	8,230ac	13,130ac	12,338ac
Roads closed	37mi	42mi	6mi
No Surface Occupancy	14,194ac	27,246ac	28,246ac
Restrict campground development	10,738ac	11,518ac	7,518ac
OHV limited to existing roads and trails	9,645ac	19,893ac	19,893ac
OHV limited to designated roads and trails	28,790ac	26,397ac	8,771 ac
Intensive recreation restricted	10,738ac	11,518ac	7,518ac
Helicopter flight ban	7,488ac	7968ac	7968ac
Seasonal recreation restriction	7,488ac	7968ac	7968ac
New water sources	26	37	36

* = Wild and Scenic Rivers Act management action

RECOMMENDED ALTERNATIVE

The recommended alternative identifies 29 segments in 14 river study areas as suitable for designation. The 29 segments in the 14 river areas in the recommended alternative cover 241 miles, encompassing 74,860 acres. Twelve segments (34,522 acres) are recommended for designation and a Wild classification. Seven segments (13,752 acres) are recommended for designation as Scenic. Ten segments (26,586 acres) are recommended for designation and a

Recreational classification.

Twenty of the segments are currently under special Congressional legislative protection. Fourteen are in wilderness areas and six are in riparian national conservation areas.

Table 2-RA1 displays details on miles and acreage by segment. Acreage is limited to public lands since wild and scenic river management actions apply only to lands under federal management.

CHAPTER 2

TABLE 2-RA1
RECOMMENDED ALTERNATIVE: BLM MILES/ACRES WITH CLASSIFICATIONS

RIVER AREA	TOTAL (BLM PUBLIC LAND ACRES)	SEGMENT 1	SEGMENT 2	SEGMENT 3	SEGMENT 4	SEGMENT 5
AGUA FRIA	20.6/6710	6.7/1390 (Scenic)	10.0/3230 (Wild)	4.1/2090 (Scenic)		
ARAVAIPA	10.0/3200	10.0/3200 (Wilderness/Wild)				
BIG SANDY	6.7/2190	0.0/00 (NS)	6.7/2190 (Wilderness/Wild)			
BILL WILLIAMS	17.4/4650	9.8/2314 (Wilderness/Wild)	1.4/488 (Scenic)	6.2/1850 (Wilderness/Wild)		
BONITA CREEK	5.4/1810	5.4/1810 (RNCA/Recreational)				
BURRO CREEK	23.7/7010	1.7/500 (Wilderness/Wild)	8.5/2750 (Wilderness/Wild)	0.0/00(NS)	9.0/2630 (Wild)	4.5/1130 (Wild)
CIENEGA CREEK	10.0/3,200	4.0/1280 (Scenic)	6.0/1920 (Scenic)			
GILA BOX	25.5/7460	6.0/1940 (RNCA/Recreational)	15.0/4250 (RNCA/Scenic)	4.5/1270 (RNCA/Recreational)		
LOWER SAN FRANCISCO	5.4/1450	2.5/710 (Recreational)	2.9/740 (RNCA/Recreational)			
MIDDLE GILA	5.0/1760	0.0/00(NS)	0.0/00(NS)	5.0/1760 (Recreational)		
PARIA	28.0/8960	28.0/8960 (Wilderness/Wild)				
SAN PEDRO	38.3/12256	2.0/640 (RNCA/Recreational)	0.0/00(NS)	36.3/11616 (RNCA/Recreational)		
SANTA MARIA	15.6/4840	15.6/4840 (Wilderness/Wild)	0.0/00(NS)			
VIRGIN	29.2/9344	2.9/928 (Wilderness/Wild)	7.3/2336 (Wilderness/Scenic)	7.4/2368 (Wilderness/Recreational)	11.6/3712 (Recreational)	

KEY: (RNCA) = Riparian National Conservation Area; (NS) = Nonsuitable
NOTE: Classifications apply only to BLM acres

Management Actions

As indicated in Table 2-G3, Management Actions by Alternative, two types of management actions would occur. One type

consists of management actions required by wild and scenic river designation. The other type embodies ongoing management actions. The list of ongoing management actions summarizes appropriate provisions specified for

CHAPTER 2

resource management plans, areas of critical environmental concern management plans, riparian national conservation area management plans and wilderness management plans.

• **Wild and Scenic River management actions**

Wild and Scenic River designation would require certain management actions to be initiated. In accordance with the Wild and Scenic River Act, the following actions would occur on the 75,340 acres of the recommended alternative. If the wild and scenic river management actions overlap ongoing management actions, the more stringent actions would be applied.

- Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 8,230 acres in 12 Wild segments. (The rest of the acreage is already withdrawn.)
- Mining claims, subject to valid existing rights, could be patented only as to the mineral estate and not the surface estate on 20,409 acres of Wild, Scenic and Recreational segments.
- In 29 segments designated Wild, Scenic, or Recreational, new rights-of-way would be discouraged.
- In 12 Wild segments, new flood control dams, levees, or other works would be prohibited.
- Construction of impoundments, diversions, straightening, riprapping, and other modification of the waterway or adjacent public lands, would be prohibited in 29 segments except where such developments would not have a direct and adverse effect on the river and its immediate environment.
- All water supply dams and major diversions would be prohibited.
- Instream flows would be quantified and protected on the 29 segments. An instream flow assessment would be made in order to secure instream flow protection for applicable

outstandingly remarkable values.

- Construction of new roads or trails for motorized travel would be prohibited in 12 Wild segments.
- New roads would be prohibited on 8,230 acres 12 Wild segments.
- In 12 Wild segments, motorized use would be restricted. Exceptions could be for search and rescue and other emergency situations. In the 17 Scenic and Recreational segments, motorized travel would be permitted if there was no impairment of outstandingly remarkable values.
- In the 12 Wild segments, campgrounds, interpretive centers, or administrative headquarters within the river corridor would be prohibited. In the 17 Scenic and Recreational segments, moderate-sized campgrounds, interpretive centers, or administrative headquarters would be permitted
- Recreational use would be encouraged in Wild river areas, but public use and access could be regulated.
- In the 12 Wild segments, woodcutting would be prohibited. Exceptions could be to clear trails, for visitor safety, or to control fire. In the 17 Scenic and Recreational segments, woodcutting would be permitted.
- Livestock grazing use would be restricted to current levels in Wild segments.

• **Ongoing management actions**

The ongoing management actions listed below are currently in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national conservation area plans, resource management plans and area of critical environmental concern plans.

CHAPTER 2

- Approved plans of operation would be required for all mining related activities above the level of casual use as defined at 43 CFR 3809.0-5(b), which are conducted under the authority of the General Mining Law of 1872, on 7,488 acres covered by areas of critical environmental concern. This would occur in the Bill Williams River, Big Sandy River, Burro Creek, and Santa Maria River study areas.
- Up to 7,086 acres would be acquired on a willing seller-willing buyer basis or by exchange in 11 river areas according to resource management plans. This would occur in all study areas except the Paria.
- Up to 42 miles of roads in three river study areas would be closed in accordance with management provisions in two riparian national conservation areas and one area of critical environmental concern. Roads would be closed in the Agua Fria, Bonita Creek, Cienega Creek, and Gila Box: Gila River study areas.
- New road development would be prohibited within 1/2 mile of a bald eagle nest in four river study areas (8,230 acres) in accordance with management provisions in areas of critical environmental concern. The study rivers include Big Sandy River, Bill Williams River, Burro Creek and Santa Maria River.
- Camping would be restricted to a 14-day limit on 10 river study areas in accordance with resource management plans.
- Camping would be limited to fewer than 14 days on three river study areas, according to guidance in riparian national conservation area and wilderness area management plans.
- Campground development would be restricted to areas outside riparian zones and the 100-year floodplain in five river study areas (10,738 acres) in compliance with stipulations for areas of critical environmental concern and riparian national conservation area management (Big Sandy River, Bill Williams River, Bonita Creek, Burro Creek, Santa Maria River).
- Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in four river study areas covering 10,738 acres according to areas of critical environmental concern. The study areas include Big Sandy River, Bill Williams River, Burro Creek and Santa Maria River.
- Off highway vehicle use would be limited to existing roads and trails on 9,645 acres of river study areas according to requirements in area of critical environmental concern management plans (Agua Fria, Big Sandy River, Burro Creek, Lower San Francisco, Middle Gila River, Santa Maria River).
- Off highway vehicle use would be limited to designated roads and trails on 28,790 acres in ten river study areas. Excluded from this are the Aravaipa and Paria study areas which are in wilderness, and the Middle Gila River study area.
- Helicopter flights would be prohibited over four study areas (7,488 acres) on the basis of requirements in areas of critical environmental concern. This would occur in the Bill Williams River, Big Sandy River, Burro Creek, and Santa Maria River study areas.
- Erosion control structures (stabilization, diversions) would be developed in the Cienega Creek and San Pedro River study areas (39.3 riparian miles) in accordance with management provisions in the riparian national conservation area management plan.
- Cottonwood and willow planting would occur on up to 1,890 acres of the Agua Fria, Bill Williams River, and San Pedro River study areas in compliance with area of critical environmental concern management plans.
- Woodcutting would be prohibited on 17,134 acres in five river study areas as provided in area of critical environmental concern management plans, riparian national conservation area Plans, and resource

CHAPTER 2

management plans (Bonita Creek, Cienega Creek, Gila Box: Gila River, Middle Gila River, Virgin River).

- Wood collection would be restricted to down and dead materials in the Cienega Creek, Santa Maria River and Virgin River study areas (7,7767 acres).
- Wood collection would be prohibited on 6,710 acres in the Agua Fria study area.
- Removal of native plants would be prohibited in 2,600 acres of four study areas (Big Sandy River, Bill Williams River, Burro Creek, Santa Maria River).
- Actions to eliminate exotic fish would be implemented on up to 60 riparian miles in four river study areas as provided by area of critical environmental concern.
- Approximately 5,450 acres of salt cedar would be removed from five river areas according to provisions in area of critical environmental concern and resource management plans. This would occur in the Aravaipa, Big Sandy River, Bill Williams River, Middle Gila River, and San Pedro River study areas.
- Up to 15 miles of fencing that includes exclosures would be developed in riparian areas in the Bill Williams River, Bonita Creek, and Lower San Francisco River study areas (8,409 acres) according to management provisions for areas of critical environmental concern.
- In 16 segments (19,200 acres) included in the recommended alternative for inclusion in the National Wild and Scenic Rivers System cultural resources would be inventoried; site protection strategies involving fencing, monitoring, or stabilization would be developed; research would be encouraged and selected sites would be interpreted as appropriate for public visitation.
- Proposed activities that could result in

increased use or surface disturbance in 13 river study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed.

- Sites evaluated as eligible for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.
- Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.
- Water quality monitoring would be conducted as required by the State on 54 miles of five rivers (25,724 acres) designated by the state as unique waters.
- Monitoring to determine minimum stream flow requirements to protect outstandingly remarkable values on 241 riparian miles would occur on 14 rivers.
- Up to 26 new upland water sources would be developed for grazing management in six study areas, according to management provisions for areas of critical environmental concern and riparian national conservation areas. The study areas are the Big Sandy River, Bill Williams River, Bonita Creek, Burro Creek, Gila Box: Gila River, and Santa Maria River.

ALL SUITABLE ALTERNATIVE

The all suitable alternative recommends all 40 segments and 20 river study areas as suitable for designation. The 40 segments in the 20 river areas in the all suitable alternative cover 315.1 riparian miles or approximately 103,061 acres. Table AS-1 provides details on riparian miles and acreage by segment.

CHAPTER 2

There are 17 segments (approximately 42,518) determined to be suitable and recommended for designation with a Wild classification. The remaining 23 segments (60,400 acres) are determined suitable for designation as either Scenic or Recreational.

Under the all suitable alternative, 59,305 acres within the river study areas are under special legislative protection. Seventeen segments (35,979 acres) are in wilderness areas and six segments (21,916 acres) are in riparian national conservation areas.

Management Actions

As indicated in Table 2-G3, Management Actions by Alternative, two types of management actions are considered. One consists of management actions required by wild and scenic river designation. The other embodies ongoing management actions. These currently are in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national

conservation plans, resource management plans and area of critical environmental concern plans.

• Wild and Scenic River management actions

Wild and Scenic River designation would require certain management actions to be initiated. In accordance with the Wild and Scenic River Act the following actions would occur on the 103,541 acres in the all suitable alternative. If the wild and scenic river management actions overlap ongoing management actions, the more stringent actions would be applied.

- Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 10,997 acres in the Wild segments of six study areas. (The rest of the acreage is already withdrawn.)
- Mining claims, subject to valid existing rights, could be patented only as to the mineral estate and not the surface estate on 33,740 acres of Wild, Scenic and Recreational segments.

CHAPTER 2

TABLE 2-AS1
ALL SUITABLE ALTERNATIVE: BLM PUBLIC LAND MILES/ACRES WITH CLASSIFICATIONS

RIVER AREA	TOTAL	SEGMENT 1	SEGMENT 2	SEGMENT 3	SEGMENT 4	SEGMENT 5
AGUA FRIA	20.8/6710	6.7/1390(SC)	14.2/53200(WL)			
ARAVAIPA	10.0/3200	10.0/3200(WN/ WL)				
BIG SANDY	13.8/4220	7.1/2030(SC)	6.7/2190(WN/ WL)			
BILL WILLIAMS	17.4/4650	9.8/2314(WN/ WL)	2.5/610(WN/SC)	5.0/1547(WN/ WL)		
BONITA CREEK	10.1/3570	10.1/3570 (RNCA/RE)				
BURRO CREEK	31.4/9460	4.2/1190(WN/ WL)	8.5/2750(WN/ WL)	2.2/630(RE)	9.0/2630(WL)	7.5/2260(SC)
CIENEGA CREEK	10/3200	4.0/1280(SC)	6.0/1920(SC)			
FRANCIS CREEK	4.2/1380	4.2/1360(RE)				
GILA BOX	26.5/7460	6.0/1940(RNCA/ SC)	15.0/4250 (RNCA/WL)	4.5/1270 (RNCA/SC)		
HASSAYAMPA	18.4/6386	0.9/250(RE)	11.9/2890 (WN/WL)	5.6/2890 (WN/WL)		
HOT SPRINGS	5.0/1800	5.0/1600(WL)				
LOWER SAN FRANCISCO	8.2/1874	3.3/1134(RE)	2.9/740 (RNCA/WL)			
MIDDLE GILA	5.7/6130	5.0/580(RE)	12.5/2630(WN/ WL)	7.0/2920(RE)		
PARIA	28.0/8960	28.0/8960(WN/ WL)				
SAN PEDRO	38.3/12256	38.3/12240 (RNCA/RE)				
SANTA MARIA	23.3/7080	17.1/5310 (WN/WL)	6.2/1770(SC)			
SWAMP SPRINGS	2.0/640	2.0/640 (WN/WL)				
TURKEY CREEK	3.2/1100	3.2/1100(RE)				
VIRGIN	29.2/9344	2.9/928 (WN/WL)	7.3/2336 (WN/SC)	7.4/2368 (WN/RE)	11.6/3712(RE)	
WRIGHT CREEK	12.5/3861	12.5/3861(SC)				
TOTAL MILES/ACRES	315.1/ 103560					

Key: WL = Wild; WN = Wilderness; RE = Recreational; SC = Scenic

CHAPTER 2

- In 40 segments (103,061 acres) designated Wild, Scenic, or Recreational, new rights-of-way would be discouraged.
- In nine Wild segments, new flood control dams, levees, or other works would be prohibited.
- Construction of impoundments, diversions, straightening, riprapping, and other modification of the waterway or adjacent public lands would be prohibited in 40 segments except where such developments would not have a direct and adverse effect on the river and its immediate environment.
- All water supply dams and major diversions would be prohibited.
- Instream flows would be quantified and protected on the 40 segments. An instream flow assessment would be made in order to secure instream flow protection for outstandingly remarkable applicable values.
- Construction of new roads or trails for motorized travel would be prohibited in nine Wild segments.
- New roads would be prohibited on 11,037 acres in the Wild segments of six study areas.
- In the Wild segments of 11 study areas, motorized use would be restricted. Exceptions could be for search and rescue and other emergency situations. In the 21 Scenic and Recreational segments, motorized travel would be permitted if there was no impairment of outstandingly remarkable values.
- In the 12 Wild segments, campgrounds, interpretive centers, or administrative headquarters within the river corridor would be prohibited. In the 21 Scenic and Recreational segments moderate-sized campgrounds, interpretive centers, or administrative headquarters would be permitted.
- Recreation use would be encouraged in the Wild, Scenic, and Recreational river areas, but public use and access could be regulated.
- In the Wild segments of six study areas, woodcutting would be prohibited. Exceptions could be to clear trails, for visitor safety, or to control fire. In the 21 Scenic and Recreational segments, woodcutting would be permitted.
- Livestock grazing use would be restricted to current levels in Wild segments.
- **Ongoing management actions**

The ongoing management actions listed below are currently in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national conservation area plans, resource management plans and area of critical environmental concern plans.
- Mineral leases would have stipulations for no surface occupancy in 14 river areas covering 27,516 acres in accordance with resource management plans and management prescriptions for areas of critical environmental concern. All eligible rivers except for those entirely in wilderness (Aravaipa, Parla, Swamp Springs), or riparian national conservation areas (Bonita, Gila Box; Gila River, San Pedro River) would be included.
- Mineral entry, leasing, and material sales would be recommended for withdrawal on 10,166 acres in six river study areas (Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, Santa Maria River, Wright Creek) in compliance with management provisions in areas of critical environmental concern.
- Up to 20,033 acres would be acquired on a willing seller-willing buyer basis or by exchange in 17 river study areas according to management provisions in Areas of Environmental Concern and resource management plans. There are no acquisition

CHAPTER 2

plans for the Aravaipa, Paria, and Turkey Creek Areas.

- Up to 42 miles of roads would be closed in four river study areas (Agua Fria, Bonita, Cienega Creek, Gila Box: Gila River) in accordance with management provisions in two riparian national conservation areas and two areas that are under area of critical environmental concern plans or resource management plans.
- New road development would be prohibited within 1/2 mile of a bald eagle nest in five segments (7,968 acres) of five study areas in accordance with management provisions in areas of critical environmental concern. The study areas include the Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and Santa Maria rivers.
- Camping would be restricted to a 14-day limit on 17 river study areas according to guidance in resource management plans.
- Camping would be restricted to fewer than 14 days in the Aravaipa, Paria, and San Pedro River study areas in compliance with riparian national conservation areas and wilderness area management plans.
- Campground development would be restricted to areas outside riparian zones and the 100-year floodplain in six river study areas (11,518 acres) in compliance with stipulations for areas of critical environmental concern and riparian national conservation area management plans. This includes the Big Sandy River, Bill Williams River, Bonita Creek, Burro Creek, Francis Creek, and Santa Maria rivers
- Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in five river study areas covering 7,968 acres in areas of critical environmental concern (Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and Santa Maria River).
- Off highway vehicle use would be limited to existing roads and trails on 19,983 acres of 11 river study areas according to requirements in area of critical environmental concern in the Agua Fria, Big Sandy River, Burro Creek, Cienega Creek, Francis, Hassayampa, Lower San Francisco, Middle Gila River, Santa Maria River, Turkey, and Wright Creek study areas.
- Off highway vehicle use would be limited to designated roads and trails on 26,397 acres of nine river study areas in compliance with provisions of the Wild and Scenic Rivers Act. The subject rivers would be the Big Sandy River, Bill Williams River, Bonita, Burro, Francis, Gila Box: Gila River, San Pedro River, and Virgin River.
- Helicopter flights would be prohibited over five study areas (7,968 acres) on the basis of management requirements in five areas of critical environmental concern. The subject rivers include the Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and Santa Maria River areas.
- Erosion control structures (stabilization, diversions) would be developed in the Cienega Creek and San Pedro River study areas (39 river miles) in accordance with management provisions in riparian national conservation area management plans and resource management plans.
- Cottonwood and willow planting would occur on 2,550 acres in the Agua Fria, Bill Williams River, Hassayampa and San Pedro River study areas in compliance with resource management plans, areas of critical environmental concern management plans and riparian national conservation area management plans.
- Woodcutting would be prohibited on 21,604 acres in the Cienega Creek, Gila Box: Gila River, Hot Springs, and Virgin River study areas as provided in area of critical environmental concern management plans.

CHAPTER 2

- Wood collection would be restricted to down and dead materials on 7,776 acres in two river study areas (Cienega Creek and Virgin River) in accordance with area of critical environmental concern management provisions.
- Wood collection would be prohibited on 13,100 acres in the Agua Fria and Hassayampa River study areas according to provisions in resource management plans.
- Removal of native plants would be prohibited on 7,400 acres of six study areas (Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, Santa Maria River, and Wright Creek) in compliance with area of critical environmental concern management plans.
- Actions to eliminate exotic fish would be implemented on nearly 70 riparian miles in four study areas (Agua Fria, Aravaipa, Cienega Creek, Virgin River) as provided by resource management plans, area of critical environmental concern plans and wilderness management plans.
- Approximately 28 miles of fencing that includes enclosures would be developed in riparian areas in the Bill Williams River, Bonita Creek and Lower San Francisco River study areas according to provisions for riparian national conservation areas and resource management plans.
- In the 40 segments (103,541 acres) recommended in the all suitable alternative for inclusion in the National Wild and Scenic Rivers System, cultural resources would be inventoried; site protection strategies involving fencing, monitoring, or stabilization would be developed; research would be encouraged, and selected sites would be interpreted as appropriate for public visitation.
- Proposed activities that could result in increased use or surface disturbance in 20 river

study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed.

- Sites evaluated as eligible in river study areas for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.
- Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.
- Water quality monitoring would be conducted as required by the state on about 85 riparian miles of rivers the Bonita, Burro Creek, Francis Creek, Hot Springs, Swamp Springs, and Wright Creek study areas designated by the state as unique waters.
- Up to 37 new upland water sources would be developed for grazing management in nine study areas according to management provisions for areas of critical environmental concern.

LEGISLATIVE PROTECTION ALTERNATIVE

The legislative protection alternative recommends 25 segments in 15 study areas as suitable for designation. Table 2-LP1 shows the information by river and segment.

The legislative protection alternative covers about 119 riparian miles totalling approximately 42,547 acres of public land. Table 2-LP1 displays the river study areas and segments included in the alternative.

CHAPTER 2

TABLE 2-LP1
LEGISLATIVE PROTECTION ALTERNATIVE: BLM PUBLIC LAND MILES/ACRES

	TOTAL	SEGMENT 1	SEGMENT 2	SEGMENT 3	SEGMENT 4	SEGMENT 5
AQUA FRIA	20.9mi/6710ac	7.7mi/1390ac (SC)				
BIG SANDY	7.1mi/2030ac	7.1mi/2030ac (SC)				
BILL WILLIAMS	1.4mi/611ac	0.2mi/148ac(WL)	1.4mi/463ac(SC)			
BURRO CREEK	7.1/6230ac	2.0mi/710ac (WL)		2.2mi/630ac (RE)	9.0mi/2630ac (WL)	7.5mi/2260ac (SC)
CIENEGA CREEK	10mi/3200ac	4.0mi/1290ac (SC)	6.0/1920 (SC)			
FRANCIS CREEK	4.2mi/1360ac	4.2mi/1360ac (RE)				
GILA BOX	4.5mi/1410ac	1.5mi/420ac (SC)		3.0mi/990ac (SC)		
HASSAYAMPA	2.8mi/2980ac	0.8mi/250ac (RE)	0.5mi/200ac (WL)	1.2mi/2410ac (RE)		
HOT SPRINGS	5.0mi/1600ac	5.0mi/1600ac (WL)				
LOWER SAN FRANCISCO	5.9mi/1834ac	3.0mi/1094ac (RE)	2.9mi/740ac (WL)			
MIDDLE GILA	11.5mi/3650ac	2.0mi/500ac (RE)	0.5mi/230ac (WL)	9.0mi/2920ac (RE)		
SANTA MARIA	8.5mi/2810ac	3.3mi/1040ac (WL)	6.2mi/1770ac (SC)			
TURKEY CREEK	3.2mi/730ac	3.2mi/730ac(RE)				
VIRGIN	13.3mi/4256ac		8.8mi/256ac(SC)	0.9mi/288ac (RE)	11.6mi/3712ac (RE)	
WRIGHT CREEK	12.5mi/3861ac	12.5mi/3861ac (SC)				
TOTAL	105.4/42,558					

Key: WL = Wild; RE = Recreation; SC = Scenic

CHAPTER 2

Although there is no special legislative protection for the rivers and segments shown in Table 2-LP1, nearly 17,700 acres are in administratively designated areas of critical environmental concern, a category established

by and defined in the Federal Land Policy and Management Act of 1969.

Rivers and acreage under areas of critical environmental concern are shown in Table 2-LP2.

**TABLE 2-LP2
ELIGIBLE RIVERS AND SEGMENTS WITH ADMINISTRATIVE PROTECTION**

ELIGIBLE RIVER AREA	TOTAL BLM MILES/ACRES	SEGMENT 1	SEGMENT 2	SEGMENT 3	SEGMENT 4	SEGMENT 5
Agua Fria	7.7mi/ 2160ac		ACEC:2160ac			
Big Sandy	7.1mi/ 2030ac	ACEC:1009ac				
Bill Williams	1.4mi/ 611ac		ACEC:360ac			
Burro Creek	7.1mi/ 6230ac	ACEC:710ac			ACEC:2630ac	ACEC:1130ac
Cienega Creek	10mi/ 3200ac					
Francis Creek	4.2mi/ 1360ac	ACEC:480ac				
Gila Box	4.5mi/ 1410ac					
Hassayampa	2.6mi/ 2660ac					
Hot Springs	5.0mi/ 1600ac	ACEC:1600ac				
Lower San Francisco	5.9mi/ 1834ac					
Middle Gila	11.5mi/ 3650ac					
Santa Maria	9.5mi/ 2810ac	ACEC:1060ac				
Turkey Creek	3.2mi/ 730ac	ACEC:560ac				
Virgin River	13.3mi/ 4256ac		ACEC:256ac	ACEC:288ac	ACEC:3712ac	
Wright Creek	12.5mi/ 3861ac	12.5mi/ 3861ac	ACEC:3861ac			

The eligibility studies classified segments in the river study areas into three categories: Wild, Scenic, and Recreational.

The legislative protection alternative determines 30 segments (42,547 acres) to be suitable and recommends them for designation. Eight

CHAPTER 2

(10,830 acres) segments are recommended as Wild. The remaining segments are recommended for a Scenic or Recreational designation.

Management Actions

As indicated in Table 2-G3, Management Actions by Alternative, two types of management actions are considered. One consists of management actions required by wild and scenic river designation. The ongoing management actions listed below are currently in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national conservation plans, resource management plans and area of critical environmental concern plans.

• Wild and Scenic River management actions

Wild and Scenic River designation would require certain management actions to be initiated. In accordance with the Wild and Scenic Rivers Act, the following would occur on the 42,547 acres of segments in the legislative protection alternative. If the wild and scenic river management actions overlap ongoing management actions, the more stringent actions would be applied.

- Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 12,338 acres in nine Wild segments.
- Mining claims, subject to valid existing rights, could be patented only as to the mineral estate and not the surface estate on 42,547 acres of Wild, Scenic or Recreational segments.
- In 29 segments (41,942 acres) designated Wild, Scenic, or Recreational new rights-of-ways would be discouraged.
- In nine Wild segments new flood control dams, levees, or other works would be

prohibited.

- Construction of impoundments, diversions, straightening, riprapping, and other modification of the waterway or adjacent public lands would be prohibited in 40 segments except where such developments would not have a direct and adverse effect on the river and its immediate environment.

- All water supply dams and major diversions would be prohibited.

- Instream flows would be quantified and protected on the 29 segments. An instream flow assessment would be made in order to secure instream flow protection for outstandingly remarkable applicable values.

- Construction of new roads or trails for motorized travel would be prohibited in nine Wild segments.

- New roads would be prohibited on 12,338 acres in nine Wild segments.

- In nine Wild segments motorized use would be prohibited. Exceptions could be for search and rescue and other emergency situations. In the 20 Scenic and Recreational segments, motorized travel would be permitted if there was no degradation of outstandingly remarkable values.

- In the 12 Wild segments, campgrounds, interpretive centers, or administrative headquarters within the river corridor would be prohibited. In the 20 Scenic and Recreational segments moderate-sized campgrounds, interpretive centers, or administrative headquarters would be permitted

- Recreational use would be encouraged in the Wild, Scenic, and Recreational river areas, but public use and access could be regulated.

- In the nine Wild segments, woodcutting would be prohibited. Exceptions could be to clear trails, for visitor safety, or to control fire.

CHAPTER 2

In the 20 Scenic and Recreational segments, woodcutting would be permitted.

- Livestock grazing use would be restricted to current levels in Wild segments.
- **Ongoing management actions**

The ongoing management actions listed below are currently in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national conservation plans, resource management plans and area of critical environmental concern plans.

- Mineral entry, leasing, and material sales would be recommended for withdrawal on 12,338 acres on 13 of the 15 study areas, in compliance with management provisions in areas of critical environmental concern. This would not apply to the Gila Box: Gila River or Middle Gila River study areas.
- Up to 18,403 acres would be acquired on a willing seller-willing buyer basis or by exchange in 14 of the 15 river study areas in accordance with resource management plan provisions. There are no plans to acquire lands in the Turkey Creek study area.
- Up to six miles of roads would be closed in two study areas (Agua Fria, Cienega Creek, and Gila Box: Gila River) according to management provisions in areas of critical environmental concern and resource management plans.
- New road development would be prohibited within 1/2 mile of a bald eagle nest in the Big Sandy River, Bill Williams River, Burro Creek, Francis, and Santa Maria River study areas (7,968 acres) in accordance with management provisions in areas of critical environmental concern.
- Camping would be restricted to a 14-day limit on 15 river study areas according to guidance in resource management plans.

- Campground development would be restricted to areas outside riparian zones and the 100-year floodplain in five river study areas (7,518 acres) in compliance with stipulations for areas of critical environmental concern management plans. The study areas are the Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and Santa Maria rivers.

- Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in the Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and Santa Maria River study areas covering 7,968 acres in areas of critical environmental concern.

- Off highway vehicle use would be limited to existing roads and trails on 19,893 acres of 11 river study areas according to requirements in area of critical environmental concern management plans and resource management plans. This would include the Agua Fria, Big Sandy River, Burro Creek, Cienega Creek, Francis, Hassayampa, Lower San Francisco, Middle Gila River, Santa Maria River, Turkey Creek, and Wright Creek study areas.

- Helicopter flights would be prohibited over five study areas (7,968 acres) on the basis of management requirements in areas of critical environmental concerns. The study areas include the Big Sandy River, Bill Williams River, Burro Creek, Francis Creek, and the Santa Maria River.

- Erosion control structures (stabilization, diversions) would be developed in the Cienega Creek study area (1 mile), in accordance with resource management plan provisions.

- Cottonwood and willow planting would occur on 1,430 acres in the Agua Fria and Hassayampa River study areas in compliance with area of critical environmental concern management plans and resource management plans.

- Woodcutting would be prohibited on 18,354

CHAPTER 2

acres in the Cienega Creek, Hot Springs, Middle Gila River, Turkey and Virgin River study areas as provided in area of critical environmental concern management plans and resource management plans.

- Wood collection would be restricted to down and dead materials in two (7,456 acres) study areas in accordance with area of critical environmental concern management provisions.

- Wood collection would be prohibited on 9,570 acres in the Agua Fria and Hassayampa River study areas according to provisions in resource management plans.

- Removal of native plants would be prohibited in 7,080 acres of five study areas in compliance with area of critical environmental concern management plans.

- Approximately 1,540 acres of salt cedar would be removed from the Big Sandy River, Bill Williams River, and Middle Gila River study areas according to provisions in area of critical environmental concern and resource management plans.

- Nearly 18 miles of fencing that includes exclosures would be developed in riparian areas in the Bill Williams River, Lower San Francisco and Wright Creek study areas (6,306 acres) according to management provisions for areas of critical environmental concern and resource management plans.

- In the 15 study areas (29 segments) recommended in the legislative protection alternative for inclusion in the National Wild and Scenic Rivers System cultural resources would be inventoried; site protection strategies involving fencing, monitoring, or stabilization would be developed; research would be encouraged, and selected sites would be interpreted as appropriate for public visitation.

- Proposed activities that could result in increased use or surface disturbance would be reviewed by a cultural resource specialist. In

most cases, a field inventory of the potentially affected area would be completed.

- Sites evaluated as eligible for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.

- Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.

- Water quality monitoring would be conducted as required by the state on 16 miles of Burro, Francis, and Hot Springs study areas designated by the state as unique waters.

- Up to 36 new upland water sources would be developed for grazing management in seven river study areas according to management provisions for areas of critical environmental concern.

NO ACTION ALTERNATIVE

Under the no action alternative current management practices would continue. The no action alternative would not affect existing wilderness areas, areas of critical environmental concern, riparian national conservation areas, or resource management plan management procedures and policies.

Management actions

- **Wild and Scenic River management actions**

The no action alternative determines all the 20 eligible river areas to be nonsuitable for designation. There would be no wild and scenic river management actions under the no action alternative.

CHAPTER 2

• Ongoing management actions

The ongoing management actions listed below are currently in effect and would continue to be employed after a Congressional designation decision. The actions are provisions in wilderness area management plans, riparian national conservation plans, resource management plans and area of critical environmental concern plans.

- Approved plans of operation would be required for all mining related activities above the level of casual use, as defined at 43 CFR 3809.0-5, which are conducted under the authority of the General Mining Law of 1872.
- Mineral leases would have stipulations for no surface occupancy in 13 study areas covering 33,709 acres as identified in resource management plans and management prescriptions for areas of critical environmental concern.
- Mineral entry, leasing, and materials sales would be recommended for withdrawal on 11,349 acres on seven river segments in accordance with management provisions in areas of critical environmental concern. (This excludes 3,200 acres in the Cienega Creek study area which has never been open to mineral entry.)
- Up to 20,033 acres in riparian areas would be acquired on a willing seller-willing buyer basis or by exchange, according to management plans in riparian national conservation areas, areas of critical environmental concern and resource management plans.
- Nearly 42 miles of roads would be closed in four study areas in accordance with management provisions in areas of critical environmental concern.
- New road development would be prohibited within 1/2 mile of a bald eagle nest in accordance with management provisions in five areas of critical environmental concern (7,968 acres).
- Camping would be restricted to a 14-day limit in riparian zones in 17 study areas according to guidance in resource management plans.
- Camping would be restricted to fewer than 14-days in the riparian zones of three rivers in compliance with riparian national conservation plans and wilderness management plans.
- Campground development would be restricted to areas outside riparian zones and the 100-year floodplain in six study areas (11,538 acres), in compliance with stipulations for areas of critical environmental concern management plans.
- Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in five riparian areas covering 7,968 acres, according to management plans in areas of critical environmental concern.
- Off highway vehicle use would be limited to existing roads and trails on 19,163 acres of 10 study areas according to requirements in area of critical environmental concern management plans.
- Helicopter flights would be prohibited over five study areas (27,155 acres) on the basis of management requirements in areas of critical environmental concerns
- Erosion control structures (stabilization, diversions) would be developed on approximately 40 riparian miles in two study areas in accordance with management provisions in riparian national conservation areas and resource management plans.
- Cottonwood and willow planting would occur on up to 2,550 acres in four study areas in compliance with area of critical environmental

CHAPTER 2

concern management plans.

- Woodcutting would be prohibited on 19,294 acres in four study areas as provided in area of critical environmental concern management plans.
- Wood collection would be restricted to down and dead materials in two study areas (7,776 acres) in accordance with area of critical environmental concern management provisions.
- Wood collection would be prohibited on 13,096 acres in two study areas according to provisions in resource management plans.
- Removal of native plants would be prohibited in 7,400 acres of five study areas in compliance with area of critical environmental concern management plans.
- Requirements to locate campgrounds and picnic areas away from riparian zones would occur in five river study areas (7,968 acres) on the basis of provisions in areas of critical environmental concern management plans.
- Actions to eliminate exotic fish would be implemented on about 70 riparian miles in four river study areas as provided by area of critical environmental concern management plans.
- Approximately 5,450 acres of salt cedar would be removed within five study areas according to provisions in area of critical environmental concern and resource management plans.
- Approximately 28 miles of fencing that includes exclosures would be developed in

riparian areas in four study areas (14,454 acres) according to management provisions for riparian national conservation areas and a resource management plan.

- Proposed activities that could result in increased use or surface disturbance in 20 study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed.
- Sites evaluated as eligible for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.
- Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.
- Water quality monitoring would be conducted as required by the State on nearly 85 riparian miles of nine rivers designated by the State as unique waters.
- Up to 36 new upland water sources would be developed for grazing management in nine study areas according to management provisions for areas of critical environmental concern.

CHAPTER 2

TABLE 2-IMP SUMMARY OF IMPACTS BY ALTERNATIVE

ISSUE	RECOMMENDED ALTERNATIVE	ALL SUITABLE	LEGISLATIVE PROTECTION	NO ACTION
Outstandingly Remarkable Scenic Values	Beneficial impact from long-term legislative protection on 87,130 acres; No Wild and Scenic River Act protection for 20,340 acres	Beneficial impact from long-term legislative protection on 87,489 acres	Beneficial impact from long-term legislative protection on 34,011 acres; No Wild and Scenic River Act protection for 53,478 acres	No long-term legislative protection on 87,489 acres
Outstandingly Remarkable Recreational Values	Beneficial impact from long-term legislative protection on 54,810 acres; No Wild and Scenic River Act protection for 3,950 acres	Beneficial impact from long-term legislative protection on 58,803 acres	Beneficial impact from long-term legislative protection on 15,071 acres; No Wild and Scenic River Act protection for 43,732 acres	No long-term legislative protection on 58,803 acres
Outstandingly Remarkable Geologic Values	Beneficial impact from long-term legislative protection on 17,870 acres; No Wild and Scenic River Act protection for 424 acres	Beneficial impact from long-term legislative protection on 18,294 acres	Beneficial impact from long-term legislative protection on 3,244 acres; No Wild and Scenic River Act protection for 15,050 acres	No long-term legislative protection on 18,294 acres
Outstandingly Remarkable Fish and Wildlife Habitat and Aquatic Habitat Values	Beneficial impact from long-term legislative protection on 72,160 acres; No Wild and Scenic River Act protection for 30,300 acres	Beneficial impact from long-term legislative protection on 102,480 acres	Beneficial impact from long-term legislative protection on 41,942 acres; No Wild and Scenic River Act protection for 60,518 acres	No long-term legislative protection on 102,480 acres
Outstandingly Remarkable Cultural, Historic, and Paleontological Values	Beneficial impact from long-term legislative protection on 45,658 acres; No Wild and Scenic River Act protection for 9,595 acres	Beneficial impact from long-term legislative protection on 55,251 acres	Beneficial impact from long-term legislative protection on 20,775 acres; No Wild and Scenic River Act protection for 34,476 acres	No long-term legislative protection on 55,251 acres
Outstandingly Remarkable Hydrologic Values	Beneficial impact from long-term legislative protection on 8,910 acres; No Wild and Scenic River Act protection for 434 acres	Beneficial impact from long-term legislative protection on 9,344 acres	Beneficial impact from long-term legislative protection on 3,244 acres; No Wild and Scenic River Act protection for 9,344 acres	No long-term legislative protection on 9,344 acres
Minerals Development	Long-term adverse impact from Withdrawal of 2,830 acres of moderate to high potential, 4,360 of moderate potential and 1,240 acres of low-to-moderate potential in segments designated Wild	Long-term adverse impact from Withdrawal of 2,830 acres of moderate-to-high potential, 5,320 acres of moderate potential, and 2,457 acres of low-to-moderate potential in segments designated Wild	Long-term adverse impact from Withdrawal of 2,830 acres of moderate-to-high potential, 5,550 acres of moderate potential, 1,040 acres of low-to-moderate potential and 1,410 acres of low in segments designated Wild	No adverse impact
Tourism and Travel	No Adverse Impacts; indirect beneficial impacts for Graham and Greenlee Counties	No Adverse Impacts; indirect beneficial impacts for Graham and Greenlee Counties	No Adverse Impacts; indirect beneficial impacts for Graham and Greenlee Counties	No Adverse Impacts

CHAPTER 3 AFFECTED ENVIRONMENT

INTRODUCTION

This chapter focuses on selected resources in the 20 eligible river study areas. The purpose of the chapter is to identify resources that could be impacted by implementation of the recommended alternative and other alternatives described in Chapter 2.

Although all resources have been considered in the wild and scenic river evaluation process, only those relevant to the issues identified in Chapter 1 and the impacts addressed in Chapter 4 are discussed. Currently the eligible rivers are protected by special management. In

this chapter the resources are described as they would be managed without the special protection for the rivers.

GENERAL ENVIRONMENT

Table 3-1 displays the river study areas administered by the Bureau of Land Management, public land acres by office management area, and total acres. As shown in Table 1-6, the river study areas are in 11 of the 15 Arizona counties: Coconino, Cochise, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Yavapai, Pima, and Pinal.

CHAPTER 3

TABLE 3-1
RIVERS BY DISTRICT AND RESOURCE AREA

RIVER AREA	DISTRICT AND RESOURCE AREA (RA)	BLM PUBLIC LAND ACRES	TOTAL RIVER STUDY AREA ACRES
Agua Fria*	Phoenix District/Phoenix RA	6,710	7,160
Arevalpa*	Safford District/Gila RA	3,200	3,200
Big Sandy*	Phoenix District/Kingman RA	4,220	8,730
Bill Williams*	Yuma District/Havasu RA	4,650	6,517
Bonita Creek*	Safford District/Gila RA	3,570	4,540
Burro Creek*	Phoenix District/Kingman RA	9,460	15,650
Cienega Creek*	Safford District/Tucson RA	3,200	3,360
Francis Creek	Phoenix District/Kingman RA	1,360	3,560
Gila Box*	Safford District/Gila RA	7,460	7,960
Hasayampa	Phoenix District/Phoenix RA	6,386	9,990
Hot Springs	Safford District/Tucson RA	1,600	1,920
Lower San Francisco*	Safford District/Gila RA	1,874	2,464
Middle Gila*	Phoenix District/Phoenix RA District	6,130	8,515
Paria*	Arizona Strip District/Vermilion RA	8,960	8,960
San Pedro*	Safford District/Tucson RA	12,266	14,720
Santa Maria*	Phoenix District/Kingman RA	7,080	12,000
Swamp Springs	Safford District/Tucson RA	640	800
Turkey Creek	Safford District/Gila RA	1,100	1,100
Virgin*	Arizona Strip District/Shivwits RA	9,344	11,040
Wright Creek	Phoenix District/Kingman RA	3,861	4,032

* = Recommended alternative; RA = Resource Area

The study areas are located in three physiographic provinces; Paria River and Wright Creek are in the Colorado Plateau province; Burro Creek and the Aqua Fria River are in the

Central Mountains province; and the rest are in the Basin and Range province. Table 3-2 provides details.

CHAPTER 3

**TABLE 3-2
BAILEY AND KUCHLER POTENTIAL NATURAL VEGETATION AND
ECOREGIONS OF THE UNITED STATES**

RIVER STUDY AREA	ECOREGION PROVINCE	PNV 1	PNV 2	PNV 3	PNV 4	PNV 5
Agua Fria	Palouse Grassland	JPW	OJW MMOS	APF	GTSS	
Aravaipa	Mexican Highland Shrub Steppe	GTSS	OJW MMOS	Pdff	CBBS	
Big Sandy	American Desert	CBBS	PVCS			
Bill Williams	American Desert	CBBS	PVCS			
Bonita Creek	Mexican Highland Shrub Steppe	GTSS	OJW	CBBS		
Burro Creek	American Desert Palouse Grassland	CBBS	PVCS	GTSS	OJW MMOS	APF
Cienega Creek	Mexican Highland Shrub Steppe	GTSS	OJW	Pdff		
Francis Creek	Palouse Grassland	GTSS	OJW	OJW MMOS	APF	
Gila Box	Mexican Highland Shrub Steppe	CBBS	GTSS	OJW	Pdff	
Haasayampa	Palouse Grassland	GTSS	OJW MMOS	APF		
Hot Springs	Mexican Highland Shrub Steppe	GTSS	OJW	Pdff		
Lower San Francisco	Mexican Highland Shrub Steppe	CBBS	GTSS	OJW		
Middle Gila	Mexican Highland Shrub Steppe	CBBS	GTSS	OJW		
Paria	Intermountain Sagebrush	GBS	GBS	JPW		
San Pedro	Mexican Highland Shrub Steppe	GTSS	OJW	Pdff		
Santa Maria	Palouse Grassland American Desert	CBBS	PVCS	GTSS	OJW MMOS	APF
Swamp Springs	Mexican Highland Shrub Steppe	GTSS	OJW	Pdff		
Turkey Creek	Mexican Highland Shrub Steppe	GTSS	OJW MMOS	Pdff		
Wright Creek	Palouse Grassland	JPW	GTSS	OJW MMOS		
Virgin	American Desert	CB				

PNV = Potential Natural Vegetation
 Pdff = Pine Douglas Fir Forest
 OJW = Oak Juniper Woodland
 GTSS = Grama Tobacco Shrub Steppe
 PVCS = Palo Verde Cactus Shrub
 CB = Creosote Bush

APF = Arizona Pine Forest
 JPW = Juniper Pinyon Woodland
 MMOS = Mountain Mahogany Oak Scrub
 CBBS = Creosote Bush Bursage
 GGS = Grama Galleta Steppe
 GBS = Great Basin Sagebrush

CHAPTER 3

OUTSTANDINGLY REMARKABLE VALUES

Table 1-1 in Chapter 1 displays the range of outstandingly remarkable values identified in the eligibility studies for each of the 20 rivers.

Outstandingly Remarkable Scenic Values

Fifteen of the wild and scenic river study areas possess outstandingly remarkable scenic values.

The outstandingly remarkable scenic values are varied. They include undisturbed panoramas with diverse landforms composed of canyons, mountain slopes, rolling hills, and the broad river channels. Pristine canyons and gorges provide exceptional aesthetic experiences.

Rugged mountains, rocky canyons, and imposing cliff faces provide exceptional opportunities for sightseeing and photography. Riparian forests and heavy stands of vegetation offer sharp contrasts in areas where the surrounding vegetation is dominated by desert shrubs. In areas with perennial waters, the riparian vegetation creates a dramatic green belt that magnifies the overall scenic quality of the area.

Outstandingly Remarkable Recreational Values

Nine of the 20 river study areas contain outstandingly remarkable recreational values. The river study areas provide opportunities for primitive outdoor recreation in which local and regional residents as well as tourists from around the country and world participate. The outstandingly remarkable recreational values include opportunities for hiking, backpacking camping, horseback riding, sightseeing, wildlife observation, hunting, fishing, photography, off highway vehicle use, rockclimbing, swimming, rafting, kayaking, canoeing, and geologic, ecologic, and cultural resource observation and interpretation.

The rivers are either the basis of recreation activities (floating, swimming, fishing) or

contribute to the quality and intensity of an activity (riparian areas provide excellent hiking and camping opportunities as well as wildlife habitat for wildlife observations and hunting). Dramatic canyons such as the Paria, Burro Creek, and the Gila Box provide uncommon opportunities for photographic and artistic projects. Cultural and historic resources in the study areas also attract visitors.

Outstandingly Remarkable Fish and Wildlife and Aquatic Habitat Values

Fish and wildlife habitat was identified as an outstandingly remarkable value in all of the 20 river study areas. Outstandingly remarkable aquatic habitat values were identified in one river study area.

The outstanding value of the habitat is intrinsically associated with the fish and wildlife populations it supports. A variety of special status species, species listed by the U.S. Fish and Wildlife Service or the Arizona Game and Fish Department as threatened or endangered, Category 1 and 2 species, and sensitive species are found in the river study area (see Table 3-7).

Outstandingly Remarkable Cultural Resource, Historical, and Paleontological Values

Nine of the 18 study areas contain prehistoric and historic archaeological sites and are regarded as having outstandingly remarkable cultural resource values. These nine areas, distributed throughout Arizona, are indicated in Table 3-9. Prehistoric sites are present in all of the areas; six contain historic sites. It is likely that all 20 study areas contain sites of sufficient scientific potential or historic importance to be eligible for nomination to the National Register of Historic Places. The nine study areas having outstandingly remarkable cultural resource values contain sites regarded as rare or exceptionally important in terms of historic significance, scientific informational potential, or geographic location.

Sites currently listed on the National Register

CHAPTER 3

include the Perry Mesa Archaeological District along the Agua Fria River, the General Kearny campsite overlooking the Gila Box, and the Lehner Mammoth Kill Site along the San Pedro River. The Lehner site also is a National Historic Landmark. Sites along the San Pedro River are widely regarded as among the oldest and most important Paleo-Indian manifestations in North America. At the Lehner and Murray Springs sites, occupied about 9,000 B.C., bones of extinct Pleistocene mammoths were found in association with human artifacts.

In addition to the bones of extinct Pleistocene animals associated with archaeological sites, the San Pedro study area contains other significant paleontological resources, including late Cenozoic fossils which are one to five million years old. The San Pedro study area holds the remains of Santa Cruz de Terranate, a Spanish presidio that served as an outpost in battles with the Apache. These types of sites are quite rare in Arizona.

Examples of the outstandingly remarkable cultural resources in other study areas include the Beale Wagon Road near Wright Creek, established in the 1850s as the first road across northern Arizona; Pueblo Duval near Bonita Creek, a rare Anasazi ruin in Mogollon country; pueblos with walls eight feet high near upper Burro Creek, representing the westernmost extension of the prehistoric Prescott culture; and pueblos at the edges of the Agua Fria River Canyon and its tributaries.

Outstandingly remarkable cultural resource values in nine of the study areas are rare and significant, but nonetheless threatened by damage from erosion and by human activities such as vandalism and off-road vehicle traffic.

Outstandingly Remarkable Geologic Values

Outstandingly remarkable geologic values are found in three of the 20 river study areas.

This category includes river areas with colorful volcanic and obsidian deposits. Striking geologic uplifts and associated faulting with steeply tilted limestone formations, and deeply incised narrow canyons and gorges characterize geologic values in some of the study areas.

Outstandingly Remarkable Hydrologic Values

Two study areas have outstandingly remarkable hydrologic values. Water quality is a basic factor in identifying an outstandingly remarkable aquatic value. Perennial water flow in a desert environment is a primary factor in assessing outstandingly remarkable hydrologic values.

MINERALS DEVELOPMENT AND POTENTIAL

Many of the 20 eligible study areas have produced, or have the potential to yield, locatable minerals.

Table 3-3 describes the known locatable mineral potential of the 40 eligible segments within the study areas. A total of 103,000 acres is covered by the river study areas. Twenty-three river segments, incorporating a total of approximately 51,600 acres, are considered to have either no mineral potential or a low mineral potential. Twelve segments, incorporating a total of approximately 42,810 acres, are estimated to have a low to moderate or moderate mineral potential. Five segments, incorporating an approximate total of 9,646 acres, are classified as having a moderate to high, or high mineral potential. In one segment (8,960 acres) the locatable mineral potential ranges from low to high.

No large commercial mining operations currently exist within the river study areas. Large open-pit copper mines operate in the vicinity of the Lower San Francisco River, the Middle Gila River, and Burro Creek. Copper mining also occurred historically along the Bill

CHAPTER 3

Williams River. Mines producing primarily gold or silver have existed along the Hassayampa, Agua Fria, Big Sandy, Santa Maria, and San Pedro rivers. Molybdenum, manganese, lead,

zinc, and uranium are among the locatable minerals that have been produced within or near the study areas.

**TABLE 3-3
LOCATABLE MINERAL POTENTIAL BY ELIGIBLE RIVER SEGMENT**

WILD AND SCENIC RIVER STUDY AREA	SEGMENT 1	SEGMENT 2	SEGMENT 3	SEGMENT 4	SEGMENT 5
AGUA FRIA	L(1390ac)	M(5320ac)			
ARAVAIPA	L(3200ac)				
BIG SANDY	L/M(2030ac)	L/M(2190ac)			
BILL WILLIAMS	L/M(2992ac)	N(610ac)	N(1547ac)		
BONITA CREEK	N/L(3570ac)				
BURRO CREEK	L(1190ac)	L/M(2750ac)	H(630ac)	M/H(2630ac)	M(2260ac)
CIENEGA CREEK	N(1280ac)	N(1920ac)			
FRANCIS CREEK	L(1360ac)				
GILA BOX	L(1940ac)	L(4250ac)	N/L(1270ac)		
HASSAYAMPA	M/H(250ac)	M/H(3246ac)	M/H(2890ac)		
HOT SPRINGS	N(1600ac)				
LOWER SAN FRANCISCO	L(1134ac)	L(740ac)			
MIDDLE GILA	M(580ac)	M(2630ac)	M(2920ac)		
PARIA	L/H(8960ac)				
SAN PEDRO	L/M(12256ac)				
SANTA MARIA	L/M(5310ac)	L/M(770ac)			
SWAMP SPRINGS	N(640ac)				
TURKEY CREEK	L(1100ac)				
VIRGIN	L(928ac)	L(2336ac)	L(2368ac)	L(3712ac)	
WRIGHT CREEK	L(3816ac)				

Key: N = None; L = Low; M = Moderate; H = High

Table 3-4 displays the acreage currently withdrawn from mineral entry in the 20 eligible river study areas. Withdrawn acres include those lands closed to new mining claims by legislative decree or administrative action. Other acres include areas on non-federal lands,

as well as public lands that remain open to mineral entry. The data show that approximately 50,000 acres have been withdrawn from mineral entry in the 20 eligible river study areas. This represents about 48 percent of the total acreage.

CHAPTER 3

**TABLE 3-4
WILD AND SCENIC RIVER AREAS LOCATABLE MINERALS BY ACREAGE**

RIVER AREA	POTENTIAL PUBLIC LAND ACRES	WITHDRAWN ACRES
Agua Fria *	6,710	0
Aravaipa *	3,200	3,200
Big Sandy *	4,220	2,583
Bill Williams *	5,650	4,164
Bonita Creek *	3,570	3,570
Burro Creek *	9,460	3,223
Cienega Creek *	3,200	
Francis Creek	1,360	480
Gila Box *	7,460	7,460
Hassayampa	6,386	3,526
Hot Springs	1,600	0
Lower San Francisco *	1,874	40
Middle Gila *	6,130	2,240
Paria *	8,960	8,960
San Pedro *	12,256	12,256
Santa Maria *	7,080	4,270
Swamp Springs	640	640
Turkey Creek	1,100	370
Virgin *	9,344	5,088
Wright Creek	3,861	3,861
TOTALS	103,560	50021

* = Recommended Alternative

None of the river study areas has more than a low potential for leasable mineral development. Hot springs, with a geothermal potential, exist near Burro Creek, the Gila Box, and Hot Springs Canyon, but no plans or efforts have been made toward development of these energy sources.

PUBLIC LANDS RESOURCES

Table 3-5 shows existing rights-of-way and utility corridors in the river study areas. Three study areas have major designated utility corridors within their boundaries. Two corridors cross

Burro Creek and one passes through the Big Sandy Wild and Scenic River study area.

Future corridor needs for high voltage power transmission lines are somewhat indistinct. Major variables include uncertain growth of regional electric demand; variable projections of surplus electric generation; opportunities to upgrade carrying capacity of existing lines; parallel line installation within existing corridors; and potential new line locations entirely outside of Arizona.

Two major access corridors pass through the

CHAPTER 3

river study areas. Interstate I-15 parallels, and at times crosses, the Virgin River in segments 2 and 3. U.S. Highway 93 crosses Burro Creek between segments 4 and 5, and crosses the Santa Maria River study area between segments 1 and 2. The Arizona Department of Transportation plans to widen U.S. Highway 93 through the Burro Creek study area to improve traffic flow and safety, and the department also is considering the feasibility of upgrading the highway to an interstate to provide a major route between Phoenix and Las Vegas.

The 20 river study areas contain numerous minor rights-of-way for small utility powerlines, local roads, and in the case of Bonita Creek, a water collection system for the city of Safford, Arizona.

No communication facility sites exist in any of the wild and scenic river study areas. Due to the geographic and topographic aspects of the study areas, no new sites have been proposed.

**TABLE 3-5
WILD AND SCENIC RIVER AREAS LANDS ACTIONS**

RIVER STUDY AREA	TRANSPORTATION CROSSING	TRANSPORTATION PARALLEL	UTILITY CROSSING	UTILITY PARALLEL	WATER DEVELOPMENT	OTHER
Agua Fria*	R	R	E	-	DIV	WELL
Aravaipa*	-	-	-	-	-	FB (P)
Big Sandy*	R	-	G, E	-	-	WELLS
Bill Williams*	R	R	G, E, E-(P)	-	-	-
Bonita Creek*	R	R	-	W	DIV	FB (P)
Burro Creek*	R, H	-	W, E, G	-	-	-
Cienega Creek*	R	R	E	-	-	-
Francis Creek	R	R	-	W, G	DIV	-
Gila Box*	R	R	W, E, T	-	DIV	-
Hasayampa	R	R	E	-	-	-
Hot Springs	-	-	-	-	-	-
Lower San Francisco*	-	-	E	-	-	-
Middle Gila*	R	H	E	E	-	-
Paria*	-	-	-	-	-	-
San Pedro*	H	RR, R	G, W, E, T	-	DIV	-
Santa Maria*	H	R	-	-	-	-
Swamp Springs	-	-	-	-	-	-
Turkey Creek	R	R	-	-	-	WELL
Virgin*	I, R	I, H, R	E	-	DIV	FB (P)
Wright Creek	R	-	-	-	-	-

* = Recommended Alternative

R = Road; H = Highway; I = Interstate; G = Gas Pipeline; W = Water Pipeline; E = Electrical Transmission Line; T = Telephone Line; DIV = Water Diversion; FB = Fish Barrier, (P) = Proposed

CHAPTER 3

RECREATION

A wide variety of recreational opportunities exists in the river study areas. The primary types are shown in Table 3-6. Use of these areas is also widely varied. Visitor totals range from fewer than 100 to more than 50,000 visitor use days per year.

The presence of water is either essential to the recreation value (activities such as rafting and fishing) or increases the quality, intensity, or value of an activity. Riparian areas provide excellent hiking and camping opportunities as well as wildlife habitat for wildlife observations and hunting.

There are developed campgrounds on the Burro Creek and the Virgin and San Pedro rivers. Additional facilities at these and other rivers provide camping facilities, visitor services such as restrooms and picnic tables, and information regarding the variety of resources and recreational opportunities available in each area.

Motorized off-highway vehicle use occurs outside of wilderness areas. Off-highway vehicle use is limited to existing roads and trails or to designated roads and trails in most special management areas; some areas have been closed to motorized vehicles.

CHAPTER 3

TABLE 3-6
WILD AND SCENIC RIVER AREAS: RECREATION AND TOURISM

RIVER STUDY AREA	VISITOR USE DAYS ANNUAL TOTAL USE	HIKE/ BACKPACK	FLOAT	HUNTING AND FISHING	CAMPING/ PICNICKING	NATURE OBSERVATION	OHV	OTHER ²
Agua Fria ¹	1,500	Y	Y	H	Y	Y	Y	Y
Aravaipa ¹	> 15,000	Y	N	H	Y	Y	N	Y
Big Sandy ¹	2,500	Y	N	H	N	Y	N	Y
Bill Williams ¹	< 2,500	Y	Y	Y	Y	Y	Y	Y
Bonita Creek ¹	15,000	Y	N	H	Y	Y	Y	Y
Burro Creek ¹	> 20,000	Y	N	H	Y	Y	Y	Y
Cienega Creek ¹	> 2,500	Y	N	H	Y	Y	Y	Y
Francis Creek	< 1,000	Y	N	H	Y	Y	Y	Y
Gila Box ¹	4,000	Y	Y	Y	Y	Y	Y	Y
Hassayampa	1,200	Y	N	H	Y	Y	Y	Y
Hot Springs	1,750	Y	N	H	Y	Y	N	Y
Lower San Francisco ¹	> 1,000	Y	Y	Y	Y	Y	Y	Y
Middle Gila ¹	1,500	N	Y	Y	Y	Y	N	Y
Paria ¹	5,300	Y	N	H	N	Y	N	Y
San Pedro ¹	> 50,000	Y	N	Y	Y	Y	Y	Y
Santa Maria ¹	< 2,000	Y	N	H	Y	Y	Y	Y
Swamp Springs	< 100	Y	N	Y	Y	Y	N	Y
Turkey Creek ¹	1,200	Y	N	H	Y	Y	Y	Y
Virgin ¹	7,600	Y	Y	Y	Y	Y	Y	Y
Wright Creek	< 500	N	N	H	N	N	Y	N

Key: 1 - Recommended alternative; 2 - Includes equestrian activities, rockhounding, goldpanning, rockclimbing, spelunking
Y = Activity occurs on this river; N = Activity is not known to occur on this river; H = Hunting only; F = Fishing Only

CHAPTER 3

FISH AND WILDLIFE

The river study areas in Arizona support a variety of wildlife, many of which are economically important. These areas also provide habitat for species that have been listed or are proposed for listing as threatened or endangered by the U.S. Fish and Wildlife Service under the Endangered Species Act. The Endangered Species Act requires federal agencies to use their authority to conserve these species and the habitats upon which they depend. Many other species are candidates for federal listing, an indication that the Fish and Wildlife Service has reason to believe the species may be in need of listing, or that more information is needed to make a determination. Bureau of Land Management policy requires that the habitat must be managed for these species so that they will not be federally listed.

Table 3-7 lists the federal special status species (threatened, endangered, proposed, and candidate) known to use habitat within the river study areas. These special status species receive special management attention because

they have been listed by the U.S. Fish and Wildlife Service or the Arizona Game and Fish Department as threatened or endangered with extinction throughout all or part of their habitat range.

The state maintains a list of threatened native wildlife species, many of which depend to some extent on these study areas; most are also federally listed or are federal candidates. Because of overlapping designations, they are not included in Table 3-7. Most of these species have declined in range or numbers due to alterations to their habitat. Such alterations include changes in streamflow quantity, timing, or duration, changes in erosion (including bank-cutting), and changes in the plant communities supported by the rivers. Changes in plant communities include invasion of exotic trees such as salt cedar and loss of native shrubs and trees such as cottonwoods and willows.

The study rivers support a variety of native fish species, some of which are federally listed as threatened or endangered. These are identified on Table 3-7.

CHAPTER 3

TABLE 3-7
RIVER AREAS: ENDANGERED, THREATENED, AND CATEGORY SPECIES

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
Bald eagle (*Haliaeetus leucocephalus*)
Gila topminnow (*Poeciliopsis occidentalis occidentalis*)
Humpback chub (*Gila cypha*)
Lesser long-nosed bat (*Leptonycteris curasoae yerbabuense*)
Razorback sucker (*Xyrauchen texanus*) with proposed critical habitat
Virgin River chub (*Gila seminuda*)
Woundfin (*Plagopterus argentissimus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Threatened

Desert tortoise (Mojave population) (*Gopherus agassizii*)
Loach minnow (*Taroga cobitis*)
Spikedace (*Meda fulgida*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)
Huachuca water umbel (*Lilaeopsis schaffneriana* ssp. *recurva*)

Candidate Category 2

Apache northern goshawk (*Accipiter gentilis apache*)
Aravaipa sage (*Salvia amissa*)
Arizona toad (*Bufo microscaphus microscaphus*)
California leaf-nosed bat (*Macrotus californicus*)
Canyon (giant) spotted whiptail (*Cnemidophorus burti*)
Chiricahua western harvest mouse (*Reithrodontomys megalotis arizonensis*)
Chiricahua leopard frog (*Rana chiricahuensis*)
Chuckwalla (*Sauromalus obesus*)
Desert tortoise (Sonoran population) (*Gopherus agassizii*)
Desert sucker (*Catostomus clarki*)
Ferruginous hawk (*Buteo regalis*)
Flannelmouth sucker (*Catostomus latipinnis*)
Gila chub (*Gila intermedia*)
Greater western mastiff-bat (*Eumops perotis californicus*)
Hohokam agave (*Agave murpheyi*)
Hualapai southern pocket gopher (*Thomomys umbrinus hualapaiensis*)
Loggerhead shrike (*Lanius ludovicianus*)
Lowland leopard frog (*Rana yavapaiensis*)
Marble Canyon kangaroo rat (*Dipodomys microps leucotis*)
Maricopa tiger beetle (*Cicindela oregona maricopa*)
Mexican garter snake (*Thamnophis eques*)
Narrow-headed garter snake (*Thamnophis rufioncrurus*)
Rosalie boa (*Lichenura trivirgata*)
Roundtail chub (*Gila robusta*)
Sonora sucker (*Catostomus insignis*)
Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*)
Southwestern cave bat (*Myotis velifer brevis*)
Spotted bat (*Eudoma maculatum*)
Texas horned lizard (*Phrynosoma cornutum*)
Virgin spinedace (*Lepidomeda mollispinis mollispinis*)
Virgin thistle (*Cirsium virginensis*)
Western mastiff-bat (*Eumops perotis*)
Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)

Source: Appendix 1: U.S. Fish and Wildlife Service Section 7 Consultation memorandum

CHAPTER 3

RIPARIAN VEGETATION

Twenty river study areas were identified as eligible in Arizona Bureau of Land Management resource management plans. These study areas contain approximately 438 miles of riparian vegetation communities; the Bureau of Land Management has administrative responsibility for 331 miles of these waterways. Riparian vegetation makes an important contribution to stream channel stability, water quality, streamflow, fish habitat, wildlife habitat and recreation activity. Table 3-8 identifies the riparian vegetation communities.

Native riparian vegetation communities are becoming increasingly rare in Arizona and the desert southwest. An estimated 80-90 percent of native riparian vegetation communities in Arizona has been lost or degraded in historic times. Direct clearing of riparian vegetation for agriculture, firewood, and various other

purposes, combined with streamflow modification (dams and diversions) and groundwater withdrawals are considered the primary causes for this loss and degradation. Salt cedar is invading many riparian areas causing a loss of native vegetation.

Six riparian vegetation communities are considered important and are found in the study areas. Mesquite bosques, cottonwood/willow, mixed broadleaf, wetland, riparian scrub and salt cedar communities are common communities in these riparian areas. Fourteen of the 20 study areas contain mesquite bosques. Seventeen study areas contain cottonwood/willow communities. Thirteen study areas contain mixed broadleaf communities. Six study areas contain wetlands. Nine study areas contain riparian scrub. These native communities are important remnants of Arizona riparian ecosystems. Eight of the study areas contain significant quantities of salt cedar.

CHAPTER 3

TABLE 3-8
RIPARIAN VEGETATION BY WILD AND SCENIC RIVER AREA

River Study Area	Mesquite Bosque	Cottonwood Willow	Mixed Broadleaf	Wetland	Riparian Scrub	Salt Cedar
Agua Fria*	NO	YES	YES	NO	NO	NO
Aravaipa*	YES	NO	YES	NO	YES	YES
Big Sandy*	YES	YES	NO	NO	NO	YES
Bill Williams*	YES	YES	NO	NO	NO	YES
Bonita Creek*	YES	YES	YES	NO	YES	NO
Burro Creek*	YES	YES	YES	NO	NO	NO
Cienega Creek*	YES	YES	YES	YES		
Francis Creek	NO	YES	YES	NO	NO	NO
Gila Box*	YES	YES	YES	NO	YES	YES
Haseayampa	YES	YES	YES	NO	NO	
Hot Springs	YES	YES	YES	NO	NO	
Lower San Francisco*	YES	YES	NO	NO	YES	
Middle Gila*	NO	YES	NO	NO	NO	YES
Paria*	NO	YES	YES	YES	YES	YES
San Pedro*	YES	YES	YES	YES	YES	YES
Santa Maria*	YES	YES		YES	YES	YES
Swamp Springs	YES	NO	YES	NO	NO	NO
Turkey Creek	YES	NO	YES	NO	YES	
Virgin*	NO	YES	NO	YES	YES	NO
Wright Creek	NO	YES	NO	YES	NO	NO

* Recommended alternative

CHAPTER 3

CULTURAL RESOURCES

Prehistoric and historic archaeological sites exist along nearly all of Arizona's rivers and streams. Table 3-9 depicts the presence of cultural resources within the 20 study areas, grouped according to cultural traditions and time periods.

The Pre-ceramic period identified in Table 3-9 (before A.D. 300 in most areas of the state) refers to a time before people began to manufacture pottery. Later prehistoric cultures, from about A.D. 300 to 1500, include five major traditions: the Hohokam in the southern Arizona desert; the Mogollon and later the Salado in the mountainous areas of eastern and central Arizona; the Anasazi on the Colorado Plateau; and the Patayan in western Arizona. The Historic period in Table 3-9 includes sites occupied or used between A.D. 1500 and 1940.

As indicated in Table 3-9, prehistoric sites have been recorded in 18 of the 20 river study areas. Undiscovered sites also may be present in the remaining two areas. Because archaeological surveys have covered very little territory, it is not possible to determine total numbers of sites in each of the 18 areas.

Prehistoric site types common to most areas include artifact scatters that represent the remains of villages, camps, and temporary work areas. Caves, rockshelters, and petroglyphs (rock art) also exist in many areas. Rock pueblo structures have been found in at least five of the study areas. Less common features include trails, canals, and ancient agricultural fields.

Historic period sites have been recorded in 11 of the 20 study areas. These include Native

American sites as well as roads, mines, and structural remains and trash associated with old homesteads and ranches. Unique sites include the Beale Road near Wright Creek, the first wagon road across northern Arizona; the ghost town of Signal along the Big Sandy River; and Santa Cruz de Terrenate, the remains of a Spanish presidio along the San Pedro River.

As indicated on Table 3-9, the Agua Fria, Gila Box, and San Pedro River study areas contain sites or portions of districts listed on the National Register of Historic Places. These include the Perry Mesa Archaeological District, General Kearny Campsite, and the Lehner Mammoth Kill Site.

Although most sites within the river study areas have not been formally evaluated, many additional sites are probably eligible for nomination to the National Register of Historic Places by virtue of their historic significance or potential to yield scientific archaeological information. Sites along the Agua Fria River, Paria River, San Pedro River, Turkey Creek, and Bonita Creek have been the focus of recent archaeological investigations, ruins stabilization, or interpretive developments.

Sites vary in degrees of preservation. In general, those in areas of relatively high human traffic have suffered damage to the greatest degree, while those in remote or wilderness areas remain in better condition.

Many sites have been damaged by illegal excavation and artifact collecting, other types of vandalism, off-highway vehicle traffic, trampling by livestock, and soil erosion. These activities and processes continue to pose a threat to the integrity of cultural resources.

CHAPTER 3

TABLE 3-9
CULTURAL RESOURCES BY WILD AND SCENIC RIVER AREA

RECORDED SITES

Wild and Scenic River Study Area	P C	AN	H O	M O	SA	PA	HI	PALEO	NR
Agua Fria* +			X		X		X		X
Aravaipa*	X		X	X	X				-
Big Sandy*						X	X		-
Bill Williams*						X	X		-
Bonita Creek* +		X		X	X		X		-
Burro Creek* +						X			-
Cienega Creek*	X		X						-
Francis Creek						X			-
Gila Box* +			X	X			X		X
Hassayampa			X				X		-
Hot Springs									-
Lower San Francisco* +				X	X				-
Middle Gila*			X		X		X		-
Paria* +		X					X		-
San Pedro* +	X		X				X	X	X
Santa Maria*						X			-
Swamp Springs									-
Turkey Creek +			X	X	X				-
Virgin*	X	X					X		-
Wright Creek +						X	X		-

Key: PC = PreCeramic; AN = Anasazi; HO = Hohokam; MO = Mogollon; SA = Salado; PA = Patayan; HI = Historic; PALEO = Paleontological Site; NR = National Register listed; + = Outstandingly Remarkable Value

CHAPTER 3

WATER RESOURCES

Twenty river study areas were identified as eligible in Arizona Bureau of Land Management resource management plans. These study areas contain 438 miles of free flowing rivers and streams; the Bureau of Land management has administrative responsibility for 331 of these miles. Table 3-10 identifies river study areas with these water resource values.

All twenty of the study areas have stream segments with perennial streamflow. Eight of the study areas have segments with intermittent streamflow. None of the study areas contain segments with ephemeral streamflow. Two of the study areas have perennial stream flow that is regulated by upstream dams. Average stream flow volume in these study areas ranges from 0.45 to 481 cubic feet per second. The average flow category is used simply to indicate relative differences among the rivers. The regulated flows will vary because of water releases. In the rivers with unregulated flow the variation can be extreme from year to year.

Water quality in these rivers and streams ranges from poor to unique. Unique waters are designated under state law and are of exceptionally high quality. Three study areas have poor water quality; eight have acceptable water quality; three have good water quality; three have high water quality; and three are designated as unique waters under state law. Reaches of three study areas are protected by federal reserved rights; ten are covered by both federal and State rights, and three have only

state rights claimed, and currently four have none.

Water rights for instream flows held by the Bureau of Land Management on these waterways have been acquired either through the state appropriative process or through a federal reserved right established by a Congressional Act and quantified through the state system.

The water resource values found in these study areas are essential components of healthy riparian ecosystems. High quality water resources are essential for healthy riparian vegetation, fish habitat, wildlife habitat, recreational activity, and provide water for agriculture, industry and human consumption. Water resources available for natural ecosystem function in Arizona have been diminished and degraded in historic times.

The number of miles of free flowing streams with natural flow regimes has been reduced by dams and diversions for irrigated agriculture, mining and municipal uses. Water quality has been adversely impacted by agriculture return flows, mining waste, and municipal effluent. Groundwater aquifers that underlie some streams have been pumped to the extent that they no longer support surface flow in these streams.

The eligible stream segments identified in Table 3-10 are important sources of water resources in Arizona. They are crucial refuge for native fish, wildlife, and riparian vegetation.

CHAPTER 3

**TABLE 3-10
WILD AND SCENIC RIVER AREAS WATER RESOURCES**

RIVER STUDY AREA	REGIME	AVG. (CFS.) FLOW	STATUS (Rights)(1)	QUALITY
Agua Fria*	P&I	36.5	none	FAIR/GOOD
Aravaipa*	P	18/26	FR/ST	HIGH
Big Sandy*	P&I	78.0	FR/ST	FAIR
Bill Williams*	P (REGULATED)	153.0	FR/ST	ACCEPT
Bonita Creek*	P&I	9.3	FR/ST	UNIQUE
Burro Creek*	P&I	63.5	FR/ST	UNIQUE
Clenega Creek*	P	2.0	STATE	ACCEPT
Francis Creek	P&I	16.1	FR/ST	UNIQUE
Gila Box*	P	481.0	FR/ST	ACCEPT
Hassayampa	P&I	24.4	FR	POOR
Hot Springs	P	4.5	STATE	HIGH
Lower San Francisco*	P	212.0	FR/ST	ACCEPT
Middle Gila*	P (REGULATED)	190.0	federal	ACCEPT
Paria*	P		none	POOR
San Pedro*	P	60/33	FR/ST	GOOD
Santa Maria*	P&I	40.0	federal	ACCEPT
Swamp	P	0.45	FR/ST	EXCELLENT
Turkey Creek	P&I	1.5	none	ACCEPT
Virgin*	P	236	state	POOR
Wright Creek	P		none	GOOD

* Recommended alternative

P= Perennial, I= Intermittent, E= Ephemeral, FR= Federal Reserved, ST= State

(1) Status (water rights) pertains to specific reaches, not the entire river

CHAPTER 3

LIVESTOCK GRAZING

Livestock grazing occurs in 16 of the 20 Wild and Scenic River Study Areas. Six study areas cross only one allotment and one study area crosses 10 allotments. Table 3-11 displays acreage by grazing practice within each study area and livestock improvements.

Animal Unit Months (AUMs) are allocated by allotment and have not been calculated for river study areas because each river study area generally covers only a small portion of the allotment through which it passes. However, the riparian zones in the study areas provide a significant amount of livestock forage.

Eleven study areas are grazed seasonally. Seasonal grazing includes study areas with allotments on management systems such as rest rotation or deferred grazing. This category also includes study areas with allotments designated as perennial/ephemeral in which grazing is authorized when forage is available in the ephemeral portion of the allotment.

Nine river study areas have yearlong grazing. Four study areas have one or more allotments with yearlong grazing and one or more allotments with seasonal grazing. Three study areas are closed totally or partially to livestock grazing. Two study areas totally exclude grazing. The Kingman Resource Management Plan closed one allotment in the Three Rivers Area of Critical Environmental Concern to grazing in order to improve rangeland resources.

Two study areas are included in the 1987 record of decision for the Eastern Arizona Grazing Environmental Impact Statement which prescribed the suspension of livestock grazing in two allotments to allow the recovery of riparian areas, and to improve important wildlife habitat and watershed conditions. This decision was appealed and a resolution is pending. Overgrazing of riparian zones is occurring in four study areas.

CHAPTER 3

TABLE 3-11
WILD AND SCENIC RIVER AREAS LIVESTOCK GRAZING

RIVER STUDY AREA	TOTAL BLM ACRES	NON-USE	YEAR LONG	SEASONAL-P/E	EXCLUDED
Agua Fria*	6,710	0	400	6,310	0
Arevaipa*	3,200	0	0	0	3,200
Big Sandy*	4,220	0	2,209	0	2,011
Bill Williams*	4,650	0	0	4,650	0
Bonita Creek*	3,570	0	338	3,232	0
Burro Creek*	9,460	0	8,124	1,336	0
Cienega Creek*	3,200	0	3,200	0	0
Francis Creek	1,360	0	1,360	0	0
Gila Box*	7,460	0	1,415	6,045	0
Haaseyampa	6,386	0	2,180	4,206	0
Hot Springs	1,600	1,600	0	0	0
Lower San Francisco*	1,874	0	919	955	0
Middle Gila*	6,130	0	0	6,130	0
Paria*	8,960	0	0	8,960	0
San Pedro*	12,256	*	*	*	12,256
Santa Maria*	7,080	*	*	7080	*
Swamp Springs	640	640	0	0	0
Turkey Creek	1,100	0	0	0	1,100
Virgin*	9,344	0	0	9,344	0
Wright Creek	3,861	0	0	3,861	0

* Recommended alternative
Key: P/E = Perennial/Ephemeral

CHAPTER 3

POPULATION AND LOCAL ECONOMY

Arizona maintained a strong population growth during the 1980s. The state grew by nearly one million people in the ten year period from 1980 to 1990.

Most of the counties containing all or portions of the river study areas experienced rapid

population increases. The metropolitan Maricopa and Pima counties and three of the nonmetropolitan counties (Mohave, Yavapai, and Cochise) grew by more than ten percent. The growth in Graham and Pinal counties was slower. Greenlee County registered a loss due to the reduction of mining operations in the county. Table 3-12 provides details.

**TABLE 3-12
ARIZONA POPULATION: 1980-1990(1)**

	1980	1990	Change
ARIZONA	2,718,546	3,665,228	946,682
APACHE	52,108	61,591	9,483
COCHISE*	85,688	97,624	11,938
COCONINO*	75,008	96,591	21,583
GILA*	37,080	40,218	3,136
GRAHAM*	22,862	26,554	3,692
GREENLEE*	11,406	8,008	-3,390
LA PAZ(2)*	12,557	13,844	1,287
MARICOPA*	1,509,176	2,122,101	612,926
MOHAVE*	55,865	93,497	37,632
NAVAJO	67,629	77,658	10,029
PIMA*	531,443	666,880	135,437
PINAL*	90,918	116,379	25,461
SANTA CRUZ	20,459	29,676	6,217
YAVAPAI*	68,145	107,714	39,569
YUMA	76,205	106,896	30,690

* = County with wild and scenic river study area

(1) The county population figures for Arizona for 1980 and 1990 as released by the U.S. Census Bureau. (2) La Paz county included in Yuma county prior to 1983.

Population by County of Residence Arizona, 1980 and 1990(1), Arizona Health Status and Vital Statistics, 1990, 137 (March 1992).

CHAPTER 3

TABLE 3-13
ARIZONA POPULATION PROJECTIONS: 1994-2015

	1994	1995	2000	2010	2015
ARIZONA	4112.8	4209.9	4800.7	5940.3	6671.4
Cochise	115.4	118.4	134.2	162.8	178.6
Coconino	109.8	112.4	126.6	154.4	169.4
Gila	45.2	45.8	48.8	55.8	59.4
Graham	28.8	29.4	32.5	38.9	42.3
Greenlee	8.6	8.6	8.8	8.6	8.3
La Paz	16.2	16.5	17.8	21.1	22.8
Maricopa	2378.8	2434.9	2801	3490.4	3875.2
Mohave	103.6	107.3	126.6	167.3	189.9
Pima	775.7	773.9	877.1	1075.2	1184.6
Pinal	126	129	145.8	179.8	198.5
Yavapai	116.7	120.4	138.9	180.9	204
Yuma	106.8	108	118.8	141.6	154.7

Counties rounded to nearest 100. State total is derived by addition of rounded county totals.

Source: Arizona Revised Population Estimates: Population Projections: 1989-2040, Department of Economic Security, May 1990

TRAVEL AND TOURISM

The counties in which the river study areas are located have a variety of visitor attractions. Table 3-14 shows the average number of

visitors over an eight-year period to federal and state parks, monuments, and historical areas in those counties. Visitor use data for public lands administered by the Bureau of Land Management or Forest Service are not included.

CHAPTER 3

TABLE 3-14 VISITOR STATISTICS: NATIONAL AND STATE PARKS/AREAS

COUNTY		AVG VISITORS PER YEAR (1984-92)	TOTAL PER DAY	COUNTY AVG/DAY
COCHISE	CHIRICAHUA N.M. (1)	72,764	199	206,048/565
	CORONADO N.Mem. (2)	58,523	160	
	FT. BOWIE N.H.S (2)	7,404	20	
	TOMBSTONE COURTHOUSE S.H.P. (2)	67,357	185	
COCONINO	GRAND CANYON N.P. (1)	3,662,779	10,035	7,490,862/20,523
	GLEN CANYON N.R.A. (3)	2,930,935	8,030	
	SUNSET CRATER N.M. (1)	490,451	1,344	
	WUPATKI N.M. (2)	231,204	633	
	PIPE SPRINGS (2)	37,494	103	
	WALNUT CANYON (2)	137,999	378	
GILA	TONTO N.M. (2)	68,167	187	136,226/373
	BOYCE THOMPSON ARBORETUM (1)	68,059	166	
GRAHAM	ROPER LAKE S.P. (3)	46,132	126	46,132/126
LA PAZ	ALAMO LAKE S.P. (PART) (3)	21,877	60	87,031/238
	BUCKSKIN MTN S.P. (3)	65,154	179	
MOHAVE	LAKE MEAD N.R.A. (3)	8,217,806	22,515	8,780,344/24,056
	LAKE HAVASU S.P. (3)	540,661	1,481	
	ALAMO LAKE S.P. (PART) (3)	21,877	60	
PINAL	CASA GRANDE RUINS N.M. (2)	167,205	458	215,072/589
	LOST DUTCHMAN S.P. (1)	43,462	119	
	MCFARLAND S.H.P (2)	4,405	12	
YAVAPAI	TUZIGOOT (2)	112,480	308	1,093,342/2,995
	MONTEZUMA CASTLE (2)	786,922	2,156	
	SLIDE ROCK S.P. (1986-1992) (3)	21,386	59	
	FT. VERDE S.H.P. (2)	30,293	63	
	JEROME S.H.P. (2)	102,845	282	
	DEAD HORSE RANCH S.P. (1)	39,416	108	

Excludes Maricopa and Pima Counties

Key: N.P. = National Park; N.M. = National Monument; N.H.S. = National Historic Site; S.P. = State Park; N. Mem. National Memorial; S.H.P. = State Historical Park; (1) = Scenic; (2) = Historic; (3) = Water-based

Sources: Arizona State Parks Board; University of Arizona Economic and Business Research Program

CHAPTER 3

Bureau of Land Management, 1994

CHAPTER 4 ENVIRONMENTAL CONSEQUENCES

INTRODUCTION

This chapter contains an analysis of the environmental consequences of the statewide alternatives described in Chapter 2. Any substantive changes in the affected environment caused by implementing the alternatives are regarded as impacts.

If a resource described in Chapter 3 (Affected Environment) is not changed by implementing an alternative, or if the impact is not critical or permanent, it is not discussed. For example, there would be no surface disturbance activities, and particulates would not be released into the atmosphere; thus air quality would not be affected. There would be no new developments producing or consuming energy; thus energy use will not be discussed. There would be no effects on the climate or topography. The implementation of the alternatives would not affect fire management, wild burro management, or desert tortoise habitat management. Impacts on individual wild and scenic river study areas are discussed in the River Appendix (Volume 2).

Methodology

The focus of this environmental impact statement is on the impacts that would result from implementing the alternatives determining suitability and recommending designation or determining nonsuitability and not recommending designation for all, portions, or none of the eligible river segments. The alternatives were developed in response to issues associated with protecting outstandingly remarkable values through wild and scenic river designation.

However, wild and scenic river designation or nondesignation would not occur in a vacuum or in isolation. As mentioned in Chapter 1, the Arizona Bureau of Land Management currently is administering a number of plans that preserve and protect riparian areas. For example,

actions under the riparian national conservation areas and the wilderness areas provide protection for riparian zones. Similarly, management of the riparian areas of critical environmental concern includes protective measures for riparian areas.

An analysis of the impacts of wild and scenic river designation, therefore, cannot be separated from these ongoing plans and management actions. In the impact analysis of each alternative, an effort has been made to consider how the ongoing actions would affect and be affected by the implementation of the alternatives. The method of analysis centers on the combination of rivers and the total acreage involved in each issue addressed in this environmental impact statement.

Assumptions

The assumptions used for the analysis of impacts include the following.

1. All management actions would comply with appropriate laws, regulations and policies.
2. The implementation of each alternative would involve a fully funded and staffed administrative office.
3. The period of analysis for this project is 20 years. Short-term impacts are those occurring within five years of implementation.
4. Direct effects are caused by the activity and occur at the same time and place. Indirect effects are caused by the action but are later in time or farther removed in distance.
5. Ongoing management actions described in Chapter 2 would continue to be implemented under all the alternatives.

CHAPTER 4

6. Designation as a Wild, Scenic, or Recreational river would not affect existing, valid water rights. The Wild and Scenic Rivers Act creates a federal reserved water right for a quantity of water sufficient to meet the purposes of the act on designated river segments. The Bureau of Land Management would have the responsibility to preserve each designated segment in its free-flowing condition to protect its outstandingly remarkable values. The quantity of water necessary to fulfill that responsibility would be determined through assessments of instream flow needs.

7. A new federal reserved water right asserted by a wild and scenic river designation would be junior to all valid and existing rights. This action would have no impact on existing water rights either upstream or downstream because it would be junior to any existing right.

8. In addition, the Bureau of Land Management would seek to acquire other means of protection through the purchase, on a willing seller-willing buyer basis, of water rights, land exchanges, negotiated agreements, or other appropriate arrangements.

9. Management plans would be developed in compliance with the National Environmental Policy Act for any Congressionally designated Wild and Scenic River.

10. Where data are limited, the analysis infers environmental consequences using knowledge of the area and professional expertise and judgment based on observation and analysis of conditions and responses in other areas.

IMPACTS FROM IMPLEMENTING THE RECOMMENDED ALTERNATIVE

This alternative determines suitability and recommends Congressional designation for all or parts of 14 eligible rivers (29 segments) covering 74,960 acres into the National Wild and Scenic Rivers System. Six river study areas (11 river segments) of the eligible study areas

are determined to be nonsuitable. These river study areas total approximately 27,000 acres.

There are two types of management actions in this alternative. Wild and scenic river management actions implement recommended wild and scenic river designations. The other type is the ongoing management actions described in Chapter 2. These ongoing management actions are associated with wilderness areas, riparian national conservation areas, areas of critical environmental concern, and resource management plans, and would supplement the protection provided by wild and scenic river designations. The impacts of a nonsuitable designation are analyzed along with the impacts of a suitability designation.

Outstandingly Remarkable Values

Under the recommended alternative the outstandingly remarkable values in 14 river study areas (29 segments) recommended as suitable for designation would receive long-term protection under the Wild and Scenic Rivers Act. Six river study areas (11 river segments) are recommended as nonsuitable for designation and the outstandingly remarkable values would not receive legislative protection under the Wild and Scenic Rivers Act.

- Impacts on Outstandingly Remarkable Scenic Values

Outstandingly remarkable scenic values were identified in 14 of the 20 eligible wild and scenic river study areas.

Implementation of the recommended alternative would protect the outstandingly remarkable scenic values in 12 areas (24 segments) encompassing 69,850 acres. Twelve segments (34,520 acres) of eight river study areas are recommended as Wild. Seven segments are in wilderness areas. The remaining 12 segments are recommended for either Scenic or Recreational designations (34,827 acres). Three river study areas with outstandingly remarkable

CHAPTER 4

TABLE 4-RA1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES

RIVER STUDY AREAS	AGUA FRIA	ARA-VAIPA	BIG SANDY	BILL WLMS	BURR CREEK	GILA BOX	L.SAN MID FRAN CISCO	PARIA GILA	SAN PEDRO	SANTA MARIA	VIRGIN	BLM PUBLIC LANDS	
BLM Public Land Acres	6710	3200	2190	4650	7010	7460	1450	1780	8960	12256	4840	9344	69850
Wild Segments	3230	3200	2190	4164	7010	0	0	0	8960	0	4840	928	34522
No Roads in Wild Segs	3230		0	0	4260	0	0	0	0	0	740	0	8230
No New Mineral Entry	3230		0	0	4260	0	0	0	0	0	740	0	8230
No Surface Patent	6710		0	486	3787	1410	1410	1780	0	0	570	4256	20409
Motorized Use Restricted	3230		0	0	4260	0	0	0	0	0	740	0	8230
No Dams or Diversions	6710	3200	2190	4650	7010	7460	1450	1780	8960	12256	4840	9344	69850
Acres covered in outstandingly remarkable portion by management actions common to all alternatives													
WLDR/RNCA	0	3200	2190	4164	3223	6050	40	0	8960	12256	4270	5088	49441
ACEC	2160		1009	486	4260	0	0	0	0	1120	740	4256	14031
Miles Closed	1		0	0	0	25	0	0	0	0	0	0	26
Existing Roads	3000		628	0	1777	0	1450	1780	0	0	1010	0	9645
Designated Roads	480		1009	486	673	7460	40	0	0	12256	320	4256	26980
No Surface Occupancy	3480		1009	486	673	0	1450	1780	0	0	1060	4256	14194
Protection of Nests	0		1009	486	4933	0	0	0	0	0	1060	0	7488
Erosion Control	0		0	0	0	0	0	0	0	38	0	0	38
Cottonwood Planting	670		0	100	0	0	0	0	0	1120	0	0	1890
No Woodcutting	0		0	0	0	550	0	3890	0	0	0	9344	13784
Dead/Down Wood Only	0		0	0	0	0	0	0	0	0	320	4256	4576
No Native Plant Removal	0		1009	486	673	0	0	0	0	0	320	0	2488
Salt Cedar Removal	0	3200	420	510	0	0	0	610	0	710	0	0	5450
Fencing	0		0	5	0	0	5	0	0	0	0	0	10
Unique Waters Monitoring	0		0	0	24	0	5	0	0	10	0	0	39
New Water Sources	0		5	5	5	5	0	0	0	0	5	0	25
Camp Outside Riparian	0		1009	486	4933	0	0	0	0	0	740	0	7168
Helicopter Restrictions	0		1009	486	4933	0	0	0	0	0	1060	0	7488
Total acres (BLM/private/other) covered by outstandingly remarkable portion													
Total Acres	7160		2920	6357	7490	7960	2020	2330	8960	14080	5450	11040	75767
Private	450		730	524	480	500	570	320	0	1824	610	1632	7640
State/Other	0		0	684	0	0	0	230	0	0	0	64	978
RMP Planned Acquisitions	120	0	730	800	480	500	570	550	0	480	610	1596	6436

CHAPTER 4

scenic values are recommended as not suitable for designation. These are Turkey Creek, Francis Creek, and the Hassayampa River.

The outstandingly remarkable scenic values include canyons, mountain slopes, rolling hills, and broad river channels. Many of the areas offer exceptional opportunities for sightseeing and photography. Riparian forests and heavy stands of vegetation offer sharp contrasts in areas where the surrounding vegetation is dominated by desert shrubs.

Mineral entry, leasing and material disposals would be prohibited by withdrawal on five Wild segments (8,230 acres) of three river study areas. The three river study areas are the Agua Fria River (3,230 acres), Burro Creek (3 segments, 4,260 acres), and the Santa Maria River (740 acres). These areas have a low to moderate potential for locatable minerals. Prohibiting mineral entry would protect the outstandingly remarkable scenic values by preventing surface disturbance from new mining activities in the river corridors. Approved plans of operations would be required for all mining related activity above casual use.

Patents would be restricted to the mineral estate on 20,409 acres outside of wilderness areas in seven river study areas. The segments are in the Agua Fria River, Bill Williams River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, Santa Maria River, and Virgin river study areas.

Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances by returning the area to a natural condition.

New roads would be prohibited on 8,230 acres outside of wilderness areas in the Wild segments of three river study areas (Agua Fria River, Burro Creek, Santa Maria River). Motorized travel also would be restricted in

these areas.

Prohibiting new roads and restricting travel would protect the outstandingly remarkable scenic values from any damage by vehicle use in the river study areas. In certain situations the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

New rights-of-way would be discouraged in the Wild segments (8,230 acres) outside of wilderness areas. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable scenic values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where these have not already been initiated, instream flow assessments on the 11 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable scenic values.

Under the recommended alternative dams, levees and other types of diversions would be prohibited on 211 miles of 11 rivers. This action would protect the outstandingly remarkable scenic values on 23 segments by maintaining natural landscapes and stream flows.

With Congressional designation and Bureau of Land Management implementation, the outstandingly remarkable scenic values would be legislatively protected from possible inundation by the Alamo Reservoir on two segments and up to 7,000 acres along approximately 24 riparian miles of the Big Sandy and Santa Maria rivers.

Additional protection for the outstandingly

CHAPTER 4

remarkable scenic values would be supplied by the ongoing management activities described in Chapter 2.

In the Turkey Creek study area, determined to be nonsuitable, approximately 370 of the 1100 acres are protected by the Aravaipa Creek Wilderness Area and any impacts of nondesignation would be minimal. The remainder (730 acres) would be under administrative protection from the Turkey Creek Riparian Area of Critical Environmental Concern. Impacts to the outstandingly remarkable scenic values resulting from nondesignation in this portion could arise from activities such as recreation and possibly minerals development. Recreation use can result in damage and introduce trash including glass and metal objects as well as other foreign elements in areas not designated for legislative protection. Also, although the mineral potential is low and any mining actions would be subject to approval of a mining plan of operations, exploration efforts could occur and these could impair the outstandingly remarkable scenic values.

In the Francis Creek study area, determined to be nonsuitable, about 480 acres of the 1360-acre total would be under the administrative protection of the Burro Creek Riparian and Cultural Area of Critical Environmental Concern. Recreation, Off-highway vehicle use, woodcutting, native plant removal, and other actions that could potentially damage the outstandingly remarkable scenic values are addressed in management restrictions in the area of critical environmental concern. Because of this any impacts resulting from nondesignation in this portion of the study area would be minimal.

Approximately 3,500 acres of the Hassayampa River determined to be nonsuitable are in the Hassayampa Canyon Wilderness. Although the legislative protection of wilderness does not specifically include outstandingly remarkable scenic values associated with the river study

area, wilderness protection would prevent any significant deterioration to the values through the prohibition of new mineral entry subject to valid existing rights, mechanized vehicle use, and other provisions of wilderness management.

The remaining acreage in Turkey Creek and the Hassayampa River study area would be subject to several types of impacts. A low potential for locatable minerals exists in the Francis Creek region, but the potential is medium to high in the Hassayampa River study area. For example, the impacts on the outstandingly remarkable scenic values from exploration activities and the development of new small mining operations could be substantial. Although reclamation is required of small mining ventures, there is a potential for adverse impacts on the outstandingly remarkable scenic values.

The impacts from mining activities above casual use would be minimized because they are subject to approved plans of operation and Bureau of Land Management stipulations that would prevent damage to outstandingly remarkable values.

On these acres in the nonsuitable study areas that are not under other legislative or administrative protection, off-highway vehicle use and other recreation activities such as camping would not be subject to special management stipulations or guidance. As a result, the outstandingly remarkable scenic values, which although not currently threatened, could be at risk as demands on public lands increase.

• Conclusion

Implementation of the recommended alternative would have no adverse impacts on outstandingly remarkable scenic values on 24 segments and 69,850 acres of 11 rivers. A beneficial impact would result from long-term legislative protection of these values under the Wild and Scenic Rivers Act.

CHAPTER 4

Outstandingly remarkable values in the five segments of the three rivers determined to be nonsuitable cover 20,340 acres. Much of this acreage is included in wilderness areas (portions of Turkey Creek, Hassayampa River) and areas of critical environmental concern where the outstandingly remarkable values would receive administrative protection.

Two river study areas included in the 14 rivers under the recommended alternative, Bonita Creek and Cienega Creek, do not have outstandingly remarkable scenic values.

• Impacts on outstandingly remarkable recreational values

Nine of the 20 eligible river study areas contain outstandingly remarkable recreational values.

Eight of the nine rivers are determined suitable and identified for Congressional designation by the recommended alternative. These eight river study areas consist of 20 segments covering 54,330 acres. One study area, Turkey Creek, is determined to be nonsuitable. The outstandingly remarkable recreational values in the 1100-acre Turkey Creek study area would not receive legislative protection from the provisions in the Wild and Scenic Rivers Act. A 2,450 acre portion of Burro Creek, and a small portion of the Lower San Francisco River study area also would be determined not suitable.

The outstandingly remarkable recreational values support hiking, backpacking, camping, horseback riding, sightseeing, wildlife observation, hunting, fishing, photography, rock climbing, swimming, rafting, kayaking, canoeing, and geologic, ecologic, off highway vehicle use and cultural resource observation and interpretation. Visitor use figures range from annual uses that are very low (Wright Creek) to the very popular Aravaipa Creek, Burro Creek, and San Pedro River areas.

Table 3-6 in Chapter 3 summarizes the primary types of recreation associated with each study

area. In addition, visitors are attracted by archaeological and historic resources. There are numerous opportunities for photographic and artistic projects.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 4,260 acres of the Wild segments of one river study area (Burro Creek). This prohibition would eliminate any surface disturbances or conflicts with the outstandingly remarkable recreational values from new mining operations. Approved plans of operation would be required for all mining related activity above casual use.

Patents would be restricted to the mineral estate on 11,349 acres in five river study areas (Bill Williams River, Burro Creek, Gila River, Gila Box, Lower San Francisco River, and Virgin River). This action would preserve the surface in federal ownership and management. Although mining activities could alter the landscape and affect outstandingly remarkable recreational values, reclamation is required, and reclamation would mitigate surface disturbances.

New roads would be prohibited on 4,260 acres in the Wild segments of one river study area (Burro Creek). Motorized use also would be restricted in this segment. Prohibiting new roads and restricting motorized travel would protect the outstandingly remarkable recreational values from any damage by, or conflicts with vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for other recreational, scientific, minerals development, or other activities.

In five river study areas with Wild segments (24,800 acres) new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade the outstandingly remarkable recreational values; however, the approval of new rights-of-way would require the completion

CHAPTER 4

TABLE 4-RA2: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE RECREATION VALUES

RIVER STUDY AREAS	ARA-VAIPA	BILL-WLMS	BURRO-CREEK	GILA-BOX	L.SAN-FRAN-CISCO	PARIA	SAN-PEDRO	VIR-GIN	BLM-PUBLIC LAND
BLM Public Land Acres	3200	4650	7010	7460	1450	8960	12256	9344	54330
Wild Segments	3200	4164	7010	0	0	8960	0	928	24262
No Roads in Wild Segs	0	0	4260	0	0	0	0	0	4260
No New Mineral Entry	0	0	4260	0	0	0	0	0	4260
No Surface Patent	0	486	3787	1410	1410	0	0	4256	11349
Motorized Use Restricted	0	0	4260	0	0	0	0	0	4260
No Dams or Diversions	3200	4650	7010	7460	1450	8960	12256	9344	54330
Acres covered in outstandingly remarkable portion by management actions common to all alternatives									
WLDR/RNCA	3200	4164	3223	6050	40	8960	12256	5088	42981
ACEC	0	486	4260	0	0	0	1120	4256	10122
Miles Closed	0	0	0	25	0	0	0	0	25
Existing Roads	0	0	1777	0	1450	0	0	0	3227
Designated Roads	0	486	673	7460	40	0	12256	4256	25171
No Surface Occupancy	0	486	673	0	1450	0	0	4256	6865
Protection of Nests	0	486	4933	0	0	0	0	0	5419
Erosion Control	0	0	0	0	0	0	38	0	38
Cottonwood Planting	0	100	0	0	0	0	1120	0	1220
No Woodcutting	0	0	0	550	0	0	0	9344	9894
Dead/Down Wood Only	0	0	0	0	0	0	0	4256	4256
No Native Plant Removal	0	486	673	0	0	0	0	0	1159
Salt Cedar Removal	3200	510	0	0	0	0	710	0	4420
Fencing	0	5	0	0	5	0	0	0	10
Unique Waters Monitoring	10	0	24	0	5	0	10	0	49
New Water Sources	0	5	5	5	0	0	0	0	15
Camp Outside Riparian	0	486	4933	0	0	0	0	0	5419
Helicopter Restrictions	0	486	4933	0	0	0	0	0	5419
Total acres (BLM/private/other) covered by outstandingly remarkable portion									
Total Acres	3200	6357	7490	7960	2020	8960	14080	11040	61107
Private	0	524	480	500	570	0	1824	1632	5530
State/Other	0	684	0	0	0	0	0	64	748
RMP Planned Acquisitions	0	800	480	500	570	0	480	1596	4426

CHAPTER 4

of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the eight study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable recreational values.

Prohibiting dams, levees, and other types of diversions on the approximate 150 riparian miles covered by this portion of the recommended alternative would protect outstandingly remarkable recreational values on the 20 segments. In addition, the outstandingly remarkable recreational values along the riparian miles of eight rivers would be protected by maintaining natural landscapes and stream flows. The outstandingly remarkable recreational values would also be protected by the ongoing management actions described in Chapter 2.

Although the eligibility evaluation determined that the 1100-acre Turkey Creek study area possessed outstandingly remarkable recreational values, this area is determined to be nonsuitable in the recommended alternative. While the outstandingly remarkable recreational values would not receive long-term legislative protection under the Wild and Scenic Rivers Act, there would be some protection on the 370 acres in the Aravaipa Wilderness Area. The remaining 730 acres would not have special legislative protection.

• Conclusion

There would be no adverse impacts on the outstandingly remarkable recreational values on

54,330 acres from implementation of the recommended alternative. The long-term legislative protection would be beneficial. The outstandingly remarkable recreational values on about 3,950 acres not determined suitable would be protected under wilderness and the administrative actions of area of critical environmental concern management. Adverse impacts would not be expected to occur.

• Impacts on outstandingly remarkable geologic values

Outstandingly remarkable geologic values are found in three of the 20 river study areas. Over 15,000 acres in two of these river study areas (Paria and Gila River: Gila Box) are in wilderness areas or riparian national conservation areas and have long-term legislative protection.

Approximately 424 acres in the Lower San Francisco River study area would be determined to be nonsuitable.

Patents would be restricted to the mineral estate on 2,820 acres in the Gila River: Gila Box and Lower San Francisco river study areas.

Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and this would mitigate surface disturbances.

Under the recommended alternative dams, levees, and other types of diversions would be prohibited on approximately 59 riparian miles. This action would protect outstandingly remarkable geologic values by maintaining natural landscapes and stream flows.

CHAPTER 4

**TABLE 4-RA3: MANAGEMENT ACTIONS:
OUTSTANDINGLY REMARKABLE GEOLOGIC VALUES**

RIVER STUDY AREA	GILA BOX	LOWER FRAN- CISCO	PARIA RIVER	BLM PUBLIC LAND
BLM Public Land Acres	7460	1450	8960	17870
Wild Segments	0	0	8960	8960
No Roads in Wild Segs	0	0	0	0
No New Mineral Entry	0	0	0	0
No Surface Patent	1410	1410	0	2820
Motorized Use Restricted	0	0	0	0
No Dams or Diversions	7460	1450	8960	17870
Acres covered in outstandingly remarkable portion by management actions common to all alternatives				
WLDR/RNCA	6050	40	8960	15050
ACEC	0	0	0	0
Miles Closed	25	0	0	25
Existing Roads	0	1450	0	1450
Designated Roads	7460	40	0	7500
No Surface Occupancy	0	1450	0	1450
Protection of Nests	0	0	0	0
Erosion Control	0	0	0	0
Cottonwood Planting	0	0	0	0
No Woodcutting	550	0	0	550
Dead/Down Wood Only	0	0	0	0
No Native Plant Removal	0	0	0	0
Salt Cedar Removal	0	0	0	0
Fencing	0	5	0	5
Unique Waters Monitoring	0	5	0	5
New Water Sources	5	0	0	5
Camp Outside Riparian	0	0	0	0
Helicopter Restrictions	0	0	0	0
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion				
Total Acres	7960	2020	8960	18940
Private	500	570	0	1070
State/Other	0	0	0	0
RMP Planned Acquisitions	500	570	0	1070

CHAPTER 4

• Conclusion

There would be no adverse impacts on the outstandingly remarkable geologic values on 17,870 acres from the implementation of the recommended alternative. The 424 acres in the Lower San Francisco River study area would not be under the long-term protection of the Wild and Scenic Rivers Act.

• Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values

Outstandingly remarkable fish and wildlife habitat values were identified in 19 of the 20 eligible river study areas. Aquatic habitat was identified as an outstandingly remarkable value in two river study areas: Bonita Creek and the Virgin River.

All 14 of the river study areas determined to be suitable for designation by Congress into the Wild and Scenic Rivers System by the recommended alternative contain this value. These 14 rivers consist of 29 segments covering 75,340 acres. Twelve segments (35,000 acres) are recommended for designation with a Wild classification. The remaining 17 segments (39,340 acres) are identified for either a Scenic or Recreational classification.

The recommended alternative also determines that 27,101 acres in four river study areas (11 segments) and segments of other suitable rivers with outstandingly remarkable fish and wildlife habitat and aquatic habitat values are nonsuitable. These include the Francis Creek, Hassayampa River, Hot Springs Canyon, Swamp Springs, and Wright Creek study areas and portions of Big Sandy River (2,030 acres), Burro Creek (2,450 acres), Middle Gila River (4,350 acres), and Santa Maria River (2,240 acres).

Tables 3-7 and 3-8 in Chapter 3 provide details on fish and wildlife populations and riparian vegetation by river area for each of the 20 river

study areas.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 8,230 acres in the Wild segments of three river study areas (Agua Fria River, Burro Creek, Santa Maria River) outside of wilderness areas and riparian national conservation areas. This prohibition would eliminate any threat to the outstandingly remarkable fish and wildlife values from spills, excavations, transportation, and other activities associated with mining operations.

Patents would be restricted to the mineral estate on 23,659 acres in nine river study areas outside wilderness areas and riparian national conservation areas. The river study areas include the Agua Fria River, Bill Williams River, Bonita Creek, Burro Creek, Clenega Creek, Gila River: Gila Box, Lower San Francisco River, Middle Gila River, Santa Maria River, and Virgin River. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape and potentially affect habitat, reclamation is required.

New roads would be prohibited on 8,230 acres outside of wilderness areas in segments recommended as Wild in three river study areas (Agua Fria River, Burro Creek, Santa Maria River). Motorized use also would be restricted in these areas. Prohibiting new roads and restricting motorized use would protect the outstandingly remarkable fish and wildlife values from vehicle use and potential damage in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

New rights-of-way would be discouraged in three Wild river study areas (8,230 acres) outside of wilderness areas. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes.

TABLE 4-RA4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES

RIVER STUDY AREAS	AGUA FRIA	ARA-VAIPA	BIG SANDY	BILL WILMS	BONICREE	BURRO CREEK	CIENEGA CREEK	GILA BOX	LSAN MID FRAN-CISCO	PARIA GILA	SAN PEDRO	SANTA MARIA	VIRGIN	BLM PUBLIC LAND	
BLM Public Land Acres	6710	3200	2190	4650	1810	7010	3200	7460	1450	1780	8960	12256	4840	9344	74860
Wild Segments	3230	3200	2190	4164	0	7010	0	0	0	0	8960	0	4840	928	34522
No Roads in Wild Segs	3230	0	0	0	0	4260	0	0	0	0	0	0	740	0	8230
No New Mineral Entry	3230	0	0	0	0	4260	0	0	0	0	0	0	740	0	8230
No Surface Patent	6710	0	0	486	50	3787	3200	1410	1410	1780	0	0	570	4256	23659
Motorized Use Restricted	3230	0	0	0	0	4260	0	0	0	0	0	0	740	0	8230
No Dams or Diversions	6710	3200	2190	4650	1810	7010	3200	7460	1450	1780	8960	12256	4840	9344	74860
Acres covered in outstandingly remarkable portion by management actions common to all alternatives															
WLDR/RNCA	0	3200	2190	4164	1760	3223	0	6050	40	0	8960	12256	4270	5088	51201
ACBC	2160	0	1009	486	0	4260	0	0	0	0	0	1120	740	4256	14031
Miles Closed	1	0	0	0	11	0	5	25	0	0	0	0	0	0	42
Existing Roads	3000	0	628	0	0	1777	3200	0	1450	1780	0	0	1010	0	12845
Designated Roads	480	0	1009	486	1810	673	0	7460	40	0	0	12256	320	4256	28790
No Surface Occupancy	3480	0	1009	486	0	673	3200	0	1450	1780	0	0	1060	4256	17394
Protection of Nests	0	0	1009	486	0	4933	0	0	0	0	0	0	1060	0	7488
Erosion Control	0	0	0	0	0	0	1	0	0	0	0	38	0	0	39
Cottonwood Planting	670	0	0	100	0	0	0	0	0	0	0	1120	0	0	1890
No Woodcutting	0	0	0	0	150	0	3200	550	0	3890	0	0	0	9344	17134
Dead/Down Wood Only	0	0	0	0	0	0	3200	0	0	0	0	0	320	4256	7776
No Native Plant Removal	0	0	1009	486	0	673	0	0	0	0	0	0	320	0	2488
Salt Cedar Removal	0	3200	420	510	0	0	0	0	0	610	0	710	0	0	5450
Fencing	0	0	0	5	5	0	0	0	5	0	0	0	0	0	15
Unique Waters Monitoring	0	10	0	0	5	24	0	0	5	0	0	10	0	0	54
New Water Sources	0	0	5	5	1	5	0	5	0	0	0	0	5	0	26
Camp Outside Riparian	0	0	1009	486	3570	4933	0	0	0	0	0	0	740	0	10738
Helicopter Restrictions	0	0	1009	600	0	4933	0	0	0	0	0	0	1060	0	7602
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion															
Total Acres	7160	3200	2920	6357	2430	7490	3340	7960	2020	2330	8960	14080	5450	11040	84757
Private	450	0	730	524	620	480	0	500	570	320	0	1824	610	1632	8260
State/Other	0	0	0	684	0	0	160	0	0	230	0	0	0	64	1138
RMP Planned Acquisitions	120	0	730	800	490	480	160	500	570	550	0	480	610	1596	7086

CHAPTER 4

Rights-of-way could degrade outstandingly remarkable fish and wildlife habitat values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the 14 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable fish and wildlife habitat values.

Under the recommended alternative dams, levees, and other types of diversions would be prohibited on 241 riparian miles of 14 rivers. This action would protect the outstandingly remarkable fish and wildlife habitat values on the 29 segments by maintaining natural landscapes and stream flows.

The outstandingly remarkable fish and wildlife habitat and aquatic habitat values also would receive protection from the ongoing management actions described in Chapter 2.

Six study areas with outstandingly remarkable fish and wildlife habitat and aquatic habitat values are determined to be nonsuitable. Some of these areas are in wilderness areas (Swamp Springs, a portion of the Hassayampa River). The remainder have varying types of special protection. Administrative protection under area of critical environmental concern management provides protection for Hot Springs Canyon, Wright Creek, and a 480-acre portion of Francis Creek. The acreage in these areas would be subject to mining activities and operations which can impair fish and wildlife habitat.

In 880 acres of the Francis Creek study area the outstandingly remarkable fish and wildlife habitat and aquatic habitat values, which are not

currently threatened, could be at risk as demands on public lands increase and off highway vehicle use, camping, and other recreational activities expand.

• Conclusion

Implementation of the recommended alternative would have no adverse impacts on the outstandingly remarkable fish and wildlife habitat and aquatic habitat values on 75,340 acres. Placing the areas under the long-term legislative protection of the Wild and Scenic Rivers Act would be a beneficial impact.

The outstandingly remarkable fish and wildlife habitat and aquatic habitat values in the 27,101 acres in six river study areas (13 segments) and segments determined to be nonsuitable would not be under the long-term legislative protection of the Wild and Scenic Rivers Act. These include the Francis Creek, Hassayampa River, Hot Springs Canyon, Swamp Springs, and Wright Creek study areas and portions of Big Sandy River (2,030 acres), Burro Creek (2,450 acres), Middle Gila River (4,350 acres), and Santa Maria River (2,240 acres). In areas not protected by wilderness or under the administrative protection of area of critical environmental concern management, degradation of the values could occur because of increasing demands on public land resources in the future.

• Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values

Eighteen of the 20 eligible river study areas are known to contain prehistoric and historic archaeological sites. Nine of these are regarded as having outstandingly remarkable cultural resource values. Details of these nine areas are shown in Table 3-9, Chapter 3. Prehistoric sites are present in all 18 areas; six contain historic sites.

CHAPTER 4

TABLE 4-RA5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC, AND PALAEOONTOLOGIC VALUES

RIVER STUDY AREAS	AGUA FRIA	BONI- CREEK	BURRO CREEK	GILA BOX	L.SAN FRAN- CISCO	PARIA	SAN PEDRO	BLM PUBLIC LAND
BLM Public Land Acres	6710	1810	7010	7460	1450	8960	12256	45656
Wild Segments	3230	0	7010	0	0	8960	0	19200
No Roads in Wild Segs	3230	0	4260	0	0	0	0	7490
No New Mineral Entry	3230	0	4260	0	0	0	0	7490
No Surface Patent	6710	50	3787	1410	1410	0	0	13367
Motorized Use Restricted	3230	0	4260	0	0	0	0	7490
<u>No Dams or Diversions</u>	<u>6710</u>	<u>1810</u>	<u>7010</u>	<u>7460</u>	<u>1450</u>	<u>8960</u>	<u>12256</u>	<u>45656</u>
Acres covered in outstandingly remarkable portion by management actions common to all alternatives								
WLDR/RNCA	0	1760	3223	6050	40	8960	12256	32289
ACEC	2160	0	4260	0	0	0	1120	7540
Miles Closed	1	11	0	25	0	0	0	37
Existing Roads	3000	0	1777	0	1450	0	0	6227
Designated Roads	480	1810	673	7460	40	0	12256	22719
No Surface Occupancy	3480	0	673	0	1450	0	0	5603
Protection of Nests	0	0	4933	0	0	0	0	4933
Erosion Control	0	0	0	0	0	0	38	38
Cottonwood Planting	670	0	0	0	0	0	1120	1790
No Woodcutting	0	150	0	550	0	0	0	700
Dead/Down Wood Only	0	0	0	0	0	0	0	0
No Native Plant Removal	0	0	673	0	0	0	0	673
Sak Cedar Removal	0	0	0	0	0	0	710	710
Fencing	0	5	0	0	5	0	0	10
Unique Waters Monitoring	0	5	24	0	5	0	10	44
New Water Sources	0	1	5	5	0	0	0	11
Camp Outside Riparian	0	3570	4933	0	0	0	0	8503
Helicopter Restrictions	0	0	4933	0	0	0	0	4933
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion								
Total Acres	7160	2430	7490	7960	2020	8960	14080	50100
Private	450	620	480	500	570	0	1824	4444
State/Other	0	0	0	0	0	0	0	0
RMP Planned Acquisitions	120	490	480	500	570	0	480	2640

CHAPTER 4

The recommended alternative determines suitability and recommends designation for seven river study areas consisting of 16 segments (45,656 acres) with outstandingly remarkable cultural and historic values for designation. Six segments (19,200 acres) are recommended for designation with a Wild classification and the remaining 10 segments (26,460 acres) for a Scenic or Recreational classification. Approximately 9,600 acres with outstandingly remarkable cultural and historic values are determined to be nonsuitable.

These primarily are in two study areas (the 1100-acre Turkey Creek and 3,861-acre Wright Creek) and portions of Bonita Creek (1,760 acres), and Burro Creek (2,450 acres).

Outstandingly remarkable cultural resource values in nine of the study areas are rare and significant but nonetheless threatened from damage by erosion and human activities such as vandalism and off-road vehicle traffic.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 7,490 acres on the Agua Fria River and Burro Creek segments designated as Wild. Motorized travel is restricted and new roads are also prohibited in these areas. These actions would prevent any potential damage to the outstandingly remarkable cultural, historic, and paleontologic values from damage or destruction by minerals excavation and tailings deposits or from road construction and vehicle travel.

Patents would be restricted to the mineral estate on 13,367 acres in five river study areas outside of wilderness areas and riparian national conservation areas. Included are the Agua Fria River, Burro Creek, Bonita Creek, Gila River, Gila Box, and Lower San Francisco River.

Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Mining activities would be monitored to prevent damage to cultural resources. Alteration of the landscape could affect the setting and surroundings integral to the cultural, historic, and paleontologic values. However, reclamation is required, and reclamation would mitigate surface disturbances.

In the river segments (19,200 acres) outside of wilderness areas, new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable cultural, historic, and paleontological values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

The outstandingly remarkable cultural, historic, and paleontologic values also would be protected by the ongoing management actions described in Chapter 2. For example, proposed activities that could result in increased use or surface disturbance would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed. Sites evaluated as eligible for the National Register of Historic Places, in consultation with the State Historic Preservation Officer, would normally be avoided by the proposed activity. However, if avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.

CHAPTER 4

Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.

Two of the nine study areas with outstandingly remarkable cultural, historic and paleontologic values identified in the eligibility determinations are determined to be nonsuitable. These are the Turkey and Wright Creek study areas (4,960 acres).

A 370-acre portion of Turkey Creek is under the legislative protection of Wilderness. Administrative protection for the rest of Turkey Creek and all of Wright Creek is ensured by Area of Critical Environmental Concern management. For example, travel in the Wright Creek study area is restricted to existing roads; in Turkey Creek travel is restricted to existing roads. No surface occupancy restrictions exist in both study areas.

Recreational use would not be restricted to protect the outstandingly remarkable values. As a result, the outstandingly remarkable cultural, historic, and paleontologic values, which are not currently threatened, could be at risk as demands on public lands increase.

• Conclusion

Implementation of the recommended alternative would have no adverse impacts on the outstandingly remarkable cultural and historic values (45,656 acres). Placing the areas under the long-term legislative protection of the Wild and Scenic Rivers Act would be a beneficial impact.

The outstandingly remarkable cultural and historic values in the approximately 9,600 acres

would not be under the long-term legislative protection of the Wild and Scenic Rivers Act. These primarily are in two study areas (the 1100-acre Turkey Creek and 3,861-acre Wright Creek) and portions of Bonita Creek (1,760 acres), Burro Creek (2,450 acres). Degradation of the values could occur because of increasing demands on public land resources in the future.

• Impacts on outstandingly remarkable hydrologic values

Two river study areas (8,910 acres) have outstandingly remarkable hydrologic values. Portions of both study areas (7,000 acres) are within the Gila River: Gila Box Riparian National Conservation Area established by Congress in 1990. The recommended alternative would determine approximately 430 acres in the Lower San Francisco River study area to be nonsuitable.

The outstandingly remarkable hydrologic values are identified with perennial natural water flow in an otherwise semi-arid desert environment.

Currently water rights in the area are under a complex state and federal water rights litigation process that eventually will determine stream flow quantities. The most likely scenario is that senior water rights will be located downstream, assuring continued flow in the Gila River: Gila Box.

Where not already initiated, instream flow assessments on the two study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable hydrologic values.

CHAPTER 4

**TABLE 4-RA6: MANAGEMENT ACTIONS:
OUTSTANDINGLY REMARKABLE
HYDROLOGIC VALUES**

RIVER STUDY AREAS	GILA BOX	L.SAN FRAN- CISCO	BLM PUBLIC LAND
BLM Public Land Acres	7460	1450	8910
Wild Segments	0	0	0
No Roads in Wild Segs	0	0	0
No New Mineral Entry	0	0	0
No Surface Patent	1410	1410	2820
Motorized Use Restricted	0	0	0
<u>Fed Reserve Water Right</u>	<u>7460</u>	<u>1450</u>	<u>8910</u>
Acres covered in outstandingly remarkable portion by management actions common to all alternatives			
WLDR/RNCA	6050	40	6090
ACEC	0	0	0
Miles Closed	25	0	25
Existing Roads	0	1450	1450
Designated Roads	7460	40	7500
No Surface Occupancy	0	1450	1450
Protection of Nests	0	0	0
Erosion Control	0	0	0
Cottonwood Planting	0	0	0
No Woodcutting	550	0	550
Dead/Down Wood Only	0	0	0
No Native Plant Removal	0	0	0
Salt Cedar Removal	0	0	0
Fencing	0	5	5
Unique Waters Monitoring	0	5	5
New Water Sources	5	0	5
Camp Outside Riparian	0	0	0
Helicopter Restrictions	0	0	0
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion			
Total Acres	7960	2020	9980
Private	500	570	1070
State/Other	0	0	0
RMP Planned Acquisitions	500	570	1070

CHAPTER 4

Prohibiting dams, levees, and other types of diversions on the approximate 32 riparian miles covered by the this portion of the recommended alternative would protect outstandingly remarkable hydrologic values.

- **Conclusion**

Implementation of the recommended alternative would have no adverse impacts on outstandingly remarkable hydrologic values (8,910 acres). The legislative protection for the outstandingly remarkable hydrologic values from the Wild and Scenic Rivers Act would complement the legislative protection associated with the riparian national conservation area status.

The outstandingly remarkable hydrologic values on 434 acres in the Lower San Francisco River study area determined to be nonsuitable would not have long-term legislative protection under the Wild and Scenic Rivers Act.

- **Impacts on Minerals Development**

A locatable mineral potential exists in 34 of the 40 eligible river study area segments (98,120 acres). There is no mineral potential in six river study area segments (7,597 acres). These are the Bill Williams River (2 segments, 2,336 acres), Clenega Creek (2 segments, 3,200 acres), Hot Springs Canyon (1 segment, 1,600 acres), and Swamp Springs (1 segment, 640 acres).

CHAPTER 4

TABLE 4-RAMN1
SEGMENTS WITH MINERAL POTENTIAL

Wild and Scenic River Study Area	Segment 1	Segment 2	Segment 3	Segment 4	Segment 5
Agua Fria River	L;1390ac Scenic	M;3230ac Wild	L;2090ac Scenic		
Arenalpa Creek	L;3200ac Wild				
Big Sandy River		L-M;2190ac Wild			
Bill Williams River	L-M;2314ac Wild	N;486ac Scenic	N;1850ac Wild		
Bonita Creek	L;1810ac Recreational				
Burro Creek	L;500ac Wild	L-M;2750ac Wild		M-H;2830ac Wild	M;1130ac Wild
Cienega Creek	N;3,200ac Scenic				
Gila Box: Gila River	L;1940ac Recreational	L;4250ac Scenic	N-L;1270ac Recreational		
Gila Box: Lower San Francisco River	L;710ac Recreational	L;740ac Recreational			
Middle Gila River			M;1780ac Recreational		
Paria River	L-H;8960ac Wild				
San Pedro River	L/M;11616ac Recreational		L/M;640ac Recreational		
Santa Maria River	L/M;4840ac Wild				
Virgin River	L;928ac Wild	L;2336ac Scenic	L;2368ac Recreational	L;3712ac Recreational	

The recommended alternative includes 14 river study areas containing 29 segments (74,860 acres). Twelve of these segments (34,522 acres) are determined suitable and recommended for designation with a Wild classification; the remaining 17 segments (39,338 acres) are recommended for designation with a Scenic or Recreational classification.

In the implementation of the recommended alternative, five segments (8,230 acres) with

mineral potential and outside of wilderness areas would be recommended for a Wild classification and withdrawn from mineral entry. The river study areas and segments are shown in Table 4-RAMN2. Acreage is shown for segments that would be withdrawn under the Wild and Scenic Rivers Act; acres are not included for segments withdrawn in wilderness areas.

CHAPTER 4

**TABLE 4-RAMN2
RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS**

River Study Area	Segment 1	Segment 2	Segment 4	Segment 5
Agua Fria		Moderate 3230 acres		
Aravaipa	Low WLDR Withdraw			
Big Sandy		Low/Moderate WLDR Withdraw		
Burro Creek	Low 500 acres	Low/Moderate WLDR Withdraw	Moderate/High 2630 acres	Moderate 1130 acres
Paria	Low/High WLDR Withdraw			
Santa Maria	Low/Moderate 740 acres			
Virgin	Low WLDR Withdraw			

As Table 4-RAMN2 indicates, segments in the Agua Fria River, Bill Williams River, Burro Creek, and Santa Maria River study areas would be recommended for designation with a Wild classification and withdrawn from mineral entry under the Wild and Scenic Rivers Act.

The 17 segments (37,138 acres) in river study areas recommended for designation and a Scenic or Recreational classification would not be withdrawn from mineral entry under the Wild and Scenic Rivers Act. These are shown in Table 4-RAMN3.

CHAPTER 4

**TABLE 4-RAMN3
RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL**

River Study Area	Segment 1	Segment 2	Segment 3	Segment 4
Agua Fria	L;1390ac Scenic; ACEC		L;2080ac Scenic	
Bill Williams		N;486ac Scenic; ACEC		
Bonita Creek	N-L;1810ac Recreational; RNCA			
Gila Box	L;1940ac Recreational; RNCA	L;4250ac Scenic; RNCA	N-L;1270ac Recreational; RNCA	
Lower San Francisco	L;710ac Recreational; RNCA	L;740ac Recreational;		
Middle Gila			M;1780ac Recreation	
San Pedro	L/M;11616ac Recreation; RNCA		L/M;640ac Recreation; RNCA	
Virgin		L;2336ac Scenic WLDR	L;2368ac Recreation WLDR	L;3712ac Recreation ACEC

However, as Table 4-RAMN3 illustrates, nine of the 15 segments (26,460 acres) are under wilderness area or riparian national conservation area withdrawals. The remaining six segments (10,198 acres) include segments 1 and 3 in the Agua Fria River, segment 2 in the Bill Williams River, segment 2 in the Lower San Francisco River, segment 3 in the Middle Gila River, and segment 5 in the Virgin River study areas. Three of these segments are in areas of critical environmental concern where mineral withdrawals will be recommended.

Adverse impacts on minerals development may be caused by other changes. For example, minerals development activities on moderate-to-high potential areas adjacent to withdrawal areas may not occur, or may be curtailed if the ore deposit is too small for a reasonable operation. Prohibiting roads in Wild segments may hinder access to areas outside the wild

and scenic river corridor for exploration and/or minerals development.

• Conclusion

There are 27 segments where the locatable mineral potential has been estimated. Five of these segments (8,230 acres) would be recommended for a Wild classification and mineral withdrawal under the Wild and Scenic Rivers Act. One segment (2,630 acres) has a moderate to high mineral potential. Two others (4,360 acres) have a moderate potential. The remaining two segments (1,240 acres) have low to moderate potential.

Although there would be no additional acres withdrawn under the Wild and Scenic Act provisions of the recommended alternative, minerals entry also would be prohibited in 11 segments (46,600 acres) recommended for Wild

CHAPTER 4

designations in wilderness areas and riparian national conservation areas.

Prohibiting mineral entry on up to 8,230 acres in five segments of three river study areas would have a minor adverse impact on minerals development.

• Impacts on Tourism

The recommended alternative determines suitability and recommends designation for rivers in nine counties: Cochise, Coconino, Gila,

Graham, Greenlee, La Paz, Mohave, Pinal, and Yavapai. The travel and tourism data for these counties (Chapter 3, Table 3-14), shows a wide range of visitor totals. For Graham County, the eight-year average was 46,100. In contrast, Coconino County totals were approximately 7.5 million. Greenlee County was omitted because it has no national or state parks or recreational areas.

Visitor expectations for the rivers determined suitable and recommended for designation in these counties are shown in Table 4-RAT1.

**TABLE 4-RAT1
VISITOR USE CHANGES**

COUNTY	RIVER STUDY AREA	CURRENT USE	ESTIMATED VISITOR INCREASE
Cochise	San Pedro	>50,000	>10 percent
Coconino	Paria	5,300	--
Gila	Middle Gila	1,500	<20 percent
Graham	Aravaipa Creek Bonita Creek Gila Box: Gila River	>15,000 15,000 4,000	-- <20 percent <20 percent
Greenlee	Gila Box: Gila River Gila Box: Lower San Francisco River	4,000 >1,000	<20 percent <10 percent
La Paz	Bill Williams River Santa Maria River	<2,500 <2,000	<10 percent <10 percent
Mohave	Big Sandy River Bill Williams River Burro Creek Santa Maria River Virgin River	2,500 <2,500 >20,000 <2,000 7,600	<10 percent <10 percent >10 percent <10 percent >10 percent
Pima	Cienega Creek	>2,500	<20 percent
Pinal	Aravaipa Creek Middle Gila	>15,000 1,500	-- <20 percent
Yavapai	Burro Creek Santa Maria River	>20,000 >2,000	>10 percent <10 percent

CHAPTER 4

The estimations in Table 4-RAT1 regarding increases in visitor use involve several assumptions. One of these is the normal trend of visitor use growth. Regardless of designation, the number of visitors to the river study areas is expected to increase in proportion to anticipated increases in tourism throughout the state. For example, the San Pedro River Riparian National Conservation Area currently records over 50,000 annual visitor use days. Visitor use will increase in the future regardless of Congressional action on designation. The publicity associated with Wild and Scenic river designation would add slightly to the normal increase.

Another assumption is that wild and scenic river designation will be accompanied by publicity. Maps will identify the rivers; brochures may be developed; commercial tour ventures may develop. The Bureau of Land Management sponsored a University of Arizona study on nature-based tourism in southeastern Arizona. The study illustrates how nature-based tourism can benefit local economies (University of Arizona, 1992). The wild and scenic river publicity would have its greatest effect on river study areas in and near the tourism centers of the Phoenix (Maricopa County) and Tucson (Pima County) metropolitan areas. Other centers would be the cities of Sedona (Yavapai/Coconino County), Sierra Vista (Cochise County), Prescott (Yavapai County), Payson (Gila County), and in Mohave County, Lake Havasu City and Bullhead City.

A third assumption is that the Bureau of Land Management will not undertake recreational facility developments because of wild and scenic river designation. Rivers designated as Wild prohibit this. While recreational developments are allowed in Scenic and Recreational rivers, the Bureau of Land Management has no plans for the developing special facilities.

Finally, most of the river segments recommended as suitable for designation are in

primitive use areas with limited access. Exceptions to this are the San Pedro River and portions of the Virgin, Gila, and San Francisco river study areas.

As Table 4-RAT1 indicates, the estimated increase in visitors ranges from 5,000 in the San Pedro River study area to fewer than 500 in the more remote study areas. On a county basis, Graham County would have an additional 4,000 annual visitors, or nearly 10 percent of the average total park and recreational visits shown in Table 3-14. This would be a minor beneficial impact. In Greenlee County, which does not appear in the data displayed in Table 3-14, the estimated increase would be approximately 1,000 visitor use days. This also would be a minor beneficial impact.

In the other county areas where visitor totals are already high, visitor increase proportions resulting from wild and scenic river designation would be negligible.

• Conclusion

Implementation of the recommended alternative would have no adverse effects on travel and tourism. Minor beneficial impacts would occur in Graham and Greenlee counties.

Cumulative effects of implementing the recommended alternative

A cumulative impact is defined as the impact on the environment resulting from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7).

Assessing the cumulative impacts of designation involves several assumptions:

CHAPTER 4

- Wild and scenic river management actions are restricted in this document to public lands in Arizona managed by the Bureau of Land Management.
- Portions of the river study area under nonfederal ownership or management would be excluded. This includes portions owned or managed by tribal groups, private entities and states.
- Congressional action to include the rivers in the National Wild and Scenic Rivers System would not affect the use of private property.
- Designation does not open lands nonfederal lands to public access. The right to buy and sell property will not be affected.
- Ongoing management actions currently being implemented for wilderness areas, national conservation areas, and areas of critical environmental concern would occur on Bureau of Land Management lands in which the study areas are located.

Cumulative Impacts on outstandingly remarkable values

In the past, legislative protection for resource values has been provided through the designation of wilderness areas covering 4,537,864 acres of federal land in Arizona. Four agencies manage these wilderness areas: the Bureau of Land Management (1,405,750 acres), the U.S. Forest Service (1,344,970 acres), the U.S. Fish and Wildlife Service (1,343,444 acres), and the National Park Service (443,700 acres).

In 1984 Congress also designated portions of the Verde River in Arizona that are managed by the U.S. Forest Service as a wild and scenic river.

Currently, the Bureau of Land Management

recommended alternative has determined that 71,679 acres of federal land in Arizona are suitable and recommends these areas to Congress for designation into the National Wild and Scenic Rivers System.

The U.S. Forest Service has issued a Resource Information Report providing information on potential wild, scenic, and recreational rivers in six National Forests in Arizona (September, 1993). The Resource Information Report identifies 53 river areas totalling approximately 843 miles as potentially eligible for designation.

There is a possibility that, in the foreseeable future, some of the rivers identified by the U.S. Forest Service as potentially eligible will be included in a legislative bill introduced by Congress. If no bill is introduced, the U.S. Forest Service will complete the wild and scenic river evaluation through its planning process.

The U.S. Fish and Wildlife Service also has identified an 11-mile segment of the Bill Williams River as potentially eligible for inclusion into the National Wild and Scenic River System. This segment also could be included in a Congressional legislative bill. If it is not, the U.S. Fish and Wildlife Service will incorporate the wild and scenic river evaluation into its planning process.

In addition, the National Park Service will study the Grand Canyon portion of the Colorado River to determine suitability (Grand Canyon National Park - Arizona; General Management Plan, September, 1993).

The protection of the public lands through legislative designation is considered to be a positive action. As evidence of this, Congress enacted the Wild and Scenic Rivers Act in 1969 in order to preserve and protect selected rivers for their outstandingly remarkable values and "for the benefit and enjoyment of future generations" (P.L. 90-542, Sec 1(b)).

CHAPTER 4

• Conclusion

Implementing the recommended alternative determining suitability and recommending designation for the 14 river areas covering 74,860 acres would result in a beneficial cumulative impact for the outstandingly remarkable values.

Cumulative Impacts on minerals development

In the past, new mineral entry and leasing has been legislatively prohibited through the designation of wilderness areas covering 4,537,864 acres of federal land in Arizona. Four agencies manage these wilderness areas: the Bureau of Land Management (1,405,750 acres), the U.S. Forest Service (1,344,970 acres), the U.S. Fish and Wildlife Service (1,343,444 acres), and the National Park Service (443,700 acres).

Currently, the Bureau of Land Management recommended alternative has determined that 74,860 acres of federal land in Arizona are suitable and recommends these areas to Congress for designation into the National Wild and Scenic Rivers System. The recommended alternative recommends that five segments be classified as Wild. These five segments cover 8,230 acres. One segment is in an area estimated to have a moderate to high potential for locatable minerals. Two (4,360 acres) are in areas estimated to have a moderate locatable minerals potential. The remaining two segments (1,240 acres), are in areas with a low to moderate locatable minerals potential. Under the Wild and Scenic Rivers Act designation would withdraw these acres from new mineral entry and leasing.

The U.S. Forest Service has issued a Resource Information Report providing information on potential wild, scenic, and recreational rivers in six National Forests in Arizona (September, 1993). The Resource Information Report identifies 53 river areas totalling approximately 843 miles as potentially eligible for designation.

There is a possibility that, in the foreseeable future, some of the rivers identified by the U.S. Forest Service as potentially eligible will be included in a legislative bill introduced by Congress. If no bill is introduced, the U.S. Forest Service will complete the wild and scenic river evaluation through its planning process.

The U.S. Fish and Wildlife Service also has identified an 11-mile segment of the Bill Williams River as potentially eligible for inclusion into the National Wild and Scenic River System. This segment also could be included in a Congressional legislative bill. If it is not, the U.S. Fish and Wildlife Service will incorporate the wild and scenic river evaluation into its planning process.

In addition, the National Park Service will study the Grand Canyon portion of the Colorado River to determine suitability (Grand Canyon National Park - Arizona; General Management Plan, September, 1993).

Mining is a major component of the Arizona economy. Access to mineral resources on public lands is an important part of the Arizona minerals industry.

Congressional designation of the river segments recommended in the recommended alternative for a Wild classification would withdraw 8,230 acres from new mineral entry. One of these segments (covering 2,630 acres) has a moderate-to-high locatable mineral potential. Two other segments (4,360 acres) have a moderate locatable mineral potential. The remaining two segments (1,240 acres) have low-to-moderate locatable mineral potential.

• Conclusion

The recommended alternative would have a minor adverse cumulative effect on minerals development.

CHAPTER 4

Cumulative Impacts on Tourism

Wilderness areas and wild and scenic rivers have a tourism value for the counties and state.

In the past, legislative action has created wilderness areas that covering 4,537,864 acres of federal land in Arizona. Four agencies manage these wilderness areas: the Bureau of Land Management (1,405,750 acres), the U.S. Forest Service (1,344,970 acres), the U.S. Fish and Wildlife Service (1,343,444 acres), and the National Park Service (443,700 acres).

In 1984 Congress also designated portions of the Verde River in Arizona that are managed by the U.S. Forest Service as a wild and scenic river.

Currently, the Bureau of Land Management recommended alternative has determined that 74,860 acres of federal land in Arizona are suitable and recommends these areas to Congress for designation into the National Wild and Scenic Rivers System.

The U.S. Forest Service has issued a Resource Information Report providing information on potential wild, scenic, and recreational rivers in six National Forests in Arizona (September, 1993). The Resource Information Report identifies 53 river areas totalling approximately 843 miles as potentially eligible for designation.

There is a possibility that, in the foreseeable future, some of the rivers identified by the U.S. Forest Service as potentially eligible will be included in a legislative bill introduced by Congress. If no bill is introduced, the U.S. Forest Service will complete the wild and scenic river evaluation through its planning process.

The U.S. Fish and Wildlife Service also has identified an 11-mile segment of the Bill Williams River as potentially eligible for inclusion into the National Wild and Scenic River System. This segment also could be included in a Congressional legislative bill. If it is not, the

U.S. Fish and Wildlife Service will incorporate the wild and scenic river evaluation into its planning process.

In addition, the National Park Service will study the Grand Canyon portion of the Colorado River to determine suitability (Grand Canyon National Park - Arizona; General Management Plan, September, 1993).

The protection of the public lands through legislative designation is considered to be a positive action. As evidence of this, Congress enacted the Wild and Scenic Rivers Act in 1969 in order to preserve and protect selected rivers for their outstandingly remarkable values and "for the benefit and enjoyment of future generations" (P.L. 90-542, Sec 1(b)).

• Conclusion

Implementing the recommended alternative determining suitability and recommending designation for the 14 river areas covering 74,860 acres would result in a minor beneficial cumulative impact on tourism.

Irreversible and irretrievable commitments of resources involved in the recommended alternative

There would be no irreversible and irretrievable commitments of resources associated with implementation of the recommended alternative. The Wild and Scenic Act would provide legislative protection. However, legislative actions are not irreversible and irretrievable.

Unavoidable adverse effects

Implementation of the recommended alternative would have no unavoidable adverse effects.

Short-term uses of the environment versus long-term productivity

Under the recommended alternative, all short-term uses would continue and future

CHAPTER 4

development options not restricted by other management actions would remain open.

IMPACTS FROM IMPLEMENTING THE ALL SUITABLE ALTERNATIVE

The all suitable alternative determines suitability and recommends Congressional designation for all 20 eligible river study areas (40 segments covering 103,061 acres) into the National Wild and Scenic Rivers System.

There are two types of management actions in this alternative. Wild and scenic river management actions implement recommended wild and scenic river designations. The other type is the ongoing management actions described in Chapter 2. These ongoing management actions are associated with wilderness areas, riparian national conservation areas, areas of critical environmental concern, and Resource Management Plans. The ongoing management actions would supplement the protection provided by wild and scenic river designations.

Outstandingly Remarkable Values

Under the all suitable alternative, the outstandingly remarkable values in the river segments determined suitable and recommended for designation would receive long-term legislative protection under the Wild and Scenic Rivers Act.

- Impacts on Outstandingly Remarkable Scenic Values

In the eligibility evaluation, 15 river study areas were regarded to have outstandingly remarkable scenic values.

Implementation of the all suitable alternative would protect the outstandingly remarkable scenic values on 34 segments of 15 rivers encompassing 87,500 acres. In 11 river study areas (42,518 acres) 14 segments are proposed for a Wild designation. The remaining 19

segments (44,472 acres) are proposed for either Scenic or Recreational designations.

The outstandingly remarkable scenic values include canyons, mountain slopes, rolling hills, and broad river channels. Many of the areas offer exceptional opportunities for sightseeing and photography. Riparian forests and heavy stands of vegetation offer sharp contrasts in areas where the surrounding vegetation is dominated by desert shrubs.

Mineral entry, leasing, and materials sales would be legislatively prohibited on 10,997 acres of the Wild segments in six river study areas (Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, and Santa Maria River). Prohibiting mineral entry would protect the outstandingly remarkable scenic values by preventing surface disturbances from new mining activities in the river corridors. Approved plans of operation would be required for all mining related activities above casual use.

Patents would be restricted to the mineral estate on 33,740 acres in 12 river study areas: Agua Fria River, Big Sandy River, Bill Williams, Burro Creek, Gila River: Gila Box, Francis Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, Santa Maria River, Turkey Creek, and Virgin River. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances.

New roads would be prohibited on 11,037 acres outside of wilderness areas in Wild segments in six river study areas (Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, Santa Maria River). Motorized travel also would be restricted in these study areas.

CHAPTER 4

TABLE 4-AS1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES

RIVER STUDY AREAS	AGUA FRIA	ARA- VAIPA	BIG SANDY	BELL WILMS	BURRO CREEK	FRANCIS CREEK	GILA BOX	MARSA- YAMPA	L. SAN FRAN-	MID GILA	FARIA	SAN PEDRO	SANTA MARIA	TURKEY CREEK	VIRGIN	BLM PUBLIC LAND
BLM Public Land Acres	6710	3200	4220	4650	9460	1360	7460	6386	1874	6130	8960	12256	7080	1100	9344	90190
Wild Segments	5320	3200	2190	4164	6570	0	4250	3246	740	2630	8960	0	3520	0	928	45718
No Roads in Wild Segs	5320		0	0	3347	0	0	200	740	390	0	0	1040	0	0	11037
No New Mineral Entry	5320		0	0	3347	0	0	200	700	390	0	0	1040	0	0	10997
No Surface Patent	6710		1637	486	6237	880	1410	2860	1834	3890	0	0	2810	730	4256	33740
Motorized Use Restricted	5320		0	0	3347	0	0	200	740	390	0	0	1040	0	0	11037
No Dams or Diversions	6710	3200	4220	4650	9460	1360	7460	6386	1874	6130	8960	12256	7080	1100	9344	90190
Acres covered in outstandingly remarkable portion by management actions common to all alternatives																
WLDR/RNCA	0	3200	2583	4164	3223	480	6050	3526	40	2240	8960	12256	4270	370	5088	56450
ACBC	2160		1009	486	4933	480	0	0	0	0	0	1120	1060	560	4256	16064
Miles Closed	1		0	0	0	0	25	0	0	0	0	0	0	0	0	26
Existing Roads	1390		628	0	1760	400	0	2600	1134	3500	0	0	690	730	0	12832
Designated Roads	0		1009	486	1130	480	3210	0	0	0	0	12256	0	0	4256	22827
No Surface Occupancy	1390		1009	486	1130	480	0	2660	1134	3500	0	0	2810	730	4256	19585
Protection of Nests	0		1009	486	4933	480	0	0	0	0	0	0	1060	0	0	7968
Erosion Control	0		0	0	0	0	0	0	0	0	0	38	0	0	0	38
Cottonwood Planting	670		0	100	0	0	0	660	0	0	0	1120	0	0	0	2550
No Woodcutting	0		0	0	0	0	550	0	0	3890	0	0	0	560	9344	14344
Dead/Down Wood Only	0		0	0	0	0	0	0	0	0	0	0	320	0	4256	4576
No Native Plant Removal	0		1009	486	1130	480	0	0	0	0	0	0	320	0	0	3425
Salt Cedar Removal	0	3200	420	510	0	0	0	0	0	610	0	710	0	0	0	5450
Fencing	0		0	5	0	0	0	0	6	0	0	0	0	0	0	11
Unique Waters Monitorin	0		0	0	31	4	0	0	6	0	0	10	0	0	0	51
New Water Sources	0		5	5	5	5	5	5	0	0	0	0	5	0	0	35
Camp Outside Riparian	0		1009	486	4933	480	0	0	0	0	0	0	1060	0	0	7968
Helicopter Restrictions	0		1009	486	4933	480	0	0	0	0	0	0	1060	0	0	7968
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion																
Total Acres	7160	3200	8730	6357	15650	3560	7960	9462	2464	8515	8960	14720	12000	1100	11040	120878
Private	450		4510	524	3350	1670	500	600	590	1505	0	2464	2430	0	1632	20225
State/Other	0		0	703	2840	530	0	2476	0	880	0	0	2490	0	64	9983
RMP Planned Acquisition	120	0	4510	800	6042	400	500	1040	590	2205	0	480	610	0	1596	18893

CHAPTER 4

Prohibiting new roads and restricting motorized travel would protect the outstandingly remarkable scenic values from vehicle use and impacts in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

In six river study areas with Wild segments (10,997 acres) new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable scenic values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the 14 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable scenic values.

Under the all suitable alternative dams, levees, and other types of diversions would be prohibited on approximately 284 riparian miles of 14 rivers. This action would protect the outstandingly remarkable scenic values by maintaining natural landscapes and stream flows. The outstandingly remarkable scenic values also on 33 segments and riparian miles along 14 rivers. With Congressional designation and Bureau of Land Management implementation, the outstandingly remarkable scenic values would be legislatively protected from possible inundation by the Alamo Reservoir on two segments and up to 7,000 acres along approximately 24 riparian miles of the Big Sandy and Santa Maria rivers.

The outstandingly remarkable scenic values also would receive protection from the ongoing

management actions described in Chapter 2.

• Conclusion

Implementation of the all suitable alternative would have no adverse impacts on outstandingly remarkable scenic values on approximately 87,500 acres (33 segments) of the 15 river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable scenic values.

• **Impacts on outstandingly remarkable recreational values**

Nine of the 20 eligible wild and scenic river study areas contain outstandingly remarkable recreational values.

The nine rivers are determined to be suitable in the all suitable alternative. The nine rivers cover about 58,320 acres in 21 separate segments. Ten segments (28,820 acres) would be Wild; all or portions of five of these are outside of wilderness areas or riparian national conservation areas. The remaining 11 would be either Scenic or Recreational (29,600 acres).

The outstandingly remarkable recreational values include hiking, backpacking camping, horseback riding, sightseeing, wildlife observation, hunting, fishing, photography, rock climbing, swimming, rafting, kayaking, canoeing, and geologic, ecologic, off highway vehicle use and cultural resource observation and interpretation. Visitor use figures range from annual usages that are very low (Wright Creek) to the very popular Aravaipa, Burro Creek, and San Pedro River areas.

Table 3-6 in Chapter 3 summarizes the primary types of recreation associated with each study area. In addition, visitors are attracted by archaeological and historic resources. There are numerous opportunities for photographic and artistic projects.

CHAPTER 4

TABLE 4-AS2: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE RECREATION VALUES

RIVER STUDY AREAS	ARA- VAIPA	BILL WLMS	BURRO CREEK	GILA BOX	L. SAN FRAN- CISCO	PARIA	SAN PEDRO	TURKEY CREEK	VIRGIN	BLM PUBLIC LAND
BLM Public Land Acres	3200	4650	9460	7460	1874	8960	12256	1100	9344	58304
Wild Segments	3200	4164	6570	4250	740	8960	0	0	928	28812
No Roads in Wild Segs	0	0	3347	0	740	0	0	0	0	4087
No New Mineral Entry	0	0	3347	0	700	0	0	0	0	4047
No Surface Patent	0	486	6237	1410	1834	0	0	730	4256	14953
Motorized Use Restricted	0	0	3347	0	740	0	0	0	0	4087
No Dams or Diversions	3200	4650	9460	7460	1874	8960	12256	1100	9344	58304
Acres covered in outstandingly remarkable portion by management actions common to all alternatives										
WLDR/RNCA	3200	4164	3223	6050	40	8960	12256	370	5088	43351
ACEC	0	486	4933	0	0	0	1120	560	4256	11355
Miles Closed	0	0	0	25	0	0	0	0	0	25
Existing Roads	0	0	1760	0	1134	0	0	730	0	3624
Designated Roads	0	486	1130	3210	0	0	12256	0	4256	21338
No Surface Occupancy	0	486	1130	0	1134	0	0	730	4256	7736
Protection of Nests	0	486	4933	0	0	0	0	0	0	5419
Erosion Control	0	0	0	0	0	0	38	0	0	38
Cottonwood Planting	0	100	0	0	0	0	1120	0	0	1220
No Woodcutting	0	0	0	550	0	0	0	560	9344	10454
Dead/Down Wood Only	0	0	0	0	0	0	0	0	4256	4256
No Native Plant Removal	0	486	1130	0	0	0	0	0	0	1616
Salt Cedar Removal	3200	510	0	0	0	0	710	0	0	4420
Fencing	0	5	0	0	6	0	0	0	0	11
Unique Waters Monitoring	10	0	31	0	6	0	10	0	0	57
New Water Sources	0	5	5	5	0	0	0	0	0	15
Camp Outside Riparian	0	486	4933	0	0	0	0	0	0	5419
Helicopter Restrictions	0	486	4933	0	0	0	0	0	0	5419
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion										
Total Acres	3200	6357	15650	7960	2464	8960	14720	1100	11040	71451
Private	0	524	3350	500	590	0	2464	0	1632	9060
State/Other	0	703	2840	0	0	0	0	0	64	3607
RMP Planned Acquisition	0	800	6042	500	590	0	480	0	1596	10008

CHAPTER 4

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 4,047 acres in on the Wild segments of two river study areas (Burro Creek, Lower San Francisco River). This is in addition to those already withdrawn under wilderness area and riparian national conservation area provisions. This prohibition would eliminate any threat to the outstandingly remarkable recreational values from mining operations.

Patents would be restricted to the mineral estate on 14,953 acres in six study areas (Bill Williams River, Burro Creek, Gila River; Gila Box, Lower San Francisco River, Turkey Creek, and Virgin River). This action would preserve the surface in federal ownership and management. Although mining activities could alter the landscape and affect outstandingly remarkable recreational values, reclamation is required, and would mitigate surface disturbances.

New roads would be prohibited on 4,047 acres outside of wilderness areas in Wild segments in two river study areas (Burro Creek, Lower San Francisco River). Motorized travel also would be restricted in these two study areas. Prohibiting new roads and restricting motorized travel would protect the outstandingly remarkable recreational values from any impacts from, or conflicts with vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to upland areas for other recreation, scientific, minerals development, or other activities.

In three river study areas with Wild segments outside wilderness areas and riparian national conservation areas (4,047 acres), new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable recreational values;

however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Instream flow assessments on the nine study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable recreational values.

Under the all suitable alternative dams, levees, and other types of diversions would be prohibited on approximately 198 riparian miles of nine rivers. This action would protect the outstandingly remarkable recreational values on 21 segments by maintaining natural landscapes and stream flows.

The ongoing management actions described in Chapter 2 also would protect the outstandingly remarkable recreational values.

• Conclusion

Implementation of the all suitable alternative would have no adverse impacts on outstandingly remarkable recreational values on approximately 58,800 acres (21 segments) of the nine river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable recreational values.

• Impacts on outstandingly remarkable geologic values

Outstandingly remarkable geologic values are found in three of the 20 river study areas. Over 15,000 acres in two these river study areas are in wilderness areas or riparian national conservation areas and have long-term legislative protection.

CHAPTER 4

**TABLE 4-AS3 MANAGEMENT ACTIONS: OUTSTANDINGLY
REMARKABLE GEOLOGIC VALUES**

RIVER STUDY AREAS	GILA BOX	L. SAN FRAN- CISCO	PARIA	BLM PUBLIC LAND
BLM Public Land Acres	7460	1874	8960	18294
Wild Segments	4250	740	8960	13950
No Roads in Wild Segs	0	740	0	740
No New Mineral Entry	0	700	0	700
No Surface Patent	1410	1134	0	2544
Motorized Use Restrictions	0	740	0	740
No Dams or Diversions	7460	1874	8960	18294
Acres covered in outstandingly remarkable portion by management actions common to all alternatives				
WLDR/RNCA	6050	40	8960	15050
ACEC	0	0	0	0
Miles Closed	25	0	0	25
Existing Roads	0	1134	0	1134
Designated Roads	3210	0	0	3210
No Surface Occupancy	0	1134	0	1134
Protection of Nests	0	0	0	0
Erosion Control	0	0	0	0
Cottonwood Planting	0	0	0	0
No Woodcutting	550	0	0	550
Dead/Down Wood Only	0	0	0	0
No Native Plant Removal	0	0	0	0
Salt Cedar Removal	0	0	0	0
Fencing	0	6	0	6
Unique Waters Monitoring	0	6	0	6
New Water Sources	5	0	0	5
Camp Outside Riparian	0	0	0	0
Helicopter Restrictions	0	0	0	0
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion				
Total Acres	7960	2464	8960	19384
Private	500	590	0	1090
State/Other	0	0	0	0
RMP Planned Acquisitions	500	590	0	1090

CHAPTER 4

Patents would be restricted to the mineral estate on 2,544 acres in the Gila River: Gila Box and Lower San Francisco River study areas. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and would mitigate surface disturbances.

Under the all suitable alternative dams, levees, and other types of diversions would be prohibited on approximately 59 riparian miles. This action would protect the outstandingly remarkable geologic values on the riparian miles along three rivers by maintaining natural landscapes and stream flows.

- Conclusion

Implementation of the all suitable alternative would have no adverse impacts on outstandingly remarkable geologic values on approximately 18,300 acres (six segments) of the three river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable geologic values.

- Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values

Fish and wildlife habitat and aquatic habitat were identified as outstandingly remarkable values in of the 20 river study areas.

Under the all suitable alternative, 18 segments (50,228 acres) in 14 river study areas are determined suitable and recommended for designation with a Wild classification. The remaining 53,313 acres would be recommended for designation with a Scenic or Recreational

classification. Tables 3-7 and 3-8 in Chapter 3 provide details on fish and wildlife populations and riparian vegetation by river Area for each of the 20 river study areas.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 12,597 acres in Wild segments of seven study areas (Agua Fria River, Burro Creek, Hassayampa River, Hot Springs, Lower San Francisco River, Middle Gila River and Santa Maria River) with an estimated potential for locatable minerals in addition to those already withdrawn under wilderness area and riparian national conservation area provisions. This prohibition would eliminate any threat to the outstandingly remarkable fish, and wildlife habitat and aquatic habitat values from new mining operations.

Patents would be restricted to the mineral estate on 41,671 acres in 14 study areas: Agua Fria River, Big Sandy River, Bill Williams River, Burro Creek, Cienega Creek, Francis Creek, Gila River: Gila Box, Hassayampa River, Hot Springs Canyon, Lower San Francisco River, Middle Gila River, Santa Maria River, Virgin River and Wright Creek. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and would mitigate surface disturbances.

New roads would be prohibited on 12,637 acres outside of wilderness areas in segments recommended as Wild in seven river study areas (Agua Fria River, Bill Williams River, Burro Creek, Hassayampa River, Hot Springs Canyon, Lower San Francisco River, Middle Gila River, Santa Maria River). Motorized travel would be restricted in these eight study areas.

TABLE 4-AS4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES

RIVER STUDY AREAS	AGUA PIMA	ARA- VARPA	BE- SANDY	BILL WILMS	BONITA CREEK	BURRO CREEK	CH- MESA	FRANCIS CREEK	GILA BOX	HASSA- YAMPA	HOT SPRINGS	L. SAN FRAN- CISCO	MID GILA	PARIA SAN	SAN PEDRO	SANTA MARIA	SWAMP SPRINGS	VIRGIN	WRIGHT CREEK	BLM PUBLIC LAND
BLM Public Land Acres	6710	3200	4220	4650	3570	9460	3200	1360	7460	6386	1600	1874	6130	8960	12256	7080	640	9344	3861	101961
Wild Segments	5320	3200	2190	4164	0	6570	0	0	4250	3246	1600	740	2630	8960	0	5310	640	928	0	49748
No Roads in Wild Segs	5320	0	0	0	0	3347	0	0	0	200	1600	740	390	0	0	1040	0	0	0	12637
No New Mineral Entry	5320	0	0	0	0	3347	0	0	0	200	1600	700	390	0	0	1040	0	0	0	12597
No Surface Patent	6710	0	1637	486	0	6237	3200	880	1410	2860	1600	1834	3890	0	0	2810	0	4256	3861	41671
Motorized Use Restricted	5320	0	0	0	0	3347	0	0	0	200	1600	740	390	0	0	1040	0	0	0	12637
No Dams or Diversions	6710	3200	4220	4650	3570	9460	3200	1360	7460	6386	1600	1874	6130	8960	12256	7080	640	9344	3861	101961
Acres covered in outstandingly remarkable portion by management actions common to all alternatives																				
WLDR/RNCA	0	3200	2583	4164	3570	3223	0	480	6050	3526	0	40	2240	8960	12256	4270	640	5088	0	60290
ACEC	2160	0	1009	486	0	4933	0	480	0	0	1600	0	0	0	1120	1060	0	4256	3861	20965
Miles Closed	1	0	0	0	11	0	5	0	25	0	0	0	0	0	0	0	0	0	0	42
Existing Roads	1390	0	628	0	0	1760	3200	400	0	2600	0	1134	3500	0	0	690	0	0	3861	19163
Designated Roads	0	0	1009	486	3570	1130	0	480	3210	0	0	0	0	0	12256	0	0	4256	0	26397
No Surface Occupancy	1390	0	1009	486	0	1130	3200	480	0	2660	1600	1134	3500	0	0	2810	0	4256	3861	27516
Protection of Nests	0	0	1009	486	0	4933	0	480	0	0	0	0	0	0	0	1060	0	0	0	7968
Erosion Control	0	0	0	0	0	0	1	0	0	0	0	0	0	0	38	0	0	0	0	39
Cottonwood Planting	670	0	0	100	0	0	0	0	0	660	0	0	0	0	1120	0	0	0	0	2550
No Woodcutting	0	0	0	0	150	0	3200	0	550	0	1600	0	3890	0	0	0	0	9344	0	18734
Dead/Down Wood Only	0	0	0	0	0	0	3200	0	0	0	0	0	0	0	0	320	0	4256	0	7776
No Native Plant Removal	0	0	1009	486	0	1130	0	480	0	0	0	0	0	0	0	320	0	0	3861	7286
Salt Cedar Removal	0	3200	420	510	0	0	0	0	0	0	0	610	0	710	0	0	0	0	0	5450
Fencing	0	0	0	5	10	0	0	0	0	0	0	6	0	0	0	0	0	0	7	28
Unique Waters Monitoring	0	10	0	0	10	31	0	4	0	0	5	6	0	0	10	0	2	0	7	85
New Water Sources	0	0	5	5	1	5	0	5	5	5	0	0	0	0	0	5	0	0	1	37
Camp Outside Riparian	0	0	1009	486	3570	4933	0	480	0	0	0	0	0	0	0	1060	0	0	0	11538
Helicopter Restrictions	0	0	1009	486	0	4933	0	480	0	0	0	0	0	0	1060	0	0	0	0	7968
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion																				
Total Acres	7160	3200	8730	6357	4540	15650	3360	3560	7960	9462	1920	2464	8515	8960	14720	12000	800	11040	4032	134430
Private	450	0	4510	524	970	3350	0	1670	500	600	160	590	1505	0	2464	2430	0	1632	171	21526
State/Other	0	0	0	703	0	2840	160	530	0	2476	160	0	880	0	0	2490	160	64	0	10463
RMP Planned Acquisitions	120	0	4510	800	490	6042	160	400	500	1040	160	590	2205	0	480	610	160	1596	170	20033

CHAPTER 4

Prohibiting new roads and restricting motorized travel would protect the outstandingly remarkable fish and wildlife and aquatic habitat values from vehicle use and impacts in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

In seven river study areas with Wild segments (12,397 acres) outside wilderness areas and riparian national conservation areas, new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable fish and wildlife habitat values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Instream flow assessments on the 19 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable fish and wildlife and aquatic habitat values.

Under the all suitable alternative dams, levees, and other types of diversions would be prohibited on 331 riparian miles. This action would protect the outstandingly remarkable fish and wildlife habitat values on 39 segments and riparian miles along 19 rivers by maintaining natural landscapes and stream flows.

The ongoing management actions described in Chapter 2 also would protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

• Conclusion

Implementation of the all suitable alternative

would have no adverse impacts on outstandingly remarkable fish and wildlife and aquatic habitat values on approximately 102,000 acres (39 segments) of the 19 river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

• Impacts on outstandingly remarkable cultural, historic, and paleontologic resource values

Eighteen of the 20 eligible river study areas are known to contain prehistoric and historic archaeological sites. Nine of these are regarded as having outstandingly remarkable cultural resource values. Details of these nine areas are shown in Table 3-9, Chapter 3. Prehistoric sites are present in all of the areas; six contain historic sites.

The all suitable alternative determines as suitable and recommends for designation all nine river study areas containing 17 segments (55,250 acres). Five study areas (25,840 acres) would be recommended for designation with a Wild classification; segments in the remaining four study areas (29,410 acres) would be recommended for a Scenic or Recreational classification.

Outstandingly remarkable cultural resource values in nine of the study areas are rare and significant but nonetheless threatened by damage from erosion and human activities such as vandalism and off-road vehicle traffic.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 9,367 acres on three study areas: Agua Fria River, Burro Creek and Lower San Francisco River. This prohibition would eliminate any threat or conflict to the outstandingly remarkable cultural, historic, and paleontologic values from new mining operations.

Patents would be restricted to the mineral estate

CHAPTER 4

on 20,782 acres in six study areas (Agua Fria River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, Turkey, and Wright Creek). This would be in addition to restrictions in wilderness areas and riparian national conservation areas. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, scientific data recovery reclamation would be required to mitigate surface disturbances.

New roads would be prohibited on 9,407 acres outside of wilderness areas in segments recommended as Wild in three river study areas (Agua Fria River, Burro Creek, Lower San Francisco River). Motorized use would be restricted in these three study areas. The prohibition on new roads and restricting motorized use would protect the outstandingly remarkable cultural, historic, and paleontologic values from vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

In portions of three river areas with segments (9,367 acres) outside wilderness areas, new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable cultural, historic, and paleontologic values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

In the five river study areas (25,840 acres) cultural resources would be inventoried; site protection strategies involving fencing, monitoring, or stabilization would be developed.

Research would be encouraged and selected sites would be interpreted for public visitation.

The outstandingly remarkable cultural, historic, and paleontologic values also would be protected by the ongoing management actions described in Chapter 2.

Proposed activities that could result in increased use or surface disturbance in nine river study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed.

Sites evaluated as eligible for the National Register of Historic Places, in consultation with the State Historic Preservation Officer, would normally be avoided by the proposed activity. However, if avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.

Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism.

• Conclusion

Implementation of the all suitable alternative would have no adverse impacts on outstandingly remarkable cultural resource, historic, and paleontologic values on approximately 55,250 acres (17 segments) of the nine river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable cultural resource, historic, and paleontologic values.

CHAPTER 4

TABLE 4-AS5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC AND PALEONTOLOGIC VALUES

RIVER STUDY AREAS	AGUA FRIA	BONITA CREEK	BURRO CREEK	GILA BOX	L. SAN FRAN- CISCO	PARIA	SAN PEDRO	TURKEY CREEK	WRIGHT CREEK	BLM PUBLIC LAND
BLM Public Land Acres	6710	3570	9460	7460	1874	8960	12256	1100	3861	55251
Wild Segments	5320	0	6370	4230	740	8960	0	0	0	25840
No Roads in Wild Segs	5320	0	3347	0	740	0	0	0	0	9407
No New Mineral Entry	5320	0	3347	0	700	0	0	0	0	9367
No Surface Patent	6710	0	6237	1410	1834	0	0	730	3861	20782
Motorized Use Restricted	5320	0	3347	0	740	0	0	0	0	9407
No Dams or Diversions	6710	3570	9460	7460	1874	8960	12256	1100	3861	55251
Acres covered in outstandingly remarkable portion by management actions common to all alternatives										
WLDR/RNCA	0	3570	3223	6050	40	8960	12256	370	0	34469
ACEC	2160	0	4933	0	0	0	1120	560	3861	12634
Miles Closed	1	11	0	25	0	0	0	0	0	37
Existing Roads	1390	0	1760	0	1134	0	0	730	3861	8875
Designated Roads	0	3570	1130	3210	0	0	12256	0	0	20166
No Surface Occupancy	1390	0	1130	0	1134	0	0	730	3861	8245
Protection of Nests	0	0	4933	0	0	0	0	0	0	4933
Erosion Control	0	0	0	0	0	0	38	0	0	38
Cottonwood Planting	670	0	0	0	0	0	1120	0	0	1790
No Woodcutting	0	150	0	550	0	0	0	560	0	1260
Dead/Down Wood Only	0	0	0	0	0	0	0	0	0	0
No Native Plant Removal	0	0	1130	0	0	0	0	0	3861	4991
Salt Cedar Removal	0	0	0	0	0	0	710	0	0	710
Fencing	0	10	0	0	6	0	0	0	7	23
Unique Waters Monitoring	0	10	31	0	6	0	10	0	7	64
New Water Sources	0	1	5	5	0	0	0	0	1	12
Camp Outside Riparian	0	3570	4933	0	0	0	0	0	0	8503
Helicopter Restrictions	0	0	4933	0	0	0	0	0	0	4933
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion										
Total Acres	7160	4540	15650	7960	2464	8960	14720	1100	4032	66586
Private	450	970	3350	500	590	0	2464	0	171	8495
State/Other	0	0	2840	0	0	0	0	0	0	2840
RMP Planned Acquisition	120	490	6042	500	590	0	480	0	170	8392

CHAPTER 4

• **Impacts on outstandingly remarkable hydrologic values**

Two river study areas (9,340 acres) have outstandingly remarkable hydrologic values. Portions of both river study areas (6,090 acres) are within the Gila Box Riparian national conservation area established by Congress in 1990. The outstandingly remarkable hydrologic values are identified with perennial natural water flow in an otherwise semi-arid desert environment.

Currently, water rights in the area are under a complex state and federal water rights litigation process that eventually will determine stream flow quantities. The most likely scenario is that senior water rights will be located downstream assuring continued flow in the Gila River: Gila Box.

Where not already initiated, instream flow assessments on the two study areas would be

conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable hydrologic values.

Under the all suitable alternative, dams, levees, and other types of diversions would be prohibited on approximately 32 riparian miles. This action would protect the outstandingly remarkable hydrologic values on the two rivers by maintaining natural landscapes and stream flows.

• **Conclusion**

Implementation of the all suitable alternative would have no adverse impacts on outstandingly remarkable hydrologic values on approximately 9,340 acres (5 segments) of the two river study areas with those values. A beneficial impact would result from long-term legislative protection of the outstandingly remarkable hydrologic values.

CHAPTER 4

**TABLE 4-AS6: MANAGEMENT ACTIONS: OUTSTANDINGLY
REMARKABLE HYDROLOGIC VALUES**

RIVER STUDY AREAS	GILA BOX	L. SAN FRAN- CISCO	BLM PUBLIC LAND
BLM Public Land Acres	7460	1874	9334
Wild Segments	4250	740	4990
No Roads in Wild Segs	0	740	740
No New Mineral Entry	0	700	700
No Surface Patent	1410	1834	3244
Motorized Use Restricted	0	740	740
No Dams or Diversions	7460	1874	9334
Acres covered in outstandingly remarkable portion by management actions common to all alternatives			
WLDR/RNCA	6050	40	6090
ACEC	0	0	0
Miles Closed	25	0	25
Existing Roads	0	1134	1134
Designated Roads	3210	0	3210
No Surface Occupancy	0	1134	1134
Protection of Nests	0	0	0
Erosion Control	0	0	0
Cottonwood Planting	0	0	0
No Woodcutting	550	0	550
Dead/Down Wood Only	0	0	0
No Native Plant Removal	0	0	0
Salt Cedar Removal	0	0	0
Fencing	0	6	6
Unique Waters Monitoring	0	6	6
New Water Sources	5	0	5
Camp Outside Riparian	0	0	0
Helicopter Restrictions	0	0	0
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion			
Total Acres	7960	2464	10424
Private	500	590	1090
State/Other	0	0	0
RMP Planned Acquisition	500	590	1090

CHAPTER 4

• Impacts on Minerals Development

Locatable mineral potential exists in 34 of the 40 study area segments (95,285 acres) identified as eligible for inclusion in the National Wild and Scenic Rivers System. There is no mineral

potential for locatable minerals in four wild and scenic river study area segments (7,776 acres). These are the Bill Williams River (2 segments, 2,336 acres), Hot Springs Canyon (1 segment, 1600 acres), and Swamp Springs (1 segment, 640 acres).

**TABLE 4-ASMN1
SEGMENTS WITH MINERAL POTENTIAL**

River Study Area	Segment 1	Segment 2	Segment 3	Segment 4	Segment 5
Agua Fria River	L; 1390ac; Scenic	M; 5320ac; Wild			
Aravaipa Creek	L; 3200ac; Wild				
Big Sandy River	L-M; 2030ac; Scenic	L-M; 2190ac; Wild			
Bill Williams River	L-M; 2314ac; Wild	N; 486ac; Scenic	N; 1850ac; Wild		
Bonita Creek	L; 3570ac; Recreation				
Burro Creek	L; 1190ac; Wild	L-M; 2750ac; Wild	H; 630ac; Recreation	M-H; 2830ac; Wild	M; 1130ac; Scenic
Cienega Creek	N; 1280ac; Scenic	N; 1920ac; Scenic			
Francis Creek	L; 1360ac; Recreation				
Gila River: Gila Box	L; 1940ac; Scenic	L; 4250ac; Wild	N-L; 1270ac; Scenic		
Hassayampa River	M-H; 250ac; Recreation	M-H; 3246ac; Wild	M-H; 2890ac; Recreation		
Hot Springs	N; 1600ac; Wild				
Gila Box: Lower San Francisco River	L; 1134; Recreation	L; 740; Wild			
Middle Gila River	M; 560ac; Recreation	M; 2630ac; Wild	M; 1780ac; Recreation		
Paria River	L-H; 8960ac; Wild				
San Pedro River	L/M; 12256ac; Recreation				
Santa Maria River	L/M; 5310ac; Wild	L-M; 1770ac; Scenic			
Swamp Springs	N; 640ac; Wild				
Turkey Creek	L; 1100ac; Recreation				
Virgin River	L; 926ac; Wild	L; 2336ac; Scenic	L; 2368ac; Recreation	L; 3712ac; Recreation	
Wright Creek	L; 3861ac; Scenic				

CHAPTER 4

The all suitable alternative includes all 20 river study areas containing 40 segments. Thirty-four have a locatable minerals potential. Fourteen

segments would be recommended as Wild; the remaining 20 would be recommended as Scenic or Recreational.

**TABLE 4-ASMN2
RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS**

River Study Area	Segment 1	Segment 2	Segment 4
Agua Fria River		Moderate; 5320 acres	
Aravaipa Creek	Low; WLDR Withdraw		
Big Sandy River		Low/Moderate; WLDR Withdraw	
Bill Williams River	Low; WLDR Withdraw		
Burro Creek	Low; 717 ac (473 additional in WLDR)	Low/Moderate; WLDR Withdraw	Moderate/High; 2630 ac
Gila Box: Gila River		Low; RNCA Withdraw	
Hassayampa River		Moderate/High; 200ac	
Gila Box: Lower San Francisco River		Low; 700ac (40 additional in RNCA)	
Middle Gila River		Moderate; 390 (2290 additional in WLDR)	
Paria River	Low/High; WLDR Withdraw		
Santa Maria River	Low/Moderate; 1040 ac		
Virgin River	Low; WLDR Withdraw		

As Table 4-ASMN2 indicates, seven segments (10,997 acres) outside of wilderness and riparian national conservation areas would be designated Wild and withdrawn from mineral entry and leasing under the Wild and Scenic Rivers Act. These seven segments are in the Agua Fria River (5,320 acres), Burro Creek (3,347 acres), Hassayampa River (200 acres) Lower San Francisco River (700 acres), Middle Gila River (390 acres) and Santa Maria River (1,040 acres) study areas.

In the Table, acreage is shown for segments that would be withdrawn under the Wild and

Scenic Rivers Act; acres are not included for segments withdrawn under other legislation.

The 20 segments (50,237 acres) in river study areas recommended for a Scenic or Recreational designation would not be withdrawn from mineral entry under the Wild and Scenic Rivers Act. These are shown in Table 4-ASMN3. Because two segments of the Bill Williams River, and two segments in Cienega Creek have no mineral potential, they are not included in Table 4-ASMN3.

CHAPTER 4

TABLE 4-ASMN3
RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL

River Study Area	Segment 1	Segment 2	Segment 3	Segment 4	Segment 5
Agua Fria River	L; 1390ac; Scenic				
Big Sandy River	L-M; 2030ac; Scenic; ACEC				
Bonita Creek	L; 3570ac; Recreation; RNCA				
Burro Creek			H; 630ac; Recreation		M; 1130ac; Scenic; ACEC
Francis Creek	L; 1360ac; Recreation; ACEC				
Gila Box: Gila River	L; 1940ac; Scenic; RNCA		N-L; 1270ac; Scenic; RNCA		
Hassayampa River	M-H; 250ac; Recreation		M-H; 2880ac; Recreation		
Gila Box: Lower San Francisco River	L; 1134; Recreation				
Middle Gila River	M; 560ac; Recreation		M; 1760ac; Recreation		
San Pedro River	L/M; 12256ac; Recreation; RNCA				
Santa Maria River	L/M; 5310ac; Scenic; ACEC				
Turkey Creek	L; 370ac; Recreation; WLDR; 560ac Recreation; ACEC				
Virgin River		L; 2336ac; Scenic; WLDR	L; 2368ac; Recreation; WLDR	L; 3712ac; Recreation; ACEC	
Wright Creek	L; 3661ac; Scenic; ACEC				

As Table 4-ASMN3 illustrates, seven of the 20 segments are under wilderness area or riparian national conservation area withdrawals. Of the 13 remaining segments, all or portions of six (segment 1 in the Big Sandy River, segment 2 in the Bill Williams River, segment 5 in the Burro Creek, segment 1 in the Francis Creek, segment 1 in the Santa Maria River, and segment 4 of the Virgin River study areas) are in areas of critical environmental concern. All or portions of seven segments are not under special protection. They are in the Agua Fria River,

Burro Creek, Hassayampa River (two segments), Lower San Francisco River, and Middle Gila River (two segments) study areas.

Adverse impacts on minerals development may be caused by other changes. For example, minerals development activities on moderate-to-high potential areas adjacent to withdrawal areas may not occur or may be curtailed if the ore deposit is too small for a reasonable operation. Prohibiting roads in Wild segments may hinder access to areas outside the wild

CHAPTER 4

• Conclusion

There are 34 segments where locatable mineral potential estimates have been made. All or portions of seven segments (10,997 acres) not currently under legislative protection would be recommended for a Wild designation. Two segments (2,830 acres) have a moderate to high mineral potential. Two others (5,710), have a moderate locatable mineral potential. One has a low to moderate potential (1,040 acres). Two, encompassing 1,417 acres, have a low potential.

Mineral entry would be available on six segments outside of areas of critical environmental concern. These include segments in the Agua Fria River, Burro Creek (two segments), Hassayampa River (two segments), Lower San Francisco River, Middle Gila River (two segments) and Santa Maria River study areas.

The withdrawal of 10,997 acres from mineral entry under the implementation of the all suitable alternative would have an adverse impact on minerals development.

• Impacts on Tourism

The all suitable alternative determines suitability and recommends designation of rivers in eleven counties (Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Pima, Pinal, and Yavapai).

The travel and tourism data for these counties (Chapter 3, Table 3-14), shows a wide range of visitor totals. For Graham County the total eight-year visitor average was 46,100. In contrast, Coconino County totals were approximately 7.5 million. Greenlee County was omitted because it has no national or state parks or recreational areas.

Visitor changes for the rivers recommended as suitable for designation in these counties are shown in Table 4-AST1.

The estimations in Table 4-AST1 regarding increases in visitor use involve several assumptions. One of these is the normal trend of visitor use growth. Regardless of designation, the number of visitors to the river study areas is expected to increase in proportion to anticipated increases in tourism throughout the state. For example, the San Pedro River Riparian National Conservation Area currently records over 50,000 annual visitor use days. Visitor use will increase in the future regardless of Congressional action on designation. The publicity associated with wild and scenic river designation would add slightly to the normal increase.

Another assumption is that wild and scenic river designation will be accompanied by publicity. Maps will identify the rivers; brochures may be developed; commercial tour ventures may develop. The Bureau of Land Management sponsored a University of Arizona study on nature-based tourism in southeastern Arizona. The study illustrates how nature-based tourism can benefit local economies (University of Arizona, 1992). The wild and scenic river publicity would have its greatest effect on river study areas in and near the tourism centers of the Phoenix (Maricopa County) and Tucson (Pima County) metropolitan areas. Other centers would be the cities of Sedona (Yavapai/Coconino County), Sierra Vista (Cochise County), Prescott (Yavapai County), Payson (Gila County), and Lake Havasu City, and Bullhead City (Mohave County).

A third assumption is that the Bureau of Land Management will not undertake recreational facility developments because of wild and scenic river designation. Rivers designated as Wild prohibit this. While recreational developments are allowed in Scenic and Recreational rivers, the Bureau of Land Management does not plan to develop special facilities.

CHAPTER 4

TABLE 4-AST1
VISITOR USE CHANGES

COUNTY	RIVER STUDY AREA	CURRENT USE	ESTIMATED VISITOR INCREASE
Cochise	San Pedro	>50,000	>10 percent
Coconino	Paria	5,300	--
Gila	Middle Gila	1,500	<20 percent
Graham	Aravaipa Creek Bonita Creek Gila Box: Gila River Swamp Springs Turkey Creek	>15,000 16,000 4,000 <100 1,200	-- <20 percent <20 percent >20 percent >10 percent
Greenlee	Gila Box: Gila River Gila Box: Lower San Francisco River	4,000 >1,000	<20 percent <10 percent
La Paz	Bill Williams River Santa Maria River	<2,500 <2,000	<10 percent <10 percent
Maricopa	Hassayampa River	1,200	>20 percent
Mohave	Big Sandy River Bill Williams River Burro Creek Santa Maria River Virgin River Wright Creek Francis Creek	2,500 <2,500 >20,000 <2,000 7,600 <500 <1,000	<10 percent <10 percent >10 percent <10 percent >10 percent >10 percent <10 percent
Pima	Cienega Creek	>2,500	<20 percent
Pinal	Aravaipa Creek Middle Gila	>15,000 1,500	-- <20 percent
Yavapai	Burro Creek Santa Maria River Hassayampa River Francis Creek	>20,000 >2,000 1,200 <1,000	>10 percent <10 percent >20 percent <10 percent

Finally, most of the river segments recommended as suitable for designation are in primitive use areas with limited access. Exceptions to this are the San Pedro River and portions of the Virgin, Gila, and San Francisco river study areas.

As Table 4-AST1 indicates, the estimated increase in visitors ranges from 5,000 in the San Pedro River study area to fewer than 500 in the more remote study areas. On a county basis Graham County would have an additional annual total of over 4,000 visitors, or close to 10 percent of the average total park and recreational visits shown in Table 3-14. This

would be a minor beneficial impact. In Greenlee County, which does not appear in the data displayed in Table 3-14, the estimated increase would be approximately 1,000 visitor use days. This also would be a minor beneficial impact.

In the other county areas where visitor totals are already high, visitor increase proportions resulting from wild and scenic river designation would be negligible.

CHAPTER 4

• Conclusion

Implementation of the all suitable alternative would have no adverse effects on travel and tourism. Minor beneficial impacts would occur in Graham and Greenlee Counties.

IMPACTS FROM IMPLEMENTING THE LEGISLATIVE PROTECTION ALTERNATIVE

The legislative protection alternative determines as suitable and recommends for designation into the National Wild and Scenic Rivers System all or parts of 15 eligible rivers (30 segments) covering 42,547 acres. Five river study areas (Aravaipa, Bonita Creek,

Cienega Creek, Paria River, and San Pedro River), including 11 river segments, are determined to be nonsuitable and would not be recommended for designation.

There are two types of management actions in this alternative. Wild and scenic river management actions implement recommended wild and scenic river designations. The other type is the ongoing management actions described in Chapter 2. These ongoing management actions are associated with areas of critical environmental concern and Resource Management Plans. The ongoing management actions would supplement the protection provided by wild and scenic river designations.

Outstandingly Remarkable Values

Under the legislative protection alternative the outstandingly remarkable values in the river segments determined suitable and recommended for designation would receive the protection of special legislation.

Under the legislative protection alternative the five study areas determined to be nonsuitable would not receive long-term legislative protection under the Wild and Scenic Rivers Act. The outstandingly remarkable values in the nonsuitable segments are either in wilderness

areas or riparian national conservation areas and are under legislative protection.

• Impacts on outstandingly remarkable scenic values

Outstandingly remarkable scenic values were identified in 14 of the 20 eligible river study areas.

Portions of 12 of these study areas would be determined suitable and recommended for designation under the legislative protection alternative. The 12 study area portions (26 segments) cover 33,886 acres. Six river study areas would have seven segments classified as Wild (Agua Fria River, Burro Creek (two segments), Hassayampa River, Lower San Francisco River, Middle Gila River, and Santa Maria River). These cover 10,830 acres. The remaining 18 segments (23,056 acres) would be recommended for designation with Scenic or Recreational classifications.

The legislative protection alternative determines approximately 53,480 acres with outstandingly remarkable scenic values to be nonsuitable. These include all of a study area (for example, the Paria, and San Pedro) and portions of other study areas that are under the legislative protection of wilderness or national conservation areas.

The outstandingly remarkable scenic values include canyons, mountain slopes, rolling hills, and broad river channels. Many of the areas offer exceptional opportunities for sightseeing and photography. Riparian forests and heavy stands of vegetation offer sharp contrasts in areas where the surrounding vegetation is dominated by desert shrubs.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 10,830 acres on seven Wild segments in six river study areas (Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, Santa Maria River). This prohibition

CHAPTER 4

would eliminate any threat to the outstandingly remarkable scenic values from new mining operations and the associated excavations, noise, and vehicle travel.

Patents would be restricted to the mineral estate on 31,577 acres. Ten river study areas with mineral potential are included in this management action. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances.

New roads would be prohibited on 10,830 acres in segments recommended as Wild in six river study areas (Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, and Santa Maria River). Motorized use also would be restricted in these six study areas. Prohibiting new roads and restricting motorized use would protect the outstandingly remarkable scenic values from any conflicts with vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreation, scientific, minerals development, or other activities.

In six river area wild segments (10,830 acres) new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable scenic values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the 12 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable

scenic values.

Under the legislative protection alternative dams, levees, and other types of diversions would be prohibited on approximately 90 riparian miles. This action would protect the outstandingly remarkable scenic values along 12 rivers by maintaining natural landscapes and stream flows.

The outstandingly remarkable scenic values also would be protected by the ongoing management actions described in Chapter 2.

Ten river study areas (30,228 acres; 14 segments) are recommended as nonsuitable. All the segments in these 10 study areas are in either wilderness areas or riparian national conservation areas and are under legislative protection.

• Conclusion

Implementation of the legislative protection alternative would have no adverse impacts on outstandingly remarkable scenic values on 33,886 acres on 26 segments of 12 river study areas. A beneficial impact would result from long-term legislative protection of these values under the Wild and Scenic Rivers Act.

The outstandingly remarkable scenic values in the approximately 53,480 acres with outstandingly remarkable scenic values recommended as nonsuitable would not have long-term legislative protection from the Wild and Scenic Rivers Act. However, the provisions of the wilderness area and riparian national conservation management plans would provide legislative protection for scenic values.

• Impacts on outstandingly remarkable recreational values

Nine of the 20 eligible river study areas (21 segments) have outstandingly remarkable recreational values.

CHAPTER 4

TABLE 4-LP1: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE SCENIC VALUES

RIVER STUDY AREAS	AQUA FRIA	BIG SANDY	BILL WLMS	BURRO CREEK	FRANCI CREEK	GILA BOX	HASSA- YAMPA	L.SAN FRAN- CISCO	MID GILA	SANTA MARIA	TURKEY CREEK	VIR- GIN	BLM PUBLIC LAND
BLM Public Land Acres	6710	2030	486	6230	880	1410	2860	1834	3650	2810	730	4256	33886
Wild Segments	5320	0	0	3340	0	0	200	700	230	1040	0	0	10830
No Road in Wild Segs	5320	0	0	3340	0	0	200	700	230	1040	0	0	10830
No New Mineral Entry	5320	0	0	3340	0	0	200	700	230	1040	0	0	10830
No Surface Patent	6710	1637	0	6230	880	1410	2860	1134	3650	2810	0	4256	31577
Motorized Use Restricted	5320	0	486	3340	0	0	200	700	230	1040	0	0	11316
No Dams or Diversions	6710	2030	486	6230	880	1410	2860	1834	3650	2810	730	4256	33886
Acres covered in outstandingly remarkable portion by management actions common to all alternatives													
ACEC	2160	1009	486	4933	480	0	0	0	0	610	560	4256	14494
Miles Closed	1	0	0	0	0	0	0	0	0	0	0	0	1
Existing Roads	1390	628	0	1760	400	0	2600	1334	3500	690	730	0	13032
Designated Rds	0	1009	486	1130	480	1410	0	0	0	0	0	4256	8771
No Surface Occupancy	1390	1009	486	1130	480	0	2660	1134	3500	2810	730	4256	19585
Protection of Nests	0	1009	486	4933	480	0	0	0	0	1060	0	0	7968
Erosion Control	0	0	0	0	0	0	0	0	0	0	0	0	0
Cottonwood Planting	670	0	100	0	0	0	660	0	3650	0	0	0	5080
No Woodcutting	0	0	0	0	0	0	0	0	0	0	560	9344	9904
Dead/Down Wood Only	0	0	0	0	0	0	0	0	0	0	0	4256	4256
No Native Plant Removal	0	1009	486	1130	480	0	0	0	0	0	0	0	3105
Salt Cedar Removal	0	420	510	0	0	0	0	0	610	0	0	0	1540
Fencing	0	0	5	0	0	0	0	6	0	0	0	0	11
Unique Waters Monitoring	0	0	0	7	4	0	0	6	0	0	0	0	17
New Water Sources	0	5	0	5	5	5	5	0	0	5	0	0	30
Camp Outside Riparian	0	1009	486	4933	480	0	0	0	0	610	0	0	7518
Helicopter Restrictions	0	1009	486	4933	480	0	0	0	0	1060	0	0	7968
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion													
Total	7160	5810	1713	12420	880	1410	5936	2424	6035	7730	730	5952	58200
Private	180	3780	524	3350	0	0	600	590	1505	2430	0	1632	14591
State/Other	270	0	703	2840	0	0	2476	0	880	2490	0	64	9723
RMP Planned Acquisition	120	4510	800	6042	400	0	1040	590	2205	610	0	1596	17913

CHAPTER 4

The outstandingly remarkable recreational values support hiking, backpacking, camping, horseback riding, sightseeing, wildlife observation, hunting, off highway vehicle use, fishing, photography, rock climbing, swimming, rafting, kayaking, canoeing, and geologic, ecologic, off highway vehicle use, and cultural resource observation and interpretation. Visitor use figures range from annual uses that are very low (Wright Creek) to the very popular Aravaipa Creek, Burro Creek, and San Pedro River areas.

The legislative protection alternative recommends designation for 13 segments in portions of six of the nine eligible river study areas. The segments cover 14,946 acres. Three segments (4,040 acres) in two river study areas are recommended suitable as Wild (Burro Creek (2 segments) and Lower San Francisco River). The remaining ten segments (10,906 acres) are recommended suitable as Scenic or Recreational.

Portions of eight study rivers (43,713 acres) with outstandingly remarkable recreational values are recommended as nonsuitable. These are either in wilderness areas or riparian national conservation areas and include Aravaipa Creek, Bill Williams River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, Paria, San Pedro River, and the Virgin River study areas.

The rivers are either the basis of recreational activities (floating, swimming, fishing) or contribute to the quality and intensity of an activity. Riparian areas provide excellent hiking and camping opportunities as well as wildlife habitat for wildlife observations and hunting. Table 3-6 in Chapter 3 summarizes the primary types of recreation associated with each river study area. In addition, archaeological and historic resources in many of the river study areas attract visitors. Dramatic canyons such as the Paria, Burro Creek, and the Gila River: Gila Box provide

uncommon opportunities for photographic and artistic projects.

Visitor use figures are varied and, as Table 3-6 indicates, range from annual totals that are very low (Wright Creek) to the very popular Aravaipa Creek, Burro Creek, and San Pedro River areas.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 4,040 acres on two river study areas (Burro Creek, Lower San Francisco River) with Wild segments. This prohibition would eliminate any threat to the outstandingly remarkable recreational values from new mining operations and the associated noise, traffic and restrictive land uses.

Patents would be restricted to the mineral estate on 13,516 acres within the Bill Williams River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, and Virgin river study areas. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances.

New roads would be prohibited on 4,040 acres in Wild segments in two river study areas (Burro Creek, Lower San Francisco River). Motorized use also would be restricted in these two study areas. Prohibiting new roads and restricting motorized use would protect the outstandingly remarkable recreational values by vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreation, scientific, minerals development, or other activities.

CHAPTER 4

**TABLE 4-LP2: MANAGEMENT ACTIONS: OUTSTANDINGLY
REMARKABLE RECREATIONAL VALUES**

RIVER STUDY AREAS	BILL WLMS	BURRO CREEK	GILA BOX	L.SAN FRAN- CISCO	TURKEY CREEK	VIR- GIN	BLM PUBLIC LAND
BLM Public Land Acres	486	6230	1410	1834	730	4256	14946
Wild Segments	0	3340	0	700	0	0	4040
No Road in Wild Segs	0	3340	0	700	0	0	4040
No New Mineral Entry	0	3340	0	700	0	0	4040
No Surface Patent	486	6230	1410	1134	0	4256	13516
Motorized Use Restricted	0	3340	0	700	0	0	4040
No Dams or Diversions	486	6230	1410	1834	730	4256	14946
Acres covered in outstandingly remarkable portion by management actions common to all alternatives							
ACEC	486	4933	0	0	560	4256	10235
Miles Closed	0	0	0	0	0	0	0
Existing Roads	0	1760	0	1334	730	0	3824
Designated Rds	486	1130	1410	0	0	4256	7282
No Surface Occupancy	486	1130	0	1134	730	4256	7736
Protection of Aeries	486	4933	0	0	0	0	5419
Erosion Control	0	0	0	0	0	0	0
Cottonwood Planting	100	0	0	0	0	0	100
No Woodcutting	0	0	0	0	560	9344	9904
Dead/Down Wood Only	0	0	0	0	0	4256	4256
No Native Plant Removal	486	1130	0	0	0	0	1616
Salt Cedar Removal	510	0	0	0	0	0	510
Fencing	5	0	0	6	0	0	11
Unique Waters Monitoring	0	7	0	6	0	0	13
New Water Sources	0	5	5	0	0	0	10
Camp Outside Riparian	486	4933	0	0	0	0	5419
Helicopter Restrictions	486	4933	0	0	0	0	5419
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion							
Total	1713	12420	1410	2424	730	5952	24649
Private	524	3350	0	590	0	1632	6096
State/Other	703	2840	0	0	0	64	3607
RMP Planned Acquisition	800	6042	0	590	0	1596	9028

CHAPTER 4

In two river study areas with Wild segments (4,040 acres) new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable recreational values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the six study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable recreational values.

Under the legislative protection alternative dams, levees, and other types of diversions would be prohibited on 35 riparian miles. This action would protect the outstandingly remarkable recreational values along 12 rivers by maintaining natural landscapes and stream flows.

Outstandingly remarkable recreational values also would receive protection from the ongoing management actions described in Chapter 2.

The legislative protection alternative recommends nondesignation for portions of eight river study areas (43,838 acres) in wilderness areas or riparian national conservation areas. This includes all or portions of the Aravaipa Creek, Bill Williams River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, Paria, San Pedro River, and Virgin River study areas,

While the outstandingly remarkable recreational values would not receive long-

term legislative protection under the Wild and Scenic Rivers Act, there would be legislative protection from either wilderness area or riparian national conservation area management.

• Conclusion

There would be no adverse impacts on the outstandingly remarkable recreational values from implementation of the legislative protection alternative. The long-term legislative protection would be beneficial.

The portions of eight study rivers (43,713 acres) with outstandingly remarkable recreational values not determined suitable would not have the outstandingly remarkable recreational values under protection by provisions in the Wild and Scenic Rivers Act. These include Aravaipa Creek, Bill Williams River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, Paria, San Pedro River, and the Virgin River study areas. However, the outstandingly remarkable recreational values would be under the legislative protection of wilderness and national conservation areas.

• Impacts on outstandingly remarkable geologic values

Outstandingly remarkable geologic values are found in three of the 20 river study areas. The legislative protection alternative recommends portions of two of these study areas for designation. Seven hundred acres are recommended as suitable for designation as Wild.

The remaining segments (15,050 acres) with outstandingly remarkable geologic values are recommended as nonsuitable. These are in riparian national conservation areas (6,090 acres) and a wilderness area (8,960 acres).

CHAPTER 4

**TABLE 4-LP3: MANAGEMENT ACTIONS: OUTSTANDINGLY
REMARKABLE GEOLOGIC VALUES**

RIVER STUDY AREAS	GILA BOX	L.SAN FRAN- CISCO	BLM PUBLIC LAND
BLM Public Land Acres	1410	1834	3244
Wild Segments	0	700	700
No Road in Wild Segs	0	700	700
No New Mineral Entry	0	700	700
No Surface Patent	1410	1134	2544
Motorized Use Restricted	0	700	700
<u>No Dams or Diversions</u>	<u>1410</u>	<u>1834</u>	<u>3244</u>
Acres covered in outstandingly remarkable portion by management actions common to all alternatives			
ACEC	0	0	0
Miles Closed	0	0	0
Existing Roads	0	1334	1334
Designated Rds	1410	0	1410
No Surface Occupancy	0	1134	1134
Protection of Nests	0	0	0
Erosion Control	0	0	0
Cottonwood Planting	0	0	0
No Woodcutting	0	0	0
Dead/Down Wood Only	0	0	0
No Native Plant Removal	0	0	0
Salt Cedar Removal	0	0	0
Fencing	0	6	6
Unique Waters Monitoring	0	6	6
New Water Sources	5	0	5
Camp Outside Riparian	0	0	0
<u>Helicopter Restrictions</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion			
Total	1410	2424	3834
Private	0	590	590
State/Other	0	0	0
RMP Planned Acquisition	0	590	590

CHAPTER 4

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 700 acres in the Wild segments of the Lower San Francisco River study area. Patents would be limited to the mineral estate on 2,544 acres in the Gila River: Gila Box and Lower San Francisco river study areas. Prohibiting mineral entry, and restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities, where permitted, could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances.

New roads would be prohibited on 700 acres in the Wild segment of the Lower San Francisco River. Motorized travel also would be restricted.

Under the legislative protection alternative dams, levees, and other types of diversions would be prohibited on approximately 10 riparian miles. This action would protect outstandingly remarkable geologic values on the two segments and riparian miles along two rivers by maintaining natural landscapes and stream flows.

• Conclusion

There would be no adverse impacts on the outstandingly remarkable geologic values from the implementation of the legislative protection alternative.

Impacts on outstandingly remarkable geologic values in the segments (15,050 acres) recommended as nonsuitable would be negligible due to the protection offered by the wilderness area and riparian national conservation area management.

• Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values

Outstandingly remarkable fish and wildlife habitat was identified in 19 of the 20 eligible river study areas. Aquatic habitat was identified as an outstandingly remarkable value in the Bonita Creek and the Virgin river study areas.

The legislative protection alternative recommends all or portions of 14 study areas as suitable for designation (28 segments, 41,817 acres). Portions of seven study areas with eight segments (12,430 acres) are recommended suitable as Wild. The seven study areas include the Agua Fria River, Burro Creek (2 segments), Hassayampa River, Hot Springs, Lower San Francisco River, Middle Gila River, and Santa Maria River. The remaining 21 segments (29,387 acres) are recommended suitable as either Scenic or Recreational.

The legislative protection alternative determines all or portions of 12 segments (60,510 acres) including five study areas (Aravalpa Creek, Bonita Creek, Paria, San Pedro River, and Swamp Springs) to be nonsuitable. The acreage in the nonsuitable portions is either under wilderness or national conservation area legislative protection and there would be little likelihood of adverse impacts on the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

Tables 3-7 and 3-8 in Chapter 3 provide details on fish and wildlife populations and riparian vegetation by river Area for each of the 20 river study areas.

CHAPTER 4

TABLE 4-LP4: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE FISH AND WILDLIFE HABITAT AND AQUATIC HABITAT VALUES

RIVER STUDY AREAS	AQUA FRIA	BIG SANDY	BILL WLMS	BURRO CREEK	CIE- NEGA	FRANCI CREEK	OLA BOX	HASSA- YAMPA	HOT SPRING	L.SAN CISCO	MID GILA	SANTA MARIA	VIR- GIN	WRIGHT CREEK	BLM PUBLIC LAND
BLM Public Land Acres	6710	2030	486	6230	3200	880	1410	2860	1600	1834	3650	2810	4256	3861	41817
Wild Segments	5320	0	0	3340	0	0	0	200	1600	700	230	1040	0	0	12430
No Road in Wild Segs	5320	0	0	3340	0	0	0	200	1600	700	230	1040	0	0	12430
No New Mineral Entry	5320	0	0	3340	0	0	0	200	1600	700	230	1040	0	0	12430
No Surface Patent	6710	1637	486	6230	3200	880	1410	2860	1600	1134	3650	2810	4256	3861	40724
Motorized Use Restricted	5320	0	0	3340	0	0	0	200	1600	700	230	1040	0	0	12430
No Dams or Diversions	6710	2030	486	6230	3200	880	1410	2860	1600	1834	3650	2810	4256	3861	41817
Acres covered in outstandingly remarkable portion by management actions common to all alternatives															
ACEC	2160	1009	486	4933	0	480	0	0	1600	0	0	610	4256	3861	19395
Miles Closed	1	0	0	0	5	0	0	0	0	0	0	0	0	0	6
Existing Roads	1390	628	0	1760	3200	400	0	2600	0	1334	3500	690	0	3861	19363
Designated Rds	0	1009	486	1130	0	480	1410	0	0	0	0	0	4256	0	8771
No Surface Occupancy	1390	1009	486	1130	3200	480	0	2660	1600	1134	3500	2810	4256	3861	27516
Protection of Nests	0	1009	486	4933	0	480	0	0	0	0	0	1060	0	0	7968
Erosion Control	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Cottonwood Planting	670	0	100	0	0	0	0	660	0	0	3650	0	0	0	5080
No Woodcutting	0	0	0	0	3200	0	0	0	1600	0	0	0	9344	0	14144
Dead/Down Wood Only	0	0	0	0	3200	0	0	0	0	0	0	0	4256	0	7456
No Native Plant Removal	0	1009	486	1130	0	480	0	0	0	0	0	0	0	3861	6966
Salt Cedar Removal	0	420	510	0	0	0	0	0	0	0	610	0	0	0	1540
Fencing	0	0	5	0	0	0	0	0	0	6	0	0	0	7	18
Unique Waters Monitoring	0	0	0	7	0	4	0	0	5	6	0	0	0	7	29
New Water Sources	0	5	0	5	0	5	5	5	0	0	0	5	0	1	31
Camp Outside Riparian	0	1009	486	4933	0	480	0	0	0	0	0	610	0	0	7518
Helicopter Restrictions	0	1009	486	4933	0	480	0	0	0	0	0	1060	0	0	7968
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion															
Total	7160	5810	1713	12420	3360	880	1410	3936	1920	2424	6035	7730	3952	4032	66782
Private	180	3780	524	3350	0	0	0	600	160	590	1505	2430	1632	171	14922
State/Other	270	0	524	2840	160	0	0	2476	160	0	880	2490	64	0	9864
RMP Planned Acquisition	120	4510	703	6042	160	400	0	1040	160	590	2205	610	1596	170	18306

CHAPTER 4

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 12,430 acres of the Wild segments of seven river study areas (Agua Fria River, Burro Creek (2 segments), Hassayampa River, Hot Springs Canyon, Lower San Francisco River, Middle Gila River, and Santa Maria River). This prohibition would eliminate any threat to the outstandingly remarkable fish and wildlife habitat values from new mining operations. (Although Hot Springs Canyon is estimated to have no mineral potential a Wild designation nevertheless would prohibit mineral entry.)

Patents would be restricted to the mineral estate on 40,724 acres of the 14 study areas. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, reclamation is required, and reclamation would mitigate surface disturbances.

Roads would be prohibited on 12,430 acres in segments recommended as Wild in seven river study areas (Agua Fria River, Burro Creek (2 segments), Hassayampa River, Hot Springs Canyon, Lower San Francisco River, Middle Gila River, and Santa Maria River). Motorized use also would be restricted in these study areas. Prohibiting new roads and restricting motorized use would protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values by vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreation, scientific, minerals development, or other activities.

In the Wild segments (12,430 acres) of seven study areas new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable fish and wildlife habitat and aquatic habitat values; however, the approval of new rights-of-way would require the completion of environmental

compliance documentation. This action would complement other efforts to prevent such degradation.

Where not already initiated, instream flow assessments on the 14 study areas would be conducted in order to secure instream flow protection. Flow protection strategies and actions would be developed for each river study area to protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

Under the legislative protection alternative, dams, levees, and other types of diversions would be prohibited on approximately 102 riparian miles. This action would protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values on the along 14 rivers by maintaining natural landscapes and stream flows.

The ongoing management actions described in Chapter 2 would provide additional protection for the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

The legislative protection alternative recommends all river study area segments currently in wilderness area or riparian national conservation areas as nonsuitable. This includes all or portions of the Aravaipa Creek, Bonita Creek, Paria, San Pedro River, and Santa Maria river study areas. While the outstandingly remarkable fish and wildlife habitat and aquatic habitat values would not receive long-term legislative protection under the Wild and Scenic Rivers Act, there would be legislative protection from either wilderness area or riparian national conservation area management.

• Conclusion

Implementation of the legislative protection alternative would have no adverse impacts on the outstandingly remarkable fish and wildlife habitat and aquatic habitat values. Placing the 28 segments under the long-term legislative

CHAPTER 4

protection of the Wild and Scenic Rivers Act would be a beneficial impact.

Nonsuitability determinations for all or portions of 12 segments (60,510 acres) found to have outstandingly remarkable fish and wildlife and aquatic habitat during the eligibility study would have negligible impacts. This is due to the protection these areas already have from wilderness areas and riparian national conservation areas.

• **Impacts on outstandingly remarkable cultural, historic, and paleontologic values**

Eighteen of the 20 river study areas are known to contain prehistoric and historic archaeological sites. Nine of these study areas have outstandingly remarkable cultural resource values. Details of these nine areas, are shown in Table 3-9, Chapter 3. Prehistoric sites are present in all of the areas; six contain historic sites.

The legislative protection alternative determines six study areas with outstandingly remarkable cultural and historic values (20,775 acres) to be suitable for designation. Four segments (9,840 acres) are recommended for a Wild classification; the remaining eight (10,935 acres) are recommended as Scenic or Recreational. Outstandingly remarkable cultural resource values in six of the study areas are rare and significant but nonetheless threatened by damage from erosion and human activities such as vandalism and off-road vehicle traffic.

Under the legislative protection alternative all or portions of 12 segments (34,476 acres) including three entire river study areas (Bonita Creek, Parla, and San Pedro River) are determined to be nonsuitable and would not be

recommended for designation. The nonsuitable areas, however, are under wilderness or national conservation area legislative protection and there would be little likelihood of adverse impacts.

Mineral entry, leasing, and materials sales would be prohibited by withdrawal on 9,840 acres on three of the six river areas (Agua Fria River, Burro Creek, Lower San Francisco River) that would be designated as Wild. This prohibition would eliminate any threat to the outstandingly remarkable cultural, historic, and paleontologic values from new mining operations.

Patents would be restricted to the mineral estate on 19,345 acres within the Agua Fria River, Burro Creek, Gila River: Gila Box, Lower San Francisco River, and Wright Creek study areas. Restricting patents to the mineral estate would preserve the surface in federal ownership and management. Although mining activities could alter the landscape, scientific data recovery and reclamation would be required to mitigate surface disturbances.

New roads would be prohibited on 9,840 acres in segments recommended as Wild in three river study areas: Agua Fria River, Burro Creek and Lower San Francisco River. Motorized use also would be restricted. Prohibiting new roads and restricting motorized use would protect the outstandingly remarkable cultural resource values from damage or any conflicts with by vehicle use in the river study areas. In certain situations, the prohibition on new roads could limit future access to uplands areas for recreational, scientific, minerals development, or other activities.

CHAPTER 4

TABLE 4-LP5: MANAGEMENT ACTIONS: OUTSTANDINGLY REMARKABLE CULTURAL, HISTORIC, AND PALEONTOLOGIC VALUES

RIVER STUDY ARRAS	AGUA FRIA	BURRO CREEK	GILA BOX	L.SAN FRAN- CISCO	TURKEY CREEK	WRIGHT CREEK	BLM PUBLIC LAND
BLM Public Land Acres	6710	6230	1410	1834	730	3861	20775
Wild Segments	5320	3820	0	700	0	0	9840
No Road in Wild Segs	5320	3820	0	700	0	0	9840
No New Mineral Entry	5320	3820	0	700	0	0	9840
No Surface Patent	6710	6230	1410	1134	0	3861	19345
Motorized Use Restricted	5320	3820	0	700	0	0	9840
No Dams or Diversions	6710	6230	1410	1834	730	3861	20775
Acres covered in outstandingly remarkable portion by management actions common to all alternatives							
ACEC	2160	4933	0	0	560	3861	11514
Miles Closed	1	0	0	0	0	0	1
Existing Roads	1390	1760	0	1334	730	3861	9075
Designated Rds	0	1130	1410	0	0	0	2540
No Surface Occupancy	1390	1130	0	1134	730	3861	8245
Protection of Nests	0	4933	0	0	0	0	4933
Erosion Control	0	0	0	0	0	0	0
Cottonwood Planting	670	0	0	0	0	0	670
No Woodcutting	0	0	0	0	560	0	560
Dead/Down Wood Only	0	0	0	0	0	0	0
No Native Plant Removal	0	1130	0	0	0	3861	4991
Salt Cedar Removal	0	0	0	0	0	0	0
Fencing	0	0	0	6	0	7	13
Unique Waters Monitoring	0	7	0	6	0	7	20
New Water Sources	0	5	5	0	0	1	11
Camp Outside Riparian	0	4933	0	0	0	0	4933
Helicopter Restrictions	0	4933	0	0	0	0	4933
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion							
Total	7160	12420	1410	2424	730	4032	28176
Private	180	3350	0	590	0	171	4291
State/Other	270	2840	0	0	0	0	3110
RMP Planned Acquisition	120	6042	0	590	0	170	6922

CHAPTER 4

In three river study areas (9,840 acres) recommended as suitable for designation as Wild, new rights-of-way would be discouraged. While this would not prevent new rights-of-way, it would encourage applicants to consider alternative routes. Rights-of-way could degrade outstandingly remarkable cultural resource values; however, the approval of new rights-of-way would require the completion of environmental compliance documentation. This action would complement other efforts to prevent such degradation.

In the six segments (20,775 acres) included in the legislative protection alternative for inclusion in the National Wild and Scenic Rivers System cultural resources would be inventoried; site protection strategies involving fencing, monitoring, or stabilization would be developed; research would be encouraged and selected sites would be interpreted as appropriate for public visitation.

Additional protection for the outstandingly remarkable cultural, historic, and paleontologic values would be provided by the ongoing management actions described in Chapter 2.

Proposed activities that could result in increased use or surface disturbance in six study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed.

Sites evaluated as eligible for the National Register of Historic Places, in consultation with the State Historic Preservation Officer, would normally be avoided by the proposed activity. However, if avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.

• Conclusion

Implementation of the legislative protection alternative would have no adverse impacts on the outstandingly remarkable cultural, historic, and paleontologic values. Placing the areas under the long-term legislative protection of the Wild and Scenic Rivers Act would be a beneficial impact.

Determining all or portions of 12 segments (34,476 acres) as nonsuitable and not recommending them for designation would have a negligible impact. This is because the segments are under the legislative protection provided in wilderness areas and riparian national conservation areas.

• Impacts on outstandingly remarkable hydrologic values

Two river study areas (3,244 acres) have outstandingly remarkable hydrologic values. The outstandingly remarkable hydrologic values are identified with perennial natural water flow in an otherwise semi-arid desert environment.

CHAPTER 4

**TABLE 4-LP6: MANAGEMENT ACTIONS: OUTSTANDINGLY
REMARKABLE HYDROLOGIC VALUES**

RIVER STUDY AREAS	GILA BOX	L.SAN FRAN- CISCO	BLM PUBLIC LAND
BLM Public Land Acres	1410	1834	3244
Wild Segments	0	700	700
No Road in Wild Segs	0	700	700
No New Mineral Entry	0	700	700
No Surface Patent	1410	1134	2544
Motorized Use Restricted	0	700	700
No Dams or Diversions	1410	1834	3244
Acres covered in outstandingly remarkable portion by management actions common to all alternatives			
ACEC	0	0	0
Miles Closed	0	0	0
Existing Roads	0	1334	1334
Designated Rds	1410	0	1410
No Surface Occupancy	0	1134	1134
Protection of Nests	0	0	0
Erosion Control	0	0	0
Cottonwood Planting	0	0	0
No Woodcutting	0	0	0
Dead/Down Wood Only	0	0	0
No Native Plant Removal	0	0	0
Salt Cedar Removal	0	0	0
Fencing	0	6	6
Unique Waters Monitoring	0	6	6
New Water Sources	5	0	5
Camp Outside Riparian	0	0	0
Helicopter Restrictions	0	0	0
Total acres (BLM/Private/Other) covered by outstandingly remarkable portion			
Total	1410	2424	3834
Private	0	590	590
State/Other	0	0	0
RMP Planned Acquisition	0	590	590

CHAPTER 4

Approximately 6,100 acres with outstandingly remarkable hydrologic values would be determined to be nonsuitable under the legislative protection alternative. The acreage is under wilderness or national conservation area protection.

Currently, water rights in the area are under a complex state and federal water rights litigation process that eventually will determine stream flow quantiles. The most likely scenario is that senior water rights will be located downstream, assuring continued flow in the Gila River: Gila Box.

Where not already initiated, instream flow assessments would be conducted in order to secure instream flow protection. Flow protection strategies would be developed for each river study area to protect the outstandingly remarkable hydrologic values.

Under the legislative protection alternative, dams, levees, and other types of diversions would be prohibited on approximately 10 riparian miles. This action would protect the outstandingly remarkable hydrologic values along two rivers by maintaining natural landscapes and stream flows.

• Conclusion

Implementation of the legislative protection alternative would have no adverse impacts on outstandingly remarkable hydrologic values. The legislative protection for the outstandingly remarkable hydrologic values from the Wild and Scenic Rivers Act would complement the legislative protection associated with the riparian national conservation area status.

The approximately 6,100 acres with outstandingly remarkable hydrologic values that would be determined to be nonsuitable under the legislative protection alternative would be under wilderness or national conservation area protection. Adverse impacts would be unlikely.

• Impacts on Minerals Development

A locatable mineral potential exists in 34 of the 40 study area segments (98,120 acres). There is no mineral potential in six river study area segments (7,776 acres). These are the Bill Williams River (2 segments, 2,157 acres), Cienega Creek (2 segments, 3200 acres), Hot Springs Canyon (1 segment, 1600 acres), and Swamp Springs (1 segment, 640 acres).

CHAPTER 4

TABLE 4-LPMN1
SEGMENTS WITH MINERAL POTENTIAL

River Study Area	Segment 1	Segment 2	Segment 3	Segment 4	Segment 5
Agua Fria River	L; 1390ac; Scenic	M; 5320ac; Wild			
Big Sandy River	L-M; 2030ac; Scenic				
Bill Williams River	L-M; 148ac; Wild				
Burro Creek	L; 710ac; Wild		H; 630ac; Recreation	M-H; 2630ac; Wild	M; 2260ac; Scenic
Francis Creek	L; 840ac; Recreation				
Gila Box: Gila River	L; 420ac; Scenic		N-L; 990ac; Scenic		
Hassayampa River	M-H; 250ac; Recreation	M-H; 200ac; Wild	M-H; 2410ac; Recreation		
Gila Box: Lower San Francisco River	L; 1094 Recreation	L; 700; Wild			
Middle Gila River	M; 500ac; Recreation	M; 230ac; Wild	M; 1780ac; Recreation		
Santa Maria River	L/M; 1040ac; Scenic	L-M; 1770ac; Wild			
Turkey Creek	L; 730ac; Recreation				
Virgin River		L; 258ac; Scenic	L; 288ac; Recreation	L; 3712ac; Recreation	
Wright Creek Creek	L; 3861ac; Scenic				

CHAPTER 4

The legislative protection alternative includes 13 river study areas with mineral potential covering a total of 37,221 acres. Six study areas with seven segments (10,830 acres) are recommended for designation with a Wild

classification; the remaining 18 segments (26,391 acres) are recommended for designation with a Scenic or Recreational classification. The river study areas and segments are shown in Table 4-LPMN1.

**TABLE 4-LPMN2
RIVER AREA WILD SEGMENT MINERAL WITHDRAWALS**

River Study Area	Segment 1	Segment 2	Segment 4
Agua Fria River		Moderate; 5320 acres	
Bill Williams River	Low/Moderate; 2314 acres		
Burro Creek	Low; 710 acres		Moderate/High; 2630 acres
Hassayampa River		Moderate/High; 200 acres	
Gila Box: Lower San Francisco River		Low; 700ac	
Middle Gila River		Moderate; 230 acres	
Santa Maria River	Low/Moderate; 1040 acres		

As Table 4-LPMN2 indicates, two segments (2,830 acres) of moderate to high mineral potential would be withdrawn. Two segments (5,550 acres) with moderate mineral potential also would be withdrawn. One segment (1,040 acres) with a low-to-moderate mineral potential would be withdrawn. Two other segments (1,410 acres) with a low mineral potential would be withdrawn.

The 18 segments (26,391 acres) with mineral potential in river study areas that are recommended for a Scenic or Recreational designation would not be withdrawn from mineral entry under the Wild and Scenic Rivers Act. Because segment two segments of the Bill Williams River, and two segments in Cienega Creek have no mineral potential they are not included in Table 4-LPMN3.

CHAPTER 4

**TABLE 4-LPMN3
RIVER AREA SCENIC AND RECREATIONAL LOCATABLE MINERAL POTENTIAL**

River Study Area	Segment 1	Segment 2	Segment 3	Segment 4	Segment 5
Agua Fria River	L; 1390ac; Scenic				
Big Sandy River	L-M; 2030ac; Scenic; ACEC				
Burro Creek			H; 630ac; Recreation		M; 1130ac; Scenic; ACEC; 1130ac; Scenic
Francis Creek	L; 840ac; Recreation; ACEC				
Gila Box; Gila River	L; 420ac; Scenic		N-L; 990ac; Scenic		
Hassayampa River	M-H; 250ac; Recreation		M-H; 2410ac; Recreation		
Gila Box: Lower San Francisco River	L; 1094; Recreation				
Middle Gila River	M; 500ac; Recreation		M; 1780ac; Recreation		
Santa Maria River		L/M; 1770ac; Scenic ACEC			
Turkey Creek	L; 730ac; Recreation; ACEC				
Virgin River		L; 256ac; Scenic; ACEC	L; 288ac; Recreation; ACEC	L; 3712ac; Recreation; ACEC	
Wright Creek Creek	L; 3861ac; Scenic; ACEC				

Table 4-LPMN3 shows that all or portions of nine study area segments are in areas of critical environmental concern. These segments include: Big Sandy River segment 1, Burro Creek segment 5, segment 1 in Francis Creek, Santa Maria River segment 2, segment 1 in Turkey Creek, segments 2, 3 and 4 of the Virgin and segment 1 in Wright Creek. These nine segments cover 15,287 acres.

All or portions of nine other segments (11,104 acres) are not under special protection. They are in the Agua Fria River, Burro Creek, Gila River: Gila Box, Hassayampa River, Lower San Francisco River, and Middle Gila River study areas.

Adverse impacts on minerals development may be caused by other changes. For example, minerals development activities on moderate-to-high potential areas adjacent to withdrawal areas may not occur or may be curtailed if the ore deposit is too small for a reasonable operation. Prohibiting roads in Wild segments may hinder access to areas outside the river corridor for exploration and/or minerals development.

The legislative protection alternative determines 12 segments currently under wilderness area and riparian national conservation areas to be nonsuitable. This would not release any minerals entry prohibitions because acres

CHAPTER 4

withdrawn under wilderness areas and riparian national conservation area legislation would not change.

• Conclusion

There are 25 segments where locatable mineral potential estimates have been made. Six study areas (Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, Middle Gila River, and Santa Maria River) with seven segments totalling 10,830 acres are determined suitable and recommended for designation with a Wild classification and would be withdrawn from mineral entry.

Two segments (2,830 acres) of moderate to high mineral potential would be withdrawn. Two segments (5,550 acres) with moderate mineral potential also would be withdrawn. One segment (1,040 acres) with a low-to-moderate mineral potential would be withdrawn. Two other segments (1,410 acres) with a low mineral potential would be withdrawn.

Nine other segments (13,887 acres) recommended for either Scenic or Recreational classifications, would be under area of critical environmental concern management.

Mineral entry would be available on nine segments (10,594 acres) outside of areas of critical environmental concern. These include segments in the Agua Fria River, Burro Creek, Gila River: Gila Box, Hassayampa River, Lower San Francisco River, Middle Gila River, and Santa Maria River study areas.

The implementation of the legislative protection alternative would have a minor adverse impact on minerals development.

• Impacts on Tourism

The legislative protection alternative determines suitable and recommends designation of all or portions of rivers in ten counties: Cochise, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave,

Pima, Pinal, and Yavapai. The travel and tourism data for these counties (Chapter 3, Table 3-14), shows a wide range of visitor totals. For Graham County, the average eight-year visitor total was 46,100. In contrast, the Coconino County totals were approximately 7.5 million. Greenlee County was omitted because it has no national or state parks or recreational areas.

Visitor expectations for the rivers recommended as suitable for designation in these counties are shown in Table 4-LPT1.

The estimations in Table 4-LPT1 regarding increases in visitor use involve several assumptions. One of these is the normal trend of visitor use growth. Regardless of designation, the number of visitors to the river study areas is expected to increase in proportion to anticipated increases in tourism throughout the state. For example, the San Pedro River Riparian National Conservation Area currently records over 50,000 annual visitor use days.

Visitor use will increase in the future regardless of Congressional action on designation. The publicity associated with wild and scenic river designation would add slightly to the normal increase.

Another assumption is that wild and scenic river designation will be accompanied by publicity. Maps will identify the rivers; brochures may be developed; commercial tour ventures may develop. The Bureau of Land Management sponsored a University of Arizona study on nature-based tourism in southeastern Arizona.

The study illustrates how nature-based tourism can benefit local economies (University of Arizona, 1992). The wild and scenic river publicity would have its greatest effect on river study areas in and near the tourism centers of the Phoenix (Maricopa County) and Tucson (Pima County) metropolitan areas. Other centers would be the cities of Sedona

CHAPTER 4

(Yavapai/Coconino County), Sierra Vista (Cochise County), Prescott (Yavapai County), Payson (Gila County), and in Mohave County. Lake Havasu City and Bullhead City.

A third assumption is that the Bureau of Land Management will not undertake recreational facility developments because of wild and scenic river designation. Rivers designated as Wild prohibit this. While recreational developments are allowed in Scenic and Recreational rivers, the Bureau of Land Management has no plans to develop special facilities.

Finally, most of the river segments recommended as suitable for designation are in primitive use areas with limited access. Exceptions to this are the San Pedro River and portions of the Virgin, Gila, and San Francisco river study areas.

As Table 4-LPT1 indicates, the estimated increase in visitors ranges from 5,000 in the San Pedro River study area to fewer than 500 in the more remote study areas. On a county basis Graham County would have an additional 4,000 annual visitors, or nearly 10 percent of the average total park and recreational visits shown in Table 3-14. This would be a minor beneficial impact. In Greenlee County, which does not appear in the data displayed in Table 3-14, the estimated increase would be approximately 1,000 visitor use days. This also would be a minor beneficial impact.

In the other county areas where visitor totals are already high, visitor increase proportions resulting from wild and scenic river designation would be negligible.

• Conclusion

Implementation of the legislative protection alternative would have no adverse effects on travel and tourism. Minor beneficial impacts would occur in Graham and Greenlee counties.

CHAPTER 4

TABLE 4-LPT1
VISITOR USE CHANGES

COUNTY	RIVER STUDY AREA	CURRENT USE	ESTIMATED VISITOR INCREASE
Cochise	San Pedro	> 50,000	< 10 percent
Gila	Middle Gila	1,500	< 20 percent
Graham	Bonita Creek Gila Box: Gila River Turkey Creek	15,000 4,000 1,200	< 20 percent < 20 percent > 10 percent
Greenlee	Gila Box: Gila River Gila Box: Lower San Francisco River	4,000 > 1,000	< 20 percent < 10 percent
La Paz	Bill Williams River Santa Maria River	< 2,500 < 2,000	< 10 percent < 10 percent
Maricopa	Hassayampa River	1,200	> 20 percent
Mohave	Big Sandy River Bill Williams River Burro Creek Santa Maria River Virgin River	2,500 < 2,500 > 20,000 < 2,000 7,600	< 10 percent < 10 percent > 10 percent < 10 percent > 10 percent
Pima	Cienega Creek	> 2,500	< 20 percent
Pinal	Aravaipa Creek Middle Gila	> 15,000 1,500	-- < 20 percent
Yavapai	Burro Creek Santa Maria River	> 20,000 > 2,000	> 10 percent < 10 percent

IMPACTS FROM IMPLEMENTING THE NO ACTION ALTERNATIVE

The no action alternative determines all 20 river study areas (103,541 acres) to be nonsuitable and has no recommendations for designation.

Under the no action alternative none of the outstandingly remarkable values would receive special legislative protection from the provisions of the Wild and Scenic Rivers Act.

Management actions discussed in this alternative include those necessary to implement existing legislative and administrative designations. These designations include wilderness areas, riparian national conservation areas, areas of critical environmental concern, and the multiple use management prescriptions in resource management plans.

Outstandingly Remarkable Values

Under the no action alternative, 40 river segments and 20 river study areas are determined to be nonsuitable. The outstandingly remarkable values would not receive special legislative protection under the Wild and Scenic Rivers Act.

The special protection currently provided to the wild and scenic river study areas during this evaluation process would be terminated if Congress selects the no action alternative.

However, the outstandingly remarkable values would be managed under the Aravaipa Wilderness Act of 1984, the Arizona Wilderness Act of 1984, and the Arizona Desert Wilderness Act of 1990. Legislative protection for areas with outstandingly remarkable values would also be provided under the San Pedro River Riparian

CHAPTER 4

National Conservation Area (established by Congress in 1988) and the Gila Box Riparian National Conservation Area established by Congress in 1990.

Over 38,600 acres would be protected in wilderness areas. More than 21,900 acres would be under the protection of riparian national conservation areas. An additional 21,600 acres within the 20 river study areas would receive administrative protection from their inclusion in 10 areas of critical environmental concern.

• Impacts on Outstandingly Remarkable Scenic Values

In the eligibility evaluation, 14 of the 20 river study areas were regarded to have outstandingly remarkable scenic values. All 14 rivers are recommended as nonsuitable in the no action alternative. The 14 river study areas cover 85,470 acres.

The outstandingly remarkable scenic values are varied. They include undisturbed panoramas with diverse landforms composed of canyons, mountain slopes, rolling hills, and the broad river channels. Pristine canyons and gorges provide exceptional aesthetic experiences. Rugged mountains, rocky canyons, and imposing cliff faces provide exceptional opportunities for sightseeing and photography.

Portions or all of 13 of the 14 study areas (53,600 acres) are either in wilderness areas or riparian national conservation areas. Approximately 35,400 acres covering all or parts of 15 segments are in wilderness areas (the Paria study area, which does not have outstandingly remarkable scenic values, is not included in the total). In addition, all or parts of five other segments totalling approximately 18,300 acres are in riparian national conservation areas (Bonita Creek does not have outstandingly remarkable values and is not part of the total).

The outstandingly remarkable scenic values would be protected by ongoing management actions. For example, approved plans of operations would be required for all mineral activity above the level of casual use in areas of critical environmental concern. No surface occupancy stipulations would be required for mineral leases in 11 study areas covering 19,585 acres as identified in resource management plans and management prescriptions for areas of critical environmental concern. Mineral entry, leasing, and materials sales would be recommended for withdrawal on 11,349 acres on six river segments in accord with management provisions in areas of critical environmental concern. (This excludes 3,200 acres in the Cienega Creek study area never open to mineral entry.) These actions would protect the outstandingly remarkable scenic values by restricting and managing mineral development activities.

Up to 20,033 acres in riparian areas would be acquired on a willing seller-willing buyer basis or by exchange in accordance with management plans in riparian national conservation areas, areas of critical environmental concern and resource management plans. Nearly 42 miles of roads would be closed in four river study areas in accordance with management provisions in areas of critical environmental concern. New road development would be prohibited within 1/2 mile of a bald eagle aerie in accordance with management provisions in five areas of critical environmental concern (7,968 acres). Off-highway vehicle use would be limited to existing roads and trails on 19,163 acres of 10 Wild and study areas according to requirements in area of critical environmental concern management plans. These actions would provide protection for the outstandingly remarkable scenic values by enlarging the amount of land under federal protection and ensuring management guidance for vehicle use.

Camping would be restricted to a 14-day limit in riparian zones according to guidance in resource management plans. Camping would

CHAPTER 4

be restricted to fewer than 14-days in the riparian zones of three rivers in compliance with riparian national conservation plans and wilderness management plans. Campground development will be restricted to areas outside riparian zones and the 100-year floodplain in six study areas (11,538 acres). This complies with stipulations in areas of critical environmental concern management plans. Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in five riparian areas covering 7,968 acres according to management plans in areas of critical environmental concern. Helicopter flights would be prohibited over five study areas (27,155 acres) on the basis of management requirements in areas of critical environmental concern. Requirements to locate campgrounds and picnic areas away from riparian zones would occur in five river study areas (7,968 acres) on the basis of provisions in areas of critical environmental concern management plans. Management of recreational activities would prevent overuse and protect the outstandingly remarkable scenic values.

Cottonwood and willow planting would occur on up to 2,550 acres in four Wild and study areas in compliance with area of critical environmental concern management plans. Woodcutting would be prohibited on 19,294 acres of areas of critical environmental concern. Wood collection would be restricted to down and dead materials in two study areas (7,776 acres) in accordance with area of critical environmental concern management provisions. Wood collection would be prohibited on 13,096 acres in two study areas according to provisions in resource management plans. Removal of native plants would be prohibited in 7,400 acres of five study areas in compliance with area of critical environmental concern management plans. Approximately 5,450 acres of salt cedar would be removed within five study areas according to provisions in area of critical environmental concern and resource management plans. The riparian and vegetative management actions

would protect the outstandingly remarkable scenic values by preventing and controlling conflicting activities.

Erosion control structures (stabilization, diversions) would be developed on approximately 40 riparian miles in two study areas in accordance with management provisions in riparian national conservation areas and resource management plans. Water quality monitoring would be conducted as required by the State on nearly 85 riparian miles of nine rivers designated by the State as unique waters. Approximately 28 miles of fencing that includes exclosures would be developed in riparian areas in four study areas (14,454 acres) according to management provisions for riparian national conservation areas and a resource management plan.

Proposed activities that could result in increased use or surface disturbance in 20 study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed. Sites evaluated as eligible for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer. Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism. These actions would prevent damage and deterioration to any cultural resources and protect the associated outstandingly remarkable scenic values.

Up to 37 new upland water sources would be developed for grazing management in nine study areas according to management provisions for areas of critical environmental concern. The grazing management actions would prevent damage to and any conflicts with of the outstandingly remarkable scenic values.

CHAPTER 4

- **Conclusion**

Implementation of the no action alternative would have no direct adverse impacts on outstandingly remarkable scenic values on 87,489 acres on 33 segments of 14 study areas.

Study areas with outstandingly remarkable scenic values cover 87,500 acres. Of that acreage 53,600 acres are protected under wilderness areas or riparian national conservation area management. There would be no special legislative protection for nearly 34,000 acres.

- **Impacts on outstandingly remarkable recreational values**

Nine of the 20 river study areas contain outstandingly remarkable recreational values. The nine rivers recommended as suitable cover about 58,784 acres in 21 separate segments (See Table 2-AS1, Chapter 2).

The river study areas provide opportunities for primitive outdoor recreation in which local and regional residents as well as tourists from around the country and world, participate. The outstandingly remarkable recreational values include hiking, backpacking camping, horseback riding, sightseeing, wildlife observation, hunting, fishing, photography, rock climbing, swimming, rafting, kayaking, canoeing, and geologic, ecologic, and cultural resource observation and interpretation. Visitor use figures range from annual uses that are very low (Wright Creek) to the very popular Aravaipa Creek, Burro Creek, and San Pedro River areas.

Nine rivers in the eligibility evaluations were determined to have outstandingly remarkable recreational values. All are recommended for nonsuitability in the no action alternative.

Under the no action alternative the outstandingly remarkable recreational values would be protected by ongoing management actions. For example, approved plans of

operations would be required for all mineral activity above the level of casual use in areas of critical environmental concern. No surface occupancy stipulations would be required for mineral leases in 13 study areas covering 33,709 acres as identified in resource management plans and management prescriptions for areas of critical environmental concern. Mineral entry, leasing, and materials sales would be recommended for withdrawal on 11,349 acres on seven river segment in accordance with management provisions in areas of critical environmental concern. (This excludes 3,200 acres in the Cienega Creek study area that has never been open to mineral entry. These actions would protect the outstandingly remarkable recreational values by restricting and managing mineral development activities.

Up to 20,039 acres in riparian areas would be acquired on a willing seller-willing buyer basis or by exchange in accordance with management plans in riparian national conservation areas, areas of critical environmental concern and resource management plans. Nearly 42 miles of roads would be closed in four river study areas in accordance with management provisions in areas of critical environmental concern. New road development would be prohibited within 1/2 mile of a bald eagle aerie in accordance with management provisions in five areas of critical environmental concern (7,968 acres). Off-highway vehicle use would be limited to existing roads and trails on 19,163 acres of 10 study areas according to requirements in area of critical environmental concern management plans. These actions would provide protection for the outstandingly remarkable recreational values by enlarging the amount of land under federal protection and ensuring management guidance for vehicle use.

Camping would be restricted to a 14-day limit in riparian zones in 17 study areas according to guidance in resource management plans. Camping would be restricted to fewer than 14-days in the riparian zones of three rivers in

CHAPTER 4

compliance with riparian national conservation plans and wilderness management plans. Campground development will be restricted to areas outside riparian zones and the 100-year floodplain in six study areas (11,538 acres) in compliance with stipulations in areas of critical environmental concern management plans. Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in five riparian areas covering 7,968 acres according to management plans in areas of critical environmental concern. Helicopter flights would be prohibited over five study areas (27,155 acres) on the basis of management requirements in areas of critical environmental concern. Requirements to locate campgrounds and picnic areas away from riparian zones would occur in five river study areas (7,968 acres) on the basis of provisions in areas of critical environmental concern management plans. Management of recreational activities would prevent overuse and protect the outstandingly remarkable recreational values.

A number of actions would be taken in accordance with resource management plans and area of critical environmental concern management plans. For example, cottonwood and willow planting would occur on up to 2,550 acres in four study areas. Woodcutting would be prohibited on 19,294 acres, wood collection would be restricted to down and dead materials in two study areas (7,776 acres) and wood collection would be prohibited on 13,096 acres in two study areas. Removing native plants would be prohibited in 7,400 acres of five study areas. Up to 5,450 acres of salt cedar would be removed in five study areas.

Erosion control structures (stabilization, diversions) would be developed on approximately 40 riparian miles in two study areas in accordance with management provisions in riparian national conservation areas and resource management plans. Exotic fish would be removed from 70 riparian miles in four river study areas as provided by area of

critical environmental concern management plans. Water quality monitoring would be conducted as required by the Arizona on nearly 85 riparian miles of nine rivers designated by the state as unique waters. The riparian and vegetative management actions would protect the outstandingly remarkable recreational values by preventing and controlling conflicting activities. Approximately 28 miles of fencing that includes enclosures would be developed in riparian areas in four study areas (14,454 acres) according to management provisions for riparian national conservation areas and a resource management plan.

Proposed activities that could result in increased use or surface disturbance in 20 study areas would be reviewed by a cultural resource specialist. In most cases, a field inventory of the potentially affected area would be completed. Sites evaluated as eligible for the National Register of Historic Places would be avoided by the proposed activity. If avoidance is not possible, impacts would be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer. Protection measures, such as fencing or periodic monitoring, would be developed for selected cultural resources that have either a high level of significance or a history of vandalism. These actions would prevent damage and deterioration to any cultural resources and protect the associated outstandingly remarkable recreational values.

Up to 37 new upland water sources would be developed for grazing management in nine study areas according to management provisions for areas of critical environmental concern. The grazing management actions would prevent degradation of the outstandingly remarkable recreational values.

• Conclusion

Implementation of the no action alternative would have no direct adverse impacts on outstandingly remarkable recreational values on

CHAPTER 4

58,800 acres in 21 segments of nine study areas.

About two-thirds of the total acreage covered by the study areas has outstandingly remarkable recreational values and falls under wilderness area or riparian national conservation area protection. However, there would be no special legislative protection for nearly 14,000 acres.

• **Impacts on outstandingly remarkable geologic values**

Outstandingly remarkable geologic values were identified in three of the 20 study areas in the Suitability reports. Two of the three river study areas (over 15,000 acres) with outstandingly remarkable geologic values are in wilderness areas or riparian national conservation areas that have long-term legislative protection. A third area with outstandingly remarkable geologic values, however, has more than 1,400 acres that have no special protection for the value. On the other hand, no surface occupancy limitations and restrictions on motorized travel to designated roads and trails help protect outstandingly remarkable geologic values.

• **Conclusion**

There would be no direct adverse impacts on the outstandingly remarkable geologic values from the implementation of the no action alternative. However, the outstandingly remarkable geologic values would not receive long-term legislative protection from the Wild and Scenic Rivers Act.

• **Impacts on outstandingly remarkable fish and wildlife habitat and aquatic habitat values**

Fish and wildlife habitat was identified as an outstandingly remarkable value in 19 of the 20 river study areas. Aquatic habitat was identified as an outstandingly remarkable value in two river study areas: Bonita Creek and the Virgin

River. Both are included as part of the fish and wildlife habitat category. The no action alternative recommends all or portions of these 19 study areas as nonsuitable (102,460 acres).

Under the no action alternative the outstandingly remarkable fish and wildlife habitat and aquatic habitat values would be protected by ongoing management actions. For example, approved plans of operations would be required for all mineral activity above the level of casual use in areas of critical environmental concern. No surface occupancy stipulations would be required for mineral leases in 13 study areas covering 33,709 acres as identified in resource management plans and management prescriptions for areas of critical environmental concern. Mineral entry, leasing, and materials sales would be recommended for withdrawal on 11,349 acres on seven river segment in accordance with management provisions in areas of critical environmental concern. (This excludes 3,200 acres in the Clinch Creek study area that has never been open to mineral entry. These actions would protect the outstandingly remarkable fish and wildlife and aquatic habitat values by restricting and managing mineral development activities.

Up to 20,033 acres in riparian areas would be acquired on a willing seller-willing buyer basis or by exchange in accordance with management plans in riparian national conservation areas, areas of critical environmental concern and resource management plans.

A number of actions would be taken in accordance with resource management plans and area of critical environmental concern management plans. For example, nearly 42 miles of roads would be closed in four study areas.

New road development would be prohibited within 1/2 mile of a bald eagle aerie in accordance with management provisions in five areas of critical environmental concern (7,968 acres). Off-highway vehicle use would be

CHAPTER 4

limited to existing roads and trails on 19,163 acres of 10 study areas according to requirements in area of critical environmental concern management plans. These actions would provide protection for the outstandingly remarkable fish and wildlife and aquatic habitat values by enlarging the amount of land under federal protection and ensuring management guidance for vehicle use.

Camping would be restricted to a 14-day limit in riparian zones in 17 study areas. Camping would be restricted to fewer than 14-days in the riparian zones of three rivers. Campground development will be restricted to areas outside riparian zones and the 100-year floodplain in six study areas (11,538 acres). Intensive recreational activities would be prohibited within 1/2 mile of a bald eagle nests/falcon nests during breeding season in five riparian areas covering 7,968 acres. Helicopter flights would be prohibited over five study areas (27,155 acres). Requirements to locate campgrounds and picnic areas away from riparian zones would occur in five river study areas (7,968 acres). Management of recreational activities would prevent overuse and protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

Cottonwood and willow planting would occur on up to 2,550 acres in four study areas. Woodcutting would be prohibited on 19,294 acres. Wood collection would be restricted to down and dead materials in two study areas (7,776 acres). Wood collection would be

prohibited on 13,096 acres in two study areas. Removal of native plants would be prohibited in 7,400 acres of five study areas. Approximately 5,450 acres of salt cedar would be removed in five study areas.

Erosion control structures (stabilization, diversions) would be developed on approximately 40 riparian miles in two study areas. Exotic fish would be removed from 70 riparian miles in four river study areas. Water quality monitoring would be conducted as required by the state on nearly 85 riparian miles of nine rivers designated by the state as unique waters. Approximately 28 miles of fencing that includes enclosures would be developed in riparian areas in four study areas (14,454 acres).

These riparian and vegetative management actions would protect the outstandingly remarkable fish and wildlife habitat and aquatic habitat values by preventing and controlling conflicting activities.

Up to 37 new upland water sources would be developed for grazing management in nine study areas. The grazing management actions would prevent degradation of the outstandingly remarkable fish and wildlife habitat and aquatic habitat values.

• Conclusion

Implementation of the no action alternative would have no direct adverse impacts on the outstandingly remarkable fish and wildlife habitat and aquatic habitat values. However, none of the outstandingly remarkable fish and wildlife

CHAPTER 4

values would be under the long-term legislative protection of the Wild and Scenic Rivers Act.

• **Impacts on outstandingly remarkable cultural, historic, and paleontologic values**

Eighteen of the 20 study areas are known to contain prehistoric and historic archaeological sites. Nine of these are regarded as having outstandingly remarkable cultural resource values. Details of these nine areas, distributed throughout Arizona, are shown in Table 3-9, Chapter 3. Prehistoric sites are present in all of the areas; six contain historic sites. All nine study areas with outstandingly remarkable cultural and historic values (55,250 acres) are recommended by the no action alternative as nonsuitable.

It is likely that all study areas contain sites of sufficient scientific potential or historic importance to be eligible for nomination to the National Register of Historic Places. Those study areas having outstandingly remarkable cultural resource values contain sites regarded as rare or exceptionally significant in terms of historic significance, scientific informational potential, or geographic location.

Sites along the San Pedro River are widely regarded as among the oldest and most important paleo-Indian manifestations in North America. At the Lehner and Murray Springs sites, occupied about 9,000 B.C., bones of extinct Pleistocene mammoths were found in association with human artifacts. In addition to the bones of extinct Pleistocene animals associated with archaeological sites, the San Pedro River study area contains other significant paleontological resources, including late Cenozoic fossils one to five million years old. At the opposite end of the time spectrum, the San Pedro River study area holds the remains of Santa Cruz de Terranate, a Spanish presidio that served as an outpost in battles with the Apache. These types of sites are quite rare in Arizona.

Examples of the outstandingly remarkable cultural resources in other study areas include the Beale wagon road near Wright Creek, established in the 1850s as the first road across northern Arizona; Pueblo Duval near Bonita Creek, a rare Anasazi ruin in Mogollon country; pueblos with walls eight feet high near upper Burro Creek, representing the westernmost extension of the prehistoric Prescott culture; and pueblos at the edges of the Agua Fria River Canyon and Agua Fria River tributaries.

Outstandingly remarkable cultural resource values in nine of the study areas are rare and significant but nonetheless threatened by damage from erosion and human activities such as vandalism and off-road vehicle traffic.

Under the no action alternative the ongoing management actions would protect the values in the river study areas.

• **Conclusion**

Implementation of the no action alternative would have no direct adverse impacts on the outstandingly remarkable cultural and historic values. However, the outstandingly remarkable cultural and historic resource values identified in the eligibility evaluation would not be placed under long-term legislative protection.

• **Impacts on outstandingly remarkable hydrologic values**

Two study areas (9,334 acres) have outstandingly remarkable hydrologic values. Both river study areas (7,500 acres) are within the Gila Box Riparian National Conservation Area established by Congress in 1990. The outstandingly remarkable hydrologic values are identified with perennial natural water flow in an otherwise semi-arid desert environment. Ongoing management actions identified in Chapter 2 would protect the outstandingly remarkable hydrologic values.

CHAPTER 4

- **Conclusion**

Implementation of the no action alternative would have no direct adverse impacts on outstandingly remarkable hydrologic values for the 7,500 acres in the Gila Box Riparian National Conservation Area. The outstandingly remarkable hydrologic values in the remainder of the study river acreage (4,256 acres) would not receive legislative protection from the Wild and Scenic Rivers Act.

- **Impacts on minerals development**

A locatable mineral potential exists in 34 of the 40 study area segments (98,120 acres) identified as eligible for inclusion in the National Wild and Scenic Rivers System. There is no mineral potential in six study area segments (7,597 acres). These are the Bill Williams River (2 segments, 2,157 acres), Cienega Creek (2 segments, 3200 acres), Hot Springs Canyon (1 segment, 1600 acres), and Swamp Springs (1 segment, 640 acres).

Six segments with mineral potential and outside of wilderness areas were tentatively classed as Wild in the eligibility evaluations. The no action alternative recommends nonsuitability for these segments.

An additional 20 segments (50,237 acres) in river study areas tentatively classed as Scenic or Recreational in the eligibility evaluation would be recommended as nonsuitable. Seven of these 20 segments are under wilderness area or riparian national conservation area withdrawals. Of the 13 remaining segments, all or portions of six are in areas of critical environmental concern. These are: segment 1 of the Big Sandy River, segment 5 of the Burro Creek, segment 2 of the Bill Williams River, segment 1 of the Francis Creek, segment 1 of the Santa Maria River, and segment 4 of the Virgin River study areas.

All or portions of seven segments are not under special protection. They are in the Agua Fria

River, Burro Creek, Hassayampa River, Lower San Francisco River, and Middle Gila study areas.

- **Conclusion**

There are 34 segments where locatable mineral potential estimates have been made. Mineral entry would not be under special restrictions on seven segments outside of areas of critical environmental concern. These include segments in the Agua Fria River, Burro Creek, Hassayampa River, Lower San Francisco River, and Middle Gila study areas.

Implementation of the no action alternative would have no adverse impacts on minerals development.

- **Impacts on Tourism**

The no action alternative recommends nondesignation for all the river study areas in 11 counties: Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Maricopa, Mohave, Pima, Pinal, and Yavapai.

The travel and tourism data for these counties (Chapter 3, Table 3-14), shows a wide range of visitor totals. For Graham County the total eight-year visitor average was 46,100. In contrast, the Coconino County totals were approximately 7.5 million. Greenlee County was omitted because it has no national or state parks or recreational areas.

Visitor use in the river study areas would increase in proportion to anticipated increases in tourism throughout the state. For example, the San Pedro River Riparian National Conservation Area currently records over 50,000 annual visitor use days. Current visitor levels would be maintained and trends would continue. The Bureau of Land Management sponsored a University of Arizona study on nature-based tourism in southeastern Arizona which does not include wild and scenic river data. The study illustrates how nature-based

CHAPTER 4

tourism can benefit local economies (University of Arizona, 1992).

Tourism increases would be relatively high in river study areas in and near Phoenix (Maricopa County) and Tucson (Pima County) metropolitan areas. Other centers would be the cities of Sedona (Yavapai and Coconino counties), Sierra Vista (Cochise County), Prescott (Yavapai County), Payson (Gila

County), and in Mohave County, Lake Havasu City and Bullhead City. The Bureau of Land Management would continue with current plans for recreational development.

• Conclusion

Implementation of the no action alternative would have no adverse effects on travel and tourism.

CHAPTER 4

Bureau of Land Management, 1994

CHAPTER 5 CONSULTATION AND COORDINATION

INTRODUCTION

The Arizona Statewide Wild and Scenic Rivers Environmental Impact Statement was prepared by a Bureau of Land Management interdisciplinary team of resource specialists. Preparation of the environmental impact statement began in January, 1993. Fourteen public scoping meetings were held during March and April, 1993.

The draft legislative environmental impact statement was issued on April 8, 1994 for a 90-day public review and comment period. During the 90-day public comment period five public hearings were held.

ELIGIBILITY

Determinations of the eligibility of the 20 Wild and Scenic river study areas were made in resource management plans completed between 1991 and 1993. Two rivers were assessed in the Arizona Strip District Resource Management Plan (1991), and six were considered in the Kingman Resource Management Plan (1993). Seven river study areas containing eight separate rivers were evaluated in the Safford District Resource Management Plan (1993).

In 1993 four other rivers were evaluated in amendments to the Yuma District, Phoenix

Resource Area, and Safford District Resource Management Plans.

The determinations were based on full public involvement in compliance with the National Environmental Policy Act. The specific resource management plans are on file at the originating district and resource area offices.

SCOPING

A series of 14 scoping meetings were held in Arizona and St George, Utah during March and April 1993. The meetings were announced in the *Federal Register* (February 19, 1993; Federal Register Vol 58, No. 32, p. 9213), in paid advertisements in newspapers in Tucson, Phoenix, Yuma, Safford, and in local papers.

The list of meetings shown in Table 5-1 records only the number of people who signed the available register. It is estimated that the total number at the meetings would include an additional 50 to 60 people. Comments on issues and concerns were submitted to Bureau of Land Management personnel at the meetings either orally or in written statements. In addition to attending the formal scoping meetings the public also was encouraged to mail comments on issues or concerns to Bureau of Land Management offices. Approximately 100 written comments were received.

**TABLE 5-1
SCOPING MEETINGS**

TOWN	COUNTY	DATE	NUMBER SIGNED IN
Parker	La Paz	March 29, 1993	19
Bagdad	Yavapai	April 5, 1993	93
Kingman	Mohave	April 6, 1993	14
Wickenburg	Maricopa	April 7, 1993	17
Winkelman	Pinal	April 12, 1993	9
Tucson	Pima	April 13, 1993	34
Phoenix	Maricopa	April 14, 1993	54
Benson	Cochise	April 15, 1993	10
St George, Utah	Washington	April 16, 1993	21
Clifton	Greenlee	April 19, 1993	45
Safford	Graham	April 20, 1993	38
Klondyke	Graham	April 21, 1993	21
Sierra Vista	Cochise	April 22, 1993	30
Sonoita	Santa Cruz	April 23, 1993	10
TOTAL			415

OTHER AGENCY CONSULTATION AND COORDINATION

Five interagency public informational meetings for wild and scenic river study were held in January and February. These involved the Arizona Congressional Delegation and representatives of the U.S. Forest Service, National Park Service, and the Bureau of Land Management. Meetings were held in Payson, Phoenix, Kingman, Thatcher, and Tucson.

In the course of preparing the individual resource assessment documents on which the recommended alternative is based, meetings were scheduled by district and resource area personnel with representatives of federal and state agencies that would be affected. Meetings also were held with local and county public officials.

At the state level the Bureau of Land Management has met with the Arizona Department of Lands and the Department of Environmental Quality. Section 7 reviews have been initiated with the U.S. Fish and Wildlife Service. Other consultation and coordination efforts include meetings with the U.S. Forest Service (six meetings), the Dams and Flood Control committee of the Arizona State Legislature, the Arizona Association of Conservation Districts, and individual members of the Arizona Congressional delegation.

The Bureau of Land Management mailed three issues of a wild and scenic rivers update to approximately 1,000 people who had expressed interest in the progress of wild and scenic river studies.

In April, 1994, over 2,000 copies of the draft environmental impact statement were distributed for a 90-day public review period. During the review period the Bureau of Land Management conducted public hearings in Phoenix, Kingman, Tucson, and Safford Arizona and St. George, Utah. Copies of letters commenting on the draft, and copies of transcripts of the public hearings are contained in Chapter 5 of the Final Statewide Arizona Wild and Scenic Rivers Legislative Environmental Impact Statement.

An unresolved conflict exists regarding implementation of the alternatives recommending designation of the Virgin River. Details of this conflict are identified in chapter V of the Virgin River discussion in the River Appendix.

PREPARERS

This wild and scenic rivers environmental impact document was prepared and reviewed by two interdisciplinary groups of resource specialists. Members of the Core Group were the primary writers of the document. They are:

D. Curtis, Planning and Environmental Coordinator, Yuma District; BS, Wildlife Biology, University of Nevada, Reno; 15 years with the Bureau of Land Management.

T. Duck, Wildlife Biologist, Arizona Strip District, Shivwits Resource Area; 13 years with the Bureau of Land Management; BA, Ecology, University of Arizona.

M. McQueen, Planning and Environmental Coordinator, Safford District; six years with the Bureau of Land Management; MS, Interdisciplinary Science, Western Oregon State University.

C. Stone, Archaeologist, Phoenix Resource Area, Phoenix District; seven years with the Bureau of Land Management; PhD, Anthropology, Arizona State University.

Members of the Review Group reviewed the document for consistency. They are:

P. Buff, Associate District Manager, Minerals, Phoenix District

J. Gaudio, Realty Specialist, Tucson Resource Area

C. Laver, Planning and Environmental Coordinator, Phoenix District

P. Seegmiller, Planning and Environmental Coordinator, Vermillion Resource Area

B. Smith, Renewable Resources Advisor, Yuma District

The document was prepared under the direction of H. Kast, Deputy State Director, Division of Lands and Renewable Resources, P. Moreland, Branch Chief, Planning, Environment, Lands and Recreation, as a project of the Outdoor Recreation Program, T. O'Sullivan, Senior Technical Specialist. K. Pearson acted as project manager.

The following summary of the public scoping meeting comments and issues was printed in the draft legislative environmental impact statement and is included in this final document for the information it provides.

Since these are scoping comments gathered in April and May, 1993, they do not refer to the environmental impact document. The

responses are associated only with the comments.

These public scoping issues and comments were a primary source in developing the alternatives analyzed in the Arizona Wild and Scenic Rivers Legislative Environmental Impact Statement.

SUMMARY OF PUBLIC SCOPING MEETING COMMENTS/ISSUES

Two general types of public comments were received during the scoping period. Some pertained to issues specific to individual rivers. These are recorded and discussed for each of the 20 Wild and Scenic river study areas in the appendix (Volume 2).

The following list consolidates several hundred comments and letters from the public scoping meetings that address statewide concerns. The comments have been arranged by resource concern. The responses explain why the comments were not considered in detail in the statewide environmental impact statement.

MINERALS

1. Responsible mining companies need to be encouraged to stay in business just like farming and ranching. More regulation is not the answer.

Concerns such as this are a primary reason for analyzing a range of alternatives, including No Action. The impacts of designation on various kinds of land use are addressed in each alternative.

2. What will happen to mines under designation?

There are no mines within the boundaries of the eligible river study areas. If any existed, they would continue to operate, subject to valid and existing rights and standards which protect the outstandingly remarkable values.

3. I am extremely concerned about the possibility of the designation seriously crippling mining operations like the Cyprus Bagdad Copper Corporation and others.

See response 1.

4. What would the effect of Wild and Scenic River designation be on future mining activities and water withdrawals?

Federal lands within the boundaries of river areas (generally one-quarter mile from the ordinary high water mark on both sides of the river), designated and classified as Wild, are withdrawn from appropriation under the mining and mineral leasing laws (Section 9 of the Wild and Scenic Rivers Act). No new mining claims or mineral leases can be filed.

Federal lands within the boundaries of river areas, designated and classified as Scenic or Recreational, are not withdrawn from the mining and mineral leasing laws under the Act. Mining claims, subject to valid existing rights, can be patented only as to the mineral estate and not the surface estate, subject to proof of discovery prior to the effective date of designation.

Future water rights would be junior to any asserted existing rights.

5. These proposed segments, if approved for wild and scenic river designation, would have serious negative economic impacts on existing and future mineral resources. Many of the Act's provisions which are intended to put teeth into enforcement will actually be a mechanism for abuse within the court system. There is no way to determine how such things as 'scenic' or 'conservation' easements, incompatible land uses, and condemnation of private lands will be interpreted by the courts. This Act could easily be interpreted in ways that neither the Congress nor the Bureau of Land Management intend.

Economic impacts of wild and scenic river designation on mining activity were considered but implementation of the recommended alternative or other alternatives is not expected to have substantive economic consequences.

After Congress designates river areas the Bureau of Land Management will develop management plans. Approval of these management plans will include full public participation and review in compliance with the National Environmental Policy Act.

LANDS

6. What affect will Wild and Scenic River designations have on adjacent private lands?

Generally no affect. Designation neither gives nor implies government control of adjacent private lands. Although private lands could be included within the boundaries of the designation, management restrictions would apply only to public lands. The federal government has no power to regulate or zone private lands.

7. What affect will Wild and Scenic River designations have on other land uses like livestock grazing, mining, etc.?

See response 1.

8. What will the designation process mean for landowners who have power lines that cross rivers?

Existing powerline rights of way could continue to be used and maintained.

9. Will there be condemnation of lands, particularly state lands, that are within Wild and Scenic river study areas?

No condemnation of lands is anticipated for Bureau of Land Management river areas designated by Congress.

10. How does each classification (wild, scenic,

recreational) affect future development in the area?

Wild and Scenic designation seeks to maintain and enhance a river's current natural state. New dams or water projects are prohibited on the designated river segments. New mining claims are restricted, but those already established can be worked. Farms, homes and cabins along the river continue to be used just as they were before. Whether or not structures can be built within sight of the river depends on state and local regulations and easement agreements, not the Wild and Scenic Rivers Act.

Generally, the classifications reflect the level of development at time of designation, and future development levels would be compatible with such classification.

11. The Wild and Scenic designations could also be used to confiscate private land ownership along the corridors. Farmers and ranchers that have worked all their lives to make their living should not have to face the alternative of losing their source of revenue.

No condemnation of lands is anticipated for Bureau of Land Management river areas designated by Congress.

After Congress designates river areas the Bureau of Land Management will develop management plans. Approval of these management plans will include full public participation and review in compliance with the National Environmental Policy Act.

Land acquisition plans, with acquisitions pursued on a willing seller-willing buyer basis, or by exchange, have been identified in resource management plans, completed and approved in a process that involved extensive public review and comment.

12. How will designation affect rights of present

land owners to use water and shoreline?

The rights of present land owners to use water and shorelines are not affected. Any water rights gained by the Federal Government due to designation would be junior to existing water rights.

13. Why are these areas listed when they do not meet the 40 percent Bureau of Land Management ownership requirement?

The "40 percent" guidance was identified in a Bureau of Land Management Manual Section in May, 1992 as a screening tool to determine eligibility. The agency guidance has been canceled since it had no basis in law. Eligibility determinations, therefore, are not subject to a 40 percent ownership consideration. In addition, the eligibility determinations for nearly all of the Bureau of Land Management rivers in Arizona were completed prior to this guidance being issued.

14. What about private land? The Bureau of Land Management may not choose to go through condemnation, but what about a 'scenic easement?'

Scenic easement is an option available to the Bureau of Land Management. After Congress designates river areas the Bureau of Land Management will develop management with full public participation and compliance with environmental laws. Scenic easements that could affect activities on private lands would require approval by the Secretary of the Interior.

15. Concerned about property condemnations and the option of scenic easements. What protection does the land owner have?

No condemnation of lands is anticipated for Bureau of Land Management river areas designated by Congress.

After Congress designates river areas

the Bureau of Land Management will develop management plans. Approval of these management plans will include full public participation and review in compliance with the National Environmental Policy Act.

16. What happens to private land inholdings with a Wild and Scenic River designation?

Generally there would be no impact. Designation neither gives nor implies government control of adjacent private lands. Although private lands could be included within the boundaries of the designation, management restrictions would apply only to public lands. The federal government has no power to regulate or zone private lands.

17. Concerns about the effects of Wild and Scenic River designation on future rights-of-way. What are the effects of designation on future needs to expand/widen existing rights-of-way?

Wild and Scenic designation seeks to maintain and enhance a river's current natural state. New dams or water projects are prohibited on the designated river segments. New mining claims are restricted, but those already established can be worked. Farms, homes and cabins along the river continue to be used just as they were before. Whether or not structures can be built within sight of the river depends on state and local regulations and easement agreements, not the Wild and Scenic Rivers Act.

Generally, the classifications reflect the level of development at time of designation, and future development levels would be compatible with such classification.

18. What about people who own property or live along the river?

Designation neither gives nor implies government control of adjacent private lands. Although private lands could be

Included within the boundaries of the designation, management restrictions would apply only to public lands. People living within a river corridor would be able to use their property as they had before designation.

19. What is meant by 'taking?' Is 'just compensation' based on the value of the land only (referring to condemnation), or is it based on those things off-site that are dependent on that land?

"Taking" refers to the condemnation process. Just compensation would be based on the value of land. No condemnation is planned for Bureau of Land Management river areas.

20. What happens to the private land?

Private lands within the exterior boundaries of Wild and Scenic River corridors are not considered components of the Wild and Scenic River designation. Wild and Scenic designation is not like a National Park or wilderness area which generally sets aside undeveloped natural areas. Current uses of the river and adjoining lands can continue and there is normally no need to change land ownership or use.

The basic objective of Wild and Scenic River designation is to maintain the river's existing condition. If a land use or development clearly threatens the outstandingly remarkable values which resulted in the rivers designation, efforts will be made to remove the threat through local zoning, State Scenic Waterways Act provisions, land exchanges, purchases from willing sellers and other actions short of condemnation.

21. I feel that the current land management requirements are sufficient on the public lands and no additional requirements are needed.

See response 1.

RECREATION

22. How will Wild and Scenic River [status] affect rafting (for instance on the Gila River below San Carlos Dam)?

Generally there would be no affect, except to prevent future impoundments with the Wild and Scenic River Corridor.

23. I recommend that none of the proposed rivers be included in the Wild and Scenic River program. As an avid outdoor recreationist, I believe that enough land already has 'protected status.' I enjoy RESPONSIBLE outdoor motorized recreation (e.g.: tread lightly) and I would like to continue for many years.

See response 1.

24. As an off-road motorcyclist I'm against more laws which limit travel through large tracts of land simply because I don't choose to do it on foot or on a horse.

See response 1.

25. Concern over Off-Highway Vehicle use in Wild and Scenic River corridors. Areas are being closed off to Off-highway Vehicle use such as motorcycles.

See response 1.

26. A number of people expressed similar concerns about recreation activities. These include concerns about the accessibility of designated rivers being denied to vehicles; riding up and down the river being prohibited; whether Wild and Scenic Rivers can be forded with vehicles; whether motorcycles/motorized vehicles be allowed; and whether roads and trails which currently run in or across the river will still be usable by motorized vehicles?

Generally, access routes within the river corridors would continue to be available for public use. However, if that type of use adversely impacted the outstandingly remarkable values identified for the river area, the route

could be closed or regulated. If such an activity had an adverse effect on the outstandingly remarkable values identified in the particular stretch, it would be likely that the use would not be allowed.

27. What needs to be considered is the amount of wilderness already in place. In some situations a 'wild' designation blocks access to a large tract of land.

The classification of a river segment is based largely on the amount of access presently in use.

28. Will the public have access to Wild and Scenic River areas for hunting and fishing?

Yes.

FISH AND WILDLIFE HABITAT

29. There is concern about the Endangered Species Act listing of the Razorback Sucker and proposed critical habitat designations.

This is a separate federal act and is applicable whether it is designated a Wild and Scenic River or not.

30. What steps are currently in place to prevent further habitat destruction until your studies on preservation are underway?

All eligible river areas are subject to protective management prescriptions to protect wild and scenic river values, free-flowing nature, and tentative classification until decisions are made on the suitability and/or designation of each river area.

RIPARIAN VEGETATION

31. What impact studies have been completed on the destruction of native flora and fauna within sensitive riparian habitat as to reasons for degradation and solutions?

In this project the Bureau of Land

Management efforts on Wild and Scenic Rivers are concentrated on determining the eligibility, classification, and suitability of 20 river areas.

Information on studies on riparian habitat is available from the appropriate Bureau of Land Management District and Resource Area offices.

32. Wild and Scenic River designation is consistent with state efforts for riparian area protection (to some degree). Also, the potential for water quality improvement can be enhanced with such designation.

Comment noted.

CULTURAL RESOURCES

33. How are cultural and historical resources within Wild and Scenic River areas determined?

Field specialists assess the cultural and historic values of river areas during the eligibility determination phase. In addition, the public has the opportunity to identify the resources during scoping and other public comment periods.

HYDROLOGY

34. The Bureau of Land Management should consider improving the flow rate of proposed rivers by berming the surrounding areas. Riparian areas are, of course, directly related to the amount of water available mainly on the surface. Increase the flow rate and the result is an increase in the total amount of riparian area. Berming requires no lowering of others' water allocations. It has also been proven to be effective in increasing flow areas.

Comment noted.

35. Property owners are concerned about flow regime -- they want a 'natural system' but they also want a regular flow.

Comment noted.

36. Property owners want to know if Wild and

Scenic River designation will adjust flow.

It is unlikely that designation would have any impact on instream flow, since any water right resulting from designation would be non-consumptive.

LIVESTOCK GRAZING

37. Are cattle drives OK in Wild and Scenic River areas?

As long as the cattle drive would not adversely impact the outstandingly remarkable values identified in that particular segment.

SOCIAL/ECONOMIC

38. How will the requirements of the Americans with Disabilities Act be incorporated into Bureau of Land Management study and management of Wild and Scenic Rivers?

Any developments associated with designated Wild and Scenic Rivers would comply with appropriate requirements in the Americans with Disability Act.

39. I recommend that we drop the designation of wild and scenic rivers which are already protected by communities that live and work in the areas.

See response 1.

40. Will the President of the United States be held accountable for the loss of jobs that wild and scenic river designation will cause?

No. However, no loss of jobs is anticipated if Congress were to designate any of the rivers discussed in the alternatives.

41. We need to see the cost in dollars for the proposed management of each river system.

Suitability assessment reports are on file in the Bureau of Land Management District and Resource Area offices.

These provide estimates of management costs for each river included in the recommended alternative recommended by the Bureau of Land Management.

42. We need to see the projected environmental cost to the river segment of taking no action, of not designating the segment as a Wild and Scenic River. We need to see what would we be getting for our money and how much will it cost?

The environmental impacts (costs) of implementing four separate alternatives are analyzed in the legislative environmental impact statement. One of the alternatives is No Action.

43. What impact is given to the economic potential of ecotourism on rural economies?

The economic impacts of implementing the various alternatives are addressed in the LEIS. Ecotourism is considered.

44. We do not need more taxpayer money wasted or duplicate regulations.

Dual designation (duplicate regulations) are not considered to be a problem because in the case of dual designation the most stringent management requirements would be applied.

45. The University of Arizona Department of Agricultural Economics recently completed a study of economic impacts of nature tourism on the San Pedro Basin. A conservative estimate of expenditures by ecotourists was \$2.7 million, translating to 56 jobs for the local economy. What impact does the economic advantages have on suitability studies on preserving habitat?

This report, sponsored by the Bureau of Land Management, is considered in the Legislative Environmental Impact Statement.

46. I would like these lands to remain open to all people for various reasons. This includes for

recreational purposes. Many of the areas are washed a majority of the year. Having grown up in Arizona I would like for it to remain open in the future for my children to enjoy its beauty. Thanks. Keep up all your good work.

Comment noted.

47. My only concern in establishing classifications to river sections is the tendency to overprotect, which leads to a denial of public use. The only way to avoid such is public involvement from the beginning and participation in the process.

The Bureau of Land Management has actively solicited public involvement throughout the Environmental Impact Statement process. This process started in developing the resource management plans and plan amendments, and continued in the statewide scoping meetings held in 1993. With the distribution of this document for public review and comment, and the associated public hearings, the public will have additional opportunities to comment. In addition, since Congress will make the final recommendation, the public is encouraged to contact the Congressional delegation with their views on designation.

48. What about the local economy that supports jobs in the area?

See response 1.

49. What would be the result if cities were required to go through all of these restrictions for everything they built -- more businesses and roads -- destroying farms, hills, open lands, and rivers.

This hypothetical situation is beyond the scope of this analysis.

50. Closing all areas and making wilderness areas out of them is wrong. Not too many people even go out into these areas. Our community needs this area and the state needs

the jobs it produces.

See response 1.

51. Consider the cost of Wild and Scenic Rivers on existing wilderness. Like what would be the cost of designating the Santa Maria River (which rarely flows year round)? Most of these rivers shouldn't be considered 'wild.' I don't see any difference it would make. They will look the same for the next 100 years. What is the cost of designating this area?

The suitability assessment available for review in the Kingman Resource Area Office estimated that during the first five years of designation, an additional \$61,000 would be spent in implementing the management actions for the Santa Maria River. The costs would occur in providing special management protection for the Santa Maria wildlife and scenic resources.

52. Does the government (us) really have the money to do this? Why?

Congress will make the decision to undertake additional responsibilities due to Wild and Scenic River designation.

DESIGNATION

53. What is the designation process? How will water rights in designated segments be affected?

Agencies are required to evaluate eligibility and suitability of federal river areas as part of the land use planning process. Existing water rights will not be affected. Future water rights will be subject to instream flow asserted or claimed by the Federal Government based on date of designation.

54. How does each classification (wild, scenic, recreational) affect water rights?

Classifications have no effect on water rights. Water rights claimed or asserted are based on the amount of water

required to protect the identified outstandingly remarkable values identified for the particular river segment.

55. Why is it necessary to designate these areas when they are already protected under various wilderness acts?

The Bureau of Land Management, as required by the Wild and Scenic Rivers Act and Bureau of Land Management policy, is responsible to evaluate potential additions to the National Wild and Scenic River System, including some river areas located in wilderness areas. The Wilderness Act and Wild and Scenic Rivers Act, though similar, have different protective provisions.

56. Will not additional levels of control restrict the use of these areas even greater?

Designation under the Wild and Scenic Rivers Act will not necessarily restrict use of the area, and will likely encourage public use of the area. Designation will mean higher levels of monitoring and management by the agency in order to protect the values identified during the evaluation process.

57. Who is responsible for the actual designation and what body will maintain control?

The United States Congress is responsible for designation. The responsibility to manage designated rivers is delegated to the appropriate federal land management agency, in this case the Bureau of Land Management.

58. What does dual designation buy the taxpayer; Why is a Wild and Scenic River designation needed when Wilderness is already a law?

Designation under the Wild and Scenic River Act will ensure that the free-flowing character of designated rivers

and the outstandingly remarkable values identified during the evaluation process will receive special management attention by the Bureau of Land Management. Other designations may or may not provide for the same level of protection.

59. What is the purpose of Wild and Scenic River designation?

The intent of the Wild and Scenic Rivers Act is stated in the Act: "It is hereby declared to be the policy of the United States that certain selected rivers of the Nation which, with their immediate environments possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

The Act spells out Congress' intention to protect both the river and the adjacent in designated river areas.

It also states that "[e]ach component of the National Wild and Scenic Rivers System shall be administered in such manner as to protect and enhance the values which caused it to be included without limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration primary emphasis shall be given to protecting its aesthetic, scenic, historic, archaeological, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area."

60. The designation as a Wild and Scenic River is part of a larger conspiracy to shut off the local public from the public lands.

See response 1.

61. What will designation do to guarantee continuous flow?

Designation will not guarantee continuous natural flow, but instream flow reservations, filed based on date of designation, would claim some unappropriated waters for wild and scenic river purposes, thereby ensuring some level of instream flow in the future.

62. What are the effects of Wild and Scenic River designation on future water rights?

This issue is addressed in the scoping comments in the individual rivers (Appendix) and referred to frequently in the Statewide volume. No substantive impacts are anticipated.

63. Does designation extend visual values beyond the boundary of a designated Wild and Scenic River?

Designation of lands only includes actions that apply to federal lands within an average of 1/4 mile of the ordinary high water mark of a designated river.

64. The designation of 'wild and scenic' would not impact the management of the land unless private property rights which currently exist were condemned. The original purpose of the Act (Wild and Scenic Rivers Act) -- to prevent significant alteration of stream flow -- is already accomplished through the system of water rights and existing environmental regulations. In other words, a proposed dam construction would require that an Environmental Impact Statement be submitted and that proven environmental impacts be 'acceptable;' This process provides an extensive system of checks and many layers of 'veto' authority.

Comments noted.

65. How do these areas meet the requirements for wild and scenic rivers when they basically are dry stream beds for a majority of the year?

All of the Bureau of Land Management

river areas recommended as suitable meet the basic criteria for eligibility. Each is "free-flowing" and has at least one outstandingly remarkable value.

66. There is too much of a presumption that everything eligible is suitable, and that everything suitable is designated. Nowhere is there discussion of nonsuitability and multiple use releases.

See response 1

67. I see no benefit from new regulations on top of existing ones in the proposed areas. The areas are well-protected now. What will be gained by Wild and Scenic River designation? Current policies and regulations are adequate to manage and protect the resources.

Dual designation (duplicate regulations) is not considered to be a problem because in the case of dual designation the most stringent management requirements would be applied.

68. My concerns include that along much of the proposed areas for Wild and Scenic Rivers there already exists mines and private property. This makes these areas unsuitable for wild and scenic designation.

During the suitability assessment process, some areas were recommended as nonsuitable for the very reason you stated. Also, see response 1.

69. The rivers being proposed for wild and scenic designation do not meet the definition of wild and scenic either by the Bureau of Land Management's definition or by the 1968 law passed by Congress and should therefore not be wild and scenic.

In the eligibility process, 20 rivers were determined eligible based on our interpretation of the wild and scenic river act. This document continues the suitability process, with an analysis of the impacts of implementing four alternatives including No Action.

MISCELLANEOUS

70. As an additional comment about the Wild and Scenic Rivers Act itself, I am somewhat concerned about the vagueness of the wording: It seems that almost anything that has water in it (anytime it rains) is considered 'a river.'

The definition in the Wild and Scenic River Act is broad, and agencies must consider most waterways in the evaluation process. Through the eligibility and suitability phases, the number of rivers ultimately recommended to Congress is reduced.

71. My recommendations are to scrap this study as few to none of these rivers are at risk.

The Bureau of Land Management is required to evaluate potential wild and scenic rivers in the land use planning process. Only Congress can direct federal land management agencies to do otherwise.

72. If this program is adopted is it likely that more sections will be added later?

It is unlikely that if a statewide wild and scenic river bill for Arizona is enacted by Congress that additional rivers will be added to the system. If only Bureau of Land Management rivers are included in future legislation, other federal areas may be considered by Congress in the future.

73. What measures can I, as an individual, take to register my opposition?

You may comment on this environmental impact statement and register your support of the no action alternative with the Arizona Congressional delegation.

74. What is the impact of designation on rivers that are navigable when the state owns the river bottom?

For any designated segments which are

also determined eligible, the federal state governments work jointly on matters affecting instream flow, and water-related outstandingly remarkable values.

75. Can a group like 'People For the West' put together a Wild and Scenic River proposal similar to Arizona Rivers Coalition?

Yes.

76. We need to see the advantage to the environment of the river segment because of the proposed management system.

This environmental impact statement evaluates the impacts of designation and nondesignation of river segments.

77. There's a general misunderstanding by the public over 'how a desert wash can be considered a wild and scenic river.'

If there is sufficient flow to support an outstandingly remarkable value, then rivers can be evaluated for potential wild and scenic river designation.

All of the Bureau of Land Management river areas recommended as suitable meet the basic criteria for eligibility. Each is "free-flowing" and has at least one outstandingly remarkable value.

78. Can a river be considered free flowing when the flow is dependent on releases from a dam?

Yes.

79. What is the Bureau of Land Management's obligation to water quality regarding Wild and Scenic River management?

The obligation is to develop and implement management actions that would protect and enhance water quality.

80. What are the differences in access opportunities and limitations under the three

potential classifications?

Access is generally limited to that level which existed at time of designation, with limited access in wild river areas and more access existing in recreational river areas. Specific access limitations are determined in the river management plan.

81. What are the opportunities for public review?

See response 47.

82. What are the criteria for tentative classification and eligibility?

Eligibility is based on river segments which: 1) are free-flowing, and 2) have at least one outstandingly remarkable value, as determined in resource management planning process.

83. Can intermittent flow be considered in eligibility?

Yes.

84. Wildlife is more harmed by intermittent flow than by continuous flow. Lots of small animals, including tortoises, are being drowned by intermittent releases.

Comment noted.

85. The Bureau of Land Management has not supported the need for a continuous flow.

Comment noted.

86. The Bureau of Land Management employees want to kick out the public and keep the river area to themselves.

Bureau of Land Management recommendations are based on public involvement in the land use planning process. Congress ultimately decides on designation.

87. Different classifications will receive different

kinds of opposition/acceptance from the public.

Comment noted.

88. How is the boundary determined if the flood plain is wider than 1/2-mile?

The river corridor is limited to an average of not more than 320 acres per river mile. Corridor width could exceed 1/2 mile in one area, if it were narrower in another. In some instances, the Wild and Scenic Rivers Act does not authorize sufficient width to include entire flood plains. This is a matter considered during the suitability determination.

89. How will boundaries be determined on wide stream channels? (This relates to the concern about the one-mile wide Big Sandy flood plain?)

Final boundary determination is established after designation. The river corridor is limited to an average of not more than 320 acres per river mile. Corridor width could exceed 1/2 mile in one area, if it were narrower in another. In the case of the widest segments of the Big Sandy, the Wild and Scenic Rivers Act does not authorize sufficient width to include entire flood plain.

90. Who sets the process under which the land is administered? How often will the policies change and will we have any say in the land that we are very familiar with? We hunt in the area, use it for recreation, and it is our means of livelihood, and we have no say on the policy after it is designated as Wild and Scenic Rivers.

After Congress designates river areas the Bureau of Land Management will develop management plans. Approval of these management plans will include full public participation and review in compliance with the National Environmental Policy Act.

91. I am also familiar with mining, ranching, hunting, and other land uses. I strongly believe

that these uses can co-exist with nature without the government involvement expressed in Wild and Scenic River designation.

See response 1.

92. The 'Wild and Scenic River Act' was probably drafted in good faith. The nomination of dry rivers in Arizona is not what was on the mind of parties who drafted the Wild and Scenic River Act. As a 49-year resident of the State of Arizona, I don't want to pay taxes to manage dry washes as wild and scenic rivers.

Comment noted.

93. Many of these proposed rivers do not even flow all year and we're worried about dams?

In addition to designating rivers to prevent future hydroelectric projects, Congress may designate rivers in order to recognize prominent river or to provide special management for unique values.

94. Some of these rivers already have along them: large water/gas lines, power lines, roads, mines, etc. These are no longer pristine -- beautiful, yes, but not pristine.

The Wild and Scenic Rivers Act recognizes varying levels of development along river areas. "Pristine" settings is not a requirement of the Wild and Scenic Rivers Act. River segments with such developments along their reaches are likely to be tentatively classified as "recreational" river areas.

AGENCIES AND ORGANIZATIONS TO WHOM COPIES OF THE DRAFT DOCUMENT WERE SENT

The Bureau of Land Management requested comments on the draft document from all affected parties. Listed below are some of the elected officials, agencies and tribes, and interest groups from whom comments were requested. **The list also includes those to**

whom copies of the final legislative environmental impact statement were sent.

ELECTED OFFICIALS

Federal

Senator Dennis DeConcini
Senator John McCain
Representative Jim Kolbe
Representative John Kyl
Representative Bob Stump
Representative Ed Pastor
Representative Karan English
Representative Sam Coppersmith

State

Governor Fife Symington
Speaker of the House
President of the Senate

FEDERAL AGENCIES

Department of Agriculture
Tonto National Forest
Apache-Sitgreaves National Forest
Coronado National Forest
Prescott National Forest
Kaibab National Forest
Coconino National Forest

Department of Defense

Department of Energy

Department of Interior
Bureau of Indian Affairs
Bureau of Mines
Bureau of Reclamation
Fish and Wildlife Service
Geological Survey
National Park Service

Environmental Protection Agency

INDIAN TRIBES AND COUNCILS

- Ak-Chin community Council, Maricopa, Arizona
- Cocopah Tribal Council, Somerton, Arizona
- Colorado River Indian Tribes, Parker, Arizona

- Mohave-Apache Tribal Council, Fountain Hills, Arizona
- Fort Mohave Tribal Council, Needles, California
- Gila River Indian Community, Sacaton, Arizona
- Havasupai Tribal Council, Supai, Arizona
- Hopi Tribal Council, Kykotsmovi, Arizona
- Arizona Yavapai Prescott Tribal Council, Prescott, Arizona
- Hualapai Tribal Council, Peach Springs, Arizona
- Kaibab-Paiute Tribal Council, Fredonia, Arizona
- The Navajo Tribe, Window Rock, Arizona
- Pascua-Yaqui Tribe, Tucson, Arizona
- Quechan Tribal Council, Yuma, Arizona
- Salt River Pima Maricopa Community, Scottsdale, Arizona
- San Carlos Apache Tribe, San Carlos, Arizona
- San Juan Southern Paiute Tribe, Tuba City, Arizona
- Tohono O'Odham Tribal Council, Sells, Arizona
- Tonto Apache Tribe, Payson, Arizona
- White Mountain Apache Tribe, Whiteriver, Arizona
- Pueblo of Zuni, Zuni, New Mexico

ARIZONA STATE AGENCIES

Arizona Department of Lands
 Arizona Department of Environmental Quality
 Arizona Department of Transportation
 Arizona Game and Fish Department
 Arizona Department of Commerce
 Arizona Outdoor Recreation Coordinating Commission
 Arizona State Parks Board
 Arizona Water Resources Department
 Governor's Commission on the Arizona Environment
 Minerals Resource Department

COUNTY COMMISSIONERS

Cochise County
 Coconino County
 Gila County
 Graham County
 Greenlee County

La Paz County
 Maricopa County
 Mohave County
 Pima County
 Pinal County
 Yavapai County

MAYORS

Clifton
 Flagstaff
 Florence
 Globe
 Kingman
 Parker
 Phoenix
 Prescott
 Safford
 Sierra Vista
 Tucson
 St. George, Utah

LOCAL AGENCIES

The Arizona Associations of Governments
 Washington County, Utah, Water Conservation District

INTEREST GROUPS

American Rivers, Inc.
 Arizona Cattle Growers Association
 Arizona Four Wheel Drive Association
 Arizona Rivers Coalition
 Arizona Association of Conservation Districts
 Arizona Public Service Company
 Arizona Mining Association
 Friends of Arizona Rivers
 Grand Canyon Trust
 National Parks and Conservation Association
 People For the West-Arizona
 Sierra Club, Southwest Office
 The Audubon Society
 The Wilderness Society
 The Nature Conservancy, Arizona Chapter

GENERAL PUBLIC

Approximately 1,000 people whose names are on the wild and scenic river mailing list compiled and maintained by the Bureau of Land Management and U.S. Forest Service.

The following material, consisting of the public comments on the draft document and the Bureau of Land Management responses does not appear in the draft document.

PUBLIC COMMENTS ON THE DRAFT LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

Copies of the transcripts of five public hearings and copies of letters received from the public during the 90-day review period for the draft Arizona Wild and Scenic Rivers Environmental Impact Statement are contained a separate volume titled Public Comments and Responses.

COMMENTS AND RESPONSES ON THE DRAFT DOCUMENT

INTRODUCTION

The 90-day public review period on the draft Arizona Wild and Scenic Rivers Legislative Environmental Impact Statement extended from April 8 to July 8, 1994. A notice of availability was published in the Federal Register April 8, 1994 announcing the start of the 90-day public review period. The Arizona state office division of external affairs sent press release announcements to over 220 state and regional newspapers, radio and television stations and other public media sources.

The Council on Environmental Quality *Regulations for Implementing the National Environmental Policy Act* require federal agencies to respond to all substantive public comments on draft environmental impact statements. Substantive comments are those that address the procedural adequacy of the document or the merits of the alternatives (40 CFR 1500.3). Responses to other comments are optional.

In compliance with these regulations, the concerns and issues identified by the statements at the public hearings and in the letters were carefully read and evaluated. Two types of responses were developed: specific and general. Specific responses address concerns in selected individual letters. General

responses deal with issues and concerns identified by three or more individuals. The public comment and response information is organized into three sections:

- A. Public hearing transcripts.
- B. Bureau of Land Management responses.
- C. General responses to comments in the public hearings and letters.
- D. Letters and Bureau of Land Management Responses

OVERVIEW OF THE PUBLIC COMMENTS

During the 90-day public review period statements were received from 60 people at the five public hearings and 116 letters were received. This overview addresses seven of the most frequent comments.

1. A large number of the comments from the public intimated that, in the environmental impact statement, the Bureau of Land Management was either making decisions or seeking to influence the decisionmaking process by identifying a specific proposed action/recommended alternative.

The Council on Environmental Quality *Regulations for Implementing the National Environmental Policy Act* requires agencies to identify its "preferred alternative or alternatives, if one or more exists, in the draft statement and identify such alternative in the final statement unless another law prohibits the expression of such a preference" (40 CFR 1502.14).

The environmental impact statement is an analysis of the environmental impacts that would occur if any one of a range of alternatives were to be implemented. It is part of a decisionmaking package that Congress will use to designate rivers to the Wild and Scenic Rivers System.

2. Many of the public comments refer to the eligibility determinations in the wild and scenic river evaluation process.

There is nothing that can be done to change the eligibility determinations at this point. The eligibility of the segments addressed in this document was determined during the preparation of Bureau of Land Management resource management plans. It would be necessary to amend the appropriate resource management plan to modify an eligibility determination.

3. Suitability determinations were another concern in many of the comments.

During 1993 each of the eligible waterway segments was evaluated on the basis of criteria recommended by the Wild and Scenic Rivers Act and the Bureau of Land Management manual section 8351. The results of the evaluation included several suitability alternatives (including no action). These alternatives were presented to the Arizona State Director as a basis for him to select a proposed action/recommended alternative for inclusion in the required legislative environmental impact statement.

As explained earlier in this document, the suitability assessment was not a decision document and was not issued for public review and comment. However, copies were provided to the public and are available for public review at local libraries and Bureau of Land Management offices.

4. Numerous comments pertained to concerns about the acquisition of private lands.

Land acquisition is not included in any wild and scenic river management alternative. Land acquisition plan decisions are made in the records of decision on resource management plans. Any references to land acquisitions in this document are associated with ongoing management actions that would continue regardless of wild and scenic river designations. Economic impacts were another common concern.

5. Many comments expressed concerns about the adverse economic impacts of river designation.

These impacts were considered in the eligibility determinations in the appropriate resource management plans and in the suitability assessment. The general response on economic impacts explains in detail why no significant adverse economic impacts were identified in this document.

6. Water rights also were the subject of numerous letters. Four general responses (numbers 4, 5, 13, and 14) were developed to clarify various aspects of the public concern.

7. Many oral and written comments identified dual designation as a concern. In some cases the dual designation was perceived to be an unnecessary expense; in others the concern was that the protection provided by other types of legislative action (i.e.: wilderness, national conservation area) could not be considered substitutes for wild and scenic designation.

Dual designation does not imply two levels of management. The Bureau of Land Management manual, *Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation, and Management*, stipulates that the management of "rivers which overlap designated wilderness areas or wilderness study areas will meet whichever standard is highest" (MS 8351.51D1).

There is no implication in the legislative environmental impact statement that any other type of legislative protection can substitute for, or replace, the type of protection provided by wild and scenic designation. The various types of legislative protection have been created to serve specific needs and achieve specific purposes.

Three general responses address these concerns. They are general responses 7 (Multiple Designations), 9 (River Study Area Protection), and 10 (Comparisons).

Each of the 116 letters has been printed in the

final document. The Bureau of Land Management expresses appreciation to those who registered statements and wrote letters expressing their views. The responses prepared for the transcript statements and letters concentrate on comments that produced a change in the document (i.e.: Cienega Creek), or that question the merits of the alternatives, or the adequacy of the document. Where possible and relevant, additional information has been provided.

PUBLIC HEARING TRANSCRIPTS

During the public review period five public hearings were held. Sixty people presented oral and written comments at the five public hearings. Table CR-1 provides the relevant details. Table CR-2 lists the speakers by place of public hearing.

**TABLE 5-CR1
PUBLIC HEARING PLACES, DATES, ATTENDANCE**

Place	Date	Number registered
Phoenix, Arizona	May 16, 1994	19
Kingman, Arizona	May 18, 1994	9
St. George, Utah	May 19, 1994	18
Tucson, Arizona	May 23, 1994	54
Thatcher, Arizona	May 24, 1994	37
TOTAL		137

**TABLE 5-CR2
LIST OF PUBLIC HEARING SPEAKERS
(Listed by place of hearing and alphabetically)**

HEARING	NAME	REPRESENTING
Kingman (T-2)	P. Blacet	Self
Kingman (T-2)	B. Garrity	Self
Kingman (T-2)	W. McClure	Self
Phoenix (T-1)	L. Cooper	C. Jacobson
Phoenix (T-1)	D. Cox	Lions International
Phoenix (T-1)	M. Evans	Maricopa County Democratic Party
Phoenix (T-1)	T. Flood	Self
Phoenix (T-1)	H. Glemso	Motorized Recreations
Phoenix (T-1)	B. Holladay	Preserve Arizona Wolves
Phoenix (T-1)	P. Hyde	American Rivers
Phoenix (T-1)	G. Keller	Arizona Association of 4-Wheel Drive Clubs
Phoenix (T-1)	J. McCarthy	Self
Phoenix (T-1)	J. Vaaler	Self
Phoenix (T-1)	J. Wormley	Self
St George (T-3)	R. Arial	Cong. James Hansen, 1st District (Utah)
St George (T-3)	L. Esplin	Self
St George (T-3)	J. Groesbeck	Washington County Water Conservancy District
St George (T-3)	S. Hansen	Self
St George (T-3)	B. Hjelle	Washington County
St George (T-3)	M. Jensen	Self
St George (T-3)	R. Thompson	Washington County Water Conservancy District
St George (T-3)	M. Wilson	Self
Thatcher (T-5)	T. Bingham	Graham County Board of Supervisors
Thatcher (T-5)	N. Clunts	Self
Thatcher (T-5)	C. Cochran	Self
Thatcher (T-5)	B. Coyle	Phelps Dodge Mining
Thatcher (T-5)	T. Elly	Self
Thatcher (T-5)	J. Griffin	Arizona Mining Association
Thatcher (T-5)	D. Householder	Graham County Board of Supervisors
Thatcher (T-5)	H. Hutchinson	Coalition of Arizona/New Mexico Counties
Thatcher (T-5)	J. Korolsky	Self

Thatcher (T-5)	G. Lemen	Self
Thatcher (T-5)	J. Luepke	Self
Thatcher (T-5)	D. Stacey	Greenlee County Board of Supervisors
Thatcher (T-5)	B. Stauffer	Self
Thatcher (T-5)	V. Talley	Self
Tucson (T-4)	B. Beatson	Arizona League of Conservation Voters
Tucson (T-4)	M. Black	Self
Tucson (T-4)	K. Dahl	Self
Tucson (T-4)	M. Denniston	Self
Tucson (T-4)	W. Ellet	Self
Tucson (T-4)	M. Esmay	Sierra Club
Tucson (T-4)	B. Fridrich	Self
Tucson (T-4)	C. Goodenough	Self
Tucson (T-4)	A. Inventosh	Self
Tucson (T-4)	S. Jimmerfield	Student Environmental Action Coalition
Tucson (T-4)	P. Klieman	Tucson Rough Riders
Tucson (T-4)	G. Korte	Self
Tucson (T-4)	A. Kreutz	Self
Tucson (T-4)	J. Lutz	Tucson Rough Riders
Tucson (T-4)	W. Marcus	Self
Tucson (T-4)	K. Marcus	Self
Tucson (T-4)	C. Menolakis	Self
Tucson (T-4)	S. Ondrish	Self
Tucson (T-4)	K. Scott	Self
Tucson (T-4)	R. Tetrault	Tucson Rough Riders
Tucson (T-4)	R. Thompson	Tucson Rough Riders
Tucson (T-4)	T. Zielman	Self

Comments to which the Bureau of Land Management responded are identified in the

copies of transcript hearings. The comments range from T-1 (Phoenix) to T-5 (Thatcher).

1 BUREAU OF LAND MANAGEMENT
 2
 3
 4 IN RE:
 5 WILD AND SCENIC RIVERS
 6 1994 LETA HEARING
 7
 8 ORIGINAL
 9
 10 Phoenix, Arizona
 11 May 16th, 1994
 12 6:30 p.m.
 13
 14 Prepared for: Reported by:
 15 BLM LAURA M. KOZLOWSKI
 16 (ORIGINAL) Court Reporter
 17
 18
 19
 20
 21
 22
 23
 24
 25

BARTELT & KENYON

1 WILD AND SCENIC RIVERS 1994 LETA HEARING,
 2 commenced at 6:30 p.m. on May 16th, 1994 at the ARU
 3 Downtown Center, 3rd Floor Conference Room, 502 East
 4 Monroe, Phoenix, Arizona, before LAURA M. KOZLOWSKI,
 5 a Notary Public in and for the County of Maricopa,
 6 State of Arizona.
 7
 8 * * *
 9
 10 APPEARANCES:
 11
 12 For the Bureau of Land Management:
 13 Larry Bauer, Hearing Officer
 14 Phil Moreland
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

BARTELT & KENYON

1 Phoenix, Arizona
 2 May 16th, 1994
 3 6:30 p.m.
 4 PROCEEDINGS
 5
 6 HEARING OFFICER BAUER: This meeting
 7 will now come to order. I have a few introductory
 8 comments to make before I call on anyone who wants
 9 to speak.
 10 My name is Larry Bauer. I'm the Arizona
 11 Bureau of Land Management Deputy State Director for
 12 Mineral Resources. I have been appointed by the
 13 State Director of the Bureau of Land Management to
 14 conduct this public hearing under the authority of
 15 the Secretary of the Interior.
 16 On my right is Phil Moreland, Chief of
 17 the Branch of Planning, Environment, Lands and
 18 Recreation in our state office. Later I'll ask him
 19 to summarize what we've done so far in this
 20 legislative Wild and Scenic River process. I think
 21 we also have some Phoenix district managers here. I
 22 see Bill, whose last name I've forgotten, in the
 23 back, from the Phoenix district.
 24 On my left is the official reporter, Ms.
 25 Kozlowski, from the Bartelt & Kenyon reporting firm
 in Phoenix.

BARTELT & KENYON

1 I hope each of you signed the attendance
 2 sheet. The attendance sheet allows you to indicate
 3 whether you want to speak tonight or submit written
 4 comments. If you didn't sign as you came in, and
 5 you want to speak, raise your hand and we'll see to
 6 it that you get the chance to sign in. Ms.
 7 Williams, in the purple dress, will take care of
 8 that out in the hall. After this introduction, I'll
 9 call on those who have indicated they want to
 10 speak.
 11 This public hearing is required by
 12 statute. The purpose of this public hearing is to
 13 receive comments on the draft Arizona Wild and
 14 Scenic Rivers Legislative Environmental Impact
 15 Statement.
 16 A transcript of the meeting will be made
 17 by Ms. Kozlowski. The transcript will be reproduced
 18 in the final Legislative Environmental Impact
 19 Statement along with appropriate responses by the
 20 Bureau of Land Management officials. The final Wild
 21 and Scenic Rivers Legislative Environmental Impact
 22 Statement also will include public letters and
 23 responses and will incorporate any revisions or
 24 changes resulting from the comments at this meeting
 25 and from public reviews and other meetings.

BARTELT & KENYON

1 We anticipate that the final Legislative
2 Environmental Impact Statement will be available for
3 public review in December.

4 This public hearing is part of our
5 efforts to involve the public in preparation of this
6 environmental document. We officially started the
7 process with the Notice of Intent published in the
8 Federal Register on February 19th, 1993. The Notice
9 of Intent included a statement encouraging the
10 public to submit any issues or concerns to us.

11 During March and April of 1993, we held
12 13 public scoping meetings in Arizona towns and
13 communities and one in St. George, Utah.
14 Approximately 500 people attended those meetings.
15 In early April of 1994, we mailed out nearly 2,000
16 copies of the draft Legislative Environmental Impact
17 Statement for public review and comment. We will
18 accept comments on the document until July 8th,
19 1994.

20 As I mentioned, the final Legislative
21 Impact Statement will be ready in December. There
22 will be a 30-day public review and comment period
23 for the final document. After the final public
24 review period the State Director will send the
25 Environmental Impact Statement to the BLM Director

BARTELT & KENYON

1 in Washington. Then it will be transferred to the
2 Secretary of the Interior, who will forward it to
3 the President. From the President, the
4 Environmental Impact Statement will go to Congress
5 which will make decisions on which Arizona rivers
6 will be included in the National Wild and Scenic
7 Rivers System.

8 Finally, before I call upon Phil, I want
9 to specify the ground rules for the public hearing.
10 It is important to emphasize that this is not a
11 debate or a question-and-answer period. It is not a
12 cross examination by the public or BLM. It is
13 rather, an advisory hearing in which the public is
14 given an opportunity to make comments for the
15 record. These comments will eventually be submitted
16 to our Washington office, the Secretary of the
17 Interior, the President, and Congress.

18 BLM personnel will not be expected to
19 respond to questions during the meeting, unless I
20 rule otherwise.

21 After the meeting they will be available
22 to talk individually, or you can contact them during
23 office hours. Speakers should be allowed to
24 complete their presentation without interruption.
25 Applause is not necessary.

BARTELT & KENYON

1 If we have time, I will open the meeting
2 to general comments after the speakers are
3 finished.

4 As I mentioned, Phil Moreland will
5 briefly summarize what we have gone through in
6 preparing this Legislative Environmental Impact
7 Statement.

8 Phil.

9 MR. MORELAND: Thank you, Larry.
10 Good evening, ladies and gentlemen.

11 There are three items I would like to
12 mention in summarizing the development of this
13 Legislative Environmental Impact Statement.

14 The first concerns the purpose of the
15 document. Briefly, the purpose of the Legislative
16 Environmental Impact Statement is to provide
17 Congress with a data base and alternatives which
18 they can use to decide which, if any, rivers should
19 be included in the National Wild and Scenic Rivers
20 System.

21 The Arizona BLM developed the
22 Legislative Environmental Impact Statement in
23 compliance with the Wild and Scenic Rivers Act of
24 1968 that requires federal agencies to study
25 potential national wild, scenic and recreational

BARTELT & KENYON

1 rivers.

2 The main consideration in this
3 Environmental Impact Statement is the range of
4 management alternatives. In the statewide document,
5 which is the slimmer of the three documents in the
6 Legislative EIS, we analyzed the impacts of four
7 different alternatives. One was the proposed action
8 to recommend 13 river study areas to Congress for
9 inclusion in the National Wild and Scenic Rivers
10 System. Another was the "No Action" alternative,
11 which means that BLM would not recommend any river
12 study areas to Congress. The third alternative
13 recommends to Congress only those portions or
14 segments of river study areas that are not now
15 protected by wilderness or national conservation
16 area status. And the last alternative recommends
17 all 20 of the river area studies.

18 Second, I would like to summarize the
19 steps that took place in the process of producing
20 this Legislative Environmental Impact Statement.

21 Over the past several years, BLM has
22 developed resource management plans and plan
23 amendments that involved evaluating rivers to
24 determine whether they should be considered for wild
25 and scenic river status. Through these plans, 20

BARTELT & KENYON

1 river study areas were identified and determined to
2 be eligible for consideration.

3 While BLM was doing this, the Arizona
4 River Coalition, in March 1991, studied and
5 recommended 40 Arizona rivers for wild and scenic
6 consideration. 14 of these were under BLM
7 management responsibility.

8 In 1992, the Arizona Congressional
9 Delegation encouraged BLM to develop additional
10 studies to facilitate the process. This resulted in
11 a detailed document known as the Wild and Scenic
12 River Assessments. These were completed in
13 September of 1993.

14 The Wild and Scenic River Assessments
15 document contained an evaluation of each of the 20
16 rivers BLM districts had identified as eligible in
17 the planning process. Although the assessment was
18 developed primarily for internal use, copies were
19 sent to congressional delegation and several other
20 interested parties.

21 We used this assessment document as the
22 basis to identify the river study areas for the
23 proposed action alternative in the Environmental
24 Impact Statement. However, each of the river study
25 areas has at least two alternatives; the proposed

BARTELT & KENYON

1 action and the no action alternative, and that's in
2 the individual Environmental Impact Statements, the
3 two other larger documents that are part of the
4 three book set.

5 Some of the individual documents have a
6 third alternative, recommending either the entire
7 river study area or portions of it. This draft
8 legislative EIS was produced during the fall of '93
9 and spring of '94 and filed with the Environmental
10 Protection Agency and released for public review and
11 comments on April 9, 1994.

12 Finally, I want to talk a little about
13 public involvement. We in Arizona strongly believe
14 in the full public involvement process. In this
15 case, our public involvement efforts started with
16 the resource management plans and the plan
17 amendments. We encouraged the public to identify
18 issues and concerns that needed to be considered in
19 planning. We sent the documents out for public
20 review and comment and revised them accordingly.

21 When we decided to prepare this
22 document, we announced our plans in the Federal
23 Register and local papers. In the announcement we
24 asked for public comments. In March and April of
25 last year, we held 14 public meeting meetings held

BARTELT & KENYON

1 throughout the state and again in St. George, Utah.
2 Over 500 people attend these meetings and many sent
3 comments to us. By the way, these comments are
4 summarized in Chapter 3 of the statewide rivers
5 document.

6 We also mailed out three issues of our
7 Wild and Scenic River updates to over 1,000 people
8 who have been asked to be on our mailing list.
9 These updates have kept people informed about the
10 process and the progress that we have made.

11 Last month, we started another important
12 phase of public involvement -- this public hearing
13 is a part of it -- the public review and comment
14 process on the draft document. And we are very
15 anxious to know what you think about the Wild and
16 Scenic River alternatives.

17 Each comment we receive tonight, and any
18 other comments we receive in the mail prior to July
19 9th, will be carefully read and responded to as
20 appropriate. The public comments may result in
21 changes to the document. The comments and responses
22 will be published in the final document. They will
23 be sent to the Secretary of Interior and forwarded
24 to Congress in an aid to making decisions about
25 adding rivers to the National Wild and Scenic Rivers

BARTELT & KENYON

1 System.

2 Again, we would very much like to have
3 your input and your comments and we appreciate it.
4 I will give it back to Larry now. And as he
5 mentioned, this is a formal hearing and not a
6 question-and-answer forum, so I won't be asking if
7 you have any questions now, but I will be around
8 after the meeting and some of the other BLM people
9 will be here also. So if you would like to talk
10 then, we can do that.

11 HEARING OFFICER BAUER: Thank you,
12 Phil.

13 At the present time I have indications
14 that might people would like to speak tonight. I
15 think what I will do is start out by allowing each
16 person 10 minutes to speak, that'll give us enough
17 time to get through the entire round. And if people
18 have additional things to say after that, we'll
19 certainly allot as much time as is left that we have
20 here to do that. This building closes at 10:00
21 tonight, we have to be out of here by then.

22 First of all, I'd like to ask if there
23 is a member of any congressional staff who's here
24 and would like to make any comments.

25 SPEAKER: I don't have any comments,

BARTELT & KENYON

13

1 Just here for absorption.

2 HEARING OFFICER BAUMER: All right, sir.

3 When I call on you to speak, please

4 state your name, where you're from and who you

5 represent or if you're speaking for yourself.

6 Those who have come with written

7 statements can leave the statement with me when they

8 finish.

9 The first person I would like to call on

10 is Pam Hyde.

11 MS. HYDE: My name is Pam Hyde. I'm a

12 resident of Phoenix, Arizona and I'm representing

13 American Rivers. American Rivers will be submitting

14 detailed written comments in response to LEIS, but I

15 would like to make preliminary comments at this

16 time.

17 I'll start with a number of general

18 comments we have in response to the LEIS. First of

19 all, given the legislative protection alternative

20 developed by the BLM, we believe the BLM needs to

21 spell out more clearly the different levels of

22 protection offered by not only the Wild and Scenic

23 Rivers Act but also the Wilderness Act, the Riparian

24 National Conservation Areas, and other national

25 conservation areas, and ACECs, and any other

BARTELT & KENYON

T1-1

14

1 protective designations that are available.

2 We feel that there are different types

3 of protection that is afforded by the Wild and

4 Scenic Rivers Act than there are by some of these

5 other protective mechanisms and therefore, the

6 public should be more aware of the different types

7 of protections that are available under each of

8 those protection actions.

9 Secondly, we'd like to point out that

10 the Gila box management plan, as far as we know, is

11 still a draft plan. Throughout the LEIS, the Gila

12 box plan is represented as being essentially a final

13 plan, that the recommendations in that draft plan

14 will be implemented as management actions. We would

15 like to have the final EIS point out if the Gila box

16 management plan is still a draft at that time --

17 that it is a draft and those management actions may

18 change.

19 We would also like to recommend that the

20 individual studies of the individual river study

21 areas, if the preferred alternative recommends that

22 the study area is nonsuitable, that the reasons for

23 nonsuitability should be specified within each of

24 those individual river study alternatives.

25 At this point, I'd like to make some

BARTELT & KENYON

T1-2

15

1 comments on the specific river study areas that were

2 included in the Rivers Appendix.

3 First of all, American Rivers believes

4 that the Cienega Creek should be found suitable.

5 The reason given for its nonsuitability was that

6 it's not of national significance. However, the

7 Wild and Scenic Rivers Act does not require that a

8 river be nationally significant in order for it to

9 be suitable. Also, Cienega Creek is one of the last

10 Cienega-type rivers in the Southwest, for that

11 reason it's very valuable and should be protected

12 under the Wild and Scenic Rivers Act. Also, it

13 supports native fish populations, which many of us

14 know is a very rare occurrence in Arizona and is

15 another argument in support of the protection under

16 the Wild and Scenic Rivers Act.

17 We would also like to comment on,

18 specifically on the Virgin River. The preferred

19 alternative contained in the LEIS is to recommend

20 the Virgin River as suitable and recommend it for a

21 study river under the Wild and Scenic Rivers Act.

22 The reason given is that the BLM believes that

23 Congress should have coordinated efforts between

24 Arizona, Utah and Nevada since the Virgin River

25 flows through all three states. American Rivers

BARTELT & KENYON

T1-3

16

1 believes that there's no need to wait to coordinate

2 with Utah and Nevada. The Virgin River is an

3 extremely threatened system at this point and since

4 it is both eligible and suitable, we believe that

5 the BLM should go ahead and recommend the Virgin

6 River for inclusion in the National Wild and Scenic

7 Rivers System. Other segments in Utah and Nevada

8 can be added later, there's nothing that precludes

9 those segments from being added once these Arizona

10 portions have been designated into the system.

11 American Rivers would also like to

12 comment on the Hualayampa River study area. We

13 believe that at least Segment C should be found

14 suitable and protected under the Wild and Scenic

15 Rivers Act. There is a dam proposal every couple of

16 years in the Box Canyon on the Hualayampa River. A

17 dam is a pretty ludicrous thing on Hualayampa River,

18 for those of you who know it, there's not a lot of

19 surface flow. A dam would create more of a mud flat

20 than a reservoir. For that reason, the local

21 residents of Wickenburg, the Wickenburg Horsemen

22 Association, a number of other individuals, groups,

23 American Rivers included, believes that a dam is

24 completely inappropriate on the Hualayampa.

25 Wild and scenic protection would

BARTELT & KENYON

T1-4

1 preclude further consideration of a dam. We believe
2 that this is a good reason to have that section
3 included under the Wild and Scenic Rivers System.

4 American Rivers also believes that the
5 San Pedro should be found suitable as a scenic
6 river. BLM recommends that its classification be
7 recreational, the reason given being there's a
8 number of road crossings, a railroad that parallels
9 the river through most of the study area. However,
10 the San Pedro is still relatively undeveloped along
11 the shoreline and would benefit from a more
12 restrictive management that would be provided under
13 scenic classification.

14 American Rivers also believes that
15 Francis Creek and the upper portion of the Santa
16 Maria that were found not suitable should also be
17 found suitable and protected under the Wild and
18 Scenic Rivers Act.

19 As I mentioned, American Rivers will be
20 submitting more detailed comments in the Legislative
21 EIS at a later date.

22 Thank you.

23 HEARING OFFICER BAUER: Thank you, Mr.
24 Hyde.

25 The next person I call upon, Jim

BARTLETT & KENYON

1 Wormley.

2 MR. WORMLEY: That is my correct
3 name. I've been in Arizona now for the past 17
4 years as a retired person. And during these 17
5 years I have been physically and mentally,
6 technically active in supporting especially through
7 BLM and the Forest Service and the like because I'm
8 very interested in conservation; therefore, I've
9 been on the ground a great deal during these past
10 years. I wish to make a brief comment and then
11 later on Don Cox, who is a pal with me, and we work
12 together, a retired forest ranger, will have
13 comments more in detail.

14 My comments are those in general. That
15 there are so many needs in this nation, and let's
16 say specifically in Arizona, for things that need to
17 be done in conserving and maintaining in the best
18 order our national resources that I would hope that
19 no foolish expenditure will ever be made that would
20 detract from the proper and correct management of
21 these very, very important resources. Arizona is
22 plush with national resources, some of the greatest
23 in this world that I've ever seen. And my life has
24 been in the world, business took me into many parts
25 of this world. I served in World War II as a combat

BARTLETT & KENYON

1 engineer.

2 And I really hope that anyone that
3 recommends that we do anything about the nature of
4 this, Wild and Scenic River included, will give long
5 thought to where should we put what monies and what
6 efforts we can bring forth to further keep our
7 natural resources in the best possible order.

8 In all these months and years now
9 through this nation I would have to say that I would
10 really question, question very hardly a decision to
11 activate wild and scenic care in possibly more than,
12 not more than five of those listed on this page.

13 I will drop it there and leave it to my
14 much more able-to-describe-our-thoughts Don Cox when
15 his turn comes.

16 Thank you.

17 HEARING OFFICER BAUER: Thank you,
18 Mr. Wormley.

19 I would now like to call on Leslie
20 Cooper.

21 MS. COOPER: Good evening. My name is
22 Leslie Cooper. I represent Clayton Jacobson, a land
23 owner along the Bill Williams River area. He owns
24 virtually all of the private land in segment, what's
25 being called as Segment B of the Bill Williams

BARTLETT & KENYON

1 River. And I'm here to speak on his behalf this
2 evening. We will be submitting lengthier comments
3 on the Legislative Environmental Impact Statement
4 before the comment period ends that are more
5 detailed. I would just like to stress a couple of
6 points here this evening.

7 First of all, it doesn't, the Wild and
8 Scenic Rivers Act does not appear to grant to the
9 Federal Government any right to affect private land,
10 something that the Legislative Environment Impact
11 Statement seems to recommend and that we want to
12 remind the BLM of.

13 Nonetheless, I also want to mention that
14 the designation of the Bill Williams River as wild
15 and scenic in Segment B will have an adverse impact
16 of La Paz County. Much of that county is already
17 government-owned land and this could potentially
18 have an effect of further restricting economic use
19 of that land and economic development of that area.
20 Mr. Jacobson does have plans to develop that area.
21 And I understand that the Government does provide
22 substantial payments in lieu of taxes to La Paz
23 County, but that is not the same thing as economic
24 development, which increases the number of people
25 who are paying taxes and the amount of money that

BARTLETT & KENYON

1 They are paying as opposed to just shifting the
 2 money from one pocket into another rather than
 3 creating wealth.
 4 Thank you for your consideration.
 5 HEARING OFFICER MAHER: Thank you,
 6 Mr. Cooper.
 7 I'd now like to call upon, I'm sorry
 8 about my pronouncing of the last name, Mr. Tim
 9 Frome.
 10 MR. FROME: Good evening, my name is
 11 Tim Flood, like lots of water. I'm from Phoenix.
 12 I'm representing myself tonight.
 13 I generally support what BLM is doing in
 14 trying to put forth a very strong Wild and Scenic
 15 Rivers proposal. The shape of Arizona's rivers and
 16 streams and creeks is not very good and I think it
 17 reflects a lot of poor decisions in management over
 18 the last 100 years. A lot of that, of course, is
 19 not BLM's fault, you have inherited what those folks
 20 before it have done to the land. But there's not
 21 much left and what we're dealing with now is the
 22 leftovers. We've given the extractive people over
 23 100 years' headstart to do their thing and what we
 24 are, again, dealing with is whatever is left over.
 25 It's a very valuable still what's left.

BARTELT & KENYON

1 over. Despite the fact that there's been a lot of
 2 devastation, there's still a lot of fish and wild
 3 life value to the remaining streams. There's a lot
 4 of people that enjoy the recreation that's left on
 5 these streams. So, in general, I do support the
 6 proposed action.
 7 I will be submitting some written
 8 comments when I'm able to plow my way through the
 9 two appendices, but I would just like to comment on
 10 two streams that I thought needed a little more
 11 emphasis: One is the Hassayampa because it's a very
 12 important river on the central western side of the
 13 state. There's very few remaining flowing streams
 14 on the central western side of Arizona.
 15 And the other is the San Pedro River.
 16 That's a very threatened system down there and a
 17 very valuable echo system and I would recommend that
 18 BLM go for the strongest possible designations on
 19 the San Pedro River to insure that any further
 20 development that does occur in that part of the
 21 state take into account the great ecological value
 22 of the San Pedro River.
 23 That will conclude my oral remarks and I
 24 will submit the written ones at a later time.
 25 Thank you.

BARTELT & KENYON

1 HEARING OFFICER: Thank you, Mr. Flood.
 2 The next person I call upon is Mr. Jim
 3 McCarthy.
 4 MR. MCCARTHEY: Good evening. My name
 5 is Jim McCarthy. I'm from Phoenix, Arizona. And
 6 I'm representing myself.
 7 I've lived in Arizona since 1957. And
 8 over that period of time I've seen a lot of damage
 9 to the significant large rivers of the state and
 10 some of the smaller streams. And then there were
 11 many other projects that took place before I lived
 12 here that were also damaging. So what we have, as
 13 Mr. Flood mentioned, is that we have a few remaining
 14 rivers that we need to, that we need to protect.
 15 Maybe that's 10 percent, maybe it's 30 percent of
 16 the rivers, I don't know what the real number is,
 17 but there's not many compared to what there once
 18 was.
 19 I'm glad to see that the BLM has
 20 recommended some rivers; however, I'd like to
 21 comment that I think that there's some other ones
 22 that are very deserving of protection that are not
 23 on the recommended list. Some of the rivers that
 24 are recommended are what I might call low risk, for
 25 instance like the Pavia and Aravaipa, which are two

T1-7

BARTELT & KENYON

1 rivers that I've been to and enjoy a lot, and are
 2 fairly low risk. They're already in a wilderness
 3 area and there's really no threat, so it's kind of
 4 an easy one.
 5 There's a few other ones that I think
 6 are very important rivers that I think need to be
 7 protected; for instance, Cienega Creek, especially
 8 because of the native fish and because of the
 9 characteristics of the area are very nontypical to
 10 Arizona streams, and I think we need a sample of
 11 that type of stream in the state protected.
 12 As far as the Virgin River, I recommend
 13 that we recommend that for designation and not for
 14 further study. If the Congressional Delegation is
 15 not ready to designate that, they won't, but I don't
 16 see any reason that the BLM can't recommend it at
 17 this point in time.
 18 I'd like to also point out that the
 19 intent of the Wild and Scenic Rivers Act is -- I'm
 20 not lecturing you so much, but I'm trying to get the
 21 word out to the public, that the Wild and Scenic
 22 Rivers Act is not really intended to destroy or take
 23 away anything that exists, what it's intended to do
 24 is protect things in the state that they are. The
 25 few remaining rivers that are still undamaged, we

T1-8

BARTELT & KENYON

1 want to protect those few.

2 As far as the impact on the Government
3 and budgets, the land is already under BLM
4 authority, it already has to be managed. I can't
5 see how designating it as a wild and scenic river is
6 going to have any significant cost increase and if
7 it is, we need to become more efficient. We should
8 not let that get in the way of protecting these
9 jewels of the desert.

10 That's my comments for tonight.
11 Thank you.

12 HEARING OFFICER DAUER: Thank you,
13 Mr. McCarthy.

14 The next speaker is Mr. Don Cox.

15 MR. COX: Thank you. I'm Don Cox. I'm
16 the environmental chairman for the Lyons
17 International, State of Arizona. I've spent 45
18 years of my adult life in Arizona. I have been a
19 land resource management professional my entire
20 life.

21 Now, the designation of the Wild and
22 Scenic Rivers, I'm certainly in favor of them if it
23 is justified to so designate them. They already
24 have in Arizona, for instance, 40 wilderness areas
25 or similar designations, we have the park service

BARTELT & KENYON

1 has a lot of land, the national parks, monuments, we
2 have the wild life sanctuaries, we have the Indian
3 lands that take a lot of Arizona, we have
4 conservation special areas. Now, if we have the
5 Wild and Scenic Rivers, I don't think there'll be
6 much land left maybe except my own little acreage in
7 San City.

8 I wouldn't designate today any special
9 rivers. I've read the Bureau of Land Management
10 booklet on that, and probably time will prevent me,
11 but on the list with regard to the situations
12 tonight, there are four, only four of them that I
13 would recommend that we designate.

14 It bothers me a great deal to think that
15 our dry washes and intermittent streams would be
16 classified as Wild and Scenic Rivers. There are an
17 many wild during the flood stage, but wild and
18 scenic, it bothers me a great deal.

19 Now, another thing that bothers me on
20 the designation is you designate a section of the
21 stream, but also there's a great deal of concern
22 that upstream from there if anything takes place
23 upstream from there that would influence this small
24 section that would also be restricted.

25 Now, the Bureau of Land Management and

T1-9

BARTELT & KENYON

1 the Forest Service are professional land managers,
2 and a lot of these streams now are under their
3 management, and to say that we need to designate
4 them in to us to say we think they are not doing a
5 very good job. I think they are. If there is a
6 problem on any of these streams, those individuals,
7 those organizations certainly have the ability and
8 the personnel and the authority to make any
9 corrections to that.

10 I've heard tonight a great deal said
11 about damage that has occurred as if we are
12 continuing to damage these streams. I think we
13 missed the point. And the fact that I need to bring
14 out is that in a great many cases tying the land up
15 and putting it in a restrictive situation is the
16 worst thing that can happen to that land because
17 under proper management, the use of live stock and
18 wild flower, under proper management can bring back
19 a desired condition of many of these areas.

20 Now, I spent 15 years as a district
21 forest ranger in the West before I found the key to
22 the fact that you can bring back and maintain our
23 streams under proper use of live stock better for
24 everybody concerned, wild life and all, than if you
25 tie it up and not use it. I think the Lord intended

BARTELT & KENYON

1 that our land should be used, properly used and we
2 can get the best results from that. Just like if
3 you didn't use your left arm, it would finally
4 deteriorate and, believe you me, that's what
5 happened to some of our lands when they're are tied
6 up and not properly used. And we need to bring
7 these things back, and I have confidence that our
8 organizations can do that, without tying up more
9 and more.

10 We need more multiple use of our
11 resources because we have so few of them and not
12 single use, which is what we're going towards on all
13 these designations. As I mentioned, Arizona is full
14 of single use lands now under management. We
15 favorably don't need really any more. Private land
16 is a great concern where these rivers are adjacent
17 to them or they're upstream because I can see in the
18 law, as I understand it, that if something happens
19 on your private land up there it might influence the
20 designated wild and scenic river, that they would be
21 greatly restricted.

22 I will also submit, and have, and will
23 submit, additional information to the organization.
24 And I thank you for this opportunity and may we all
25 join in securing the better use of our land

T1-10

BARTELT & KENYON

1 resources.

2 Thank you.

3 HEARING OFFICER BAUER: Thank you,

4 Mr. Cox.

5 The next speaker is Bobbin Holaday.

6 MS. HOLADAY: My name is Bobbin Holaday

7 and I'm the executive director of a group who is

8 seeking to preserve another one of our national

9 resources. The group is called Preserve Arizona

10 Wolves, which would like to restore the Mexican

11 wolf.

12 I have very short comments. I certainly

13 think that the Bureau of Land Management did a very

14 thorough job on their document for the draft EIS;

15 however, I am appreciative of the 13 rivers which

16 they have proved for wild and scenic to some

17 classification. But I would also like to fully

18 support the Arizona Rivers' recommendations that you

19 add the portions recommended for Ginega Creek, San

20 Pedro and the Sasuayampa Rivers. I think they are

21 very important to the system.

22 Thank you very much for this

23 opportunity.

24 HEARING OFFICER BAUER: Thank you, Ms.

25 Holaday.

BARTLETT & KENNYON

T1-11

1 The next speaker is a possibility, who

2 says he might speak, which is Mr. Jim Vaaler. Do

3 you wish to speak, sir?

4 MR. VAALER: Yes, I will speak. My

5 name is Jim Vaaler of Phoenix. I'll be speaking for

6 myself. I'll be brief.

7 I would like to thank the BLM for

8 recommending the 13 rivers they did recommend. And

9 I would like to comment that Wild and Scenic Rivers,

10 the Wild and Scenic Rivers classification does fall

11 under the lines of multiple use, it's not single

12 use. Specifically, I was disappointed that the BLM

13 didn't recommend the Sasuayampa River. I feel that

14 there was a middle ground that could have been done

15 where they could have drawn their boundaries a

16 little differently and come up with a good proposal

17 there.

18 That's all I have to say.

19 Thank you.

20 HEARING OFFICER BAUER: Thank you,

21 Mr. Vaaler.

22 The next speaker is Mike Evans.

23 MR. EVANS: Good evening. My name is

24 Mike Evans. I'm from Gilbert, Arizona. I'm the

25 chairman of the Maricopa County Democratic Party,

BARTLETT & KENNYON

T1-12

1 that's 450,000 registered voters that care about the

2 environment, but I am speaking for myself this

3 evening.

4 Seems close to about two years ago, a

5 year and a half ago, we all got together over at the

6 Civic Plaza with the BLM, Forest Service, I believe

7 Park Service was there, and the majority of our

8 Congressional Delegation. At that time, I asked the

9 question as to whose time line we were on. Were we

10 following the Bureaucracy's time line or were we

11 following the Congressional Delegation's time line.

12 The Bureaucracy was proposing two to three more

13 years of studies, report writing, preparation to get

14 something ready. The Congressional Delegation

15 assured us that night, to a huge ovation, that they

16 in fact were in charge. In fact, Representative

17 Coppersmith said, "Mike, the whip has been

18 cracked."

19 We were assured that some time during

20 this congressional session, this 103rd Congress, I

21 believe it is, that we would have wild and scenic

22 river designation.

23 Now, as I've been watching the process

24 go along and I've been kept informed by the flyers

25 and the various reports, we're seeing that there's

BARTLETT & KENNYON

1 going to be a final report prepared for December of

2 '94 and something to be submitted.

3 Well, Sam Coppersmith won't be a

4 congressman then. John Kyle won't be a congressman

5 then. They're both running for the U.S. Senate. So

6 obviously they are not going to have the opportunity

7 to vote for Wild and Scenic Rivers, something that

8 both of those gentlemen from, two different

9 political parties, stood in front of some 500 people

10 and said that they wanted to see happen for the

11 people of Arizona.

12 Now, you've done a nice report. I would

13 like to see some extra segments added, but you're

14 going too slow. We've been talking about this for

15 years in this state. For years we've been trying to

16 add Wild and Scenic Rivers. We want Wild and Scenic

17 Rivers; now, we want them. We don't want you to

18 take the time to go on and study and study and study

19 and study. Get a final report, get it to Congress,

20 so that our Secretary of Interior who's hiked and

21 camped and backpacked many of these segments, can

22 push the President and push the Congress to give us

23 the Wild and Scenic Rivers that we want.

24 You are deliberately ignoring the wishes

25 of the majority of the people in Arizona. Because

BARTLETT & KENNYON

T1-13

1 It's clear from all of the polls, all of the studies
2 that have been done, that the majority of people in
3 Arizona want additional Wild and Scenic Rivers.

4 In addition to ignoring the wishes of
5 the public, you're also ignoring the wishes of our
6 elected representatives. You should be ashamed!
7 Please do your job, give us our Wild and Scenic
8 Rivers.

9 Thank you.

10 HEARING OFFICER: Thank you for your
11 comments, Mr. Evans.

12 The next speaker is Howard Giemso.

13 MR. GIEMSO: My name is Howard Giemso.
14 I represent Motorized Recreations.

15 I was at that meeting two years ago
16 also. I heard the democratic senator, I think his
17 name was DeConcini, he said, "I'll see the report
18 from the RSM. I'll see the report from the Forest
19 Service. I'll see the report from the state. I'll
20 consult with my constituents and then we will reach
21 a consensus within the Congressional Delegation and
22 then we'll move and not before." That's the way I
23 remember the democratic senator's words.

24 I would also say that with Motorized
25 Recreations I approve motorized access. I think in

BARTLET & KENYON

1 A way I speak for the hunters who want to drive to
2 their hunting spot, fishermen who would like to
3 drive in closer to their spot, perhaps a casual gold
4 panner would like to use his motor vehicle to get to
5 his site, perhaps some picnickers who would like to
6 use a car and drive on federal land, all these
7 people need motorized vehicles on federal land. I
8 submit that Wild and Scenic Rivers designation would
9 reduce their access to their land.

10 I would like to point out again that
11 there is approximately five million acres in Arizona
12 of extremely restricted use land. Five million
13 acres where motor vehicles never go. Now we find
14 many proposals on the table seeking to add to those
15 five million acres, among them wolf recovery
16 habitat.

17 I submit that our Congressional
18 Delegation should concern themselves with protecting
19 the public's use of the public land from the
20 preservation that they should. And I submit that
21 the proper action is no action, the no action
22 alternative on all of the rivers.

23 Thank you.

24 HEARING OFFICER BAUER: Thank you, sir.
25 Does anyone else wish to speak tonight?

BARTLET & KENYON

1 Yes.

2 MR. KELLER: My name is Gary Keller.
3 I've lived in Arizona for 45 years. And I'm
4 representing the Arizona State Association of Four
5 Wheel Drive Clubs and also the Great Western Trail.
6 We are philosophically opposed to the Wild and
7 Scenic Rivers Act mainly because we view it as
8 another wilderness. We feel that we already have
9 enough wilderness areas. The Great Western Trail
10 that we are working on is a border-to-border trail
11 that goes all the way from Canada to Mexico. It
12 does cross several of these rivers and if they
13 become wild rivers, then there's areas that we
14 cannot cross.

15 We are trying to work on the economic
16 rural development, some of the rural communities by
17 going through with the Great Western Trail and we
18 feel that some of these rivers will hinder that
19 goal. Some segments of the rivers are not, we feel,
20 are not correct. Some segments start above a road
21 crossing, a crossing that everybody is using right
22 now, and we feel if there is such a thing as a wild
23 and scenic rivers bill, that we would like to amend
24 some of the segments.

25 We have been working lately with the

BARTLET & KENYON

1 Arizona Rivers Coalition and come to some agreements
2 on those segments that I've been talking about.
3 Some of the segments, some of the rivers that we're
4 in disagreement with is the upper Burro Creek.

5 We are working on a border-to-border
6 trail, it's a multiple-use trail for vehicles as
7 well as hiking, horseback, just anybody can use it.
8 The Great Western Trail is also the name and it goes
9 from Utah -- well, the Arizona section goes from
10 Utah to the border, Burro Creek on the east. The
11 only way across from one side of the state in that
12 area to the other is going across Burro Creek. Our
13 understanding is that if this area is designated
14 wild, then all river crossings, motorized river
15 crossings will be shut off.

16 As far as the damage in our rivers, I've
17 been in the back country continuously for the past
18 25 years and I have seen no significant damage to
19 any of the streams as far as vehicle crossings that
20 haven't been mitigated or haven't been addressed.
21 The significant damage that we have had in 1983, or
22 19 -- yeah, 1983 and 1993 with the extreme flood dam
23 is far greater than any other people can do with
24 vehicles or cattle.

25 And I disagree with the gentleman before

BARTLET & KENYON

T1-14

1 me that all Arizonans are for Wild and Scenic Rivers
 2 because the people I talk to are not.
 3 Thank you.
 4 HEARING OFFICER BAUER: Thank you,
 5 Mr. Keller.
 6 Does anyone else wish to speak? If not,
 7 I want to remind all of you, and strongly urge those
 8 who have not spoken, to send your comments to us
 9 before July 8th. The mailing address is printed in
 10 the cover letter attached to the draft Legislative
 11 Environmental Impact Statement. Send your comments
 12 to Phil Moreland here, Bureau of Land Management,
 13 Post Office Box 16563, Phoenix Arizona, 85011.
 14 At this point, if nobody else wishes to
 15 make a comment, I thank you very much for your kind
 16 attention. This public hearing is hereby
 17 adjourned.
 18 (Hearing concluded at 7:30 p.m.)
 19
 20
 21
 22
 23
 24
 25

BARTELT & KENTON



1 STATE OF ARIZONA }
 2 COUNTY OF MARICOPA }
 3
 4
 5 BE IT KNOWN that the foregoing hearing was
 6 taken before me, LAURA KOZLOWSKI, a Notary Public in
 7 and for the County of Maricopa, State of Arizona;
 8 that the proceedings thereto were taken down by me
 9 in shorthand and thereafter reduced to
 10 computer-aided transcription under my direction;
 11 that the foregoing is a true and correct transcript
 12 of all proceedings had upon the taking of said
 13 hearing, all done to the best of my skill and
 14 ability.
 15 I FURTHER CERTIFY that I am in no way
 16 related to any of the parties hereto, nor am I in
 17 any way interested in the outcome hereof.
 18 DATED at Phoenix, Arizona, this 24th
 19 day of May, 1994.
 20 *Laura M. Kozlowski*
 21 NOTARY PUBLIC
 22
 23
 24
 25

BARTELT & KENTON

5

1 include the public letters and responses and will
 2 incorporate any revisions or changes resulting from
 3 the comments at this meeting and from other public
 4 reviews.

5 We anticipate that the final Legislative
 6 Environmental Impact Statement will be available for
 7 public review in December.

8 This public hearing is part of our
 9 efforts to involve the public in the preparation of
 10 this environmental document. We officially started
 11 the process with a Notice of Intent published in the
 12 Federal Register on February 19, 1993. The Notice
 13 of Intent included a statement encouraging the
 14 public to submit any issues or concerns to us.

15 During March and April 1993, we held 13
 16 public scoping meetings in Arizona towns and
 17 communities and one in St. George, Utah.
 18 Approximately 500 people attended these meetings.
 19 In early April 1994, we mailed out nearly 2,000
 20 copies of the draft Legislative Environmental Impact
 21 Statement for public review and comments. And we
 22 will accept comments on the document until July the
 23 8th, 1994.

24 As I mentioned, the final Legislative
 25 Environmental Impact Statement will be ready in

BARTELT & KENYON

6

1 December. There will be a 30-day public review and
 2 comment period for the final document. After the
 3 final review period, the State Director will send
 4 the Environmental Impact Statement to the BLM
 5 director in Washington. Then it will be transmitted
 6 to the Secretary of the Interior, who will forward
 7 it to the President. From the President, the
 8 Environmental Impact Statement will go to Congress,
 9 which will make the decisions on which Arizona
 10 rivers will be included in the National Wild and
 11 Scenic Rivers System.

12 Finally, before I call upon Phil, I
 13 would like to specify the ground rules for this
 14 public hearing. It is important to emphasize that
 15 this is not a debate or a question-and-answer
 16 period. It is not a cross examination by the public
 17 of BLM.

18 It is rather, an advisory hearing in
 19 which the public is given an opportunity to make
 20 comments for the record. These comments will
 21 eventually be submitted to our Washington office,
 22 the Secretary of Interior, the President and
 23 Congress.

24 BLM personnel will not be expected to
 25 respond to questions during the meeting, unless I

BARTELT & KENYON

7

1 rule otherwise. After the meeting, they will be
 2 available to talk individually or you can contact
 3 them during office hours. Speakers should be
 4 allowed to complete their presentation without
 5 interruption. Applause is not necessary.

6 If we have time, I will open the meeting
 7 to general comments after the speakers have
 8 finished.

9 As I mentioned previously, Phil Moreland
 10 will briefly summarize what we have gone through in
 11 preparing this Legislative Environmental Impact
 12 Statement.

13 MR. MORELAND: Thank you, Larry.
 14 Good evening, Ladies and Gentlemen.
 15 There are three items that I want to
 16 mention in summarizing the development of this
 17 Legislative Environmental Impact Statement.

18 The first item concerns the purpose of
 19 the document. Briefly, the purpose of the
 20 Legislative Environmental Impact Statement is to
 21 provide Congress with a data base and alternatives
 22 which they can use to decide which, if any, rivers
 23 should be included in the National Wild and Scenic
 24 Rivers System.

25 The Arizona BLM developed the

BARTELT & KENYON

8

1 Legislative Environmental Impact Statement in
 2 compliance with the Wild and Scenic Rivers Act of
 3 1968 that requires federal agencies to study
 4 potential national wild, scenic and recreational
 5 rivers.

6 The main consideration in this
 7 Environmental Impact Statement is the range of
 8 management alternatives. In the statewide document,
 9 which is the thin summary document of the three
 10 document parts, we analyze the impacts of
 11 implementing four different alternatives. One was
 12 the proposed action to recommend 13 river study
 13 areas to Congress for inclusion in the National Wild
 14 and Scenic Rivers System. Another was the "No
 15 Action" alternative, which means that BLM would not
 16 recommend any river study areas to Congress. The
 17 third alternative recommends to Congress that only
 18 those portions or segments of river study areas that
 19 are not protected by wilderness or national
 20 conservation area status will be submitted. The
 21 last alternative recommends all 20 of the study area
 22 rivers.

23 Second, I want to summarize the steps
 24 that have taken place in the process of producing
 25 this document. Over the past several years, BLM has

BARTELT & KENYON

1 developed resource management plans and plan
2 amendments that are evaluating rivers to determine
3 whether they should be considered for wild and
4 scenic rivers. Through these plans, about 20 river
5 area studies were identified and determined to be
6 eligible for consideration.

7 While BLM was doing this, the Arizona
8 Rivers Coalition in March of 1991, studied and
9 recommended 40 Arizona river areas for wild and
10 scenic consideration. 14 of these were under BLM
11 management responsibilities. In 1992, the Arizona
12 Congressional Delegation encouraged BLM to develop
13 additional studies to facilitate the process. This
14 resulted in a detailed document known as the Wild
15 and Scenic River Assessments. It was completed in
16 September of 1993.

17 The Wild and Scenic River Assessments
18 document contained an evaluation of each of the 20
19 rivers BLM districts had identified as eligible.
20 Although the assessment was developed primarily for
21 internal use, it was also sent to the Congressional
22 Delegation and several other interested parties.

23 We used the assessment document as the
24 basis to identify the river study areas for the
25 proposed action alternative. However, each of the

BARTELT & KENYON

1 river study areas has at least two alternatives.
2 And those rivers are covered in the individual river
3 segments, which are the two other larger books that
4 go with the three-set system. Each of those has at
5 least two alternatives, the proposed action and the
6 no action alternative. Some of the individual
7 documents have a third alternative recommending
8 either the entire river study area or portions of
9 it. The draft LRIS was produced during the fall of
10 '93 and spring of '94 and filed with the
11 Environmental Protection Agency and released for
12 public review and comment on April 8th, 1994.

13 Finally, I want to talk a little about
14 public involvement. We in Arizona strongly believe
15 in full public involvement in this process. In this
16 case our public involvement efforts started with the
17 resource management plans and plan amendments. We
18 encouraged the public to identify issues and
19 concerns that needed to be considered in planning.
20 We sent the documents out for public review and
21 comment and revised them accordingly.

22 When we decided to start preparing this
23 document, we announced our plans in the Federal
24 Register and local papers. In the announcement we
25 asked for public comments. In March and April last

BARTELT & KENYON

1 year we had 14 public scoping meetings held
2 throughout the state and St. George, Utah. Over 500
3 people attended the meetings and many sent comments
4 to us. By the way, these comments are summarized in
5 Chapter 5 of the statewide rivers document. That's
6 the thinner of the three booklets.

7 We have also mailed out three issues of
8 our Wild and Scenic River updates to over 1,000
9 people who have asked to be on our mailing list.
10 These updates have kept people informed about the
11 process and our progress.

12 Last month we started another important
13 phase of public involvement -- this public hearing
14 is part of it -- the public review and comment
15 process on the draft document. We're very anxious
16 to know what you think about the Wild and Scenic
17 Rivers alternatives.

18 Each comment we receive tonight, and any
19 other comments we receive in the mail until July
20 8th, will be carefully read and responded to as
21 appropriate. The public comments may result in
22 changes to the document. The comments and responses
23 will be published in the final document and they
24 will be sent to the Secretary of Interior and
25 forwarded to Congress to aid in making decisions

BARTELT & KENYON

1 about adding rivers to the National Wild and Scenic
2 Rivers System.

3 I'll give it back to Larry now. And, as
4 he mentioned, this formal hearing process isn't a
5 question-and-answer form, so I won't ask if there
6 are any questions, but I will be around after the
7 meeting and I'll try to answer anything at that
8 time, and there will be additional specialists
9 available. I would hope we can answer your
10 questions.

11 HEARING OFFICER BAUER: Thank you,
12 Phil.

13 Right now we have three persons who have
14 indicated that they would like to speak. Because of
15 the small number, I don't think that I'll place a
16 time limit on them because we are going to be open
17 for business until about 10:00.

18 So at this point I would like to call on
19 Mr. Brian Garrity. This microphone in the center of
20 the room is working good, I think, so Mr. Kozlowski
21 can hear your comments and so can everybody else.

22 MR. GARRITY: Thank you very much.

23 Just to give you a little background, I
24 live in Bagdad and I'm a copper miner and have been
25 so for about 13 years, third generation. And one of

BARTELT & KENYON

1 the things in going through the draft LEIS, I noted
 2 there was no economic impact numbers from the
 3 community of what the mining operation contributes
 4 to the economy of Yavapai County, so I've provided
 5 them a copy of it. And I would just like to address
 6 a few of the numbers of the economic contributions.
 7 The total output of the Arizona economy
 8 is \$331.3 billion. The direct impact on the Arizona
 9 economy is \$91 million. It provides a personal
 10 income to Yavapai County of \$10 million; purchases
 11 of services and goods, \$53 million; state and local
 12 government income, \$9 million. They pay an
 13 additional \$4.4 million in property taxes each
 14 year.
 15 As far as in direct payments to Yavapai
 16 County, which I realize we are in Mohave County, but
 17 \$903 million to Yavapai County, estimated purchases
 18 of goods and services of \$180 million, and property
 19 taxes, \$132 million over the remaining life of the
 20 mine which is anticipated at 30 years.
 21 So in 1993, they produced 110,364 tons
 22 of copper, 7.8 pounds of molybdenum, that's nine
 23 percent of the Arizona copper production and 6.1
 24 percent of U.S. copper production and about 1.1
 25 percent of the world copper production.

BARTLET & KENYON

1 I didn't really want to burden you with
 2 a lot of numbers here and I have provided her with
 3 them.
 4 There's two other issues that I would,
 5 that I looked at through the draft LEIS. And under
 6 the one designation, 95,765 acres would be withdrawn
 7 from mineral exploration and, you know, use, taken
 8 out of the public domain, if all of them were deemed
 9 suitable. I realize that you guys haven't done
 10 that. Under the proposal that you guys have
 11 presented, 37,221 would be withdrawn from future
 12 mineral potential. That's a lot of acreage.
 13 I guess I'm not really highly qualified
 14 to talk about geologic ore bodies and they're rather
 15 rare by nature and they only occur in certain areas,
 16 but based on your guys' information there is mineral
 17 potential in these areas that are considering being
 18 withdrawn, so that's concerning a little bit.
 19 In closing, and I've been involved in
 20 this process since the beginning, I've seen some of
 21 you folks at a number of meetings, but, you know,
 22 it's a genuine concern. There's a lot of -- you
 23 know, the Wild and Scenic Rivers Act was written
 24 with a lot of tough restrictions on it and they put
 25 a lot of teeth into the piece of legislation. And I

BARTLET & KENYON

1 think the intent of Congress back into 1968 or '64,
 2 when the act was implemented, was probably not
 3 looking at, you know, intermittent running streams,
 4 which a lot of the proposed ones are in Arizona, but
 5 there's things like, you know, these outstandingly
 6 remarkable values and things of this nature, and I
 7 think maybe it's gone a little too far one way.
 8 And I was glad to see that from the
 9 American Rivers Coalition's proposal down to what it
 10 is now. I think, you know, the BLM and the agencies
 11 have done a commendable job, but there are still
 12 some things there that concern me.
 13 I just would like to close by saying
 14 that it's become the theatre of the bizarre when
 15 the, what I feel, you know, valuable productive
 16 members of the community, you know, we're having to
 17 fight so diligently to make our case heard above the
 18 din of those who enjoy what we produce and then
 19 criticize us of what we produce for all Americans.
 20 But that's kind of the way politics are in the '90s,
 21 I guess. We haven't been real active in these
 22 processes, you know, we've been out working,
 23 providing livelihoods for our families and it -- you
 24 know, we've kind of got behind the process, I
 25 guess.

BARTLET & KENYON

1 And I sometimes sit around and reflect
 2 and ponder that, you know, who's looking after the
 3 well-being of American workers and American miners?
 4 And that, you know, I know I'm involved in a lot of
 5 things in my job there that, you know, there's a lot
 6 of T&E species and if they were declining at the
 7 rate that American miners are declining, well,
 8 they'd be on the T&E list.
 9 So I just wonder if, you know, maybe we
 10 should implement legislation that looks after
 11 protecting the citizens of this country. And maybe
 12 we have gone so far in protecting the environment
 13 that now that outweighs the well-being of the
 14 citizens.
 15 And I to appreciate the opportunity to
 16 speak to you folks.
 17 Thank you.
 18 HEARING OFFICER BAUER: Thank you,
 19 Mr. Gazzity.
 20 The next speaker is Phil Blacet.
 21 MR. BLACET: Blacet.
 22 HEARING OFFICER BAUER: B-1-a-c-e-t.
 23 MR. BLACET: I would also like to thank
 24 you very much to give me the opportunity to speak.
 25 I've been a professional geologist in

BARTLET & KENYON

1 Arizona for 35 years and about 16 of that was with
2 U.S. Geological Survey and the last 15 years I've
3 been at Cyprus Bagdad. I'm a resident of Bagdad.
4 And I've been a tax payer and property owner in west
5 central Arizona for about 10 years.

6 I would like to reiterate something that
7 Brian had indicated, and that is real appreciation
8 for the BLM's efforts on the Wild and Scenic Rivers
9 issue. I think that you have indeed done a very
10 commendable job in terms of reaching a reasonable
11 balance between a wide variety of opinions on
12 preservation issues, especially as they relate to
13 Wild and Scenic Rivers issues.

14 And I would like to come out and just
15 basically state that in my opinion the preferred
16 action alternative is a very reasonable and, at
17 least from my perspective, acceptable alternative.
18 I would concur that it's the preferred alternative.

19 There are areas which concern me.
20 Basically, they relate to water rights issues. As
21 you're well aware, the Wild and Scenic Rivers Act of
22 1968 does have a lot of provisions within it which
23 appear to be threatening to historic water users and
24 certainly future water users. And one of the things
25 which particularly concerns me is in the Legislative

BARTZELT & KENYON

T2-1

1 EIS you make reference to the measurement of stream
2 flows to determine what the requirements are for
3 Wild and Scenic Rivers' purposes. And that's an
4 area which I think has to be looked at very, very
5 carefully.

6 Clearly, you cannot try to manage Wild
7 and Scenic Rivers via appropriation of federal
8 waters based on either the maximum stream flow or
9 even the median stream flow. Some reasonable
10 estimation of the base flow, the minimum flow rate
11 for those stream segments, needs to be determined to
12 determine what reserved federal rights should exist
13 to protect those values.

14 You can argue whether or not the Federal
15 Government even should be involved in state rights
16 water issues, but given the fact that the Wilderness
17 Act of 1960 did for the first time reserve federal
18 water rights for wilderness purposes, it seems to be
19 a fact of life that in all likelihood Congress will
20 write some similar provision into whatever bill
21 relates to the Wild and Scenic Rivers issues.

22 So I guess I would urge the BLM to be
23 very cautious in terms of how they determine what
24 that base flow that they are going to protect is.
25 And clearly, if one was to do what was done by the

BARTZELT & KENYON

1 state in terms of the unique water protection areas
2 where they came in and sampled on a quarterly basis
3 over the course of a year, you're going to get an
4 extremely bias estimate of what those normal minimum
5 flow rates are, unless you happen to be extremely
6 lucky.

7 I think that wherever possible the USGS
8 stream gauging data, which goes back in many cases
9 over two decades, should be used and should be
10 extrapolated from to try to determine what a normal
11 base flow is.

12 The reason why this is so important is
13 of course all upstream water users, those which have
14 surface water rights, and those which do not have
15 surface water rights but actually have wells which
16 may seem to be pumping surface water underflow, this
17 is a very, very touchy legal question which is not
18 yet resolved in the courts, it's in the courts now,
19 but it has not yet been resolved. What it means is
20 that a lot of property owners who don't have surface
21 water rights but do have wells which are near or
22 within the broader flood plains may suddenly find
23 that they are pumping surface water rather than
24 ground water. And at that point in time, they would
25 be in direct competition with the Federal

BARTZELT & KENYON

T2-2

1 Government. They would not have had historic water
2 rights, surface water rights because there has been
3 no need up to this point to try to determine surface
4 water rights from somebody pumping water from their
5 well on their own property. So these people do have
6 the potential to suddenly find themselves in
7 competition with the Federal Government in terms of
8 surface water down such streams as the Santa Maria,
9 the Hassayampa, all the stream segments in the BLM
10 proposed, or Legislative EIS.

11 In summary, I would just like to repeat
12 that I feel that overall the effort has been very
13 good. I certainly appreciate all of the efforts to
14 have the public involved in the process. And I
15 certainly support the preferred action alternative.

16 Thank you.
17 HEARING OFFICER BAUER: Thank you,
18 Mr. Blacet.

19 The next speaker is Mr. Bill McClure.
20 MR. MCCLURE: Good evening and thank
21 you.

22 First off, I'd like to say I'm no where
23 near as eloquent as Dr. Blacet here in what I have
24 to say.

25 I also am from Bagdad, but I'm not

BARTZELT & KENYON

T2-3

1 approaching you as a miner from Bagdad, I'm
2 approaching you as a citizen of public land use. I
3 grew up in Bagdad. I've been there all my life.
4 I've been on probably every bit of the Hurro Creek
5 area from the very start down to where it gets into
6 the Alamo area. I have a lot of friends who have
7 ranches in the area. I've done lots of hunting in
8 the area.

9 I take exception a little bit to the
10 fact that it's even considered as a Wild and Scenic
11 River designation because most of the year it's just
12 not even a dry wash. When you talk about the area
13 being a beautiful canyon type area, that's true, but
14 I also wonder why it needs the designation. The
15 area is extremely remote. To get into it requires
16 hiking and backpacking, which is already going to be
17 allowed under this designation. It's also protected
18 under the wilderness area, or wilderness act in some
19 spots and I wonder why we need more governmental
20 regulation of the area. My concern is that it seems
21 to be our rights as citizens and public land use
22 seems to be eroding.

23 And, as Brian said earlier, when are we
24 going to start getting some protection for those
25 that like to use the land, that have grown up in the

BARTELT & KENYON

1 area and know what it's like. And, if anything,
2 I've seen nothing but improvement over the years
3 even without the designation of being a Wild and
4 Scenic River.

5 The company that I work for has received
6 a Riparian Stewardship award for the efforts that
7 they've made in environmental compliance and doing
8 what they can to make things better. A rancher who
9 is right in the bottom of Hurro Creek has made
10 excellent efforts in beautifying that area and just
11 taking care of it.

12 So I also, like Bill said, do agree that
13 the BLM has made some great strides in the
14 recommendations that they're making right now and I
15 appreciate your efforts for that. And that's all I
16 have.

17 Thank you.

18 HEARING OFFICER BAUER: Thank you,
19 Mr. McClure.

20 At this time is there anyone else who
21 would like to make a statement tonight?

22 (No response.)

23 HEARING OFFICER BAUER: All right. What
24 I'm going to do, because we had published our open
25 time from 7:00 until 10:00, rather than adjourning

BARTELT & KENYON

1 the meeting right now, I'm going to call a recess.
2 I will probably only reopen the meeting unless
3 someone else comes in who would like to make an oral
4 statement. The BLM people will be available to
5 discuss things with you in the back. So at this
6 time the meeting is recessed.

7 - - -
8 (Brief recess taken.)
9 - - -

10 HEARING OFFICER BAUER: There being no
11 other speakers or anyone else wishing to present
12 information, I do hereby call the meeting adjourned.
13 (Hearing concluded at 8:30 p.m.)

BARTELT & KENYON

1 STATE OF ARIZONA)
2 COUNTY OF MARICOPA)

3
4
5 BE IT KNOWN that the foregoing hearing was
6 taken before me, LAURA KOZLOWSKI, a Notary Public in
7 and for the County of Maricopa, State of Arizona;
8 that the proceedings were taken down by me in
9 shorthand and thereafter reduced to computer-aided
10 transcription under my direction; that the foregoing
11 is a true and correct transcript of all proceedings
12 had upon the taking of said hearing, all done to the
13 best of my skill and ability.

14 I FURTHER CERTIFY that I am in no way
15 related to any of the parties hereto, nor am I in
16 any way interested in the outcome hereof.

17 DATED at Phoenix, Arizona, this 24th day
18 day of May, 1994.

19
20 *Laura M. Kozlowski*
21 NOTARY PUBLIC

BARTELT & KENYON

ECONOMIC IMPACTS FOR 1962

In 1962, total revenues to Cyprus Bagdad Copper Company include \$228,440,000, an increase of \$10,000,000 over 1961. This increase is due to higher sales resulting from higher production in the State of Arizona.

TOTAL OUTPUT TO THE ARIZONA ECONOMY
of (millions) \$ 321.2

which includes:

DIRECT IMPACT ON THE ARIZONA ECONOMY
of (millions) \$ 111.6

Including direct payments to Arizona tax

PERSONAL INCOME OF (millions)..... \$ 30.1
including payments to Arizona tax

PURCHASES OF GOODS AND SERVICES OF (millions)..... \$ 81.5
STATE AND LOCAL GOVERNMENT INCOME
of (millions)..... \$ 10.0

Direct payments to Yavapai County include:

PERSONAL INCOME OF (millions)..... \$ 30.1
including impact and sales tax to Yavapai

ESTIMATED PURCHASES OF GOODS AND SERVICES OF (millions)..... \$ 8.0

PROPERTY TAXES OF (millions)..... \$ 4.4

All of the above, 1962, are values employed in the study as a result of purchases by the State and local government, which are estimated to be \$27 million, or 24 percent of total output, in a total of \$92 million for Yavapai County.

Over the anticipated remaining life of 30 years, Cyprus Bagdad will have:

Direct Payments to Yavapai County to:
PERSONAL INCOME OF (millions)..... (PDI)
ESTIMATED PURCHASES OF GOODS AND SERVICES OF (millions)..... 1180
PROPERTY TAX (millions)..... 4132

and

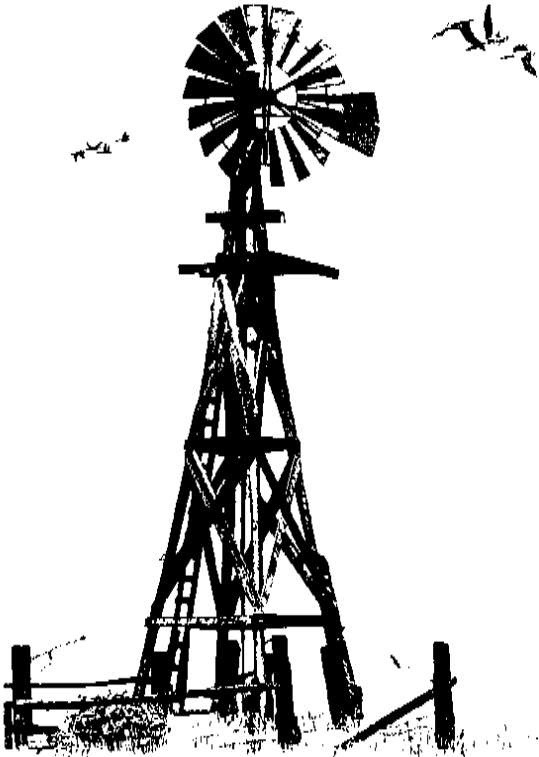
DIRECT IMPACT ON THE ARIZONA ECONOMY
of (millions)..... \$ 111.6

In 1962, Cyprus Bagdad Copper will produce:

- 110,000 tons of copper
- 7.0 million pounds of concentrates
- 8.6 percent of Arizona copper production
- 8.1 percent of U.S. copper production, and
- 1.1 percent of world copper production.

These copper production figures for 1962, Cyprus Bagdad Copper will produce:

- 80 percent of Arizona copper production
- 75 percent of U.S. copper production, and
- 10 percent of world copper production.



**THE ECONOMIC IMPACT OF THE
CYPRUS BAGDAD COPPER MINE
ON YAVAPAI COUNTY AND THE
STATE OF ARIZONA**

The Cyprus Bagdad Copper mine, located in the State of Arizona, is one of the largest copper mines in the world. It is owned and operated by Cyprus Bagdad Copper Company, a subsidiary of Cyprus Minerals Company. The mine has been in operation since 1952 and has produced over 100 million pounds of copper concentrate. The mine is a major source of copper for the United States and is also a significant source of copper for the world. The mine has a long history and has been a major contributor to the economy of the State of Arizona.

Prepared by the Department of State and Planning
Division, Yavapai County, Arizona



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BUREAU OF LAND MANAGEMENT

IN RE:)
WILD AND SCENIC RIVERS)
1994 LEIS HEARING)

ORIGINAL

St. George, Utah
May 19th 1994
7:00 p.m.

Prepared for: BLM (ORIGINAL) Reported by: LAURA M. KOSLOWSKI Court Reporter

BARTELT & KENYON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WILD AND SCENIC RIVERS 1994 LEIS HEARING,
commenced at 7:00 p.m. on May 19th, 1994 at Dixie
College, Browning Building, Dunford Auditorium, 225
South 700 East Street, St. George, Utah, before
LAURA M. KOSLOWSKI, a Notary Public in and for the
County of Maricopa, State of Arizona.

* * *

APPEARANCES:

For the Bureau of Land Management:

Larry Bauer, Hearing Officer
Phil Moreland

BARTELT & KENYON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

St. George, Utah
May 19th, 1994
7:00 p.m.

PROCEEDINGS

HEARING OFFICER BAUER: Good evening,
Ladies and Gentlemen.

This meeting will now come to order. I
have a few introductory comments to make before I
call upon anyone who wants to speak.

My name is Larry Bauer. I am the Deputy
State Director for Mineral Resources in the Arizona
State Office of the Bureau of Land Management. I
have been appointed by the State Director of the
Bureau of Land Management to conduct this public
hearing under the authority of the Secretary of the
Interior.

On my right is Mr. Phil Moreland, Chief
of the Branch of Planning Environment, Lands and
Recreation in our state office. Later, I'll ask him
to summarize what we've done so far in this
legislative Wild and Scenic Rivers EIS process.

Tonight we also have in attendance
Mr. Ray Matheson, the Associate State Director of
the Arizona Strip District of the Bureau of Land
Management, and Mr. George Cropper, the Strip

BARTELT & KENYON

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Resource Manager in the Area Strip District Office.

Our court reporter is Ms. Laura
Koslowski from the firm of Bartelt & Kenyon Court
Reporting in Phoenix, Arizona.

I hope each of you signed in on the
attendance sheet. The attendance sheet allows you
to indicate whether you wish to speak tonight or
submit written comments. If you didn't sign up as
you came in and you want to speak, raise your hand
and we will see to it that you get a chance to sign
in. After this introduction, I'll call upon those
who've indicated they wish to speak to present
testimony.

This public hearing is required by
statute. The purpose of this public hearing is to
receive comments on the draft Arizona Wild and
Scenic Rivers Legislative Environmental Impact
Statement. A transcript of this meeting will be
made by the official reporter, Ms. Koslowski. The
transcript will be reproduced in the final
Legislative Environmental Impact Statement along
with the appropriate responses by Bureau of Land
Management officials.

The final Wild and Scenic Rivers
Legislative Environmental Impact Statement also

BARTELT & KENYON

1 includes public letters and responses and will
2 incorporate any revisions or changes resulting from
3 the comments at this meeting, other meetings and
4 from public reviews. We anticipate that the final
5 Legislative Environmental Impact Statement will be
6 available for public review in December.

7 This public hearing is part of our
8 efforts to involve the public in the preparation of
9 this environmental document. We officially started
10 the project with the Notice of Intent published in
11 the Federal Register on February 19th, 1993. The
12 Notice of Intent included a statement encouraging
13 the public to submit any issues or concerns to us.

14 During March and April 1993, we held 13
15 public scoping hearings in Arizona towns and
16 communities and one in St. George, Utah.
17 Approximately 500 people attended those meetings.
18 In early April of 1994, we mailed out nearly 2,000
19 copies of the draft Legislative Environmental Impact
20 Statement for public review and comment. We will
21 accept comments on this document until July the 8th,
22 1994. As I mentioned, the final Legislative
23 Environmental Impact Statement will be ready in
24 December. There will be a 30-day public review and
25 comment period for the final document. And after

BARTLETT & KENYON

1 the final public review period, the state director
2 will send the Environmental Impact Statement to the
3 BLM Director in Washington, D.C. He will then
4 transmit it to the Secretary of the Interior, who
5 will forward it to the President. From the
6 President, the Environmental Impact Statement will
7 go to Congress, which will make decisions on which
8 Arizona rivers will be included in the National Wild
9 and Scenic Rivers System.

10 Finally, before I call upon Phil, I want
11 to specify the ground rules for this public
12 hearing. It is important to emphasize that this is
13 not a debate or a question-and-answer period. It is
14 not a cross-examination by the public of BLM. It is
15 rather, an advisory hearing in which the public is
16 given an opportunity to make comments for the
17 record. All of these comments will eventually be
18 submitted to our Washington office, the Secretary of
19 the Interior, the President and Congress.

20 BLM personnel will not be expected to
21 respond to questions during the meeting, unless I
22 rule otherwise. After the meeting, we will be
23 available to answer questions, talk to you
24 individually, or you can contact BLM people during
25 office hours as you prepare any other comments you

BARTLETT & KENYON

1 might have. Any speaker should be allowed to
2 complete their presentation without interruption.
3 Applause is not necessary.

4 If we have time, and based on the number
5 of speakers so far signed up, I will open the
6 meeting to general comments after all the indicated
7 speakers are finished.

8 As I mentioned, Phil Moreland will now
9 briefly summarize what we have gone through in
10 preparing this Legislative Environmental Impact
11 Statement.

12 MR. MORELAND: Thank you, Larry.

13 And good evening, Ladies and Gentlemen.

14 There are three items I want to mention
15 in summarizing the development of this Legislative
16 Environmental Impact Statement. The first item
17 concerns the purpose of the document. Briefly, the
18 purpose of the Legislative Environmental Impact
19 Statement is to provide Congress with a data base
20 and alternatives which they can use to decide which,
21 if any rivers, should be included in the National
22 Wild and Scenic Rivers System.

23 The Arizona BLM developed the
24 Legislative Environmental Impact Statement in
25 compliance with the Wild and Scenic Rivers Act of

BARTLETT & KENYON

1 1968 that requires federal agencies to study
2 potential national, wild and scenic and recreational
3 river areas. The main consideration in this
4 Environmental Impact Statement is the range of
5 management alternatives. In the statewide document,
6 which is the thinner of the three-document series
7 that you received, we analyzed the impacts of
8 implementing four different alternatives. One was
9 the proposed action to recommend 13 river study
10 areas to Congress for inclusion in the National Wild
11 and Scenic Rivers System. Another was the "No
12 Action" alternative, which means that BLM would not
13 recommend any river study areas to Congress. The
14 third alternative recommends to Congress only those
15 portions or segments of river study areas that are
16 not now protected by wilderness or national
17 conservation area status. And the last alternative
18 recommends all 20 of the study river areas.

19 Second, I would like to summarize the
20 steps that have taken place in the process of
21 producing this Legislative Environmental Impact
22 Statement.

23 Over the past several years, Arizona BLM
24 has developed resource management plans and plan
25 amendments that involved evaluating rivers to

BARTLETT & KENYON

1 determine whether they should be considered for Wild
2 and Scenic River status. Through these plans, about
3 20 river study areas were identified and determined
4 to be eligible for consideration.

5 While BLM was doing this, the Arizona
6 Rivers Coalition in March of 1992 studied and
7 recommended 40 Arizona River areas for Wild and
8 Scenic River consideration. 14 of these were under
9 BLM management responsibility.

10 In 1992, the Arizona Congressional
11 Delegation encouraged BLM to develop additional
12 studies to facilitate the process. This resulted in
13 a detailed document known as Wild and Scenic River
14 Assessments completed in September of 1993.

15 The Wild and Scenic River Assessments
16 document contained an evaluation of each of the 20
17 rivers BLM districts had identified as eligible in
18 the planning process. Although the assessment was
19 developed primarily for internal use, copies were
20 sent to the Congressional Delegation and several
21 other interested parties.

22 We used the assessment document as the
23 basis to identify the river study areas for the
24 proposed action alternative in the Environmental
25 Impact Statement. However, each of the river study

BARTELT & KENYON

1 areas has at least two alternatives in the general
2 EIS, and those are the two thicker documents within
3 the individual study areas. Each one has at least
4 two alternatives; the proposed action and the no
5 action alternative. Some of the individual
6 documents have a third alternative, recommending
7 either the entire river study area or portions of
8 it. The draft LEIS was produced during the fall of
9 '93, spring of '94 and filed with the Environmental
10 Protection Agency and released for public review and
11 comment on April 8, 1994.

12 Finally, I want to talk a little bit
13 about public involvement. We in Arizona strongly
14 believe in full public involvement. In this case
15 our public involvement process started with the
16 resource management plans and plan amendments. We
17 encouraged the public to identify issues and
18 concerns that needed to be considered in planning.
19 We sent the documents out for public review and
20 comment and revised them accordingly.

21 When we decided to start preparing this
22 document, we announced our plans in the Federal
23 Register and local papers. In the announcement we
24 asked for public comments. In March and April of
25 last year we had 14 public scoping meetings held

BARTELT & KENYON

1 throughout the state and St. George, Utah. Over 500
2 people attended the meetings. By the way, the
3 comments are summarized in Chapter 5 of the
4 statewide summary.

5 We also mailed out three issues of our
6 Wild and Scenic River updates to over 1,000 people
7 who have asked to be on our mailing list. These
8 updates have kept people informed of the process and
9 our progress.

10 Last month we started another important
11 phase of public involvement -- this public hearing
12 is part of it -- the public review and comment
13 process on the draft document. We are very anxious
14 to know what you think about the Wild and Scenic
15 Rivers alternatives.

16 Each comment we receive tonight and any
17 other comments we receive in the mail until July 8th
18 will be carefully read and responded to as
19 appropriately. The public comments may result in
20 changes to the document. The comments and responses
21 will be published in the final document. This will
22 be sent to the Secretary of Interior and forwarded
23 to Congress to aid them in making decisions about
24 adding rivers to the National Wild and Scenic Rivers
25 System.

BARTELT & KENYON

1 I'll give it back to you, now, Larry,
2 but, as he mentioned, I want to remind you, this is
3 a formal public hearing process and isn't a
4 question-and-answer form, so I won't ask if there
5 are any questions at this time, but I will be
6 around, and the other BLM employees will be around,
7 after the meeting if there is something you would
8 like to discuss.

9 MARKING OFFICER BAUER: Thank you,
10 Phil.

11 At the present time I have eight people
12 who have indicated they wish to speak.

13 I'll call upon John Grossebeck at this
14 time.

15 MR. GROSSEBECK: My name is John
16 Grossebeck. I am Assistant Professor of Economics at
17 Southern Utah University. I am providing these
18 comments on behalf of the Washington County Water
19 Conservancy District and myself.

20 One of the most important tenets of
21 economics is that every decision we make creates
22 costs and benefits, both for ourselves and others.
23 Recognizing this, two primary questions related to
24 this potential wild and scenic designation are:
25 First, are social benefits and costs being estimated

BARTELT & KENYON

1 in an unbiased method? And, two, is the present
2 value of future benefits greater than the present
3 value of future costs?

4 Regarding an unbiased estimation of
5 costs and benefits, it is important to recognize the
6 difficulties associated with determining the social
7 benefits and costs associated with public policy,
8 because of a lack of data, and limited public
9 resources to discover these costs and benefits.
10 Because of these difficulties, political processes
11 sometimes create policy based on incomplete
12 assessments of costs. Because of the
13 understatement problem, the new policy imposes
14 broad social costs while providing narrow, private
15 or public benefits, which is a clear reduction in
16 social welfare.

17 My comments today are focused on the
18 costs associated with the decision to designate a
19 portion of the Virgin River as wild and scenic. If
20 a designation is imposed that limits future upstream
21 water development in favor of maintaining a
22 politically-determined rate of instream flow, the
23 economic costs to Washington County, Utah should be
24 considered to the fullest extent possible.

25 In a recent study I completed for the

BARTELT & KENYON

T3-1

1 Washington County Water Conservancy District using a
2 sophisticated input-output model of the economy in
3 Washington County, I found that the present value of
4 economic losses associated with a 1,500 acre foot
5 reduction in new water diversions from the Virgin
6 River System should be in excess of \$600 million.
7 This figure is conservative, I believe, in that it
8 assumed a potential population growth rate of only
9 four percent, whereas the actual growth rate is
10 closer to nine percent or more. This figure also
11 assumes that existing water supplies would be
12 reallocated within Washington County away from
13 agricultural to culinary uses within five years to
14 overcome the loss of new diversions. This means
15 that existing water rights for 1,500 acre feet would
16 be transferred from agricultural use to culinary use
17 through some market mechanism that is not currently
18 in existence.

19 If 1,500 acre feet in new diversions
20 were prohibited at a time when there is no surplus
21 of water in the existing supply, during a drought,
22 for example, then municipalities would be forced to
23 limit new water hook-ups, ration water, or both.
24 Given the growth-oriented economy of Washington
25 County, the human cost associated with this scenario

BARTELT & KENYON

1 would be enormous and occur rapidly. Even if you
2 could immediately count on offsetting 25 percent of
3 the loss in new water with reallocations internally
4 away from agricultural to culinary uses, over 1,500
5 construction jobs would be eliminated, which would
6 then take with them more than 1,700 jobs in other
7 sectors of the economy. All totaled, the county
8 unemployment rate could rise by more than 13
9 percentage points in the first year, until further
10 internal reallocations of water, resources and water
11 conservation schemes could be implemented, or the
12 unemployed move away.

13 An additional economic cost associated
14 with limiting new water development projects is the
15 lost economic value that reservoirs create due to
16 drought-hedging water supplies and recreational
17 use. The value of drought-hedging is that if
18 seasonal and annual water supply fluctuations can be
19 smoothed out, via a reservoir system, the same
20 amount of water supply can support a higher level of
21 economic activity.

22 In a separate study I completed for the
23 Conservancy District, Quail Creek Reservoir, and its
24 associated State Park, will generate in excess of
25 \$24 million for 1994 in Washington County. This

BARTELT & KENYON

1 figure assumes a conservative \$5 expenditure
2 per-person, per-visit for food, snacks, fuel,
3 lodging, etc., and that drought-hedging water, or
4 drought-hedged water, rather, excuse me, only has a
5 value of \$400 per acre foot for the total cost.

6 In summary, my analysis, and common
7 sense, I believe, reveals that limiting the
8 possibility of future water development upstream of
9 the Virgin River Gorge will pose severe economic
10 costs on Washington County, Utah. I strongly
11 encourage all parties related to this issue to
12 consider the full opportunity costs associated with
13 this potential designation.

14 Thank you for your attention.

15 Copies of the studies I mentioned are
16 available from the Washington County Water
17 Conservancy District here in St. George.

18 Thank you.

19 HEARING OFFICER BAUER: Thank you.

20 Mr. Groesbeck.

21 I would now like to call on Mr. Ronald
22 Thompson.

23 MR. THOMPSON: My name's Ronald
24 Thompson, I'm the District Manager of Washington
25 County Conservancy District. And the comments I

BARTELT & KENYON

T3-2

T3-3

1 make are on behalf of the District and also myself.
 2 The District is deeply concerned with
 3 the suitability determination of the river segments
 4 that do not meet requirements for eligibility. On
 5 11 occasions we directed comments or questions to
 6 either the local, state, or Washington Office of BLM
 7 regarding the Virgin River Wild and Scenic River
 8 proposal in the Arizona strip. Most of our comments
 9 and questions have been ignored or responded to
 10 inadequately.

11 We are perplexed by the failure to
 12 address upstream water issues and the hasty
 13 dismissal of our concerns. In addressing potential
 14 impacts on water rights, the draft briefly states
 15 that a designation will not affect existing valid
 16 water rights. Such statements demonstrate the
 17 ignorance of the magnitude of the effects a Wild and
 18 Scenic River designation could have on present and
 19 future water use, water rights and water dependent
 20 users. Despite requests for analysis of impacts on
 21 upstream use and for information regarding BLM's
 22 ongoing instream flow evaluations, the draft,
 23 without addressing the issue, simply states, "This
 24 issue will not be discussed."

25 There are two requirements in the Wild

BARTELT & KENYON

T3-4

T3-5

1 and Scenic Rivers Act a river segment must meet to
 2 determine eligibility for inclusion in the Wild and
 3 Scenic Rivers System: First, the segment must be
 4 free-flowing. And, second, the river segment must
 5 have at least one outstandingly remarkable value.
 6 The Virgin River-Arizona Strip segments do not meet
 7 the free-flowing or outstandingly remarkable value
 8 criteria for eligibility.

9 Section 16(b) (b) of the Wild and Scenic
 10 Rivers Act defines free-flowing as follows:
 11 "Free-flowing, as applied to any river or a section
 12 of a river, means existing or flowing in a natural
 13 condition without impoundment, diversion,
 14 straightening, rip-rapping, or other modification."
 15 It goes on to indicate that minor diversions that
 16 may be an exception.

17 The act defines free-flowing in two
 18 parts. First, there are those modifications which
 19 cannot be on river for it to be characterized as
 20 free-flowing. And, second, those which are
 21 modifications that may be on the river.

22 Prohibited traits, are absolute and bar
 23 a river from meeting the free-flowing requirement.
 24 The prohibited traits listed in the Wild and Scenic
 25 Rivers Act are: Impoundments, diversions,

BARTELT & KENYON

T3-6

1 straightening, rip-rapping, or other modifications
 2 to the waterway.

3 We're certainly concerned that in this
 4 area the draft does clearly seem to ignore these
 5 provisions, that BLM chooses to legislate themselves
 6 and ignore the clear indicator of Congress.

7 Sections 2, 3 and 4 clearly do not meet
 8 this requirement. There are six major I-15 bridges
 9 crossing the river segments. We have several
 10 pictures of those, in perhaps our draft, which I
 11 will give you those. These are large bridges, some
 12 have pillars extending into the river floor. The
 13 interstate highway within crossing the corridor of
 14 the river, ultimately leads the National Park
 15 Service to de-list the Virgin River in the Arizona
 16 strip from its National Rivers Inventory. The
 17 western region felt that construction of the I-15
 18 modified the river enough to remove it from the
 19 inventory. Of all the stretches, the only one that
 20 could be construed possibly to meet the free-flowing
 21 segment would be the first section of the Utah state
 22 line to the first Interstate I-15 bridge. The rest
 23 all have substantial impoundments, miles of cemented
 24 rip-raps, straightening, bridges, the noise level
 25 certainly doesn't meet the intent of the act in

BARTELT & KENYON

1 terms of free-flowing.

2 It is estimated that in several of these
 3 segments they're in excess of three miles of rip-rap
 4 from the river's edge to the adjoining shoulders of
 5 I-15. The river segment in many areas has been
 6 moved, straightened, and the rock faces are
 7 evidenced by rock cuts extending hundreds of feet.

8 In addition to Segment 4, there's the
 9 major diversion of the Mesquite, which is a
 10 substantial structure dry damming the river, which
 11 rises several feet above the river, and diverges
 12 water in the Mesquite area even though it's in the
 13 Arizona River.

14 To find segments 2, 3, 4 do meet the
 15 definition of free-flowing would render the Wild and
 16 Scenic Rivers Act definition meaningless. A
 17 determination of free-flowing based on some criteria
 18 other than stated in the Act would be arbitrary,
 19 capricious and not be in compliance with the law.

20 The second requirement is for
 21 eligibility, has to have outstandingly remarkable
 22 traits, either scenic, recreational, geological,
 23 fish and wildlife, historic, or some other value.
 24 While the Act itself does not define this, certainly
 25 the Joint Department of Agriculture and Department

BARTELT & KENYON

T3-7

1 of Interior regulations and BLM Manual gives some
 2 guidelines.

3 There is no documentation in the reports
 4 as to how the required outstandingly remarkable
 5 values rank on a comparative basis with similar
 6 features within the geographic region. Without some
 7 ranking, it's impossible to determine such value.

8 For example, if we look at the scenic
 9 values on a compare -- there's no comparative basis
 10 on which to rank or to analyze or compare these
 11 values. What do we compare it to? Does this
 12 stretch compare with segments in the Virgin River
 13 and Zion Park? And how does it compare? Or how
 14 does it compare with the Colorado River, which is a
 15 few miles away.

16 There is absolutely no analysis in the
 17 document that will rank it or allows anyone to
 18 analyze the criteria or to determine what the common
 19 factors that lead to a scenic criteria is.

20 The other thing that certainly is absent
 21 is whether or not these scenic values are common to
 22 other areas of the river within the geographic
 23 region. There's no effort in the BIE to determine
 24 what are these characteristics that are routinely
 25 found in rivers of this nation within the geographic

BARTELT & KENYON

1 area. The analysis is silent in that area.

2 It is also interesting that the intent
 3 in scenic is to have something that is primitive and
 4 natural, yet many segments of this not only show
 5 considerable changes, such as the freeway changes,
 6 but alteration of canyon walls and river corridor.

7 Another potential area might be the fish
 8 and wildlife habitat. The BLM Manual requires the
 9 habitat be outstandingly and remarkable. The river
 10 must provide exceptionally high quality habitat for
 11 species indigenous to the river.

12 The river does contain the Woundfin
 13 Minnow and Virgin River Chub, and other threatened
 14 species, some of which are listed as endangered and
 15 threatened species, some of which have been listed
 16 as endangered and threatened species. However, all
 17 segments in the Arizona section have been classified
 18 as poor habitat. The river segment contains the red
 19 shiner and other non-native fish species, which
 20 compete for food and space within the natural
 21 species. In fact, because of the poor quality
 22 habitat and the non-native fish, it was deemed
 23 necessary to build a barrier to stop upstream
 24 migrations, at least in Utah, to prevent the
 25 reintroduction -- to prevent the non-native fish

BARTELT & KENYON

1 from extending further up the river.

2 Secondly, the river is also dewatered in
 3 significant portions of the Virgin River during the
 4 summer months. It seems unreasonable to classify it
 5 as an outstandingly remarkable fish habitat which
 6 clearly is in an intermittent stream.

7 Second might be aquatic. While there's
 8 nothing in the Act that particularly defines what
 9 aquatic value might qualify as outstandingly and
 10 remarkable, we have to assume that it has to be
 11 something that would raise it above the status found
 12 in other areas. There is simply nothing in the
 13 document that allows someone to compare any value or
 14 any feature found in this area that would be unique
 15 or raise it to a status that would be beyond that
 16 found in other streams within the geographic area.

17 It's also interesting that normally you
 18 would think this type of river would have visitors
 19 that ought to be coming, if it reaches it
 20 outstandingly, from large distances, yet there's
 21 nothing in the report that indicates anyone travels
 22 large distances to see anything that's unique or
 23 rare in this particular stretch of the river, or
 24 outstandingly remarkable.

25 The Wild and Scenic Rivers Act does not

BARTELT & KENYON

1 mention riparian as a value to be considered;
 2 however, one might say that it's something that
 3 should be considered under other similar values.

4 However, full analysis of riparian values in this
 5 area certainly shows that all segments of the
 6 riparian corridor are actually in the climax
 7 unnatural successional stage. They are composed
 8 mainly of tamarisk, dominated stands, which is not a
 9 native plant and dominates much of the shoreline.
 10 It greatly reduces stands of native willows, ash,
 11 cattails and other species which normally would be
 12 found in a river of this type.

13 This type of vegetation dominated by
 14 tamarisk occurs throughout the southwest. There's
 15 no vegetation types within the corridor which would
 16 qualify as outstandingly remarkable.

17 Certainly, all riparian corridors
 18 throughout the west and desert areas have wildlife.
 19 There's no indication that anything found within
 20 this riparian corridor reaches any classification
 21 which would be classified as outstandingly compared
 22 to other riparian values found throughout the
 23 geographic area.

24 Furthermore, we would submit that the
 25 analysis of outstandingly remarkable is inadequate,

BARTELT & KENYON

1 undocumented, and rendering the decision that makes
2 that criteria simply must be classified as arbitrary
3 and capricious.

4 In addition to the fact that we don't
5 believe this river meets the eligibility
6 requirements, certainly there are 10 requirements in
7 the suitability area that cause a great deal of
8 concern. While some of these areas are addressed,
9 many of them are simply breeched over without
10 adequate analysis or analysis which leads the holder
11 to believe the writer simply has a bias and
12 preconceived decision as to what the outcome would
13 be.

14 The RIA is clearly deficient in its
15 suitability analysis and it fails to show that
16 there's been any comparative analysis that would
17 allow a reader to determine there was an objective
18 quantified analysis as to suitability requirements.

19 For example, while Segment 1 is an
20 isolated primitive area, it is already protected
21 under the Wild and Scenic Rivers designation --
22 under other designations. This proposed segment
23 simply adds nothing to the management ability of
24 that river segment and to classify it as wild
25 certainly leaves one concerned. A wild area

BARTELT & KENYON

T3-8

T3-9

1 generally is free of impoundments, inaccessible
2 except by trail, with watersheds and shorelines.

3 It also is supposed to have waters that
4 are unpolluted. It's interesting, your analysis of
5 the unpolluted water was omitted. The Virgin River,
6 especially in Arizona during the summer months, is
7 primarily filled with the effluence from the St.
8 George Regional Sewer Treatment Plant. Though a
9 significant source of water into the Virgin River,
10 it is not an example of the vestiges of primitive
11 America required for wild classification or even
12 conditionally essentially free of human activity
13 required for suitability at any classification
14 level.

15 Further, in the RIA suitability
16 assessment it states the Virgin generally contains
17 poor water quality as a result of high turbidity and
18 salinity. The water appears muddy for most of the
19 year, to the degree that the substrate is not
20 visible. There is a heavy algal growth in pools
21 during the winter. Some tests on river water
22 samples have indicated a high level of fecal
23 coliform bacteria.

24 We don't believe, simply because of
25 river -- the quality of the river and the source of

BARTELT & KENYON

T3-10

1 that water, which is certainly not natural or
2 indigenous to the area, raise it to the level of
3 meeting wild classification.

4 Segment 2 fails to meet essentially the
5 same condition. The river corridor -- to meet the
6 scenic river the river corridor must, one, be
7 largely primitive and must not show substantial
8 evidence of mankind. As I've briefly stated,
9 Segment 2 contains an I-15 bridge, four areas of
10 rip-rapped banks, I-15 parallels the river along
11 most of the corridor. With the corridor there's
12 also unscreened highway rest area, recreational
13 facilities, including a home, a campground, picnic
14 area, all clearly visible. This segment is not only
15 accessible by roads, but from exits off the I-15.
16 The traffic on the highway is visible from the river
17 on much of this segment, the traffic noise is loud
18 and constant.

19 The Wild and Scenic Rivers Act describes
20 scenic river areas as "those rivers or sections of
21 the rivers that are free from impoundments, with
22 shorelines or watersheds still largely primitive and
23 shorelines largely undeveloped, but accessible in
24 places by road." Seems to me that any analysis of
25 that act by an unobjective or by an unbiase writer,

BARTELT & KENYON

T3-11

1 observer would not find it meeting the scenic
2 requirement.

3 Section 3, which starts at the rest area
4 and goes down through the canyon, again, has
5 essentially the same problem. It's covered by
6 nearly three miles of cemented rip-rap, substantial
7 areas where the river corridor has been changed, and
8 it's bounded by the interstate 15 either over on one
9 side or throughout the course.

10 Section 4 essentially fails to meet
11 again the condition essentially free from human
12 activity regarding water quality as stated. In
13 addition, it fails to meet the requirements for
14 study and designation.

15 We are also concerned that in the RIA
16 dealing with the interrelationship between the study
17 and other governmental entities, that the statement
18 is incredibly inadequate. The Virgin River's
19 primary source of water is not Arizona, but Utah.
20 And the headwaters are in Utah and almost all of the
21 significant watershed which contributes to the flow
22 of the river. To provide the analysis that ignores
23 that and the potential impacts of the watershed, the
24 state law of upstream economy lies in the face of
25 reason and simply should not be allowed to continue

BARTELT & KENYON

T3-12

T3-13

1 in this document without a full and factual
2 analysis.

3 In addition in the document, BLM
4 discusses that there is an ongoing study for
5 instream flows, yet there is no legal basis for
6 which BLM to assert that nor is there an analysis if
7 they were to assert it what it is. And it seems to
8 me certainly that relationship and the
9 interrelationship between instream flows and the
10 classification of this area as a Wild and Scenic
11 River must in fact be included within the document.
12 To fail to discuss the instream water requirements
13 of this segment in the document and then the
14 impacted areas upstream flies in the face of a
15 well-reasoned document and I think makes the
16 document clearly inadequate.

17 It's true that some scoping meetings
18 were held. It's also interesting that most of the
19 negative information or concerns regarding
20 eligibility or suitability were largely ignored in
21 this document. A review of the comments made at
22 these meetings show there was considerable concern
23 about impacts to commercial, agricultural, and
24 residential development.

25 There's also considerable concern

BARTELT & KENYON

T3-14

1 expressed about the effects on existing and
2 perfected and unperfected as well as future water
3 rights. These major issues were not addressed. We
4 again think that the analysis in this plan must
5 address the impact not only to perfected water
6 rights but to state approved, but unperfected water
7 rights which are held by most of the governmental
8 entities required to provide water for a growing
9 population and economy and the people of this
10 county.

11 The cities in Washington County are
12 growing rapidly. The county grew from 29,000 in
13 1980 to 47,823 in 1990. It's projected by the Utah
14 State Water Plan, the Board of Water Resources, and
15 the state office of Planning, Economic and
16 Development, the projected population in Washington
17 County by 2020 will be 147,438 people and by 2040,
18 268,000. Growth in the past and future depends on
19 the water from the Virgin River.

20 Anything that restricts and limits the
21 ability to manage and use the water from the river
22 will have major economic impacts and also impact the
23 development and local practices and customs in this
24 community.

25 Failure to analyze this seems to me to

BARTELT & KENYON

1 fly in the face of what is the responsibility of the
2 BLM. Because BLM owns a large part of Washington
3 County, in fact over 80 percent of it, it seems to
4 me it is paramount that that analysis occur and that
5 there be some understanding as to what action they
6 intend to take to protect the downstream designation
7 of Wild and Scenic Rivers, which is below a vibrant
8 and growing economy.

9 We've already -- you already have the
10 information from Dr. Grossbeck. I won't repeat
11 that, but I think it's evident that a designation
12 which potentially could impair the diversion
13 development of new water in this county will be
14 devastating to the local economy. Seems to me that
15 in a country where the economy is so important, in
16 an area where growth is such a large part of the
17 economy, that to fail to analyze this in the RIS is
18 a major oversight.

19 In the draft RIS it inserts there are no
20 impacts on water rights. It says, "Designation as a
21 Wild, Scenic, or Recreational river would not affect
22 existing valid water rights. The Wild and Scenic
23 Rivers Act creates a federal reserved water right
24 for a quantity of water sufficient to meet the
25 purposes of the act on designated river segments."

BARTELT & KENYON

T3-15

1 One of these statements cannot be true. How can the
2 Wild and Scenic Rivers Act create a federal reserve
3 water right and not affect valid water rights when
4 all the water in the river is presently claimed
5 under valid perfected and unperfected water rights
6 or applications? Where will the federally reserved
7 water come from to meet the purposes of the Act if
8 it does not come from valid, current water rights?

9 Another area the draft fails to discuss,
10 despite the Water District's request for
11 information, is whether there's a distinction made
12 between perfected and unperfected water rights. For
13 example, will designation bar holders of valid
14 unperfected water rights from perfecting that right,
15 that is, putting the water to beneficial use, this
16 issue must be discussed in the RIS, or the draft
17 RIS.

18 The suitability report in the RIS is
19 required, we believe, to contain an analysis of the
20 foreseeable potential impacts. The draft states, "An
21 ongoing instream flow study would be completed to
22 determine minimum amounts of water to protect
23 outstandingly remarkable values. Yet, in the draft
24 it goes on to state, "This issue will not be
25 discussed further." Ironically, the impacts on the

BARTELT & KENYON

T3-16

T3-17

1 potential use of water without a determination of
2 the necessary instream flow is impossible. This is
3 one example where the draft not only fails to comply
4 with the requirements of the act procedurally, but
5 also fails to comply substantively in the
6 decision-making process; thus, rendering the
7 suitability determinations arbitrary and capricious
8 and not in accordance with the law as prescribed by
9 the Administrative Procedure Act.

10 One of the major issues raised in the
11 scoping process for this LEIS is the effect on
12 upstream water rights. These impacts must be
13 recognized, quantified, and carried forward and
14 analyzed in the document. To state that this
15 proposal has no effect on water rights and that it
16 will not be discussed further is inadequate and
17 arbitrary.

18 Further, a designation will may
19 seriously impact the ability to manage and protect
20 upstream and downstream endangered species since it
21 certainly entails the management alternatives
22 available within the segment of the Wild and Scenic
23 Rivers area, which today we know is substantially
24 infested with nonnative species which competes in a
25 negative way with the present fish community within

BARTLET & KENYON

T3-18

1 the river.

2 It is clear that no action alternative
3 is clearly the only one at this time that makes any
4 sense. It's also clear the document makes no effort
5 to analyze upstream impacts and there's been no
6 effort to involve the State of Utah, the 13 or 14
7 incorporated cities, the Water District, and other
8 upstream users who are vitally dependant upon the
9 water within Washington County, or an effort to make
10 an analysis of the impacts of Virgin River a
11 designation would have on Kane County.

12 I suspect these comments are just as
13 applicable to the Paria Section, which significantly
14 impacted on development potential in both Kane and
15 Garfield County.

16 We are also concerned as you make this
17 analysis that there's no effort to develop a
18 criteria, objective criteria of which this analysis
19 could be compared against. In a recent analysis
20 done in the Forest Service, as they were looking at
21 whether these river segments might meet this
22 classification, they sat down and first looked at
23 all those characteristics of the river system that
24 were expected to be found within the geographic
25 region.

BARTLET & KENYON

1 Then they took a river that had some
2 outstandingly remarkable characteristics that
3 everyone agreed on and compared those. They
4 compared each river and where they found that they
5 had traits that were simply common to all the rivers
6 in the segment, or rivers within the geographic
7 area, they fell out. There's no effort to compare
8 this river and the characteristics with other rivers
9 in the vicinity to rank them or determine if they,
10 in fact, have any characteristic that's not found in
11 common with other rivers within this geographic
12 area.

13 In addition, we are concerned about the
14 potential environmental consequences. In every
15 instance, with the possible exception of the aquatic
16 and riparian values, the conclusion of the RIS is
17 that ongoing management actions would protect the
18 values.

19 Under aquatic and riparian it states,
20 due to a continuing decline in water levels or
21 quantity, ongoing management actions would not
22 provide adequate protection for these values. There
23 is no documented basis for this conclusion. No
24 actions are listed or proposed in the proposed
25 action which would increase or even maintain water

BARTLET & KENYON

T3-19

1 flows. There was no evidence presented that water
2 flows are in fact declining in the river.

3 Ironically, the construction of Quail
4 Creek Reservoir and outflow from the St. George
5 Sewage Treatment Facility provided two things the
6 Wild and Scenic Rivers Act would specifically
7 exclude, they have provided water flows in the river
8 during periods when it was historically dry.
9 Construction of additional water storage facilities
10 upstream would result in release of controlled flows
11 to the river and increase flows during the low flow
12 periods. Stable or increased flows would be more
13 likely to occur under the no action alternative than
14 the proposed action.

15 This should be rewritten to show there
16 are no negative environmental consequences from the
17 no action alternative. The suitability assessment
18 states, "There are no known threats to the Virgin
19 River within Arizona." If they are no known threats
20 to the river, what's the intended purpose of the
21 proposal? The inescapable conclusion is that the
22 BLM intends to include the Virgin River in the
23 Natural Wild and Scenic Rivers study area to prevent
24 use, conservation management, and other economic
25 development, regardless as to whether or not the

BARTLET & KENYON

1 Virgin River meets the requirements of the Act.
 2 The entire section dealing with
 3 consultation and coordination lists where there have
 4 been various meetings held. On paper it's an
 5 attempt to show the requirements for coordination
 6 and consultation have been met. The District has
 7 submitted comments, requested information on 11
 8 occasions regarding the effects of Wild and Scenic
 9 River designation on upstream communities. There is
 10 no section or indication that the proposal was
 11 modified in any way to reflect these comments. A
 12 review of the comments received at the scoping
 13 meetings show the majority were opposed to the
 14 proposals or requested modifications. The purpose
 15 for which consultation and coordination is required
 16 clearly has not been met.

17 It is also noted that all preparers for
 18 BLM are Bureau personnel. The revised federal
 19 guidelines for eligibility finds a study team as "A
 20 team of professionals from interested local, state
 21 and federal agencies invited by the study agency."
 22 There are no local professionals or state
 23 professionals on the team as prescribed by the
 24 regulations during the preparation of planning
 25 documents, suitability assessments, and the draft

BARTELT & KENYON

T3-20

T3-21

1 EIS.
 2 Apparently, BLM chose to ignore the
 3 joint regulations to exclude those who have to live
 4 in this system and live with the consequences of an
 5 action dictated from a large capital city out of the
 6 region of the state where they don't have to live
 7 with the consequences of the designation.

8 Neither Washington County or the water
 9 District or communities within this county are
 10 listed among the agencies to whom a copy would be
 11 sent. The District is quoted and has provided
 12 information throughout the process, yet we are not
 13 considered an affected party. We believe the EIS
 14 completely fails to analyze the impacts on
 15 Washington County, even though the major impacts
 16 from the proposed action are, in fact, in Washington
 17 County. The entire process is arbitrary and
 18 capricious.

19 The criteria given in the Wild and
 20 Scenic Rivers Act regarding free-flowing was not
 21 met. There was no criteria or documentation given
 22 on how outstandingly remarkable values would be
 23 determined. The eligibility and suitability
 24 evaluations did not comply with the intent or
 25 requirements of the Act.

BARTELT & KENYON

1 We believe the analysis is inadequate in
 2 evaluating the economic, social and environmental
 3 impacts on upstream communities in Utah. Yet, the
 4 impact in Utah alone by this designation would be
 5 significant and have major impacts on the local
 6 customs and cultures, not only in Utah but Arizona.

7 The document again states you were
 8 working on flow. It seems to me that before this
 9 EIS is completed those studies should be completed
 10 and fully analyzed and discussed within the document
 11 and to the extent they are essentially for the
 12 management and creation and use of a Wild and Scenic
 13 Rivers area, must be analyzed as to where the
 14 water's going to come from and who's going to have
 15 to give it up to meet these downstream interests.

16 It seems to me when you fully analyze
 17 this along with the brochure, the question is one of
 18 which we continually say, "Well, what are you really
 19 after?" BLM says, "We are just doing our job." Yet
 20 at a recent public discussion we came across one of
 21 the purposes is to control or stop upstream water
 22 development. Well, there is nothing in the Act that
 23 tends to give BLM that authority. It seems to me
 24 certainly a decision to attempt to impact the local
 25 economy a way inappropriate, arbitrary, capricious

BARTELT & KENYON

T3-22

1 and certainly there is no legal mechanism for BLM to
 2 assert this right.

3 We are also concerned about statements
 4 and recent letters from Mr. Rosenkreuz who
 5 indicates that this section of the river found
 6 eligible is now under protective management. We
 7 would submit in our draft a May 1st memorandum, from
 8 the regional solicitor, indicating that protected
 9 management of Wild and Scenic Rivers area without
 10 specific designations approved by Congress is
 11 illegal. We submit that for the record.

12 We are intensely perplexed by the
 13 differing directions which we receive from the BLM.
 14 We have direction from solicitors that there is no
 15 interim protection given to these Rivers. The state
 16 director in Arizona says there is in fact. We would
 17 like to know who speaks for BLM, what the intended
 18 present impacts are upstream, and, in fact, about
 19 the many things that they have presently in place,
 20 the legal authority to manage this river segment as
 21 a Wild and Scenic River without a designation by
 22 Congress.

23 Again, let me state, we're intensely
 24 concerned about the quality of direction we see
 25 coming from the BLM and we are also concerned about

BARTELT & KENYON

1 the lack of quantitative and qualitative analysis in
 2 the document, objective criteria by which we can
 3 analyze the basis for which a decision can be
 4 reached. Without those areas being perfected,
 5 without a thorough analysis upstream on impacts, the
 6 final EIS absent those would be incredibly
 7 defective. And that the economic drive without a
 8 full analysis would be a serious mistake and
 9 incredibly misleading to the Secretary of Interior,
 10 to the President of this country, and to Congress,
 11 as they have to rely upon these document to make
 12 decisions.

13 I have a document which I'll give you
 14 that includes several of the photographs of the
 15 river corridor so you can see the significant
 16 intrusions that we think clearly go to the
 17 eligibility and suitability issues. There are some
 18 larger pictures here that Sheridan has been putting
 19 up as I talked, but I think as you look at them, and
 20 perhaps the public, you'll see if we are looking at
 21 a river that's suppose to come to a Hall of Fame
 22 status in terms of primitive and natural, it's very
 23 difficult to see how this 20-plus mile stretch can
 24 meet that qualification unless the writer has a
 25 second agenda. I submit that they clearly do not in

BARTELT & KENYON

1 this case, and that agenda has to be an attempt to
 2 take upstream water rights without a full analysis
 3 of what those impacts are.

4 We resent that. We think there should
 5 have been a full participation by local and state
 6 interests within the impact of the area, that that
 7 was not done in any analysis. It needs to be
 8 completed before this becomes a final document of
 9 which people have to read and rely upon.

10 I would ask that our comments be marked
 11 and included in the record. I would also ask the
 12 Regional Solicitor, Intermountain Region, March 1,
 13 1994 memorandum, be marked and included within the
 14 record.

15 We appreciate your time and we want you
 16 to know we appreciate you coming to St. George. We
 17 know you didn't have to do that. We think that's an
 18 attempt.

19 One thing I will say, at least with
 20 State Director Rosenkrance he has attempted to
 21 answer some of our letters, which is much more than
 22 I can say for our local BLM, Utah. The ones in
 23 Washington D.C., if you would relay that, at least
 24 he has attempted. We don't have adequate responses,
 25 but that may be because there was not a full

BARTELT & KENYON

1 understanding of what the potential factors are that
 2 are at risk.

Thank you for your time.

3 HEARING OFFICER BAUER: Thank you very
 4 much, Mr. Thompson.

5 I would now like to call upon, and
 6 please forgive my pronunciation, Barbara Hjelle.

7 MS. HJELLE: I would like to just
 8 submit my written comments and not read them and ask
 9 you to include them in the record. And I'll
 10 summarize what they are for these purposes tonight.

11 My name is Barbara Hjelle. And I'm here
 12 on behalf of Washington County and on my own
 13 behalf.

14 I think that the concerns that I would
 15 like to express tonight have to do with the need to
 16 adequately address all of the impacts on Washington
 17 County in the Environmental Impact Statement that
 18 you will be submitting to Congress. We are
 19 concerned and we would like to know that Congress
 20 has taken into account all of the considerations
 21 that apply as they impact upstream users and
 22 Washington County in particular.

23 We don't agree with some of the
 24 conclusions in the draft EIS that indicate or
 25

BARTELT & KENYON

1 minimize the impacts of this designation on the use
 2 of water in Utah and on development in Utah. And
 3 while it's up to Congress to make those decisions,
 4 we think that it should be fairly represented that
 5 there will be limitations on those things arising
 6 from this designation.

7 In terms of the actual eligibility of
 8 the river, I think that the Water District has amply
 9 presented the data which would call into question
 10 the eligibility under the wild portion of the Wild
 11 and Scenic Rivers Act. The outstandingly remarkable
 12 values portion may be a little bit more vague and
 13 subject to broader interpretation, but, once again,
 14 if that has to be done as it should be done, in
 15 comparison to other rivers within the physiographic
 16 region, then once again we don't think that that has
 17 been adequately addressed in the current draft and
 18 would like to see a more careful and more
 19 comparative evaluation included.

20 Without that kind of factual data and
 21 without the basis for those decisions being offered
 22 in the Environmental Impact itself, it's impossible
 23 for those of us of the public and for the public
 24 officials who are concerned about these impacts to
 25 really know the basis upon which the Bureau is

BARTELT & KENYON

T3-23

1 making its decisions. And we believe it's going to
2 be misleading to Congress if a full spectrum of
3 concerns and considerations isn't presented in this
4 report.

5 So fundamentally we don't think that it
6 adequately addresses, that it fully outlines all of
7 the repercussions that would come into play, and
8 particularly the repercussions that are going to
9 have impacts on the people who live and work in
10 Washington County and we would like to see that
11 corrected in the final Environmental Impact
12 Statement.

13 Certainly, the officials of Washington
14 County and other local officials, I'm sure, would be
15 very willing to take their time to insure that those
16 kinds of considerations are addressed. An
17 invitation or any other opportunity would be
18 welcomed. So with that, I will submit my comments.

19 Thank you.

20 HEARING OFFICER BAUER: Thank you,

21 Ma'am.

22 I would now like to call upon Sheridan
23 Hansen.

24 MR. HANSEN: I'm Sheridan Hansen. I
25 live in Cedar City, Utah. I'm a retired BLM

BARTLETT & KENYON

1 employee. I worked for BLM for over 30 years in a
2 management position for most of that period of
3 time.

4 I have been recently employed by the
5 Water Conservancy District and inventoried the
6 Virgin River all the way from Elton National Park
7 clear down to Lake Mead. In that inventory I
8 inventoried everything that was along the river,
9 including the area in Arizona, and photographed
10 those areas and have evaluated the draft EIS that
11 has been presented against the information that I
12 gathered in the field. And I find that this
13 document, in my time in the BLM, may be one of the
14 more inadequate documents that I have seen.

15 If you apply the criteria required in
16 the Wild and Scenic Rivers Act to the segment of the
17 river in Arizona, by reading the data in the
18 suitability report and the draft EIS, there's no way
19 that you could rationally come to the conclusion
20 that the river in Arizona fits the criteria for Wild
21 and Scenic River to be suitable for designation in
22 that system.

23 I guess as I reviewed that document I
24 really couldn't believe that you could rationally
25 present the case and show all of the reasons why it

T3-24

BARTLETT & KENYON

1 would not fit the criteria and then go right down
2 and say the river is free-flowing, which is done in
3 both the suitability report as well as the draft
4 EIS. And so this goes back a step ahead of the
5 draft EIS, but all of the other is moot. If the
6 river doesn't meet those two eligibility
7 requirements, which Mr. Thompson discussed, then all
8 of this other, the draft EIS and the things that
9 come after that, are meaningless because the river
10 plainly is not eligible. I don't believe that any
11 reasonable person could arrive at that conclusion.

12 If you review the photographs that have
13 been submitted and the narrative that's been
14 submitted as well as reading your own document,
15 applying it against the criteria, I just don't
16 believe you could possibly come to that conclusion
17 that it is eligible.

18 One of the things I would specifically
19 like to make some comment on, because I believe I
20 have some area of expertise in that, and that has to
21 do with outstandingly remarkable vegetation. It's
22 indicated that there is outstandingly remarkable
23 riparian vegetation and vegetation along a couple of
24 segments, or maybe all of the segments, in Arizona.
25 Now, this is -- again, I'm no biologist. I've

BARTLETT & KENYON

T3-25

1 spent -- I have a degree in range management. I've
2 studied plants and plant communities for my whole
3 career and there are no vegetation communities
4 either on the riparian along the river or on the
5 upland that would be outstandingly remarkable.

6 In order for these vegetation to be
7 outstandingly remarkable, they would certainly need
8 not to be disclimax, deteriorated vegetation from
9 what was originally there, which both the vegetation
10 on the upland and the riparian on the river
11 currently are. They are dominated by tamarisks
12 along the river and the native species have been
13 crowded out and they are not allowed to reintroduce
14 themselves, nor will they in the future.

15 If you are familiar with the plant of
16 tamarisks, it's extremely competitive. And once
17 established, it's nearly impossible to eliminate.
18 So there's no management you could do in the future
19 that's going to change those disclimax vegetation
20 types to a climax type vegetation which could be
21 considered outstandingly remarkable.

22 If there were areas that were suitable
23 for a rollick area where you could see segments of
24 the stream or the upland within the corridor, that
25 you could say were rollick areas that would relate

BARTLETT & KENYON

1 to climax, had the original vegetation on them,
2 perhaps they could be considered outstandingly
3 remarkable. But even then, they would need to be
4 more outstandingly remarkable in other areas within
5 the region, the nation and the province.

6 It appears that all was done was it said
7 that the riparian vegetation along the river was
8 more outstandingly remarkable than the upland, dry
9 uplands. Now, this obviously doesn't meet the
10 intent of the Act and is completely arbitrary in my
11 opinion.

12 It's been discussed about outstandingly
13 remarkable, but I guess perhaps this is where,
14 again, I found the document perhaps the most
15 lacking. These are somewhat -- they're not defined
16 what the definition of outstandingly remarkable is,
17 but I believe that it's clear that outstandingly
18 remarkable means that these are values that are much
19 more valuable than just on a local level, but they
20 would be outstandingly remarkable on a regional and
21 national basis compared to similar other types of
22 rivers. This definitely was not done. I could find
23 no indication that this was compared to others.

24 And it is a little interesting to me
25 that the Cache National Forest, with all of these

BARTLETT & KENYON

T3-26

1 rivers, would have used the same law and applied
2 reasonable criteria to them and come out with two
3 streams that were eligible. And then in the State
4 of Arizona, you would come out with, I've forgotten
5 the number -- what is it, 20? -- whatever the
6 number is, that's a little hard for me to understand
7 by applying the same criteria what I know about some
8 of the streams, the Provo River, the Logan River,
9 some of those type streams did not qualify.

10 The alternatives in the draft document I
11 believe are ludicrous. I can't believe that you
12 could throw all 20 streams together and say they are
13 all eligible or they're all not eligible or they are
14 all continued under the current management or there
15 would be no change. There's no attempt to square
16 one with the other, they're all three together in a
17 pot, they are either all eligible or they are not
18 eligible. And analyzed in that manner, I think it's
19 entirely inadequate.

20 It has been pointed out that there's, of
21 course, no action of the upstream impacts. And as a
22 former BLM employee, I would just like to make a
23 point as to what would happen if a segment of the
24 river would be designated down in Arizona, what it
25 could do to Utah. Most of the land, as has been

BARTLETT & KENYON

T3-27

1 pointed out, in Washington County is federal land
2 controlled by Forest Service, BLM, or Park Service.
3 Any time that it was necessary to construct or
4 desire to construct a reservoir, a canal, a pipeline
5 or any such thing that would require a right-of-way,
6 even if that was to be on private land and it
7 required a right-of-way across the public land, BLM
8 lands, the fact that it might affect the downstream
9 flow in a Wild and Scenic River designation in
10 Arizona, designated by the BLM in Arizona, the BLM
11 would reject that right-of-way. That's not
12 farfetched. As being part of the agency, I've seen
13 that done many times. And so does it have an effect
14 on Washington County even though it's in Arizona?
15 You bet. You bet. Where it's public land, that
16 will be used to stop development in Washington
17 County.

18 The other thing that I would just like
19 to mention, it's not new it's been said already, but
20 I want to emphasize again because I believe it's so
21 important, that's instream flow. I can see the
22 document is totally inadequate. There is no way you
23 could analyze the effect of the designation of a
24 Wild and Scenic River designation without knowing
25 how much water you're talking about needing to meet

BARTLETT & KENYON

T3-28

1 that need. It simply talks that a sufficient amount
2 of water would be reserved to meet the intent of the
3 Act. There is no way to know how much water that is
4 and so it was completely out of place. Before you
5 could do an Environmental Impact Statement, you
6 would need to determine the required instream flows
7 and analyze that in the document. If you don't do
8 that, the document I believe is entirely inadequate
9 and doesn't in any way analyze the impacts of the
10 decision of a designation of Wild and Scenic
11 Rivers.

12 I believe all of the other items have
13 been covered. I appreciate the opportunity to talk
14 to you this evening. And I sincerely hope, as a
15 former BLM employee, that the BLM can do a better
16 job in analyzing these comments and developing some
17 final draft on the Wild and Scenic Rivers that will
18 fit the intent of the law as spelled out that we
19 should be applying to the criterion in developing
20 this draft document.

21 Thank you.
22 BEARING OFFICER BAUER: Thank you,
23 Mr. Hansen.

24 I'd now like to call on Morgan Jensen.
25 MR. JENSEN: Thank you, Mr. Bauer.

BARTLETT & KENYON

T3-29

1 I would like to also express my
2 appreciation for you coming to St. George. I
3 realize there are some places that you probably
4 would rather be tonight.

5 My name is Morgan Jensen. I live in
6 Toquerville, Utah. The comments I make are my own
7 and they relate to the Virgin River section of the
8 Arizona Wild and Scenic Rivers Legislative EIS.

9 Most of the comments I prepared have
10 already been covered by Mr. Thompson, Mr. Hansen, so
11 I'll just briefly summarize two that I think are
12 very important. One would be the lack of explicit
13 comparisons to evaluate the relative significance of
14 similar areas. The lack of this comparison really
15 makes the BLM's ability to make a decision and the
16 public's ability to understand the decision
17 completely void. The very words outstandingly
18 remarkable cry for a comparison against something,
19 some kind of criteria, and that is lacking.

20 The second area that I feel is really
21 important, and it's been hammered on, I realize, was
22 the failure to address upstream water right
23 questions. The simple dismissal of this question as
24 having no effect and the statement that BLM water
25 rights would be junior to all other recognized water

BARTLETT & KENYON

T3-30

1 rights simply reflects a misunderstanding, or lack
2 of understanding, of the difference between
3 appropriated and unappropriated water rights.

4 Appropriated water rights mean they have
5 been perfected. I misstated that. It's perfected
6 and unperfected rather than appropriated. But,
7 anyway, perfected water rights mean that they are
8 being diverted, they are being put on agricultural
9 areas or they are being diverted to a city or
10 something, they are being used, they are simply not
11 floating in a river.

12 An unperfected right is one that is
13 recognized by law in Utah, but has not been
14 perfected. The water may still be and still is
15 floating in the river. These rights are valid.
16 They may have fairly early priority dates, some of
17 them would be 1940's when the old Dixie project was
18 proposed. These are primarily held by the water
19 districts and municipalities. And they are the
20 basis for which these communities can continue to
21 provide water for future growth. Without these
22 rights and the ability to divert them, they couldn't
23 be -- growth could not be sustained.

24 Also, the study failed to, you know, it
25 recognized and talks about the fact that there is an

BARTLETT & KENYON

1 ongoing instream study. And it's putting the horse
2 before the cart not to do the instream flow. If you
3 don't know what these outstandingly remarkable are
4 that is required for water, it's impossible to
5 evaluate the effects. There's very little water
6 produced within the Arizona section of the river.
7 The water, if there is any, has to come out in Utah,
8 so you can't say there will not be an effect on
9 upstream water rights it seems to me. And there
10 will be an effect and it could be substantial.

11 I stated to begin with that I, I was
12 commenting on the Virgin River section. I have made
13 a cursory review of the rest of the EIS and I
14 believe that the comments that I have made and that
15 others have made are equally valid to other segments
16 that are considered in the EIS. And the entire
17 process and the way that upstream water rights were
18 treated and the lack of explicit comparisons should
19 be a part of each segment that's considered.

20 Again, I thank you for this opportunity
21 to comment and appreciate your being here in St.
22 George here tonight. Thank you.

23 HEARING OFFICER BAUER: Thank you,
24 Mr. Jensen.

25 I would now like to call upon Michelle

BARTLETT & KENYON

T3-31

1 Wilson.

2 MS. WILSON: My name's Michelle
3 Wilson. I'm speaking for myself. And although
4 probably most of my comments have already been
5 raised, or the issues have been raised, I would just
6 like to reiterate and add a few comments.

7 For two summers I have been working
8 specifically on the Wild and Scenic Rivers Act and
9 more specifically on the procedural requirements of
10 the Wild and Scenic Rivers Act. And these issues
11 have been raised, but what concerns me most
12 procedurally, first of all, is that the Virgin
13 segment does not meet the eligibility requirements,
14 first, of free-flowing, second, being of an
15 outstandingly remarkable value. These requirements
16 aren't either or, they have to have both. I think
17 it's clearly indicated by the pictures and
18 Mr. Thompson and other comments, we have shown that
19 the Virgin River segment is not free-flowing and is
20 lacking in the outstandingly remarkable values.

21 I just found -- I had an opportunity to
22 look at a couple of other studies on different
23 rivers and immediately when I looked into the
24 Arizona strip, I was running into problems right
25 away. It starts with eligibility. The problems

BARTLETT & KENYON

T3-32

T3-33

1 just compound with suitability. There are several
 2 requirements in suitability. In fact, I found ten
 3 of them. Most of them are mentioned in the Act,
 4 some are mentioned in the BLM manual, a few are
 5 mentioned in the Joint Guidelines which are not
 6 cited for some reason in the draft. Not of those
 7 ten, a few of them are touched on, but not all ten
 8 are delved into like they should be.

9 I think procedurally the Act requires
 10 extensive documentation and there is a lack of
 11 that. Some of the comments that you've received
 12 will point out the lack of following the
 13 step-by-step process in the suitability report. And
 14 that because it's done in the R&D process and also
 15 in the draft NRS, it needs to be included in
 16 there.

17 I think everything else that I intended
 18 to say has been said, so I won't take any more of
 19 your time, but I would like to say that the issue
 20 here is not so much what alternative to choose or
 21 what to comment on, but rather the adequacy of the
 22 draft and if there needs to be a reevaluation on the
 23 river segments that it analyzes.

24 Thank you.

25 HEARING OFFICER BAUER: Thank you, Ma.

BARTELT & KENYON

1 Wilson.

2 I would now like to call upon Rick
 3 Arsal.

4 MR. ARSAL: Thank you very much for
 5 being here with us tonight in Washington County.
 6 I'll be making a statement tonight for Congressman
 7 James B. Hansen, who is the Congressman for the
 8 first District of Utah. I'll be commenting on the
 9 Wild and Scenic Rivers designation on the Virgin
 10 River segment in Arizona.

11 The actions of the Bureau of Land
 12 Management to begin the designation of Wild and
 13 Scenic River boundaries causes me great concern.

14 Although, many would have you believe that a
 15 designation would have little, if any, effect on
 16 water rights, economy of the area, and private
 17 property rights, I would contend that it should be
 18 looked at with greater intensity.

19 Any process to designate Wild and Scenic
 20 River boundaries must consider the economy of the
 21 area. With limited developmental land in Southern
 22 Utah, the impact on the economy by designation may
 23 prove to be great. Before we begin formally
 24 designating one acre of river, the impact on the
 25 economy of the area needs to be given proper

T3-34

BARTELT & KENYON

T3-35

1 consideration.

2 The 1968 Wild and Scenic Rivers Act
 3 specifies that Wild and Scenic River boundaries
 4 should be about a quarter of a mile from the high
 5 water mark on each bank. Wild & Scenic River
 6 activists often use the word corridor as a reason to
 7 establish buffer zones and as a basis to file
 8 lawsuits to stop multiple use along the river. For
 9 example, after the passage of the 1984 Oregon Wild
 10 and Scenic River bill, much more commercial timber
 11 was put off limits to loggers than the Forest
 12 Service had estimated because extremists claimed
 13 that some timber outside the corridor harmed the
 14 river's watershed.

15 The Act sets a limit on acquisition of
 16 private land by an average of 100 acres per river
 17 mile. However, there are no limits on easement
 18 purchases. On the St. Croix River in Minnesota, the
 19 National Park Service used a threat of owner's
 20 easement as a way to create instant, quote, unquote
 21 "willing sellers". Although private property, or
 22 land in fee, cannot be condemned in 50 percent or
 23 more of the corridors in public ownership, scenic
 24 easements can be acquired through condemnation in
 25 these cases.

BARTELT & KENYON

1 in the St. Croix case, extremists got
 2 legislation introduced in Congress which never
 3 passed, fortunately, to remove the 50 percent from
 4 the original act designating the river as wild and
 5 scenic. Defined under the Act is the right to
 6 control the use of land within the authorized
 7 boundaries of a component of the Wild and Scenic
 8 Rivers System for the purpose of protecting the
 9 natural qualities of a designated river. The threat
 10 of a land owner being condemned through a scenic
 11 easement anywhere within the river corridor is the,
 12 quote, unquote, "hammer" that forces most people to
 13 conform to agency demands without going through a
 14 formal condemnation of the city.

15 Impact designation on recreational use
 16 of the river must also be looked at very closely.
 17 Although hunting and fishing are permitted under the
 18 1968 act, federal agencies often systematically use
 19 the Act to close roads along designated rivers. As
 20 a result, the practical effect of the Act has been
 21 substantially to reduce recreational access.

22 For this reason, many sportsmen's groups
 23 have already testified in the past against bills to
 24 designate Wild and Scenic Rivers. My concern is
 25 that several letters addressing questions and

T3-36

BARTELT & KENYON

1 concerns of the Washington County Water Conservancy
2 District have been sent to the BLM. These letters
3 and the questions that remain have gone unanswered.
4 Our conclusion from this action was that the BLM has
5 no intention of dealing with local concerns until
6 it's too late in the process to make a difference in
7 the outcome of the decision in the final EIS.

8 It is my desire that we take into
9 careful account the concerns voiced by the local
10 people rather than impose an arbitrary decision upon
11 the crucial water resources of this area.

12 Thank you very much for your time.

13 HEARING OFFICER BAUER: Thank you,
14 Mr. Aerial.

15 I would now like to call upon Lola
16 Esplin.

17 MS. ESPLIN: As you said, my name is
18 Lola Esplin. I'm a concerned housewife from St.
19 George, Utah.

20 I'll begin my presentation tonight with
21 federal government rights. The U.S. Department of
22 Interior, Bureau of Land Management, Wild and Scenic
23 Rivers Legislation, Environmental Impact Statement,
24 otherwise known as the LEIS.

25 Our Utah state representative, Met

BARTELT & KENYON

1 Johnson, says that the federal government is
2 usurping states' rights over water and land issues.
3 The federal government's claims to any water even in
4 wilderness claims are phony. If we, the people,
5 allow this usurpation to happen, then private land
6 owners on the river will find themselves entwined in
7 numerous, often contradictory regulations. Even
8 cattle drives will be permissible as long as cattle
9 do not adversely impact the outstandingly remarkable
10 values -- we've heard that, haven't we -- identified
11 in that particular river segment. Who will be the
12 judge of an adverse impact and these three words
13 above, outstandingly remarkable values, identified
14 as given above.

15 Also, federal agencies will issue
16 different sets of regulations from the states. The
17 resulting economic problems will pit
18 environmentalists against residents. Environmental
19 coalitions will quickly file nuisance lawsuits with
20 their new found ways to frustrate productive
21 citizens. Productive citizens will become victims
22 of ongoing river and land grabs.

23 The federal government will cut off
24 access to private land by their rules and
25 regulations. The federal government will hold

BARTELT & KENYON

1 condemnation authority on river frontage, one
2 quarter of a mile from either bank. The federal
3 government will allow no impoundments, quats,
4 unquats, or reservoirs to be built with water
5 control. Also, private property rights and instream
6 flow will all be threatened.

7 Then I have some questions that I'll ask
8 at the end, as I mentioned.

9 Now, you'll notice that I've prepared my
10 talk in the shape of an upside down pyramid. This
11 is what we have now with our government the way it
12 is, it occupies the great big upper part of the
13 upside down. Down at the bottom we have the states'
14 rights, state and local government, who will
15 frequently be at odds if this passes.

16 Down at the very point we have the local
17 county rights where all the productive citizens are
18 located.

19 At this point I think I will turn around
20 and talk to the citizens in the audience instead of
21 the government. Because this is the way I'd like to
22 see my pyramid as a citizen of this United States,
23 is in this shape, the way it was prepared when our
24 Constitution was first ratified. Our Constitution
25 was ratified September the 17, 1787. Our Bill of

BARTELT & KENYON

1 Rights was ratified December the 15th, 1791. And
2 then under -- that represents the federal rights,
3 the tip of the pyramid. And then the state's rights
4 are down below that. The water serenity rights are
5 owned in the state by irrigation companies,
6 communities and water conservancy districts. The
7 state owns the water, not the federal government.

8 Representative Charles Duke of Colorado
9 State House of Representatives believes that it is
10 time for the states and the people to exercise their
11 powers and retain rights to curtail and reverse a
12 long train of usurpations of power by the federal
13 government in Washington.

14 Instead of complaining about unfunded
15 federal mandates, Representative Duke is challenging
16 the constitutionality of the mandates. He sponsored
17 HJ Resolution 941035, which passed in the Colorado
18 House April the 7th of this year, and it passed in
19 the senate of Colorado April 21st of this year.
20 Both of them passed by lopsided votes.

21 Representative Duke said it won't be
22 easy for the Washington gang to ignore Colorado when
23 we begin passing legislation to put teeth in the
24 resolution and when dozens of more states follow
25 suit. So what we need to do, citizens of this

BARTELT & KENYON

1 marvelous county, with the pyramid this way, with
2 our rights at the bottom, the government's rights at
3 the top instead of the backwards way I started, is
4 to request our state representatives, Met Johnson
5 and Bill Hickman, and our Senator, Dave Watson, to
6 support this bill. support a bill for states' rights
7 in the next legislature when they meet in Utah.

8 And I thank you for your time,
9 audience. There's one more thing, though, I want to
10 read to you from our Constitution where
11 Representative Duke is taking his authority, it's
12 Amendment 10. "The power's not delegated to the
13 United States by the Constitution nor prohibited by
14 it to the states. Our reserve to the states
15 respectively are to the people. Let us not let the
16 government usurp rights that are not theirs."

17 Thank you.
18 HEARING OFFICER BAUER: Thank you, Ms.
19 Esplin.

20 Is there anyone else who would like to
21 make a statement tonight? I'm going to recess the
22 hearing, because we still have some time where
23 people might want to make statements. I'm going to
24 recess the hearing. Phil will be available to talk
25 with you. And then at such time when it is

BARTELT & KENYON

1 absolutely apparent that nobody else would like to
2 make a statement, I will call the hearing back into
3 session and adjourn it. But at this time, I'm going
4 to recess the hearing and people can go to the
5 bathroom and talk to Phil, the maps are at the back
6 of the hall. So this hearing is now recessed.

7 - - -
8 (Brief recess taken.)
9 - - -

10 HEARING OFFICER BAUER: There being no
11 other speakers or anyone else wishing to present
12 information, I do hereby call the meeting adjourned.

13 - - -
14 (Hearing adjourned.)
15 - - -

16
17
18
19
20
21
22
23
24
25

BARTELT & KENYON

1 STATE OF ARIZONA)
2)
3 COUNTY OF MARICOPA)
4

5 BE IT KNOWN that the foregoing hearing was
6 taken before me, LAURA KOZLOWSKI, a Notary Public in
7 and for the County of Maricopa, State of Arizona;
8 that the hearing was taken down by me in shorthand
9 and thereafter reduced to computer-aided
10 transcription under my direction; that the foregoing
11 is a true and correct transcript of all proceedings
12 had upon the taking of said hearing all done to the
13 best of my skill and ability.

14 I FURTHER CERTIFY that I am in no way
15 related to any of the parties hereto, nor am I in
16 any way interested in the outcome hereof.

17 DATED at Phoenix, Arizona, this 15th
18 day of June, 1994.
19 *Laura M. Kozlowski*
20 NOTARY PUBLIC
21
22
23
24
25

BARTELT & KENYON

WASHINGTON COUNTY WATER CONSERVANCY DISTRICT
COMMENTS ON DRAFT ENVIRONMENTAL IMPACT STATEMENT
WILD AND SCENIC RIVERS FOR ARIZONA

May 19, 1994

The following comments are in response to the BLM's Draft
Arizona Statewide Wild and Scenic Rivers Legislative
Environmental Impact Statement dated April, 1994 (hereinafter,
"Draft LEIS"). The Washington County Water Conservancy District
is deeply concerned with the suitability determination of river
segments that do not meet the requirements for eligibility. On
several occasions we directed comments and questions to either the
local, state, or Washington Office BLM, regarding the Virgin
River Wild and Scenic River proposal in the Arizona Strip. Most
of our comments and questions have been ignored or responded to
inadequately.

We are perplexed by the failure to address upstream water
issues and the hasty dismissal of our concerns in the Draft.
In addressing potential impacts on water rights, the Draft
briefly states that a designation will not affect existing valid
water rights. Department of Interior, BLM, Draft Arizona
Statewide Wild and Scenic Rivers Legislative Environmental Impact
Statement, p. 23 (April 1994). Such statements demonstrate the
ignorance of the magnitude of the effects a wild and scenic river
designation could have on present and future water use, water
rights and water dependent users. Despite requests for analysis
of impacts on upstream water use and for information regarding
BLM's ongoing instream flow evaluations, the Draft, without

addressing the issue, simply states, "this issue will not be discussed further." Id.

The eligibility and suitability of a river segment directly affects whether a river segment can be considered for inclusion into the National Wild and Scenic Rivers System. Pursuant to Arizona State Director Rosenkrantz's recommendation, we again raise our concerns with the analysis in the draft LRS, including the eligibility evaluation of the Virgin River-Arizona Strip segment (See: Letter from Lester K. Rosenkrantz, BLM Arizona State Director, to Ron Thompson, Washington County Water District Manager, dated April 20, 1994, attached herein).

ELIGIBILITY

There are two requirements in the WSRA a river segment must meet to determine eligibility for inclusion in the NWSRS: first, the river segment must be "free-flowing" and second, the river segment must have at least one "outstandingly remarkable value". The Virgin River-Arizona Strip segments do not meet the "free flowing" or "outstandingly remarkable value" criteria for eligibility.

Free-Flowing Requirement

The Wild & Scenic Rivers Act (WSRA) Sec. 16(b) defines free-flowing as follows:

"Free-flowing", as applied to any river or a section of a river, means existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. The existence, however, of low dams, diversion works, and other minor structures at the time any river is proposed for inclusion in the

2

National Wild and Scenic Rivers System shall not automatically bar its consideration for such inclusion: Provided, that this shall not be construed to authorize, intend, or encourage future construction of such structures within components of the National Wild and Scenic River System.

The Act defines "free-flowing" in two parts. First, there are those modifications which cannot be on a river for it to be characterized as "free-flowing" (prohibited traits). Second, there are those modifications which may be on a river, and still be characterized as "free-flowing" (discretionary traits).

Prohibited traits, are absolute and bar a river from meeting the "free-flowing" requirement. The prohibited traits listed in the WSRA are: impoundments, diversions, straightening, rip-rapping, or other modification of the waterway.

Discretionary traits may exist on a river found to be free-flowing and they include: low dams, minor diversion works and other minor structures. The Act explicitly excludes impoundments, rip-rapping, straightening, and modification of the waterway from the list of discretionary traits. Furthermore, the discretionary traits are limited only to minor structures such as low dams and minor diversion works. The plain language of the WSRA automatically eliminates any river segment with impoundments, rip-rapping, straightening, or modification of the waterway from "eligibility" status.

The Virgin River does not meet the free-flowing requirement in proposed segments 2, 3, and 4. There are six major I-15 bridges crossing the Virgin River segments (For examples See:

3

Appendix A at 4, 8, 10, 12 & 19). These are large bridges, some with pillars extending into the river floor. The Interstate highway within and crossing the corridor of the river, ultimately lead the National Park Service to de-list the Virgin River in the Arizona Strip from its National Rivers Inventory. "The Western Region felt that construction of Interstate 15 modified the river enough to remove it from the inventory." BLM, Arizona Potential Wild and Scenic River Suitability Assessment, p.11 (September, 1993). Additionally, these river segments have extensive rip-rapping, straightening, and a major diversion.

Segment 1

This 2.9 mile segment, from the Utah State line to the first I-15 bridge, is the only segment which can reasonably meet the definition of "free-flowing."

Segment 2

This 7.3 mile segment runs from the first I-15 bridge to the Virgin River Recreation Area. There are four rip-rapped and concrete grouted river banks, and a large I-15 bridge (See: Appendix A at 4, 5, & 6). Interstate 15 parallels most of the river corridor. This segment has been proposed as a scenic river, but does not meet the free-flowing requirement for eligibility.

Segment 3

This 7.4 mile segment, runs from the Virgin River Recreation Area to the mouth of the Virgin River Gorge. Segment 3, exemplifies the gross misapplication of the "free-flowing"

4

criteria. Four major I-15 bridges cross this river segment (See: Appendix A at 8 & 10). One of the bridges is built over and follows the river, with its pillars extending into the river bed (See: Appendix A at 9). It has an estimated three miles of rip-rap from the river edge to the top of the fills adjacent to I-15 (See: Appendix A at 10, 11 & 12). The river segment has been moved and the channel straightened extensively, evidenced by massive cuts up the rock face of more than a hundred feet (See: Appendix A at 13, 14 & 15).

Segment 4

Segment 4 is the longest Virgin River segment at 16.9 miles. It runs from the mouth of the Virgin River Gorge to the Nevada-Arizona state line near Mesquite, Nevada. The Mesquite diversion completely crosses the river channel in segment 4 (See: Appendix A at 22 & 23). This is not a minor structure, rather it is a large concrete structure with headgates and a canal to its side. The diversion raises the river level several feet and diverts 12.6 cfs of water. Furthermore, there is a major I-15 bridge that extends across the river channel, with its pillars embedded in the river banks (See: Appendix A at 19).

With a major diversion, considerable channel changes, straightening, extensive rip-rapping, and six major freeway bridges, four of the five prohibited traits, exist on segments 2, 3, and 4. It is impossible to dismiss these as minor structures and alterations to the river. Any one of these prohibited traits would disqualify the river segment from consideration.

5

Since river segments 2, 3, and 4 do not meet the "free-flowing" requirement for eligibility, they therefore cannot be considered further as to suitability for designation. To find, Virgin River segments 2, 3, and 4 "free-flowing" would render the NSRA's definition meaningless. A determination of "free-flowing" based on some criteria other than stated in the NSRA, would be arbitrary and capricious and not be in compliance with the law. Administrative Procedure Act, 5 U.S.C.A. 5705.

Outstanding Remarkable Value Requirement

The second eligibility requirement for inclusion in the National Wild and Scenic River System is that the land adjacent to the river possess at least one outstandingly remarkable scenic, recreational, geological, fish and wildlife, historic or other similar value. The Act itself does not define what scenic, recreational, geological, fish and wildlife, historic, or other similar values are, however the regulations found in the BLM Manual and Joint Department of Agriculture and Department of Interior Regulations establish the guidelines.

The outstandingly remarkable values, described in the Draft LEIS, are: scenic, fish and wildlife habitat, aquatic, and riparian values. No documentation is available in reports or the Draft LEIS as to how the required outstandingly remarkable values rank on a comparative basis with similar features within the physiographic province or region. Without such a ranking it is impossible to determine such values. Furthermore, all the values described in the Draft LEIS fail to provide an objective analysis

6

or standard by which any of the "outstanding remarkable" values may be determined.

Scenic - "Scenic value must be ranked on a comparative basis with similar features within the physiographic province." BLM Visual Resource Inventory Manual H-8401-1. Furthermore, to meet the outstandingly remarkable requirement, "the landscape elements of landform, vegetation, water, color, and related factors must result in notable or exemplary visual features and/or attractions within the geographic region...[the scenic values found on the river segments must] not be common to other rivers in the geographic region." BLM Manual, 5835b(1.31)(C)(1).

The scenic values in segments 1, 2 and 3 are described in the Draft LEIS, as outstandingly remarkable. However, there is no objective data presented to show that the scenery is outstandingly remarkable. There is no analysis or documentation comparing the Virgin River to other rivers in the geographic region. What is the criteria used to determine this value? The scenery in all segments is not primitive or natural. The I-15 highway runs completely through and is adjacent to the river segments. There is considerable alteration of the canyon walls and river corridor throughout these segments and yet they are classified as scenic.

Fish and Wildlife Habitat - The BLM Manual requires that for the habitat to be outstandingly remarkable the river must provide "exceptionally high quality habitat for fish species indigenous to the region."

7

The river contains the Moundfin Minnow and Virgin River Chub, which are respectively listed as endangered and threatened species. However, all river segments are poor habitat for them. The river segments contain the red shiner and other non-native fish species, which compete for food and space with the natural species. Because of the poor habitat quality, it was deemed advisable to build a fish barrier upstream in Utah to prevent the migration and re-introduction of non-native fish from Arizona and Nevada (BIA Appendix A at 3).

The river is dewatered in portions of the Arizona Virgin River Gorge in the summer months. It is unreasonable to classify fish habitat as outstandingly remarkable in an intermittent stream.

The Draft LEIS is inadequate in that it fails to provide what the river was compared to in order to conclude that the fish and wildlife habitat are outstandingly remarkable. It is clear that the procedure used to determine outstandingly remarkable is undocumented, and inadequate, rendering the decision arbitrary and capricious. Administrative Procedure Act 5 U.S.C.A. 5705.

The Virgin River segments in Arizona do not meet either the free-flowing or the outstandingly remarkable requirement for eligibility. The Virgin River should be deleted from evaluation/EIS process and not considered further.

Aquatic - The NSRA does not specifically mention aquatic values as an outstandingly remarkable characteristic, however it may fall under the category of "other similar values." According to

8

the BLM Manual, while no specific evaluation guidelines have been developed for the "other similar values" category, additional values deemed relevant to the eligibility of the river segment should be considered in a manner consistent with the guidance given for those characteristics specifically mentioned. Examples of guidance given for the enumerated values include: documenting the values in comparison to those within the geographic region, finding the values to be a phenomenon, rare, unique and not common to other rivers in the region, and finding that visitors are willing to travel long distances to appreciate these values. Incredibly, the Draft LEIS fails to mention what aquatic values exist in the Virgin River segments, or why those values are outstandingly remarkable. Such an omission violates the procedural requirements of eligibility prescribed in the BLM Manual.

Riparian - The NSRA does not mention riparian as a value to be considered, however if it falls under the category of "other similar values," there are guidelines which the Draft LEIS must meet. According to the BLM Manual, while no specific evaluation guidelines have been developed for the "other similar values" category, additional values deemed relevant to the eligibility of the river segment should be considered in a manner consistent with the guidance given for the enumerated values. Examples of guidance given for the enumerated values include: documenting the values in comparison to those within the geographic region, finding the values to be a phenomenon, rare, unique and not

9

common to other rivers in the region, and finding that visitors are willing to travel long distances to appreciate these values. Nowhere in the Draft LEIS are riparian values analyzed in such terms, rather even by the Draft and the Suitability Assessment's own findings, the riparian values are common to all river segments in the region, the values described are not even remotely stated in outstandingly remarkable terms.

The river corridor riparian vegetation in all segments are in a disclimax unnatural successional stage. They are composed mainly of tamarisk (salt cedar) dominated stands. Tamarisk is a non-native plant which dominates the shoreline riparian vegetation. It greatly reduces stands of native willows, reed, bulrushes, cattails with its understorey of grasses, sedges, and rushes. There is nothing outstandingly remarkable about the riparian vegetation. This type of riparian vegetation dominated by tamarisk occurs throughout the Southwest. There are no vegetative types within the corridor which would qualify as outstandingly remarkable.

Riparian areas in the West all have more wildlife around them than surrounding desert areas. Riparian areas are valuable in all desert areas. For an outstandingly remarkable classification, it must be shown that the riparian values are outstandingly remarkable in comparison to other riparian areas in the region. Merely stating that it is different than upland vegetation types does not make it outstandingly remarkable. If it is outstandingly remarkable, the Draft LEIS fails to disclose

10

the criteria used to permit a reasonable evaluation by those interested and involved in the process. The Arizona Game and Fish Department, in the Arizona River Assessment, classified the habitat on the Virgin River segments as "common." BLM, Arizona Strip, Virgin River, Arizona Potential Wild and Scenic River Suitability Assessment, p. 6 (September, 1993). The riparian vegetation in all of the segments is common and not outstandingly remarkable. Furthermore, the procedure used to determine outstandingly remarkable is inadequate, and undocumented rendering the decision arbitrary and capricious.

SUITABILITY

In September, 1993 the BLM issued a Suitability Assessment report stating, that it "[did] not constitute the final suitability determination of the agency." BLM Arizona Strip District, Shivwits Resource Area, Arizona Potential Wild and Scenic River Suitability Assessment, p. 1 (September 1993). This statement implied that an opportunity to provide additional comments would be made prior to a final suitability determination. However, this was not the case, and as a result the Virgin River was found suitable for further studies, without further input.

The Wild and Scenic Rivers Act, Joint Regulations, and the NMSA Manual all require extensive documentation. According to the NMSA, NMS Manual and Joint Regulations the suitability reports are required to document and show:

11

- 1) The area included within the report.
- 2) The characteristics which do or do not make the area a worthy addition to the system.
- 3) The current status of land ownership and use in the area.
- 4) The foreseeable potential uses of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the national wild and scenic rivers system.
- 5) The federal agency by which it is proposed the area, should be added to the system, be administered; and the degree to which the State or its political subdivisions might participate in the preservation and administration of the river should it be proposed for inclusion in the NWSRS.
- 6) The Federal, public, state, tribal, local, or other interests in designation or non-designation of the river, including the costs thereof, may be shared by State, local, or other agencies and individuals.
- 7) The estimated cost to the United States of acquiring necessary lands and interest in land and of administering the area, should it be added to the system.
- 8) Ability of the agency to manage and/or protect the river area or segment as a WSR river, or other mechanisms (existing and potential) to protect identified values other than WSR designation.
- 9) To provide for decision making and to satisfy the requirement of NEPA, study reports will include an analysis of alternatives.
- 10) Historical or existing rights which could be adversely affected.

The Draft LEIS inadequately addresses, if at all, these ten issues. For example, rather than explore the characteristics which do or do not make an area worthy for addition, the Draft recognizes only those characteristics which do make an area worthy for addition to the NWSRS. See: Draft LEIS, p. 11 (April, 1994). Restating the requirements to be so blatantly one-sided is a violation of BLM's own regulations, as well as arbitrary and capricious by the standards set forth in the Administrative Procedure Act 5 U.S.C.A. §706. This type of narrow vision is manifest throughout the suitability determination with statements

12

such as "These issues are noted, but will not be addressed" and "This issue will not be discussed further." Such statements frustrate the process and destroy the spirit of cooperation and coordination.

Since the Virgin River segments do not meet eligibility requirements, determining the suitability of these segments is a moot point. The Draft LEIS is clearly deficient in its suitability analysis and documentation however, to show the inadequacy of the Virgin River Segment the following is an analysis of the suitability criteria used in the Draft LEIS (River Appendix, Volume 2):

General Description of the Study Area

The segment descriptions in this section of the Draft are inaccurate and leave out information not favorable for designation.

Segment 1

Segment 1, is an isolated primitive area as shown by its inclusion in the Beaver Dam Wilderness Area, and is already protected by other mechanisms other than a WSR designation. This segment is proposed as a wild river. The WSR describes "wild river areas" as follows:

Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with waterbeds and shorelines essentially primitive and waters unpolluted. These represent the vestiges of primitive America. Wild & Scenic Rivers Act, 16 U.S.C.A. §1271(b)(1).

The reasons cited in the Draft for designating segment 1 as "wild" are: the area is free of impoundments, inaccessible except

13

by trail, and has essentially primitive shorelines. Curiously, the requirement for "waters unpolluted" was omitted. The Virgin River flowing into Arizona, especially during the summer months, is primarily the affluence of the St. George Regional Sewer Treatment Facility (see Appendix A at 1 & 2). Though a significant source of water into the Virgin River, it is not an example of the "vestiges of primitive America" required for a "wild" classification or even a condition essentially free of human activity, required for suitability at any classification level. 16 U.S.C.A §1273(b) (1990). The BLM Suitability Assessment regarding water quality of the Virgin River Segment states:

The Virgin generally contains poor water quality as a result of high turbidity and salinity. The water appears muddy for most of the year, to the degree that the substrate is not visible. There is heavy algal growth in pools during periods of low water. Some tests on river water samples have indicated a high level of fecal coliform bacteria. BLM Arizona Strip District, Shivwits Resource Area, Arizona Primal Wild and Scenic River Suitability Assessment, p. 7 (September 1991).

Segment 1 is ineligible for inclusion into the NWRS, because the river segment fails to meet eligibility and suitability requirements. Furthermore, the procedural discrepancies, inadequate analysis and documentation along with a blatant disregard for the plain requirements of the NSRA, result in a defective Draft LEIS.

Segment 2

Segment 2 fails to meet a "condition essentially free from human activity" regarding water quality, as cited above.

14

Additionally, segment 2 fails to meet the requirements established by the Joint Department of Interior and Department of Agriculture, Final Revised Guidelines for Eligibility and Classification, 47 Fed. Reg. 39454, Sept. 7, 1982. A scenic river must have the following:

1. The river corridor must be largely primitive and must not show substantial evidence of human activity. Based on the description provided in the Draft LEIS, segment 2 obviously does not meet this standard. Segment 2 contains an I-15 bridge, four acres of rip-rapped banks, and highway I-15 parallels the river along most of the corridor. Additionally, within the corridor there is an unscreened highway rest area, recreational facilities including a horse, campground, and picnic area, all clearly visible from the river.

2. "Accessible in places by road." This segment is not only accessible by roads, but from exits off the I-15 highway. The traffic on the highway is visible from the river on much of this segment and traffic noise is loud and constant.

The NSRA describes scenic river areas as: "Those rivers or sections of rivers that are free from impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by road." 16 U.S.C.A. §1273(b)(2). The only characteristic segment 2 does meet, is that it is accessible by road. This segment does not meet the definition of a scenic river found in the NSRA or the Joint Guidelines.

15

Segment 3

Segment 3, also fails to meet the "condition essentially free from human activity" regarding water quality as described above. This segment has been classified as "recreational." The NSRA describes recreational river areas as those rivers that are readily accessible by road and may have undergone minor diversions or structures in the past. 16 U.S.C. §1273(b)(3). As already discussed in the eligibility section of these comments, this segment does not meet requirements for "recreational."

Segment 4

Segment 4 fails to meet a "condition essentially free from human activity" regarding water quality as stated above. This segment is also classified as "recreational" however it fails to meet any requirements for study or designation.

Interrelationships

This section does not mention interrelationships with Utah or Washington County. The major portion of the watershed and therefore water flows in the Virgin River comes from Washington County. Since the Virgin River is not covered in the Colorado River Compact, Utah laws control the water and water rights on the Virgin River in Utah. BLM's proposal for designation as a NSR to be followed by a claim to instream water flow (BLM Manual §8351(.13)(B)(4)) when there is no legal basis to assert control over the stream flow or water use, has all the appearances of a bid to control upstream water. This interrelationship should be recognized and fully discussed in this section.

16

Scoping

Scoping meetings were held to identify issues. Any negative information obtained at those meetings appears to have been largely ignored in this document. A review of comments made at those meetings show there was considerable concern about impacts to commercial, agricultural, or residential development. There was also considerable concern expressed about the effects on existing perfected and unperfected, as well as future water rights. These major issues are considered, but not addressed.

Impacts on Commercial, Agricultural, and Residential Development in Towns and Cities

The EIS concludes that there will be no effect on development, because the effect of designation will not apply to private, state lands or upstream water users rights. This is without basis and inaccurate. Since the flow of the river in most segments comes from Utah and not Arizona, reservation of water for instream flows will limit if not prohibit additional diversions and perfecting of unperfected water rights and would impact the ability of towns and cities upstream in Utah to meet the needs of a growing population.

The cities in Washington County are growing rapidly. Washington County grew from 29,900 people in 1980 to 47,825 in 1990. It is projected to be 147,436 by the year 2020. Utah Board of Water Resources, Utah State Water Plan, p. 2-3 (August, 1993). Growth in the past and in the future is dependant on water from the Virgin River. Anything which restricts and limits the

17

ability to manage and use water from the river will have major impacts on economic development and local customs, practices and policies.

Because of the large federal ownership of land in the Virgin River Drainage, proposed water management actions almost always involve public lands. Since permits for dam sites, rights of way for ditches, canals, and pipelines usually require federal permits, any action even though miles away from a Wild and Scenic River could be denied or delayed through the federal government's discretionary authority to approve or deny permits. As a result the net effect would be that dams and rights-of-way involving water either surface or underground could be denied.

A recent report, "The Economic Impact of Reducing New Diversion from the Virgin River System in Washington County, Utah", by John D. Grobbeck, PhD, Department of Business and Richard A. Doteon, M.S. Chairman, Department of Physical Science at Southern Utah University, indicates major economic impacts would result from restricted water management and conservation options in the Virgin River (See: Report attached herein). The economic impact of reducing total new water diversions in Washington County by one percent of current diversions (1,500 Acres-Foot) follows as stated in terms of the number of jobs lost, percentage of industry jobs lost, and the real (1991 base year) dollar value of industry output lost:

<u>Jobs Lost</u>	<u>% Jobs Lost</u>	<u>Output Lost (\$)</u>
4309	184	254 million
<u>POPULATION LOSS: 10,708</u>		

18

of the land and water which would be enhanced, foreclosed, or curtailed if the area were included in the NWSRS. The Draft states, "An ongoing instream flow study would be completed to determine minimum amounts to protect outstandingly remarkable values." BLM, Draft LEIS, Virgin Wild and Scenic Area Study, p. 9, River Appendix Volume 1 (April, 1994). The Draft goes on to state "this issue will not be discussed further." Ironically the impacts on the potential uses of water, without a determination of necessary instream flows, is impossible. This is one example, where the Draft not only fails to comply with the requirements of the Act procedurally, but also fails to comply substantively in the decision-making process. Thus, rendering the suitability determinations arbitrary and capricious and not in accordance with the law as prescribed by the Administrative Procedure Act, 5 U.S.C.A. 5706.

One of the major issues raised during the scoping process for this LEIS is the effect on upstream water rights. These impacts must be recognized, quantified, and carried forward and analyzed in the document. To state that this proposal has no effect on valid water rights and that it will not be discussed further is inadequate and arbitrary.

Impacts On Federally Listed Fish and Wildlife Species

This proposal will have a detrimental affect on listed species. It will make it impossible, or at best much more difficult and costly, to construct needed management facilities and carry out other actions necessary for recovery of these

20

A designation and assertion of instream flow requirements in Arizona would have major impacts on the upstream communities in Washington County, Utah.

Impacts On Water Rights

This section of the Draft LEIS asserts that there are no impacts on water rights:

Designation as a Wild, Scenic, or Recreational river would not affect existing, valid water rights. The Wild and Scenic Rivers Act creates a federal reserved water right for a quantity of water sufficient to meet the purposes of the act on designated river segments.

BLM, Draft LEIS, p. 23 (April, 1994)

One of these statements cannot be true. How can the Wild and Scenic Rivers Act create a federal reserved water right and not affect valid water rights when all of the water in the river is presently claimed under valid perfected and unperfected water rights or applications? Where will the federally reserved water come from to meet the purposes of the Act if it does not come from valid, current water rights?

Another area the Draft fails to discuss, despite the Water District's numerous requests for more information, is whether there is a distinction made between perfected and unperfected water rights. For example, will designation bar holders of valid unperfected water rights from perfecting that right (i.e. putting the water to beneficial use)? This issue must be addressed in the Draft LEIS.

A suitability report, in this case the Draft LEIS, is required to contain an analysis of the foreseeable potential uses

19

species. The proposed action would reduce the ability to regulate water flow in the river and will do nothing to protect these species above what is provided under the Endangered Species Act.

Federal agencies are required to consult with the Fish & Wildlife Service on any action which may affect a listed species. There is no indication or documentation that this has been done.

Alternatives

The No Action Alternative is clearly the only viable alternative since the river does not meet the eligibility requirements in any segment. Also, the alternatives are much too narrow. We recommend the No Action Alternative.

On-Going Management Actions

These are basically the same in all alternatives. There is no advantage under the preferred alternatives. Clearly, the No Action alternative is superior and would resolve the controversy and uncertainty now existing.

Table X-3. Comparison of Impacts by Alternative

This table shows the proposed outstandingly remarkable values are not impacted under any of the alternatives. An attempt is made to show the proposed action is better for water quality, and aquatic and riparian values. However, there is no documentation to support this claim. There are no actions proposed which would improve water quality above what is already being done under ongoing management actions. This table is not accurate and is an attempt to make the proposed action look

21

superior. The proposed action will in fact have an adverse effect on minerals and future water development and diversion, where the No Action Alternative does not.

This table should be redone to accurately document the impacts of the alternatives.

Affected Environment

Outstandingly Remarkable Values

As shown under Resource Values above, there is no documented basis for the determination that the described values are outstandingly remarkable. This section is clearly an attempt to claim values which are not outstandingly remarkable.

Environmental Consequences

A comparison of the impacts of implementing the proposed action, versus the no action alternative, shows all values would be protected under the No Action alternative without the negative effects of the proposed action on existing upstream water rights.

The attempt to show the No Action Alternative does not protect the described values by writing the conclusion in a different way, does not have merit. In all cases except aquatic and riparian values, the conclusion of the EIS is that ongoing management actions would protect the values. Under aquatic and riparian it states, "due to a continuing decline in water levels or quantity, ongoing management actions would not provide adequate protection for these values." BLM, Draft LEIS, Virgin River, at 78 (River Appendix, Volume 2). There is no documented basis for this conclusion. No actions are listed or proposed in

22

the proposed action which would increase or even maintain water flows. No evidence was presented that water flows are declining in the river. Ironically, the construction of Quail Creek Reservoir and outflow from the St. George Sewage Treatment Facility, two things the WSRA would specifically exclude, have provided water flows in the river during periods when it was historically dry. Construction of additional water storage facilities upstream would result in release of controlled flows to the river and increase flows during low flow periods. Stable or increased flows would be more likely to occur under the No Action Alternative than the proposed action.

This should be rewritten to show there are no negative environmental consequences from the No Action Alternative. The Suitability Assessment states, "There are no known threats to the Virgin River within Arizona." BLM, Arizona Strip Suitability Assessment, p. 12 (September, 1993). If there are no threats to the river, what is the intended purpose of the proposal? The inescapable conclusion is if the BLM intends to include the Virgin River into the NWSRA to prevent use, conservation management, and other economic development, regardless as to whether or not the Virgin River meets the requirements of the WSRA.

Consultation and Coordination

This entire section lists the meetings held, newspaper advertisements, paid announcements, etc. On paper an attempt is made to show the requirements for coordination and consultation

23

were met. The Water District has submitted comments or requested information on eleven occasions, regarding the effects of a Wild & Scenic River designation on upstream communities. There is no section or indication that the proposal was modified in any way to reflect these comments. A review of the comments received at the scoping meetings show the majority were opposed to the proposals or requested modifications. The purpose for which consultation and coordination is required has not been met.

Preparers

It is noted that all preparers and reviewers are Bureau personnel. The Joint Department of Interior and Department of Agriculture, Final Revised Guidelines for Eligibility and Classification, 47 Fed. Reg. 39454, Sept 7, 1982, defines a study team as, "a team of professional from interested local, state and federal agencies invited by the study agency." There are no local professionals on the team as prescribed by the regulations during preparation of planning documents, suitability assessments, and the Draft LEIS.

Apparently, the joint regulations which govern the WSRA evaluation process, were not considered since they were not listed as a reference to the Draft LEIS. The Washington County Water Conservancy District has requested to be represented on the study team and our request was ignored. To ignore our request, public comments, and the regulations is not in keeping with either the spirit or the letter of the law.

References

24

The Joint Department of Interior and Department of Agriculture, Final Revised Guidelines for Eligibility and Classification, 47 Fed. Reg. 39454, Sept 7, 1982, is not listed as a reference. Since the regulations take precedence over agency guidelines and manuals, they should have been used to guide the entire process. Failure to comply with the guidelines result in a procedurally flawed decision-making and Draft LEIS process.

Agencies and Organizations to Whom Copies of the Document Will Be Sent

Neither, Washington County or the Washington County Water Conservancy District is listed among the agencies to whom a copy would be sent. The Water District is quoted in the Draft LEIS and has provided information throughout the process, yet was not considered an affected party. The Draft LEIS completely fails to analyze the impacts on Washington County, even though the major impacts from the proposed action are in Washington County.

CONCLUSION

The entire process is arbitrary and capricious. The criteria given in the WSRA regarding free-flowing was not followed. There was no criteria or documentation given as to how outstandingly remarkable values were determined. The eligibility and suitability evaluations did not comply with the intent or requirements of the Act.

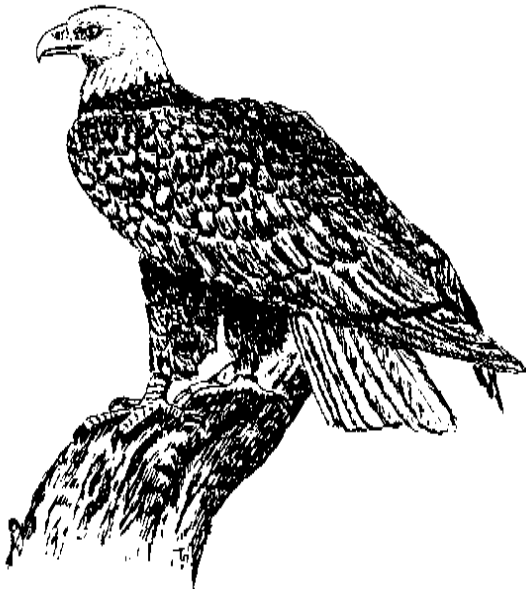
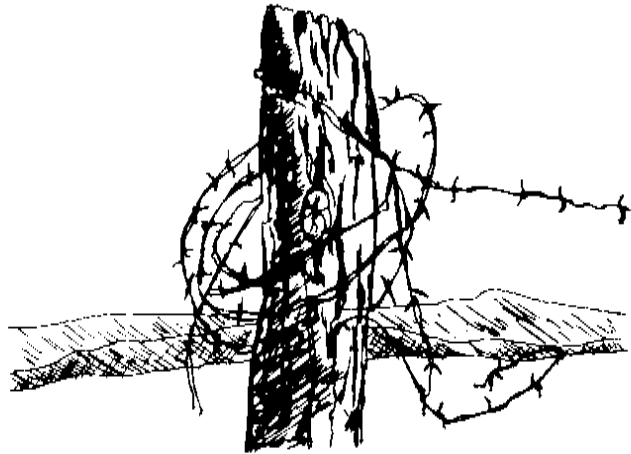
25

The Draft LEIS is inadequate; it fails to analyze either the economic, social, or environmental impacts on communities upstream in Utah. There is no real determination of the economic impacts of the proposed section on the local customs and culture in Utah or Arizona, yet the impact in Utah alone would be tremendous.

The document states that the BLM is working on, or will work on in-stream flow studies to determine the amount of water needed to meet the intent of the Act. This information, if it is to be used, should have been developed before this document was prepared, since issues surrounding water and its allocation is critical for meaningful analysis of the impacts. This document is deficient and inadequate without this documentation. An adequate evaluation of environmental and economic impacts of the alternatives is impossible without quantifying the amount of water required to meet the purpose of designation.

In comparing the Environmental Consequences, the proposed action does not improve the values above the present management. The Suitability Assessment, dated September 1993 states, "There are no known threats to the Virgin River within Arizona." It is protected by the current BLM Land Use Plan, by inclusion as an area of critical environmental concern, and wilderness designations. The Woundfin Minnow and Virgin Chub are fully protected under the Threatened and Endangered Species Act. Since there is no need for additional protection of the stated values

26



it is apparent that water flow is the major issue, yet it is dismissed as not requiring analysis.

BLM has no water rights even though an application has been filed. There is no river compact to assure the flow of water into Arizona, making a designation meaningless. Attempting to control water flows and development of the river in Utah is an inappropriate and an arbitrary use of the Wild and Scenic River Act.

We recommend the No Action Alternative be adopted, because the Virgin River fails to meet eligibility requirements and the Draft LEIS failed to comply procedurally and substantively with suitability requirements.

We have not completed a detailed review of those sections of the Draft LEIS not related to the Virgin River. However, a cursory review indicates the same problems and inadequacies exist in every stream segment covered by the Draft LEIS. We recommend the entire MSR evaluation and documentation process in Arizona be re-evaluated and redone to comply with the requirements of the regulations, WSR, and NEPA.

27

River Upstream in Utah

1

St. George Regional Sewer Plant Water Discharge--
note: six million gallons
per day are released into
the river.

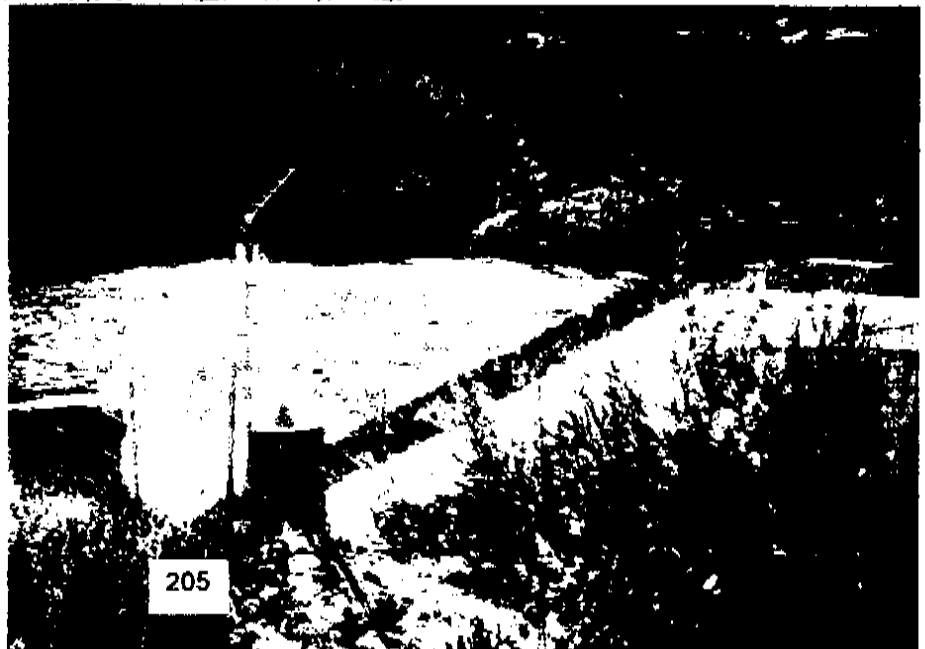


2

Water entering
Virgin River
from St. George
Regional Sewer
Treatment Plant

3

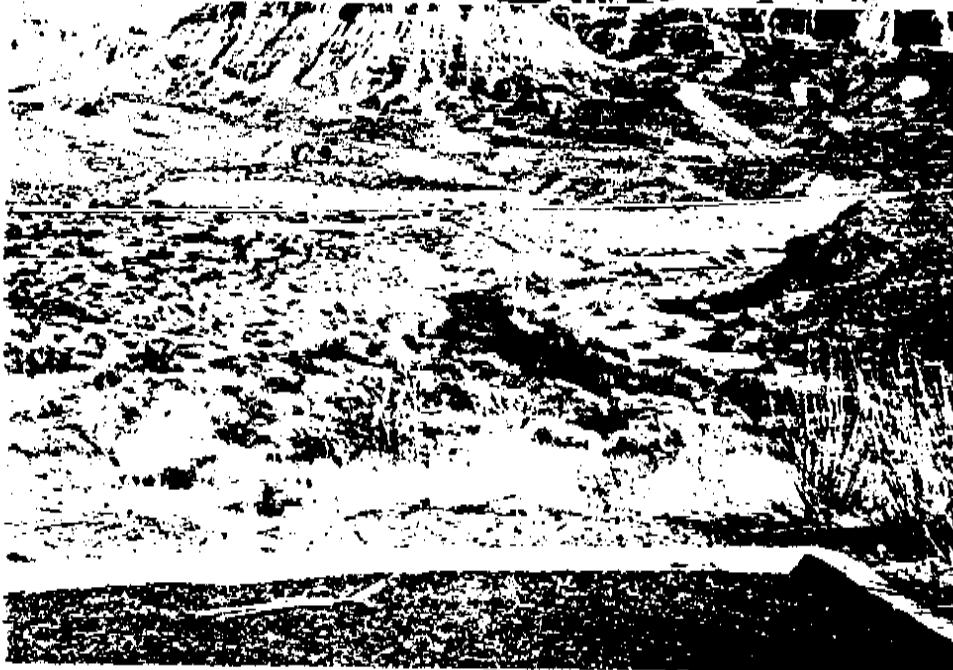
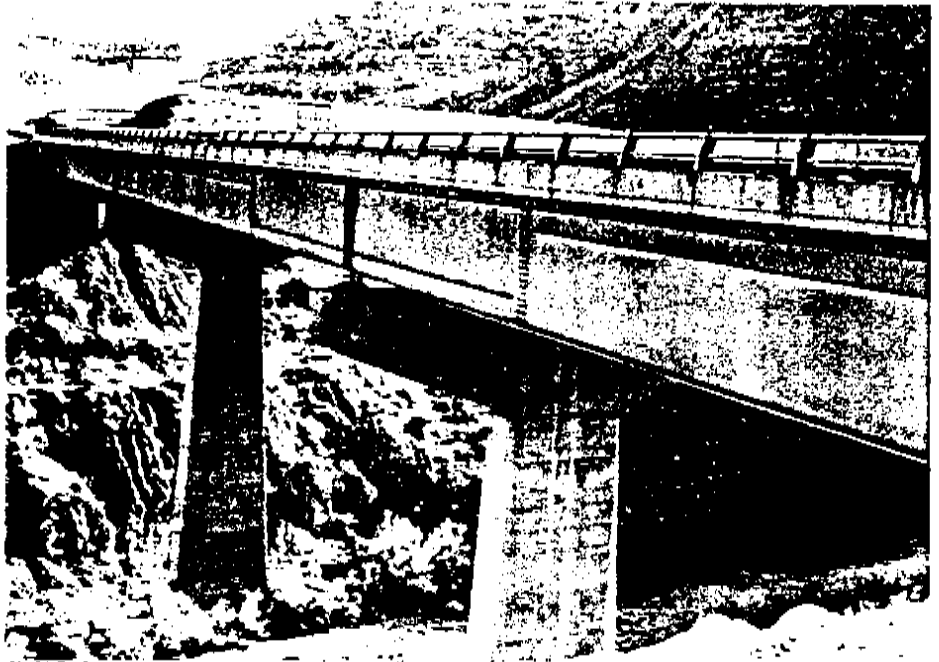
Fish Barrier to keep non-
native fish from coming up
stream



SEGMENT 2

4

Black Rock
I-15 Bridge



5

Home, Rip-Rap,
and I-15



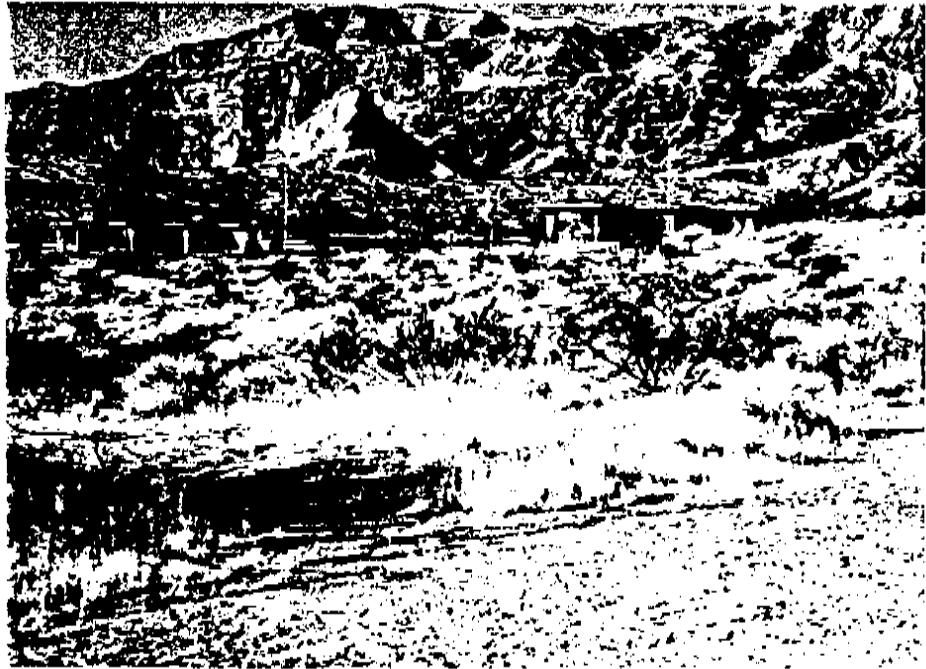
6

Rip Rap and I-15
There are 4 of these areas
in this segment

SEGMENT 3

7

Cedar Pockets Recreation Area



8

I-15 Bridge

9

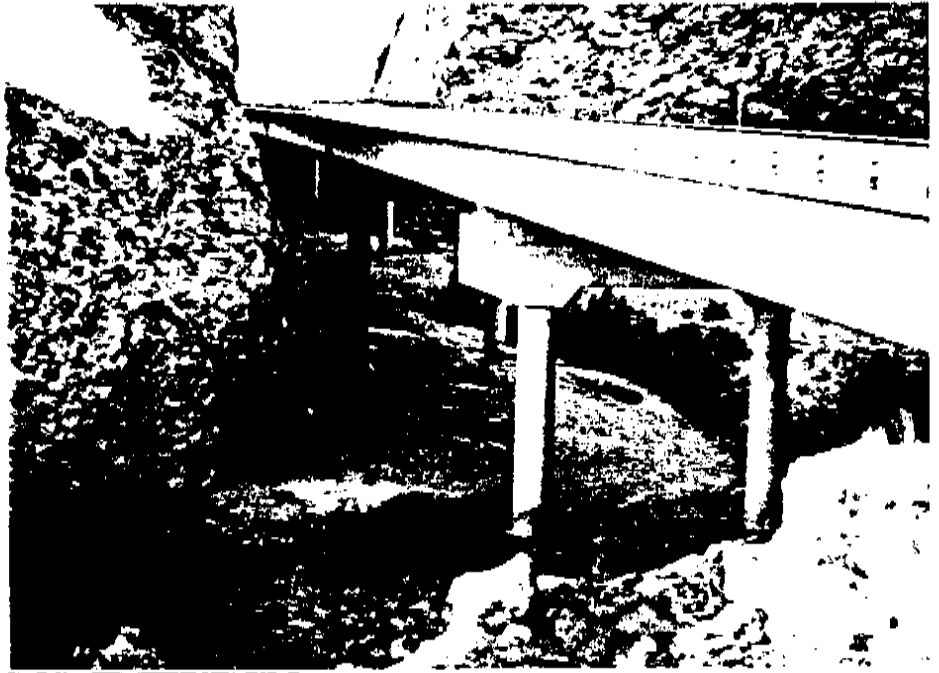
Rip Rap and I-15 Highway



SEGMENT 3

10

I-15 Bridge and channel change-- note: bridge pillars in the river channel



11

Rip Rap and Rock Cuts



12

Rip Rap, Channel Change, and Channel Straightening



SEGMENT 3

13

Channel Straightening,
Rip Rap, rock cuts, and
I-15

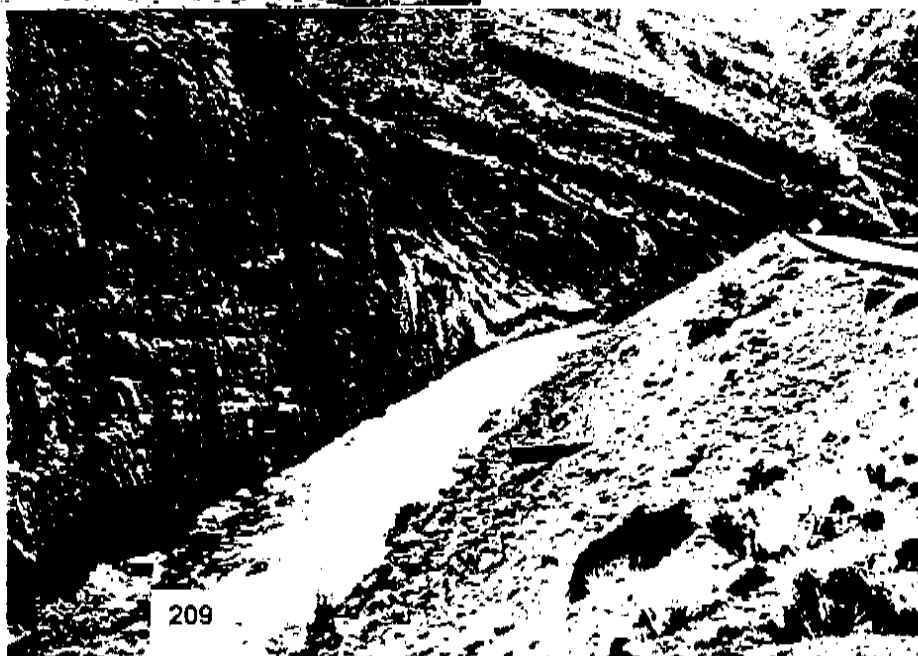


14

Rip rap, channe
straightening,
and I-15

15

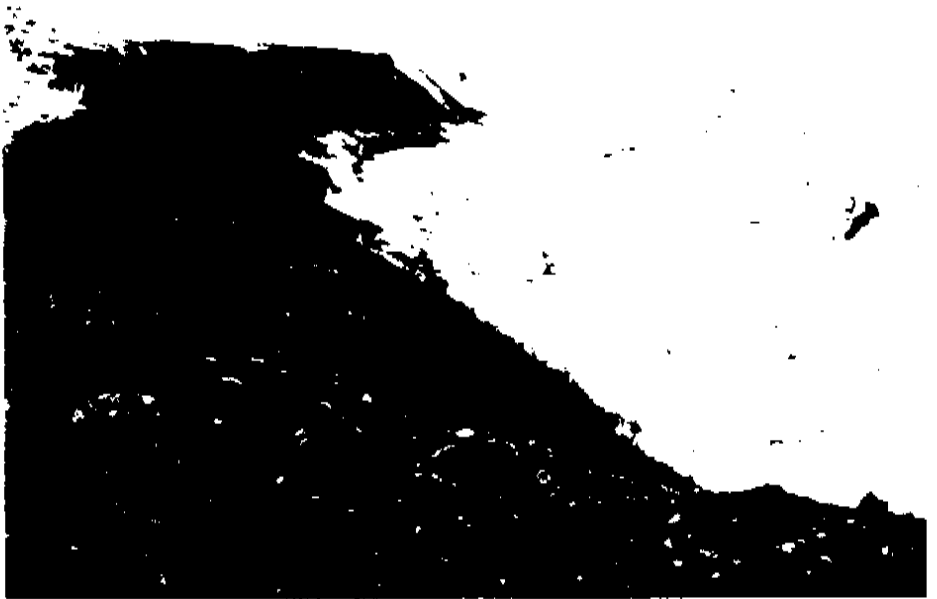
Rip Rap, channel
straightening, rock cut



SEGMENT 4

16

Virgin River at beginning of Segment 4-- note: tamarisk (salt cedar) stands and disclimax riparian, and upland vegetation



17

Developments along river above Beaver Dam



18

Homes and farms in river bottom.



SEGMENT 4

19

Littlefield Beaver Dam
I-15 Bridge-- note:
disclimax vegetation



20

Littlefield
Homes and
Farms

21

Home and Well along river
above Mesquite Diversion--
note: common modified
vegetation



SEGMENT 4

22

Mesquite Diversion-- note:
this major structure raises
the river several feet



23

Mesquite Canal
note: 12.6 cfs is
diverted and
carried by this
canal



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Arizona State Office
207 W. 7th Street
P.O. Box 6593
Phoenix, Arizona 85011



April 20, 1994

Mr. Ronald M. Thompson
Washington County Water
Conservancy District
Suite 1
136 North 100 East
St. George, UT 84770

Dear Mr. Thompson:

This is in response to your letter of March 24, 1994, regarding the Bureau of Land Management's (BLM) evaluation of the Virgin River as a potential wild and scenic river.

Eligibility Determination

The eligibility determination was conducted in conjunction with the Arizona Strip Resource Management Plan, approved January 1992, not part of the suitability assessment. The plan and Environmental Impact Statement were finalized in December 1990. The Virgin River in Arizona was found to be eligible for inclusion in the National Wild and Scenic River System. Enclosed is a copy of Appendix B which discussed the eligibility and classification criteria.

The eligibility of the Virgin River was subject to full public involvement and review. In addition, Washington County Commission was sent a copy of the Draft Resource Management Plan/Environmental Impact Statement. Comments regarding eligibility would have been appropriate during public meetings and review of the draft documents between October 1987 and December 1990.

Upon approval of the Arizona Strip Resource Management Plan, the Virgin River was formally found to be eligible for inclusion. The federal lands associated with the Virgin River also became subject to protective management of the wild and scenic river values by virtue of language in the Resource Management Plan.

Suitability Assessment

The suitability assessment report on the Virgin River, dated September 1993, was a result of a request from the Arizona Congressional Delegation to accelerate the evaluation process for all eligible rivers. As you have noted, the report recommends that the Arizona portion of the Virgin River be considered suitable. Because of the complexity of the entire watershed, BLM felt that no recommendation for designation could be made until the entire river area in three states was studied, under the provisions of Section 5(a) of the National Wild and Scenic Rivers System Act.

This alternative was carried through to the draft environmental impact statement, as well as the other alternatives: Recommend as Suitable, and No Action.

Draft Environmental Impact Statement

You have been sent a copy of the Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement. Enclosed is an additional copy for your reference. The 90-day comment period will be open until July 8, 1994. In addition, a public hearing will be held in St. George, on May 19, 1994, to gather public comments on the three alternatives.

We recommend that Washington County Water Conservancy District review the environmental impact statement, and provide comments on the alternatives. Though the eligibility determination phase has been completed, your concerns about our evaluation could be raised through comments in response to the Draft Environmental Impact Statement.

Sincerely,

[Signature]
Lester K. Rosenkrance
State Director

Enclosures

Large handwritten note on a triangular piece of paper. The note discusses 'federal government rights', 'state rights', and 'local government rights' in the context of the Virgin River. It mentions 'Bureau of Land Management', 'National Wild and Scenic Rivers System Act', and 'suitability assessment'. The text is dense and covers most of the triangular area.

**COMMENTS ON
DRAFT LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT
WILD AND SCENIC RIVER ANALYSIS OF VIRGIN RIVER**

By Washington County, Utah

Washington County, Utah, is greatly concerned with the analysis of suitability of the Virgin River in Arizona for treatment as a wild and scenic river contained in the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (LEIS) dated April, 1994. The Bureau of Land Management (BLM) has apparently chosen to ignore the specific requirements of the Wild and Scenic Rivers Act (WSRA) in favor of an arbitrary decision to find a way to justify giving the Virgin River a special status not authorized by law.

The Virgin River as it passes through the Arizona Strip fails to meet the basic requirements of the WSRA that the river be "free flowing" and that it have "outstandingly remarkable value." Even a cursory look at the Virgin River as it can be seen from the interstate highway (I-15) through the Virgin River Gorge reveals a number of substantial man-made alterations to the stream channel. This can hardly be what Congress intended when it determined to give rivers with "shorelines essentially (or largely) primitive, . . . the vestiges of primitive America" this special status. (See, 16 U.S.C. § 1273(b)). A determination of outstandingly remarkable value must be made in comparison with other rivers in the same or a similar physiographic environment. No outstandingly remarkable values have been articulated in the proper context for the Virgin River in Arizona. This failure to

*Comments by Washington County, Utah
Page 1*

provide a meaningful substantive discussion of the values assessed, in context, constitutes an abrogation of responsibility by the BLM in this process.

The DLEIS asserts that designation of the Virgin River as wild and scenic will not affect valid existing water rights, ignoring the fact that existing water claims account for the entire flow of the river. Any unilateral action taken by the BLM to assert rights to instream flows can only succeed through interference with the exercise of valid existing water rights upstream in Utah. Such actions would implicate not only vested property rights but also the quality of life in Washington County. Such decisions should not be made without adequate consultation with the holders of those rights, not limited to formalized opportunities to "comment" in this process. The structure, content and process of this DLEIS ensure that meaningful consideration of the interests and needs of holders of water rights in Washington County will not be adequately accounted for.

The DLEIS fails to adequately address the impacts on Washington County which will or may arise from designation of this river segment as wild and scenic. The assertion that the designation would have no effect on development must be questioned by anyone who is familiar with growth in this region and the current status of water rights and uses. Congress is entitled to have a complete analysis of all the impacts for consideration during its deliberations on BLM's recommendations, not a one-sided version designed to lead to the result agency staff have selected as preferable.

*Comments by Washington County, Utah
Page 2*

Before a final LEIS is issued, the BLM should consult directly with local officials in Washington County to ensure appropriate consideration of impacts on the County and to provide for adequate consideration of the many areas left unaddressed by the DLEIS. The final LEIS should specifically address the broad range of information available and concerns which have been expressed, without omitting information which does not support BLM's desired conclusion. In the alternative, the "No Action" alternative should be selected, since the DLEIS does not provide an adequate basis for evaluating the wide-ranging effects any change in the status of the Virgin River would have on Washington County.

The DLEIS gives short shrift to analysis and decisions which will have substantial and far-reaching impacts on the people of Washington County. This cavalier approach to the analysis is an improper exercise of administrative authority which must be corrected before any supportable conclusion can be reached.

*Comments by Washington County, Utah
Page 3*



United States Department of the Interior

OFFICE OF THE SOLICITOR
SUITE 8001, FEDERAL BUILDING
145 SOUTH STATE STREET
SALT LAKE CITY, UTAH 84158

March 1, 1994

MEMORANDUM

To: Utah State Director, BLM
From: Regional Solicitor, Intermountain Region
Subject: Wild and Scenic Rivers Act and
BLM Manual Section 8351

You have asked us for guidance as to the legal standing and sufficiency of BLM Manual section 8351, particularly as it regards BLM's management protection for eligible and suitable river segments, and the types of management protection BLM can provide upon the determination of eligibility and tentative classification at the time a draft RMP/EIS is made public but prior to Congressional designation thereof. You also ask what kind of management protection BLM can apply upon the determination of suitability made in the Record of Decision for the RMP/EIS. Due to the nationwide implications of the following legal advice, it has been reviewed and approved in our headquarters office.

For the reasons set forth below, we conclude that BLM Manual section 8351 erroneously mandates interim protection of all streams found eligible and given a tentative classification. In fact, any such protection so given is entirely a discretionary planning decision arising from the land use planning process. The Wild and Scenic Rivers Act does not require such protection. Any interim protection provided by the BLM must therefore comply with the requirements of section 102 and, depending on the extent of protection to be afforded, the Withdrawal provisions of section 104 of the Federal Land Policy and Management Act of 1976 (FLPMA).

BACKGROUND

The BLM is developing a resource management plan (RMP) for the Dixie Resource Area, i.e. Washington County, Utah. As part of the planning process, rivers in the county are being examined to determine which streams and stream segments the BLM would designate as eligible for protection under the Wild and Scenic Rivers Act.

The BLM Manual (Manual) section 5751.31C provides as follows:

When a river segment is determined eligible and given a tentative classification (wild, scenic, and/or recreational), its identified outstandingly remarkable values shall be afforded adequate protection, subject to valid existing rights, and until the eligibility determination is suspended, management activities and authorized uses shall not be allowed to adversely affect either eligibility or the tentative classification, i.e., actions that would change the tentative classification from a wild river area to a scenic river area or a scenic river area to a recreational river area. . . . (P)rotective management shall be initiated by the authorized officer (Area/District Manager) as soon as eligibility is determined.

Your questions arise from this language, which has the effect of mandating interim protection for rivers found to be eligible and given tentative classifications, pending possible future action by Congress. In order to be able to convey clear answers to your questions, we will first describe the provisions of the Wild and Scenic Rivers Act and then compare the requirements thereof to the related standards and procedures contained in the BLM Manual.

The Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act (the Act), Pub. L. 90-542, 16 U.S.C. §§ 1271-1277, was passed on October 2, 1968, in an effort to "complement" the previously established national policy of dam construction and water development on appropriate streams, by protecting others, together with their immediate environments, in their "free-flowing condition, to protect the water quality of such rivers and to fulfill other vital national conservation purposes." 16 U.S.C. § 1271. The rivers to be so protected were those which "possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values." 16 U.S.C. § 1271. Congress implemented this policy by establishing a "national wild and scenic rivers system" (NWSR system), and by designating the initial rivers to be included in this system.

Congress also prescribed the methods by which and standards according to which additional streams were to be added to the system. 16 U.S.C. § 1272. Rivers could only be included in the system if they were either (1) authorized by an Act of Congress or (2) designated as wild, scenic or recreational rivers by an act of the legislature of a state through which they flow, and then approved for inclusion in the NWSR system by the Secretary of the Interior. 16 U.S.C. 1273(a)(1). Rivers included in the

2

NWSR System were to be classified in one of the following categories:

Wild river areas - those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted, representing "vestiges of primitive America."

Scenic river areas - those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely unscathed and essentially largely undeveloped, but accessible in places by roads.

Recreational river areas - those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

16 U.S.C. § 1273 (Emphasis added).

Please note that the Act specifies that "wild" and "scenic" areas are "free of impoundments." Recreational river areas are likewise free-flowing, but previously may have contained impoundments or diversions which have since ceased operation or have been removed. With this sole exception, the distinctions among these categories are based on accessibility and degree of shoreline and adjacent development. This point is emphasized in 16 U.S.C. § 1273(b). Therein it is stated that "Every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion in the national wild and scenic rivers system and, if included, shall be classified, designated, and administered as wild, scenic or recreational." This section also illustrates that the terms "wild," "scenic," and "recreational" are used in two senses in the Act: one, descriptively, as in the first portion of the above-quoted language, and two, as terms of art denoting specific legal categories of congressionally designated NWSR system components.

Section 1275 provides the procedures by which other rivers are to be studied and either recommended or not recommended to the Congress for inclusion in the NWSR system. This section of the Act requires the Secretary of the Interior and the Secretary of Agriculture, as appropriate, for the streams in question, to study and submit to the President "reports on the suitability or potentiality" of certain, specified rivers "which are designated in the Act or hereafter by the Congress as potential additions to such system." These "potential additions" to the NWSR system, designated as such by Congress, and already

3

"eligible" (in their free-flowing condition) were then to be further studied for their "suitability."

Section 1276 then lists specific rivers as "potential additions" to be so studied and to require all Federal agencies to give consideration to the potential for wild and scenic designations in their planning activities on additional river areas, but is noticeably silent on the subject of protection for these agency-identified streams.

In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved.

16 U.S.C. § 1276(d).

Thus, in addition to requiring Congressional action to place a river into the NWSR system, and establishing three categories of streams within that system, i.e., wild, scenic and recreational, the Act also established three levels of consideration and treatment by the Interior and Agriculture departments: (1) those streams which Congress placed in the system in the original Act (some of which had to be studied further in order to determine appropriate categories); (2) streams which were specifically "designated for potential addition" by Congress in section 1276, on which the respective Secretaries were directed to conduct studies and submit reports on suitability for possible action by the Congress; and (3) streams identified during land use planning, and in studies conducted for this purpose by the Secretary of the Interior or the Secretary of Agriculture, as appropriate, "to determine which additional wild, scenic and recreational river areas (used descriptively) within the United States shall be evaluated in planning reports . . . as potential

For convenience, hereinafter, the terms "wild, scenic and recreational" will be referred to as designation "categories" of NWSR system rivers, whereas the distinction between streams congressionally designated as NWSR system rivers (with an appropriate designation "category") and those congressionally designated as "potential additions" for study as to suitability will be denoted by referring to "types" or designations.

4

alternative uses of the water and related land resources involved (in the area covered by the plan). 16 U.S.C. § 1276(d).

Congress thus established a system of ascending levels, whereby a given stream, in order to be included in the NWSR system, had to, in essence, "climb the ladder." Streams congressionally designated for potential addition were to be studied for suitability, with reports thereon submitted to the President for recommendations on NWSR System designation by subsequent act of Congress. A decision by the agency, the Secretary or the President not to recommend a stream to the next higher level has the effect of removing the stream from further consideration. 16 U.S.C. § 1276(b). Other streams, identified either by the agency studies mandated in section 1276(d) as qualifying as "potential alternative uses" of the water or by Federal agencies in their land use planning efforts, and related land resources can be designated by Congress for "potential addition," specifically studied for suitability by the appropriate agency, with a report submitted to the President, recommended by the President for designation, and then possibly designated by Congress as components of the NWSR system. 16 U.S.C. § 1275.

The questions you have raised for our consideration involve streams in the latter class, namely streams which were not designated by Congress either as part of the NWSR system or as "potential additions" to that system, but rather involve streams identified as comprising "potential wild, scenic and recreational river areas" or as "potential alternative uses" during the land use planning process by Federal agencies, in this case the BLM. More specifically, your questions involve the extent to which protection may be afforded to streams so identified by Federal agencies but not yet given the lowest type of congressional designation as "potential additions" to the NWSR system.

Statutory Protection Scheme

The scheme of protection established in the Act is clearly aimed at streams congressionally designated either as system components or as "potential additions," as well as streams referred to as "study rivers." The specific protections for these two categories of streams are found at 16 U.S.C. § 1276. For designated NWSR system component streams, regardless of category, section 1276

On streams designated for inclusion in the system by a state legislature, the Secretary must submit the proposal to the Secretaries of Agriculture, Army, and Navy as well as any other affected Federal department or agency and consider their comments and recommendations before approving or disapproving the state's proposal. If the Secretary approves the proposal, he must publish notice thereof in the Federal Register. 16 U.S.C. § 1275(c).

5

specifies that the Federal Energy Regulatory Commission (FERC) shall not license the construction of any dam, water conduit, reservoir, powerhouse, transmission line, or other project work under the Federal Power Act, 16 U.S.C. § 701a et seq., or directly affecting any river which is a designated component of the NWR System. Similarly, all other federal departments and agencies are prohibited from assisting by loan, license, grant or otherwise, in the construction of any water resource project that would have a direct and adverse effect on the values for which the river was designated. In other words, FERC is not to build water development projects, and no other federal agency is to do anything that would otherwise adversely affect the resource values which the NWR designation was intended to protect. Future water resource developments above and below designated stream segments, however, are permitted, provided that the development will not "invasively affect the area or unreasonably diminish the scenic, recreational, and fish and wildlife values present in the area" at the time it was designated by Congress as a NWR System component.

Subsection 127(b) provides the protection to be provided on rivers designated for "potential addition," i.e. those streams that have not been designated as NWR System components but which have been congressionally designated for study and possible inclusion. FERC and all other federal agencies are subject to the same restrictions on these streams, i.e. those listed in section 127(a) or by later act of Congress for "potential addition," as they are on streams already designated, except that there are time limits on this protection. Streams listed in section 127(a) were to be so protected for 10 years following October 3, 1968, and streams later designated by Congress to be studied for potential addition were to be protected for only 3 full fiscal years, unless Congress specified a longer period in making the designation. These 10 and 3 year periods of protection were to terminate earlier, however, if the Secretary concerned were to determine after study that such river should not be included in the NWR System. 16 U.S.C. § 127(b).

Additional periods of protection of 3 years and 1 year are provided for congressional consideration of departmental recommendations on "potential additions" (study rivers) passed through the President, and for Secretarial consideration of streams recommended by a state legislature for designation by the Secretary, respectively. 16 U.S.C. § 127(b)(1). On congressionally designated "potential additions," this has the effect of giving the Secretary and the President 1 year to complete a study and make a recommendation on suitability for inclusion after such congressional designation, and subsection (1) thereof then extends the protection an additional 3 years for congressional consideration if the Secretary does recommend such a "potential addition" for permanent protection in the NWR System. If these periods expire, or if a congressionally

designated "potential addition" river is not recommended for the next higher level of review, all protection ceases under the statutory scheme, and the river and surrounding lands are again available for FERC applications and the like.

DISCUSSION

What is particularly noteworthy in the Act, for purposes of the present questions, is that no protection whatsoever is afforded by the Wild and Scenic Rivers Act to streams on the lowest rung of the designation ladder, i.e. those having no congressional designation at all, but identified by federal agencies as potential wild, scenic or recreational river areas representing "potential alternative uses of the water and related land resources" during the land use planning process. Any protection given to these streams must be accomplished by positive action of the administering agency either as a land use planning decision under FLPMA section 202 or by way of a withdrawal under FLPMA section 204, or both.¹ In any event, such protection is incompatible with the agency; Congress did not mandate that every eligible stream identified in land use planning be protected, on either a permanent or an interim basis, nor did it even dictate that eligible streams must be managed as such. It only directed that such uses be considered as "potential alternative uses." The administering agency (BLM in this case) is obligated only to consider this alternative use in its planning, such as the National Environmental Protection Act of 1969 (NEPA) mandates that federal agencies consider environmental impacts and alternatives to the proposed action before making decisions. It does not demand a particular result; only that this option be fairly considered. If other management needs for a given river corridor are felt to outweigh the possible NWR benefits, the agency is free to make a planning decision in favor of the alternative use. The BLM has such wide discretion under the Act to consider other potential land uses and public land user needs than the Manual, as presently drafted, allows.²

¹ FLPMA section 202(a)(1), 43 U.S.C. § 1702(a)(1), requires that if an area is to be removed from the operation of the Mining Law of 1872, this can only be accomplished by withdrawal under section 204.

² If the Wild and Scenic Rivers Act had mandated this result our conclusion would be quite different, for Congress certainly has the plenary authority under the Constitution to either make withdrawals itself or to direct federal agencies to do so in such cases. The fact that it did not do so, however, especially when coupled with the fact that it provided only limited protection (3 years, for example) for streams that it designated for study as "potential additions" to the NWR System, makes it clear that the

The Wild and Scenic Rivers Act thus varies considerably from section 303 of FLPMA, for example, which designates wilderness study areas (WSAs) for consideration for protection under the Wilderness Act, 16 U.S.C. § 1131 - 1136. In section 303(d) Congress mandated that while under study, the WSAs were to be managed "in a manner so as not to impair the suitability of such areas for preservation as wilderness, with specified, limited exceptions. A WSA, in order to revert to normal public land status, had to be explicitly released by Congress. "Potential addition" to the NWR System, in contrast, is released from its time-limited protection if the Secretary determines after study that it should not be recommended to the President and the Congress for formal designation as a NWR System component.

The Wild and Scenic Rivers Act has been implemented by the Departments of the Interior and Agriculture through the publication of joint "Guidelines for Eligibility, Classification and Management of River Areas" found at 47 Fed. Reg. 29484 (1982).³ These guidelines were promulgated to provide a common set of standards for evaluating and classifying "potential additions" designated by Congress and establishing their suitability for potential designation by Congress as components of the NWR System. Otherwise, they do not (and cannot) modify the essential structure of the Act, as described above. We emphasize that these guidelines were specifically drafted to facilitate and provide uniformity in studies performed by Interior and Agriculture on rivers designated as "potential additions" by Congress. Id., at 29485.

The public comments and responses accompanying the regulations do, however, contain an interpretation of the purpose of the Act which is useful for our purpose. One comment received on the draft regulations asserted that the "definition of the term outstandingly remarkable value is too vague and too liberal. Too many rivers will be eligible for designation, unreasonably constraining economic development of natural resources." The federal response was that

(b)balancing of the need for protection versus development of each river area will be considered by the Congress in deciding whether or not to designate the river area. A determination that a particular river is eligible for designation does not necessarily

protection afforded under this Manual provision is a voluntary action by BLM accomplished under its generic authority in FLPMA.

³ We would also note that these "guidelines" were intended for internal federal use only and were not published or codified as formal regulations.

imply that designation is the best use of the river in terms of the national interest."

Id., at 29484.

This interpretation is consistent with the Act's policy statement in 16 U.S.C. § 1271 that the NWR policy is to complement the established national policy of dam construction and water development. The Act was intended as a means to ensure that river values associated with free-flowing streams would be considered by Congress together with hydroelectric power and other development values. If Congress places a stream into the NWR System, then it is protected from development directly along the course of the designated portion, and from excessive or "unreasonable" development upstream. 16 U.S.C. § 1278. However, if Congress perceives other values to be more in the national interest, it can decide to leave a stream undesignated and available for needed development. Furthermore, if Congress can decide not to designate as "potential additions" eligible streams identified by federal agencies during the inventory or land use planning processes, thus releasing the stream from further consideration as a NWR candidate as well as from any further temporary protection as such.

The BLM Manual thus affords greater protection on an interim basis, with no time limits, to streams identified in land use planning than Congress itself provided to designated "potential additions" to the NWR System. In fact, this interim protection could become virtually permanent if no recommendation for legislative action is ever submitted to Congress; and, if it involves a withdrawal of the land, such protection possibly violates FLPMA section 204(j), which prohibits the Secretary from making a withdrawal that can be made only by an Act of Congress.

The Manual language in section 421.13C, specifically the portion stating that "its identified outstandingly remarkable values shall be afforded . . . protection . . . and until the eligibility determination is superseded, management activities and authorized uses shall not be allowed to adversely affect either eligibility or the tentative classification," sounds as though it was patterned after the wilderness requirements of section 303 of FLPMA, rather than the Wild and Scenic Rivers Act. It can be read, and has apparently been so interpreted within BLM, as having the effect of removing certain land uses from the area without first complying with the required steps for a land withdrawal as mandated by section 204 of the FLPMA, and of withdrawing as mandated by section 204 of the FLPMA, and of truncating BLM's planning flexibility under section 202. In addition, if challenged, this language would likely be found to be an unlawful "predecision," a violation of the National Environmental Policy Act (NEPA) by making a decision before considering other planning alternatives and their respective

environmental consequences.

We would suggest that segments of streams identified as eligible under the Act and which BLM elects to remove and propose for NWSR system designations in the form of land use plans submitted to Congress for passage, be withdrawn for 3 years pursuant to section 104(d)(3) of FLPMA (3 years is the maximum, but it appears more in keeping with the statutory scheme of the Act) "to preserve such tract for a specific use then under consideration by the Congress." If Congress does not act within the term of the withdrawal to designate such streams as "potential additions" to the NWSR system, thereby gaining the additional 3 years of protection provided by section 1078 of the Act, the withdrawal would expire under its own terms, and the lands would be opened immediately to multiple use management, 42 C.F.R. § 2091 et seq., specifically § 2091.6. This approach is one, although others are certainly possible, that is consistent with both the Act and FLPMA.

CONCLUSIONS

Congress has provided for two types of designations under the Wild and Scenic Rivers Act which afford different types of protection: congressionally designated components of the NWSR system, which thereby receive permanent protection from conflicting uses of the land; and congressionally designated "potential additions" which receive a specified, limited term of protection while permanent protection is being considered, typically 3 years. The Congress also directed the Secretaries of the Interior and the Secretary of Agriculture "to make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved." 16 U.S.C. § 1278(d). This requirement was fulfilled by the completion of the Nationwide Rivers Inventory by the National Park Service in 1982.

In addition, federal agencies were directed in the same section of the Act to consider NWSR protection as one of the available alternatives in conducting land use planning. Accordingly, that consideration should be given in the preparation of any land use plan where appropriate. The BLM Manual, however, requires protection for all streams found to be eligible. This unnecessarily restricts BLM's land use planning flexibility under FLPMA section 101 by mandating the decision to

* This approach would also obviate the necessity of conducting a suitability study until Congress designates such streams as "potential additions" to the NWSR system.

10

be made. This might also be read to violate both NEPA, as constituting a decision in advance of NEPA study, and the specific withdrawal provisions of section 104 of FLPMA. We recommend that the Manual be revised in accordance with this advice.

We hope this information is of assistance to you. If you have any further questions or comments concerning these issues, please contact the undersigned at (801) 524-5477.

Lynn A. Collins
Regional Solicitor
By *A. Scott Lovelace*
A. Scott Lovelace
Attorney-Advisor

Alt:dot:resttel@wv.fws.gov/wildscenrivers

A Systematic Approach to Determining the Eligibility of Wild and Scenic River Candidates

prepared for:
U.S.D.A. Forest Service
Columbia Gorge National Scenic Area

by:
Land and Water Associates

June 1, 1989

A Systematic Approach to Determining the Eligibility of Wild and Scenic River Candidates

A model approach prepared for use in the
Klickitat and White Salmon Rivers Study

prepared for:
U.S.D.A. Forest Service
Columbia Gorge National Scenic Area

by:
Land and Water Associates
320 N.E. Green Street
White Salmon, WA 98672
(509)455-3353

principal authors:
S. Alec Giffen
Drew C. Parkin

June 1, 1989

CONTENTS

INTRODUCTION	1
SUMMARY	3
Approach to Eligibility	3
The Need for Flexibility	6
THE STEPS IN THE PROCESS	7
1. Divide the river into homogeneous sections for analysis	7
2. Determine if the sections meet the free-flowing thresholds	8
3. Identify river features which may be significant	9
4. Evaluate river features	9
5. Refine the results of steps 1-3	12
6. Combine the results of individual analyses	13
7. Analyze the combined results for synergistic effects	14
8. Determine if the river is eligible	15
APPENDIX A	16
APPENDIX B	19

INTRODUCTION

The Wild and Scenic Rivers Act establishes that it is national policy to "preserve . . . selected rivers or sections thereof in their free-flowing condition to protect water quality of such rivers and to fulfill other vital national conservation purposes." The Act also states that these rivers "shall be preserved in free flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations". This policy is intended to "complement" other national policies which promote river development.

The Act and subsequent regulations establish guidelines for which rivers will qualify for inclusion in the National Wild and Scenic Rivers system. In general terms, to be eligible rivers must:

- 1) be free flowing, and
- 2) possess natural and/or cultural river features which are judged to be "outstandingly remarkable".

In the 20 years since the Act was passed, a number of rivers have been studied for inclusion in the system. Approaches used in evaluating candidate rivers have been quite variable; particularly as regards determining whether or not a river possesses outstandingly remarkable features. While the criteria for judging whether a river is free-flowing have been clearly defined in federal guidelines, the guidelines for determining whether or not river features are truly "outstandingly remarkable" are only embryonic.

Practitioners in the field have been frustrated by this lack of definition; policy makers have been equally frustrated by the resulting lack of consistency among individual wild and scenic river studies. Therefore, the purpose of this report is to identify, within the framework provided by existing guidelines, a systematic approach to determining the eligibility of wild and scenic river candidates, specifically including more refined guidelines for assessing the significance of their resource values.

The report grew out of an effort by the authors to devise a rational process for determining the eligibility of the Klickitat and White Salmon Rivers in Klickitat County, Washington for designation as Wild & Scenic Rivers. The concepts discussed here have been tested and refined through that project. Guidance in the preparation of the report was provided by resource managers from the USDA Forest Service, Region Six, and the USDl Bureau of Land Management, Oregon State Office.

This approach builds on existing wild and scenic study guidelines as well as other accepted resource assessment concepts. The main points in the approach are summarized in the following section and explored in greater detail in the third section of this report.

1

SUMMARY

Approach to Eligibility

As indicated earlier, to be eligible for inclusion in the Wild and Scenic Rivers Program a river (or river segment) must be free-flowing and possess natural and/or cultural features which are judged to be "outstandingly remarkable". When an agency evaluates a candidate river, findings on these points are included in an "eligibility report" or a larger "study report" which may cover issues beyond eligibility. The purpose of this effort is to outline a defensible step-by-step approach to conducting eligibility evaluations which is consistent with the purposes of the Act and existing guidelines.

The key features of the approach recommended here are:

- o the use of explicit comparisons to evaluate the relative significance of similar areas;
- o a focus on features which are directly river related;
- o coverage of both rare and representative/exemplary features; and
- o the standard that "outstandingly remarkable" features must be at least regionally significant.

This approach is recommended as it is open, accurate, and supported by the law and agency guidelines. Further, by adjusting the degree of detail and documentation required to respond to the sensitivity of river management issues, available funding, and time constraints, this same approach can be successfully applied to relatively simple situations requiring only a limited evaluation or to complicated situations requiring much more sophisticated and refined analysis.

Major Steps in the Process

The major steps involved in developing an eligibility report are shown in Figure 1. They flow from tentative decisions about dividing the river into homogeneous sections, to evaluating resource significance, and finally determining the eligibility of the river for inclusion in the Wild and Scenic River System.

2

Significance Thresholds

Analyses comparing the value of one river to another do not in and of themselves determine if a feature is "outstandingly remarkable". One further step is needed. That is, establishing a minimum level of significance for such features.

It is clear that resource features that are nationally significant qualify as being outstandingly remarkable. In addition, the Wild and Scenic Rivers Act as well as subsequent Congressional and agency actions support the position that regionally significant features also qualify. Consider that:

- 1) Congress clearly intended rivers included in the system to have more than local significance;
- 2) Congress has itself designated rivers of regional rather than national significance as Wild and Scenic; and
- 3) Both agency guidelines and the National Rivers Inventory recognize the importance of regional representation in the Wild and Scenic Rivers System.

Hence, this approach recommends using the standard that "outstandingly remarkable" features must be at least regionally significant.

The Scope of Inquiry

The final key point in this approach involves the nature of features which qualify a river as eligible. Two concepts are involved here. First, this approach recommends that qualifying features be limited to those which are directly river related. The rationale is that this is the Wild and Scenic Rivers Program rather than a generalized land and resource conservation program and it is therefore appropriate to focus attention on the river and resources related directly to it. This does not mean that other features (for example, a rare plant habitat well removed and unrelated to the river) should be ignored in either the resource assessment or development of the management plan, only that they should not be the rationale for determining eligibility.

Second, among river related features, "exemplary", as well as rare features, are recommended for evaluation. Exemplary features are outstanding examples of common but important types. For instance, the highest quality habitat of an important fish species common in an area (e.g., cutthroat trout in parts of the west and brook trout in parts of the east) could be exemplary. Including exemplary features in the analysis ensures that high quality rivers that typify the nation's diversity will be preserved as well as those with rare features. This is clearly in keeping with the intent of the Act and existing guidelines.

3

THE STEPS IN THE PROCESS

As outlined above in Figure 1, there are 8 steps in the eligibility process. These are as follows:

1. Divide the river into homogeneous sections for analysis.

HOW

The first step in the eligibility process is to break the study area into sections with similar conditions. These sections will generally be several miles in length and distinguished from one another by major rather than minor changes in resources or land uses. For example, one section of a river might be characterized by a deep rocky gorge with a forested shoreline and another section by agricultural land use and a streambed just slightly below general ground levels. As this step takes place early in the study process, the distinction between sections is made based on a preliminary evaluation of land forms, resources, and land uses. The division of the river into sections may be redefined later based on the more detailed analyses which follow.

WHY

For a river with variable conditions, treating the river as a whole may obscure important differences among its sections. Dividing the river into sections increases the resolution of the analysis and can later serve as a foundation for evaluating management options.

2. Determine if the sections meet the free-flowing thresholds.

HOW

Conduct an analysis of the character of each of the sections identified in step 1 to determine which river sections meet the thresholds for free-flowing character contained in the Act and federal guidelines. In essence the section must retain riverine in appearance and be free of high head dams and extensive rip-rap or diversions.

WHY

There is no point in doing extensive resource analysis on river sections that will not qualify under the Act.

4. Evaluate river features.

HOW

In the case of rare features, document that they are rare in the region or the nation either by citing an existing authority (for example, lists of threatened or endangered species) or, less frequently, by conducting an independent study to demonstrate their rarity. In the case of threatened, endangered, or otherwise rare species "outstandingly remarkable" riverine habitat should have substantial value for the species involved.

In the case of exemplary/representative features, prepare a comparative analysis of similar features in the region or, where available, cite an existing study which demonstrates that they are exemplary (see Maine's *Whitewater Rapids* for an example of such a study).

If financial resources are limited, time is short, the situation does not justify an "indepth" comparative evaluation, or quantitative data does not exist for all rivers in question, a simplified "qualitative" evaluation process is the best approach. This could be conducted by an expert or team of experts with considerable knowledge of the subject and the geographic area. This would involve rating a series of representative rivers in the region against pre-selected criteria using "professional judgement". Such an approach is more than adequate for many situations and is all that is possible in others. (See the Pacific Northwest Rivers Study's resident fish evaluation for an example of this type of analysis.)

When preparing a comparative analysis, the steps involved include:

1. Identifying resource considerations to be used in the evaluation,
2. Identifying the region that will be used for comparison,
3. Collecting necessary information,
4. Comparing areas using a ranking scheme,
5. Determining significance levels, and
6. Circulating a draft for review.

Resource Considerations

Identify the resource factors or considerations that will allow you to decide which areas are more important than others. These considerations should include the full range of characteristics which may distinguish one area from another. For example, in the case of anadromous fisheries in a portion of the Pacific Northwest, the following considerations were included in the ranking:

Ranking

Once the information is collected rank the rivers based on the considerations identified earlier. Either a verbal or numerical scheme may be used. A convenient scale is as follows:

Rating	Significance Level
0 - not present	not significant
1 - less significant than most in the region	not significant
2 - typical, one of many equally significant in the region	locally significant
3 - one of only a few that significant in the region	regionally significant
4 - the most significant in the region	regionally or possibly nationally significant

The ranking information can be conveniently displayed in the form of a matrix. Once again, using the anadromous fisheries example, if rivers in the Pacific Northwest were rated as follows:

Rivers:	A	B	C	D	E	F	G	H
Habitat Quality	1	2	3	2	1	3	3	3
Number Species	3	2	3	2	3	2	2	2
Value Species	3	2	3	2	3	3	3	3
Number/Size Runs	0	1	3	2	2	4	4	1
Natural Reproduction	0	0	2	3	1	3	4	1
Value of Fish	2	2	2	3	2	3	4	2
Recreational Significance	1	2	3	2	2	4	2	1
Historic Significance	2	0	4	2	1	2	3	3
Potential Significance	1	1	4	2	1	3	4	2
Total Rating	15	12	27	20	16	27	29	18
Average (%)	42	33	75	56	44	75	81	50

Using this analysis rivers C, F, and G are clearly the most significant in the region. Note that the level of detail required in the analysis depends on many factors including the nature of the resource, the data available, established benchmarks for significance, etc. Many analyses thus need not be as involved as the example shown here.

Determining Significance

Once the necessary data is collected and areas are ranked, significance levels may be determined by inspecting the results for natural groupings and by using resources with known levels of significance as benchmarks. For example, if one river in the area has already been designated Wild & Scenic because of a particular resource value this information can be used to establish the relative significance of other river segments included in the ranking.

6. Combine the results of individual analyses.

HOW

Combine the results of individual analyses undertaken in step 4 to assess the overall significance of first, each river section and second, the river or river segment as a whole. A matrix provides a clear and efficient way to depict this information. Such a matrix is shown on the following page.

(Note that a matrix of this type could also be developed to display classification findings. This, however, is beyond the scope of this report.)

Each cell in the matrix depicts the level of resource significance determined in step 4 for each resource category and each river segment. These levels can be represented either numerically or verbally. A convenient scale is as follows:

Rating	Significance Level
0 - not present	not significant
1 - less significant than most in the region	not significant
2 - typical, one of many equally significant in the region	locally significant
3 - one of only a few that significant in the region	regionally significant
4 - the most significant in the region	regionally or possibly nationally significant

A numerical scale offers some advantages in this regard as it can be read more quickly, allows relative values unambiguously, and allow easy interpretation of a discriminating scale. In the case of the free-flowing row in the matrix, a river will be judged positively if it meets minimum thresholds and negatively if it does not.

WHY

The total value of a river may be more than the sum of its resources evaluated individually. Total value can only be evaluated by inspecting the combined results of individual assessments. For example, while individual resources may have only local significance, when considered together, they may be regionally important.

8. Determine if the river is eligible.

HOW

Using this methodology, river segments which meet the free-flowing thresholds and have at least one feature of regional significance are eligible for inclusion in the Wild and Scenic Rivers Program. When considering which reaches of a river are eligible, be mindful of the fact that rivers are interrelated systems and that maintaining the integrity of the entire river, or at least major portions of it, is important to accomplishing the purposes of the Wild and Scenic Rivers Program.

WHY

The rationale for this approach is explained in steps 1-7 above.

Product

The product of this effort is a resource evaluation report (or a resource evaluation component of a larger study report) that either determines eligibility or provides all necessary information for the agency in charge of the study to make this decision. The report should clearly identify 1) the features, if any, that qualify as outstandingly remarkable, 2) the sections of the river that possess these features, 3) other noteworthy resource features that should be given consideration in future management, and 4) the rationale for decisions.

15

NATURAL FEATURES

Type of Feature	Fact	Example
Geologic	A highly unusual gorge, e.g., one formed by retreats from a retreating glacier.	Year book examples of common features e.g., an especially good exposure of a common bedrock formation showing typical features.
	A relic shoreline (a shoreline formed by an ancient river, sea, or lake but now well above water).	The best example of a common bog type.
	A rare type of bog e.g., a domed peatland with a river running through it.	One of the best examples of an outlier in a region where they are common.
	An unusual combination of river related surficial features.	
	The deepest gorge in a region.	
	The only glacio-marine delta or estuary in a region.	
	Solution caves in a region where they are uncommon.	
	A river with unusual flow characteristics e.g., high summer flows in a region where these are rare.	
Hydrologic	Boiling springs (Springs with artesian pressure that makes them scold to boil).	One of the best examples of an old aged stream (remnant) in a region where they are common.
	A highly unusual waterfall, e.g., one that flows either up or both over and under a rock arch, depending on flows.	
	Exceptionally clear water.	
Vegetation	Habitat of substantial value to threatened or endangered plant species.	An especially good example of a particular wetland or riparian forest type.
	A highly unusual wetland for the region, e.g., a large total freshwater wetland in the northeast.	

17

Appendix B

Examples of factors (or criteria) to be considered in preparing comparative reports

Anadromous Fish

- Habitat Quality:** The amount, quality, and carrying capacity of habitat presently available for anadromous fish of all species—spawning, nursery and holding areas were considered.
- Diversity of Species:** The number of anadromous species presently established in the river. This includes both native and stocked species.
- Value of Species:** The relative value of species present based on commercial, tribal and sport uses. Steelhead and spring chinook are understood to be the most highly prized by anglers. Spring chinook are highly prized due to scarcity.
- Number and Size of Runs:** The number and size of runs currently established on the river in question. Many species have both spring and fall, or summer and winter runs. Larger runs were rated higher than smaller ones. Run estimates were developed by combining the sport and tribal catches with escapement estimates. These were averaged over the time period for which data was available, usually the past ten years.
- Natural Reproduction:** Areas with self-sustaining natural populations were rated higher than those maintained by stocking.
- Size and Vigor of Fish:** Rivers with larger fish and/or high fecundity ratings were given greater value.
- Recreational Importance:** Rivers with higher reported sport and tribal catches or high angler day estimates were rated more favorably than those with lower use.
- Historic and Present Significance to Native Americans:** Rivers which have substantial existing use or which have been traditionally utilized as an Indian fishery and/or have been documented historically for sizeable runs were rated higher than those which were not.
- Potential Significance:** Many rivers have under-utilized habitat. Those rivers with habitat potential to support larger runs rated higher than those with little capacity for expansion.

19

- Character/naturalness:** Pristine quality; level of wildness/remoteness; extent of undeveloped area. Areas with the least development rank highest.
- Scenic quality:** Presence of panoramic views and other scenic qualities. Areas which are the most scenic rank highest.
- Flow/volume:** Average daily discharge in cubic feet per second. Areas with the greatest flows rank the highest.
- Level and type of use:** Amount of recreation user days/visitor hours; type of boating/floating done. Areas with more use rank higher.

Recreation: Extended Trip Boating

- Length of season:** Number of weeks/months and time of year river is navigable to appropriate whitewater craft; amount of time river is boatable at reasonable flows. Areas with a long season rank higher.
- Class/difficulty:** Level of difficulty encountered based on international rating class I-VI; frequency and quality of rapids (gradients). More difficult areas rank higher.
- Length of run/river segment:** Actual length of navigable river available to recreational river runners or average time required to boat the segment (length of trip possible). Longer runs rank higher.
- Access:** Ease of access (put-in and take-outs accessible by road; availability of public or private access points/associated facility development; proximity to population centers; number of safety hazards both natural and man-made which may effect access/use). Areas with the easiest access rank highest.
- Character/naturalness:** Pristine quality; scenic quality; level of wildness/remoteness; extent of undeveloped area. The least developed areas rank highest.
- Scenic quality:** Presence of panoramic views and other scenic qualities. The most scenic areas rank highest.
- Flow/volume:** Average daily discharge in cubic feet per second. Areas with the greatest flows rank highest.
- Level and type of use:** Amount of recreation user days/visitor hours; type of boating/floating done. Areas with the most use rank highest.
- Associated recreation opportunities:** Number of areas/places available for overnight camping, both developed and undeveloped; fishing; hiking; viewing wildlife or visiting points of interest. Areas with the greatest diversity of opportunities rank highest.

21

Vegetation

1. Socio-economic importance: Importance of the herd dependent on the wintering area to hunters. Areas which are the most important rank highest.
2. Naturalness: Areas with the least conversion to agriculture and development rank the highest.
3. Disturbance by man: Areas where wintering deer are the least disturbed by activities like snowmobiling rank highest.

Gorges and Canyons

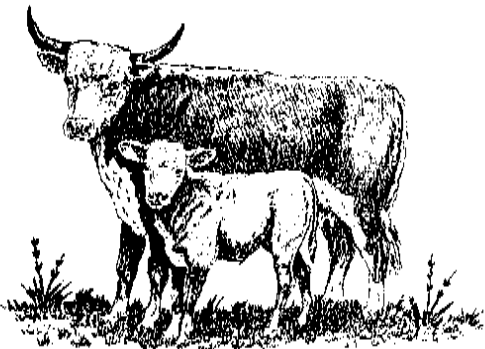
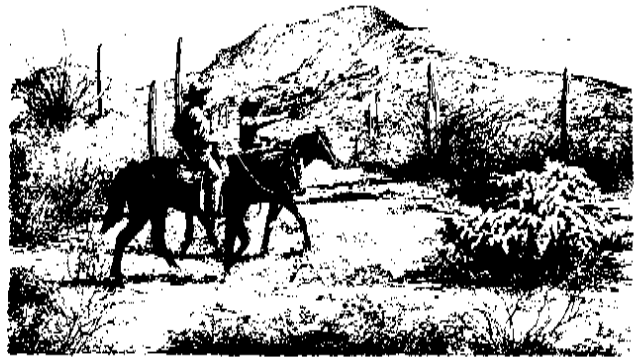
1. Depth: Average depth of gorge/canyon from rim throughout its length. Deeper gorges or canyons are rated higher.
2. Depth to width ratio: Average ratio of depth to width throughout the length of the gorge/canyon. The higher the ratio, the higher the rating.
3. Length: Length of gorge/canyon. Longer gorges/canyons rate higher.
4. Flow: Average volume of water flowing through the gorge/canyon. Greater volume warrants higher rating.
5. Hydrologic features: Number, size and extent of falls, rapids, turbulence etc.; number and size of springs and waterfalls associated with side streams at their confluence with the gorge/canyon.
6. Bedrock features: Extent, significance and/or uniqueness of geologic features found within the gorge/canyon.
7. Naturalness: Pristine quality of area; amount of development.

Scenic Values

1. Adjacent Landform:

- High Value = High relief, e.g. cliffs or spires; severe surface variation, e.g. badlands; strong sense of enclosure.
- Moderate = Steep canyons, mesas, buttes, or drumlins; interesting erosion patterns.
- Low = Low rolling hills or flat valley bottoms.

23



7. Cultural Modification:

- High Value = Free from aesthetically undesirable sights and influences; any man-made features that exist add considerably to visual appeal.
- Moderate = Man-made features may be visible but are not disruptive.
- Neutral = Scenic quality is somewhat depreciated by inharmonious intrusions but not so extensively that they are negated.
- Negative = Modifications are so extensive or dominant that scenic qualities are substantially reduced.

25

BUREAU OF LAND MANAGEMENT PUBLIC HEARINGS:
"WILD AND SCENIC RIVERS 1994 LEIS HEARINGS"

Taken in Tucson, Arizona
May 23, 1994

Prepared for: Reported by:
BUREAU OF LAND MANAGEMENT MELISSA J. HART

BARTELT & KENYON

BUREAU OF LAND MANAGEMENT PUBLIC HEARINGS
"Wild and Scenic Rivers 1994 LEIS Hearings"
commenced at 7:00 p.m. on May 23, 1994, at the Udall
Recreation Center, 7200 East Tanque Verde, Tucson,
Arizona, before MELISSA J. HART, a Notary Public in and
for the County of Maricopa, State of Arizona.

LARRY BAUER
Arizona Bureau of Land Management
Deputy State Director for the Division of
Minerals

PHIL MORBLAND
Arizona Bureau of Land Management
Chief of the Branch of Planning,
Environment, Lands and Recreation

BARTELT & KENYON

MR. BAUER: Ladies and gentlemen, this
meeting will now come to order. I have a few
introductory comments to make before I call upon anyone
who wants to speak. My name is Larry Bauer. I am the
Arizona Bureau of Land Management Deputy State Director
for the Division of Minerals. I have been appointed by
the State Director of the Bureau of Land Management to
conduct this public hearing under the authority of the
Secretary of the Interior.

On my left is Phil Morbland, Chief of the
Branch of Planning, Environment, Lands and Recreation in
our state office. Later I'll ask him to summarize what
we have done so far in this legislative wild and scenic
river process. And I'll also introduce Mr. Jesse Juen
standing in the back, our Tucson area Resource Manager
here. On my left is Melissa Hart. She is an official
court reporter who will record everything here. She's
from the firm of Bartelt and Kenyon Court Reporters in
Phoenix.

I hope each of you has signed the attendance
sheet. The attendance sheet allows you to indicate
whether you want to speak tonight or submit written
comments. If you didn't sign as you came in and you
want to speak, raise your hand and we will see that you
get a chance to sign in. After this introduction I will

BARTELT & KENYON

call on those who've indicated they wish to speak.
This public hearing is required by statute.
The purpose of this public hearing is to receive
comments on the draft Arizona Wild and Scenic Rivers
legislative Environmental Impact Statement. A
transcript of this meeting will be made by the official
reporter, Ms. Hart. The transcript will be reproduced
in the final legislative environmental impact statement
along with appropriate responses by Bureau of Land
Management officials. The final wild and scenic rivers
legislative environmental impact statement will also
include public letters and responses to those and will
incorporate any revisions or changes resulting from the
comments at this meeting and from other public reviews.

We anticipate that the final legislative
environmental impact statement will be available for
public review in December.

This public hearing is part of our efforts
to involve the public in the preparation of this
environmental document. We officially started the
process with a Notice of Intent published in the Federal
Register on February 19th, 1993. The Notice of Intent
included a statement encouraging the public to submit
any issues or concerns to us. During March and April of
1993 we held 13 public scoping meetings in Arizona towns

BARTELT & KENYON

1 and communities and we held one additional hearing or
2 meeting in St. George, Utah. Approximately 300 people
3 attended these meetings. In early April 1994 we mailed
4 out nearly 2,000 copies of the draft legislative
5 environmental impact statement for public review and
6 comment. We will accept comments on this document until
7 July 8th, 1994.

8 As I mentioned, the final legislative
9 environmental impact statement will be ready in
10 December. There will be a 30-day public review and
11 comment period for the final document. After the final
12 public review period the State Director,
13 Mr. Mosencantz, will send the environmental impact
14 statement to the BLM director in Washington. Then it
15 will be transmitted to the Secretary of the Interior who
16 will forward it to the President. From the President
17 the environmental impact statement will go to Congress
18 which will make the final decision on which Arizona
19 rivers will be included in the National Wild and Scenic
20 Rivers System.

21 Finally, before I call upon Phil, I'd like
22 to specify the ground rules for this public hearing.
23 It's important to emphasize it's not a debate or a
24 question and answer period. It's not a
25 cross-examination by the public of the BLM. It is

BARTELT & KENYON

1 rather an advisory hearing in which the public is given
2 an opportunity to make comments for the record. These
3 comments will eventually be submitted to our Washington
4 office and from there to the Secretary of the Interior,
5 the President and Congress.

6 BLM personnel are not expected to respond to
7 questions during the meeting unless I rule otherwise.
8 After the meeting, we'll be available in the back of the
9 room around the maps to talk with you individually or
10 you can contact us later at our offices. All speakers
11 should be allowed to complete their presentation without
12 interruptions. If we have time, I will open the meeting
13 to general comment after all the speakers have finished.
14 As I mentioned, Phil Moreland will briefly summarize
15 what we have gone through in preparing this legislative
16 environmental impact statement.

17 MR. MORELAND: Thank you, Larry, and good
18 evening, ladies and gentlemen. There are three items
19 that I want to mention in summarizing the development of
20 this legislative environmental impact statement. The
21 first item concerns the purpose of the document.
22 Briefly, the purpose of the legislative environmental
23 impact statement is to provide Congress with a database
24 and alternatives which they can use to decide which, if
25 any, rivers should be included in the National Wild and

BARTELT & KENYON

1 Scenic River System.

2 The Arizona BLM developed the legislative
3 environmental impact statement in compliance with the
4 Wild and Scenic Rivers Act of 1968 that requires federal
5 agencies to study potential national wild, scenic and
6 recreational river areas.

7 The main consideration in this environmental
8 impact statement is the range of management
9 alternatives. In the statewide document -- this is the
10 this document of the three-document series -- we
11 analyzed the impacts of implementing four different
12 alternatives. One was the proposed action to recommend
13 13 river study areas to Congress for inclusion in the
14 national wild and scenic river systems. Another was the
15 no action alternative, which means that BLM would not
16 recommend any river areas to Congress. The third
17 alternative recommends to Congress only those portions
18 or segments of river study areas that are not protected
19 by wilderness or national conservation area status. The
20 last alternative recommends all 20 of the river study
21 areas.

22 Second, I want to summarize the steps that
23 took place in the process of producing of this
24 legislative environmental impact statement. Over the
25 past several years, BLM has developed resource

BARTELT & KENYON

1 management plans and plan amendments that involved
2 evaluating rivers to determine whether they should be
3 considered for wild and scenic river status. Through
4 these plans about 20 river study areas were identified
5 and determined to be eligible for consideration. While
6 BLM was doing this, the Arizona Rivers Coalition, in
7 March 1991, studied and recommended 40 Arizona rivers
8 for wild and scenic river consideration. Fourteen of
9 these were under BLM management responsibility. In
10 1992, the Arizona Congressional delegation encouraged
11 BLM to develop additional studies to facilitate the
12 process. This resulted in a detailed document known as
13 the Wild and Scenic River Assessments completed in
14 September of 1993.

15 The Wild and Scenic River Assessments
16 document contained an evaluation of each of the 20
17 rivers BLM districts had identified as eligible in the
18 planning process. Although the assessment was developed
19 primarily for internal use, copies were sent to the
20 Congressional delegation and several interested parties.

21 We used the Assessments document as the
22 basis to identify the river study areas for the proposed
23 action alternative in the environmental impact
24 statement. However, each of the river study areas has
25 at least two alternatives, and in the two other books of

BARTELT & KENYON

1 the three-part system, each individual river has its own
 2 mini-environmental impact statement and each of those has
 3 at least two alternatives, the proposed action and the
 4 no action alternative. Some of these individual
 5 documents have a third alternative, recommending either
 6 the entire river study area or a portion of it. The
 7 draft LEIS was produced during the fall of 1993 and the
 8 spring of '94 and filed with the Environmental
 9 Protection Agency and released for public review and
 10 comment on April 8th, 1994.

11 Finally, I want to talk a little about
 12 public involvement. We in Arizona strongly believe in a
 13 full public participation process. In this case, our
 14 public involvement efforts started with the resource
 15 management plans and plan amendments. We encouraged the
 16 public to identify issues and concerns that needed to be
 17 considered in planning. We sent the documents out for
 18 public review and comment and revised them accordingly.

19 When we decided to start preparing this
 20 document, we announced our plans in the Federal
 21 Register, in local papers. In the announcement we asked
 22 for public comments. In March and April of last year we
 23 had 14 public scoping meetings throughout the state and
 24 St. George, Utah. Over 500 people attended the meetings
 25 and many sent written comments to us. By the way, these

BARTELT & KENYON

1 comments are summarized in Chapter Five of the statewide
 2 rivers document. That's the smaller of the three
 3 documents.

4 We've also mailed out three issues of our
 5 wild and scenic river updates to over a thousand people
 6 who have asked to be on our mailing list. These updates
 7 have kept people informed about the process and our
 8 progress.

9 Last month we started another important
 10 phase of public involvement -- this public hearing is
 11 part of it -- the public review and comment process on
 12 the draft document. We're very anxious to know what you
 13 think about the wild and scenic river alternatives.
 14 Each comment we received tonight and any other comments
 15 we receive until July 8th will be carefully read and
 16 responded to as appropriate. The public comments may
 17 result in changes to the document. The comments and
 18 responses will be published in the final document, and
 19 they will all be sent to the Secretary of the Interior
 20 and forwarded to Congress to aid in making decisions
 21 about adding rivers to the national wild and scenic
 22 rivers system.

23 I will give it back to Larry now. As he
 24 mentioned, this is a formal public hearing and isn't a
 25 question and answer forum, so I won't ask for any

BARTELT & KENYON

1 questions at this time. But I and several of the other
 2 people who helped prepare this document will be
 3 available after the meeting if there's something you
 4 would like to discuss with us.

5 MR. BAUER: Thanks, Phil. Sixteen people
 6 have indicated they'd like to speak tonight so I'm going
 7 to allocate a maximum of ten minutes per person at this
 8 time. When I call on you to speak -- we're going to set
 9 up a microphone here for you to use. Please state your
 10 name, where you're from, who you represent or if you're
 11 speaking for yourself. Those who have come with written
 12 statements can leave them up here with me after they
 13 have finished. And I think it would be better if the
 14 speakers face the audience rather than the table when
 15 they're doing the speaking.

16 The first person I'd like to call, and I
 17 have a question mark there, is Gerald Korte.

18 MR. KORTE: You say this isn't a question
 19 and answer. I came with a question and I will make a
 20 comment. I was affiliated with the owners of the
 21 Cienega Creek Empire Ranch from 1947 to 1968, in which I
 22 was the current manager, and we sold the Cienega Ranch.
 23 I keep hearing that these fish are native to Cienega
 24 Creek. They are not. Those fish were never there. Sam
 25 Ball, who bought the ranch from John Greenway in 1968,

BARTELT & KENYON

T4-1

1 moved the creek, moved it around by the ranch
 2 headquarters, dumped it into Maddey Canyon, built a dam
 3 on Cienega Creek and stocked it with fish. And I'm not
 4 disputing -- I know nothing about fish except there are
 5 fish. These might be a native Arizona fish, but they
 6 were not native there from 1947 until 1968 when they
 7 were introduced by Sam Ball. That's all I've got to say
 8 if I can't ask any questions. So you're talking about
 9 the Cienega Creek is a native fish habitat. It's not.
 10 It developed into one, but prior to 1969 or '70, there
 11 was no fish in the creek.

12 MR. BAUER: Thank you, Mr. Korte. Our next
 13 speaker is Mr. Stephen Ondriska.

14 MR. ONDRISKA: I will pass right now. I will
 15 talk to you later.

16 MR. BAUER: All right. Wheel Tetreault.

17 MR. TETREHAULT: My name is Rheel Tetreault.
 18 I'm from Tucson. I'm with the Tucson Rough Riders, a
 19 four-wheel-drive club here in town and the Arizona state
 20 Association of Four-Wheel-Drive clubs, which are clubs
 21 all across the state. We oppose the wild and scenic
 22 rivers proposals just because of the fact that it
 23 amounts to nothing more than an expansion of wilderness.
 24 whether it's called a wild and scenic river or a
 25 riparian, conservation area or wilderness, the end

BARTELT & KENYON

T4-2

1 result is the same. The general public is locked out of
2 the recreational opportunities available in these areas.
3 Only the elite with the time and the physical abilities
4 to hike these areas will be allowed to use them. The
5 elderly and disabled are disqualified.

6 We don't need any more wilderness in this
7 state or in this country for that matter. We can't
8 afford to properly administer the areas already in parks
9 and in wilderness areas. As our population grows, the
10 need for recreational opportunities does also. To
11 continually shut down areas by turning them into
12 wilderness will only create more and more problems in
13 the areas left open. The more concentrated the users,
14 the higher the possibility of resource damage. Keep
15 public lands open for the public to use and do what is
16 good for the general public, and choose the no action
17 alternative. Thank you.

18 MR. BAUER: Thank you, Mr. Tetreault. Our
19 next speaker is Phil Kleiman.

20 MR. KLEIMAN: I am also with the Tucson
21 Rough Riders. We are talking tonight about closing out
22 a lot of people from a lot of land. I'm against that.
23 Just yesterday we were in the Coronado National Forest
24 doing a small part to help keep the trails open. We
25 spent the day picking up other people's trash. On the

BARTELT & KENYON

T4-3

1 way out, there was a sign that said "The land of many
2 uses." I would like to make sure that it continues to
3 be a land of many uses.

4 MR. BAUER: Richard Thompson.

5 MR. THOMPSON: My name is Richard Thompson.
6 Currently I live in Tucson. I am affiliated with the
7 Tucson Rough Riders. Since I have been in Arizona for
8 20 years I have been in Kingman, I've been in Safford, I
9 have been in Aravaipa. I love the outdoors. I agree
10 with the Tucson Rough Riders. Don't keep the general
11 public out. The BLM needs to control these areas,
12 that's open to the public. I don't think they need to
13 be shut to the general public. Thank you.

T4-4

14 MR. BAUER: For the next person I have an X
15 that was erased, but we will ask. Paula Aranzuz? No?
16 Okay. The next speaker will be William Elliott.

17 MR. ELLETT: Hi. I'm William Elliott. I am
18 a hydrologist here at the University. I'm speaking for
19 myself. I'd like to see Cienega Creek kept on the list
20 and the reason for this is because the Endangered
21 Species Act could some day be modified by Congress and
22 weakened and so that level of protection by including
23 Cienega Creek on the list could help in the future.
24 Also I'd like to urge the BLM to go with their proposed
25 action to try to protect what is left of Arizona's

BARTELT & KENYON

1 free-flowing streams. Thank you.

2 MR. BAUER: The next speaker is Kevin Dahl.

3 MR. DAHL: Thank you, Mr. Chairman. Thank
4 you for this opportunity to present my views. I'm Kevin
5 Dahl, speaking for myself, and when I think of Arizona
6 rivers and creeks there's a personal anecdote that comes
7 to mind. My niece, who lives in the Northwest, is
8 visiting my father, who lives in Phoenix, for the first
9 time and they were driving over the Salt River and it
10 was during one of the few times when the flood waters
11 were coming down through Salt River. And my father was
12 so proud and so excited to show it to her. Look,
13 Alexandra, the river's running. And she said, silly,
14 Grandpa. Rivers always run. But not in Arizona. And
15 we have lost way too many rivers and way too many
16 creeks. That's why I personally support the proposal
17 for the wild and scenic river designations, with the one
18 exception, with the inclusion of Cienega Creek. I have
19 been there for a couple times. It's just a marvelous
20 area. Because it has some readily accessed areas I
21 think it needs a little more attention. I have seen
22 illegal firewood cutting there because of the easy
23 access. And I think it strongly deserves scenic
24 designation. Thank you.

25 MR. BAUER: Our next speaker is Martha

BARTELT & KENYON

T4-6

T4-7

1 Esmy.

2 MS. ESMAY: Thank you. I'm Martha Esmy. I
3 live in Tucson. I am a member of the Sierra Club. I
4 serve on the Audubon Conservation Committee, and I'm
5 also a member of the Arizona League of Conservation
6 Voters, and I would urge very strongly that Cienega
7 Creek be placed on your list of waterways to be given
8 some consideration. I regret that is not presently on
9 there. I'd like to see it classified as a scenic area.
10 We are happy that that area is now included in a
11 preserve, but that doesn't guarantee that it will always
12 be left that way. I'd like to see more of a guarantee
13 that it will be kept. It is one of the few remaining
14 areas of natural cienega, with year-round water that
15 exists in Arizona. And it would be a shame if we were
16 to lose that, that treasure. I would urge strongly that
17 that be reconsidered and given a scenic designation.
18 Thank you.

19 MR. BAUER: Our next speaker is Bob Beaton.

20 MR. BEATON: My name is Bob Beaton. I'm
21 here tonight representing the Arizona League of
22 Conservation Voters. Cienega Creek is the best and one
23 of the last remaining cienegas in Arizona. We feel it
24 deserves long-term legislative protection and that's
25 what the EIS is all about, or what the scenic rivers act

BARTELT & KENYON

T4-8

1 is all about. The unique combination of wildlife,
2 flora, native fish and pristine ground-fed water
3 provides southern Arizona with a rare self-contained
4 ecosystem. Referring to the BLM's own literature on
5 this riparian area, there are opportunities for hiking,
6 camping, horseback riding, photography, painting,
7 birdwatching, bicycling, picnicking and hunting as a few
8 of the possibilities. Yet the BLM in their assessment
9 did not find one of the outstanding and remarkable
10 values to be recreation. Well, the list that I just
11 read, if those are not recreational, I don't know what
12 is.

13 Next, we'd like to briefly say that a
14 cienega, once far more common in the desert, almost by
15 definition is a unique water habitat. In a desert you
16 have very little water. A cienega, spring-fed,
17 ground-fed riparian area is very scarce now. They used
18 to be far more common. We would like the BLM to
19 consider this in their assessment, to reevaluate that
20 and include that as one of the outstanding, remarkable
21 values and unique water habitat. In closing -- and we
22 plan to present more formal comments in writing at some
23 future time to address the entire EIS -- we urge the BLM
24 to reconsider Cienega Creek for designation as suitable
25 for the Wild and Scenic Rivers Act and that it be

BARTELT & KENYON

1 classified as scenic.

2 MR. RAUER: Thank you. Our next speaker is
3 Thomas Seilman.

4 MR. SEILMAN: My name is Tom Seilman. I'm
5 from Tucson. I'm just representing myself. And I have
6 been to Cienega Creek and I have seen the wonder of it,
7 the diversity of wildlife there, especially the plant
8 life and the fish that I have seen there are very
9 unique. I usually think, and most people do, think of
10 the desert as just being this very dry, arid area with
11 just cactus and very dry, arid plants. But when you go
12 to Cienega Creek, you can actually see that it's a swamp
13 there, and that's a very rare thing in the desert. And
14 the fact that you can actually see different types of
15 fish swimming around in a swamp and different swamp
16 creatures in, you know, what is basically just a marsh,
17 with horsetails and deer grass and different plants
18 there really amazed me. I never really had seen that
19 kind of desert habitat before and I definitely am in
20 favor of keeping Cienega Creek on the list to make it a
21 scenic river in Arizona under protection. And I think
22 that it is correct that it is an area that does have
23 recreational opportunities, and we were not shutting
24 people out of Cienega Creek by designating it a scenic
25 river. That's really an incorrect designation, an

BARTELT & KENYON

1 incorrect assumption that people make, and it's
2 definitely something that more people should understand.
3 Thank you.

4 MR. RAUER: Our next speaker is Charles
5 Manolakis.

6 MR. MANOLAKIS: Thank you. Hello there. My
7 name is Charles Manolakis. I'm here representing one of
8 the great parts of Tucson. Some of our elderly people
9 that are disqualified for the wilderness. I have been
10 known to run a 55-440 and run marathons. So I don't
11 feel very disqualified. I'm not telling you what age
12 though.

13 Anyway, we have listed what sounds like an
14 emotional appeal, and it is an emotional appeal, but I
15 think it speaks to the facts of life surrounding this
16 issue that's happening with us now, and expands to some
17 areas that we really haven't gotten into. This is what
18 we have to say. So, so many of our beautiful rivers and
19 riparian areas have been wasted because of uninhibited,
20 obtrusive, destructive development and uses and the
21 various pollutions that has caused and choked and
22 polluted our rivers and our riparian areas into dying
23 and death. It's time for, we feel, for humankind to
24 realize that the meaning of, "You are to have dominion
25 over the earth," does not mean that you are to conquer

BARTELT & KENYON

1 the earth, dig it up, tear it up or choke it and
2 eventually destroy it as we have been doing, and as we
3 have done to 90 percent of our riparian areas here in
4 Arizona. As a matter of fact, of life. Rather it must
5 be realized that the Greek translation means to be a
6 loving, nourishing caretaker of the earth. So,
7 therefore, we must reserve the little we have left.
8 Never mind fooling around with mother nature. Let it be
9 realized and kept in mind that the Great Architect, the
10 Creator of the earth and Universe said -- I didn't say
11 it; He said it -- destructors of the earth, behold, for
12 they shall seek damnation. Let us keep in mind the
13 rivers are the symbolic representation of all that is,
14 was and is pure and good and powerful and spirited
15 within our country and about our country. Let us keep
16 in mind that in a recent survey, only a relatively small
17 percentage of Americans said they would become involved
18 in Bosnia or North Korea, but 96 percent said that they
19 would want to become involved with preserving the
20 environment in other countries as well as in our own.
21 So let us make this wondrous professional commitment to
22 a safe environment to live in, right here in the center
23 of the life flow of what we have all about us. Our
24 rivers; let us save our rivers and our precious creek,
25 Cienega Creek, from all the destructive development of

BARTELT & KENYON

T4-10

1 the past. So we say we want all 20 acres saved, as well
2 as Cienega Creek. This is our representation of what
3 we feel should be. And let us be the loving, nourishing
4 caretakers of the earth that we are supposed to be and
5 we feel must be.

6 MR. BAUER: Our next speaker is Andy
7 Laventosh.

T4-11

8 MR. INVENTORCHI: I'm from Tucson. I have a
9 short statement. First of all, I also believe that the
10 public should not be prohibited from recreational use of
11 Cienega Creek. You know, in over 70 years of
12 occasionally hiking down Cienega Creek, the fragility of
13 the small oasis has always impressed me. As the few
14 remaining year-round flowing creeks dwindle in southern
15 Arizona, it is time to value and protect that that we
16 have left. There are mining interests very close to
17 Cienega Creek, and for this reason as well, time is of
18 the essence, that the BLM protects other scenic
19 cionegas, Cienega Creek itself must be protected and,
20 therefore, included in the BLM's national wild and
21 scenic river system. Thank you.

22 MR. BAUER: Our next speaker is Wendy
23 Marcus.

T4-12

24 MS. MARCUS: I would like to speak in favor
25 of keeping the Cienega Creek on the list. Tucson,

BARTELT & KENYON

1 Nogales, Sonita and the surrounding communities are
2 growing substantially. Our outdoor recreational needs
3 are growing also. Madera Canyon has seen a four-fold
4 increase in usage in two years. Sabino Canyon sees 1.2
5 million visitors a year and it's growing. We're
6 overusing many of our riparian areas, destroying
7 wildlife corridors and the enjoyment of other humans in
8 the process. Only an approximate four percent of
9 Arizona's riparian habitats are still in existence. We
10 must protect these few fragile areas we have left.
11 Thank you.

12 MR. BAUER: Our next speakers on the list
13 are Mr. and Mrs. M. Denniston. I don't know if you both
14 want to speak or --

15 MR. DENNISTON: I think it's just for me.
16 She signed us both in.

17 MR. BAUER: And your first name, sir?

18 MR. DENNISTON: Moody. My name is Moody
19 Denniston. I live here in Tucson. I think I want to
20 speak for my grandchildren, if that's okay. Every year
21 the requirement and need for additional recreational
22 space in our public lands increases. This is due to an
23 increase in the population and continuing movement of
24 people to our metropolitan areas. Yet in spite of this
25 continuing increase in need, every year we see more and

BARTELT & KENYON

T4-13

1 more of our public land closed for recreational use.
2 The result is higher concentration in the allowed areas
3 which leads to more danger to the participants and much
4 greater damage to the land. Every year new names crop
5 up. Wilderness areas, major conservation areas, sand
6 wash dust control, wild and scenic rivers, riparian area
7 protection, endangered species protection. The list
8 goes on and on. Folks, unless we wake up and get our
9 heads thinking straight, more of our public land will be
10 converted to natural parks with paved roads, paved
11 parking, tourist guides and other facilities to squeeze
12 dollars, not only from us, but mainly from foreign
13 tourists. Public lands will be closed to recreational
14 use. Private landowners will lose control of their
15 land. Recreational activities will be limited to
16 designated areas within our city's paved lots. Our
17 grandchildren will play on paved playgrounds, fall
18 victims to drugs, gangs, and our congested cities. Is
19 this what we want? I strongly support the no action
20 alternative. If you'd include this, I'd appreciate it.

21 MR. BAUER: Does anyone else wish to speak?
22 Okay. Let's see. Please remember to state your name.

23 MS. SCOTT: My name is Karen Scott. I have
24 lived in almost every part of this world through my
25 life. And I thought it was interesting that I just two

BARTELT & KENYON

T4-14

1 days ago returned from Los Angeles, which is where I was
2 born, and when this gentleman before me was talking
3 about paved roads and gangs and children playing in
4 areas of high density urban, I thought, well, if you
5 look on this map there are no rivers designated, very
6 few, if any, in southern California and none in Los
7 Angeles. And I think that with the propensity for our
8 culture to believe that human beings can live by money
9 and by technology, we're going to find more and more
10 root problems like gangs and high urban concrete. I
11 live at Sabino Canyon. I don't know if the people here
12 are aware that at Espartero Springs -- there's five
13 springs feeding the riparian area about maybe a tenth of
14 a mile south of Sunrise, and that area will soon be
15 ripped out by our own water company here in Tucson. It
16 has no protection whatsoever. And I strongly encourage
17 our government, as much as an anarchist as I am, to
18 protect whatever is left of our wildlife, including
19 rivers that they have and the Cienega Creek, if it's not
20 on the list. I think there's very little left, and
21 we're kidding ourselves to think that human beings and
22 concrete and technology can live without nature. Thank
23 you.

24 MR. BAUER: You, sir.

25 MR. FRIDRICH: My name is Brent Fridrich. I

BARTELT & KENYON

1 am an avid outdoor person. I spent this weekend in
 2 Flagstaff. My wife, my sister and my brother-in-law and
 3 I started at 9:00 a.m., Saturday morning. We went out
 4 all the way to the top of Mount Humphreys. So I
 5 understand and I enjoy all aspects of outdoor
 6 recreation. I am also affiliated with the Tucson Rough
 7 Riders. I find that the ideas and the purpose of the
 8 organization isn't to go out and play Red Tappin as
 9 loud as we can and throw beer cans in the desert.
 10 That's not what off-highway vehicle use is about. It is
 11 about seeing things that are difficult to get to for
 12 some people. If I had three days to hike in, I'd be
 13 happy. I don't have three days. I have Sunday
 14 sometimes. We have several members in our club, one who
 15 has one leg who drives a Jeep. We have an older man
 16 who's waiting for an organ transplant. He's a regular
 17 on our trips, on day trips. And I think the root of
 18 this problem is ground water. It's not what is going on
 19 up on top. There's an article in the Arizona Star today
 20 about Sierra Vista's coming problems with growth and
 21 pulling down the water table. Doesn't matter what we do
 22 on top if they pump it out to use for urban whatever.
 23 There's not going to be the water there. People need to
 24 concentrate on wise use of water, certainly. Fewer
 25 lawns, things like that. But it shouldn't be let's keep

HARTZEL & KENYON

1 people out in a vehicle. There has to be room for
 2 everyone, whether you like to walk, hike, climb, ski,
 3 whatever it is. You should also be able to drive in
 4 some areas. Now, I'm not saying you should open up
 5 every single wilderness and put a trail through there.
 6 That's not what this is about. There has to be room for
 7 everyone. I don't think to designate a river as wild
 8 and scenic is going to further that cause. That's it.
 9 Thank you.

10 MR. BAUER: Any more on this side of the
 11 room? Okay. Back row.

12 MR. MARCUS: My name is Ken Marcus. I spent
 13 a lot of time in the Empire Cienega and I know it's an
 14 important watershed. It's an important wildlife area.
 15 It's an important ecosystem, and it's an important
 16 recreational area. I believe that the BLM has to
 17 balance between all of these. I believe it should be
 18 protected, but we also should have limited and
 19 well-thought out access. And I think if anybody's been
 20 down there, they notice there's large areas of erosion
 21 and there's areas where there's vandalism. And then
 22 there's also beautiful areas that haven't been
 23 disturbed. There's mesquite bosques and cottonwood
 24 areas. So I think the BLM should put Cienega Creek on
 25 the scenic wetlands, but I also think that they should

HARTZEL & KENYON

1 also take into consideration that we have access so that
 2 the public can enjoy those beautiful wetlands.
 3 MR. BAUER: Yes.
 4 MR. GOODENOUGH: My name is Chris
 5 Goodenough. I'm speaking on behalf of myself. First of
 6 all, seems like there is a little bit of confusion on
 7 our part. Maybe the BLM should answer or get rid of the
 8 confusion. We're all saying how we want to use this
 9 area. Lot of people are saying they want their kids to
 10 be able to use it. I'm saying I want to be able to use
 11 it. The Rough Riders, they want to use it. We're all
 12 saying the same thing. But we're saying no and yes to
 13 whether we want to protect it. Maybe there's a
 14 misconception on what protection really is because I'm
 15 not fully aware of exactly where you draw the line on
 16 how you're going to be able to go into the area if it's
 17 under the Wilderness Act. Right now I use the area. I
 18 go camping there, hunting there. I take my family on
 19 picnics. So I drive in in my four-wheel drive on the
 20 roads. I get out when there's no road, and I go
 21 hunting. There are some areas down there where there's
 22 some very large trees, one of them about five foot
 23 around. We go down there with the family. We got
 24 pictures of my kids and the trees. We use that area
 25 quite frequently. But we drive to the area because

HARTZEL & KENYON

1 there is a small road. So I think we're all -- maybe
 2 there's miscommunication or some confusion. We all want
 3 to use the area. I think that BLM needs to make it
 4 understood on what the designation will mean and what
 5 it's going to provide for us. Because a lot of us are
 6 saying kind of the same thing.

7 The second thing, I just want to state that
 8 I think it needs to be protected because I want to use
 9 the area in the future. I don't want in another 10 or
 10 15 years that to turn into Sabino Canyon where you're
 11 going to have to pay and park to take the tram through
 12 the area. I think if it's designated as a wilderness
 13 area, at least my hope is, that my family and my kids
 14 when they grow up will be able to go down there, that
 15 I'll be able to hike off the road, drive up to an area
 16 and hike, go do some hunting and see some wildlife. So
 17 if you can please clarify, either in the meeting or
 18 however you can, because I know we're saying the same
 19 thing, but we're not sure on whether to say yes or no.
 20 I'm not sure. I came here to say yes, but after
 21 listening to this, I'm not sure which is the right way.
 22 I just know I want to use it. I don't want vandalism; I
 23 don't want it trashed out. I'd like it to stay as it is
 24 basically right now. So if you could clarify, I think
 25 that would help us all out. Thank you.

HARTZEL & KENYON

1 MR. BAUER: Mr. Goodenough, Phil's going to
2 be available when I'm going to -- when we finish with
3 all the speakers, I'm going to call a recess for a while
4 just in case anyone else comes in, and you can talk with
5 Phil and with Jessie and other BLMers. And then if
6 after we have probably recessed a half hour or so just
7 to make sure nobody else wanders in, I'll probably call
8 the meeting back to order and if anyone else has any
9 more comments at that time before I adjourn it --

10 MR. GOODENOUGH: A quick synopsis might help
11 us all out; what would happen if yes and what would
12 happen if no. If we're confused -- I think a lot of
13 people are.

14 MR. BAUER: Are you prepared to do that?

15 MR. MORELAND: No.

16 MR. BAUER: No? We were not prepared to do
17 that. I'm sorry. Apparently my expert tells me that.

18 MR. MORELAND: It's not a short answer. But
19 we'll get you the answer.

20 MR. BAUER: Obviously, the EIS, when we work
21 out the final, that particular point needs to be
22 clarified. Okay. We will make a note of that right
23 now. I'm going to call on Steve Ondrish. You had your
24 hand up a little while ago.

25 MR. ONDRISH: I listened to all you folks

BARTELT & KENYON

1 expound on your various activities and what club you
2 belong to, what you do. I belong to a recreational
3 prospecting mining group. Now, we have a set of bylaws
4 that -- which you adhere to it. You go out in this
5 area; you obey the rules. These folks are setting up
6 something for future posterity. Now, we can either have
7 it that way or we can have it like Sabino Canyon, which
8 I haven't been up there in 15 years since they put the
9 fee on. And I won't, for the simple reason there is
10 enough areas in Arizona you can go to and enjoy
11 yourself, but behave yourself. This group I belong to
12 is the Desert Goldiggers. First thing people think we
13 are tearing up the countryside. No, we don't. We have
14 our own claims; we do our thing and we abide by the
15 rules.

16 Now, it depends on how you will take your
17 responsibility as an individual. You just can't go out
18 there and tear it up. The next guy wants to look at it.
19 And that's the way we do things. We go out to an area,
20 we have our own claims -- and you can come with us. You
21 can come to our meetings and see what we do. But for
22 one thing, remember, you got a conscience. Obey it.
23 Thank you.

24 MR. JIMMIEFIELD: My name is Shane
25 Jimmiefield. I'm with the Student Environmental Action

BARTELT & KENYON

T4-18

1 Condition, and we would like to see Cienega Creek put on
2 the proposal and for you to go forward with the
3 proposal. That's it's.

4 MR. BAUER: Maybe we have another one up
5 front here. Okay.

6 MR. LUTE: My name is John Lutz. My wife
7 and I are recent members of the Tucson Rough Riders and
8 we've gotten to see quite a bit of the country recently
9 since we joined the Rough Riders. We go out and see
10 nice places, places we haven't been to and places we'd
11 never get to see probably if we didn't have our vehicles.
12 Most people want to go out and see them. The Rough
13 Riders not only do that, but they do good things. They
14 work on trails, pick up trash. At Reddington they were
15 trying to get cars out a couple months ago. If you go
16 up to Reddington you'll find there are fewer vehicles
17 there. I think we all want access, but we all have to
18 have a conscience just like the gentleman said. If you
19 go out there, you take care of it. I don't want the
20 government taking anything away from me. It's kind of
21 like taking a jewel and putting it in the safe and never
22 seeing it again so nobody else can see it. We all want
23 to use it, but we all got to take care of it.

24 MR. BAUER: Is there anyone else who'd like
25 to speak right now? Two more? Okay. You, sir.

BARTELT & KENYON

1 MR. KREUTZ: My name is Al Kreutz. Outside
2 of Jerry Korte, I don't think any of you has been down
3 there, truthfully, and been in, out and around down
4 there as much as him or I. I have been hunting down
5 there in and out since '57 when he was foreman down
6 there for Greenway. Pancho and the boys took me all
7 over. I built most of the power lines down there. I
8 think the only reason I spoke is I have heard all the
9 pros and cons, and I didn't hear anybody in here say
10 what a good job that Jessie's done since we have got the
11 Tucson office of BLM and the staff is doing down there.
12 I think they're doing good. I think the conservation
13 district will give us all the protection that we'll need
14 down there. I was down on the lower end of the Empire
15 Cienega conservation district last weekend. You can see
16 by my arms. We removed four-and-a-half miles of the two
17 bottom strands of barbed wire, put in a smooth strand
18 for the antelope play. We moved another
19 three-and-a-half miles of fence so they can roam. I
20 think I see some of you people that want to preserve it
21 and do something -- there was an advertisement in the
22 paper to get you to come out and help us true
23 conservationists come down and do something. I think
24 the BLM is doing a wonderful job. I'd like to
25 compliment them. Thank you.

BARTELT & KENYON

1 MR. BAUER: Yes, ma'am.

2 MR. BLACK: My name is Mary Black. I'm from
3 Sierra Vista. I'll try to touch on a couple points that
4 people haven't mentioned. One gentleman mentioned
5 Sierra Vista and our watershed there. We do have the
6 potential for some problems for water availability in
7 the future. But the thing that I think a lot of people
8 are missing, and I like what this one gentleman brought
9 up, and I would like to stress that for you all in the
10 future. The reason I'm here is more for my daughter and
11 for her children. I'm a member of the Herford Natural
12 Resource Conservation District, and all of you folks are
13 missing an opportunity to participate in a conservation
14 effort throughout your watershed. If you don't take
15 care of your watershed, you will not have your riparian
16 areas. You've got to take care of that watershed, and
17 you guys are missing the boat. If you put this under
18 wild and scenic rivers, that's not going to solve your
19 problems. You've got to look at the big picture and
20 what you have to take care of. And there's several
21 conservation districts throughout Tucson and southeast
22 Arizona that you could all get involved in and there is
23 now funding available through these conservation
24 districts where you could do some conservation efforts.
25 You can slow the runoff of your rainwater and your storm

BARTHELT & KENYON

1 water. If you slow down the water, you'll stop erosion,
2 and you'll help the water recharge your aquifer. And
3 that's one of the things that's very important,
4 especially here in Tucson, where folks have less water
5 than we do. So in order to protect your streams, I
6 don't think you need to add more layers of bureaucracy
7 on top of what you already have. You have a
8 conservation area. I grant you Jessie has done an
9 outstanding job with what he's tried to do. But he
10 needs help from you folks, and conservation districts
11 are one way you can all participate. Thank you.

12 MR. BAUER: Did anyone else wish to speak?

13 All right. At the present time I'm going to recess the
14 meeting. Our people will be available to chat with you
15 around the maps back there, and we will probably have at
16 least a half hour recess. The meeting is now recessed.

17
18 (A recess was taken)

19
20 MR. BAUER: At this time I'd like to call
21 the meeting back into session, and I will now ask if
22 anyone on the basis of any of the questions and answers
23 that they received to those questions would like to make
24 any additional statement or if you haven't spoken before
25 would like to make a statement. There being no one else

BARTHELT & KENYON

1 who would like to speak at this time, then I hereby
2 adjourn this meeting.

3 And I would like to first say that if you
4 have not received a copy of the draft of the
5 environmental impact statement and you would like to
6 receive one, we have a sign-up sheet back at the
7 registration table, and if you sign that we will mail
8 you one. You can always use it to hold down the ends of
9 the coffee table or something. We're really looking
10 forward to getting your comments if you have comments.
11 You have until July the 8th, and I'll read you the
12 address. The mailing address is printed inside the
13 cover letter attached to the draft LEIS. Send comments
14 to Phil Moreland, Bureau of Land Management, Post Office
15 Box 16563, Phoenix, Arizona. PO Box 16563. Phoenix,
16 Arizona. 85011. Ma'am?

17 A VOICE: Your flier says it's 14.

18 MR. BAUER: Okay. It you go by the street
19 address it's 14, but if you go by the post office box,
20 it's 31. So without further ado, than I bid you good
21 night. I thank you for coming. It's been a very
22 interesting time.

23
24 (The hearing concluded at 8:40 p.m.)
25

BARTHELT & KENYON

1 STATE OF ARIZONA }
2 COUNTY OF PIMA } ss.
3 }
4 BE IT KNOWN that the foregoing proceedings
5 were taken before me, MELISSA J. BART, a Notary Public
6 in and for the County of Maricopa, State of Arizona;
7 taken down by me in shorthand and thereafter reduced to
8 computer-aided transcription under my direction; that
9 the foregoing 35 pages are a true and correct transcript
10 of all proceedings had upon the taking of said
11 proceedings, all done to the best of my skill and
12 ability.

13 I FURTHER CERTIFY that I am in no way
14 related to any of the parties hereto nor am I in any way
15 interested in the outcome hereof.

16 DATED at Tucson, Arizona, this 2nd day of
17 June, 1994.

18
19 Melissa J. Bart
20 My commission expires: Notary Public
21 October 31, 1995
22
23
24
25

BARTHELT & KENYON

EVERY YEAR THE REQUIREMENT AND NEED FOR ADDITIONAL RECREATIONAL SPACE ON OUR PUBLIC LANDS INCREASES. THIS IS DUE TO INCREASED POPULATION AND CONTINUING MOVEMENT OF PEOPLE TO OUR METROPOLITAN AREAS.

WITHIN SPITE OF THIS CONTINUING UNMET NEED - EVERY YEAR WE SEE MORE AND MORE OF THE PUBLIC LANDS CLOSED TO RECREATIONAL USE.

THE RESULT IS HIGHER CONCENTRATIONS IN ALLOWED AREAS WHICH LEADS TO MORE DAMAGE TO PARTICIPANTS AND GREATER DAMAGE TO THE LAND.

EVERY YEAR NEW HAZARDS CROP UP (WILDFIRES, ABANDONED CONSERVATION AREAS - SAND WASHOUT CONTROL - WILD AND TOXIC RIVERS - RADIUM AREA PROTECTION - ENDANGERED SPECIES PROTECTION - THE LIST GOES ON.

UNLESS WE WAKE UP AND GET OUR HEADS THINKING STRAIGHT

MORE PUBLIC LAND WILL BE CONVERTED TO NATIONAL PARKS WITH PAVED ROADS, PAVED PARKING, TOURIST GUIDES AND OTHER FACILITIES TO SQUEEZE DOLLARS FROM MAINLY FOREIGN TOURISTS.

PUBLIC LAND WILL BE CLOSED TO RECREATIONAL USE.

PRIVATE LAND OWNERS WILL LOSE CONTROL OF THEIR LAND.

RECREATION ACTIVITY WILL BE LIMITED TO DESIGNATED AREAS WITHIN OUR CITIES ON PAVED LOTS.

OUR GRAND CHILDREN WILL PLAY ON PAVED PLAYGROUNDS, FALL VICTIM TO GANGS AND DRUGS IN OUR CONGESTED CITIES - IS THIS WHAT WE WANT?

I STRONGLY SUPPORT THE "NO ACTION ALTERNATIVE."

MOODY DENNISTON
530 E. ROBERTA CIR
TUCSON, AZ 85704
797-8394



Regardless of what kind of organization you belong to first you must remember not all individuals accept responsibilities in the same way. The desert gold diggers are at their responsibility to conform to the public service recent events need to be aware of what is

happening that if we don't take care of the resources then someone will. who do we protect and what do we restrict. these areas near cities and towns are taken over and run by the government how fair do we get? and what do we as citizens will do about it.

Stephen Cardinal
5351 S. Jura Pl
Tucson, AZ
85730
2226

BUREAU OF LAND MANAGEMENT PUBLIC HEARINGS
"WILD AND SCENIC RIVERS 1994 LEIS HEARINGS"

Taken in Thatcher, Arizona
May 24, 1994

Prepared for: Reported by:
BUREAU OF LAND MANAGEMENT MELISSA J. HART

BARTELT & KENYON

2

BUREAU OF LAND MANAGEMENT PUBLIC HEARINGS
"Wild and Scenic Rivers 1994 LEIS Hearings"
commenced at 7:00 p.m. on May 24, 1994, at Eastern
Arizona College, Little Theater, Thatcher, Arizona,
before MELISSA J. HART, a Notary Public in and for the
County of Maricopa, State of Arizona.

LARRY BAUER
Arizona Bureau of Land Management
Deputy State Director for the Division
of Minerals

PHIL MORSELAND
Arizona Bureau of Land Management
Chief of the Branch of Planning,
Environment, Lands and Recreation

BARTELT & KENYON

3

MR. BAUER: Good evening, ladies and gentlemen. This meeting will now come to order. I have a few introductory comments to make before I call upon anyone who wants to speak. My name is Larry Bauer. I am the Arizona Bureau of Land Management Deputy State Director for the Division of Minerals. I have been appointed by the state director, Lee Rosenkrantz, to conduct this public hearing under the authority of the Secretary of the Interior.

On my right is Phil Morseland, Chief of the Branch of Planning, Environment, Lands and Recreation in the state office. Later I will ask him to summarize what we have done so far in this legislative wild and scenic river environmental impact statement process. Next on my right is our official court reporter, Melissa Hart, from the Bartelt and Kenyon Court Reporting firm in Phoenix.

I hope each of you signed the attendance sheet. The attendance sheet allows you to indicate whether you wish to speak tonight or to submit written comments. If you didn't sign in as you came in, please do so now. After this introduction I will call upon those who have indicated that they wish to speak.

This public hearing is required by statute. The purpose of this public hearing is to receive

BARTELT & KENYON

4

comments on the draft Arizona Wild and Scenic Rivers Legislative Environmental Impact Statement.

The transcript of the meeting will be made by the official reporter, Ms. Hart. The transcript will be reproduced in the final legislative environmental impact statement along with appropriate responses by Bureau of Land Management officials. The final wild and scenic rivers legislative environmental impact statement will also include public letters and responses and will incorporate any revisions or changes resulting from the comments at this meeting and other public meetings.

We anticipate that the final legislative environmental impact statement will be available for public review in December.

This public hearing is part of our efforts to involve the public in the preparation of this environmental document. We officially started the process with a Notice of Intent published in the Federal Register on February 19th, 1993. That Notice of Intent included a statement encouraging the public to submit any issues or concerns to us. During March and April of 1993, we held 13 public scoping meetings in Arizona towns and communities and one in St. George, Utah. Approximately 500 people attended those meetings. In early April 1994, we mailed out nearly 2,000 copies of

BARTELT & KENYON

1 the draft legislative environmental impact statement for
 2 public review and comment. We will accept comments on
 3 the document until July 8th, 1994.

4 As I mentioned earlier, the final
 5 legislative impact statement will be ready in December.
 6 There will be a 30-day public review and comment period
 7 for the final document. After the final public review
 8 period, the State Director will send the environmental
 9 impact statement to the BLM director in Washington.
 10 Then it will be transmitted to the Secretary of the
 11 Interior who will forward it to the President. From the
 12 President the environmental impact statement will go to
 13 Congress which will make the final decisions on which
 14 Arizona rivers will be included in the national wild and
 15 scenic rivers system.

16 Finally, before I call upon Phil, I want to
 17 specify the ground rules for this public hearing. It is
 18 important to emphasize that this is not a debate or a
 19 question and answer period. It is not a
 20 cross-examination by the public of BLM. It is rather an
 21 advisory hearing in which the public is given an
 22 opportunity to make comments for the record. These
 23 comments will eventually be submitted to our Washington
 24 office, the Secretary of the Interior, the President and
 25 Congress.

BARTELT & KENYON

1 BLM personnel will not be expected to
 2 respond to questions during the meeting unless I rule
 3 otherwise. After the meeting they will be available to
 4 talk individually or you can contact them later during
 5 office hours. All speakers should be allowed to
 6 complete their presentations without interruption. If
 7 we have time, after all those who wish to speak have
 8 spoken, I will open the meeting to general comments.

9 As I mentioned earlier, Phil Moreland will
 10 now briefly summarize what we have gone through in
 11 preparing this legislative environmental impact
 12 statement.

13 MR. MORELAND: Thank you, Larry, and good
 14 evening, ladies and gentlemen. There are three items
 15 that I want to mention in summarizing the development of
 16 this legislative environmental impact statement. The
 17 first item concerns the purpose of the document.
 18 Briefly, the purpose of the legislative environmental
 19 impact statement is to provide Congress with a database
 20 and alternatives which they can use to decide which, if
 21 any, rivers should be included in the national wild and
 22 scenic rivers system.

23 The Arizona BLM developed the legislative
 24 environmental impact statement in compliance with the
 25 Wild and Scenic Rivers Act of 1968. That act requires

BARTELT & KENYON

1 federal agencies to study potential national wild and
 2 scenic recreational river areas.

3 The main consideration in this environmental
 4 impact statement is the range of management
 5 alternatives. In the statewide document, which is the
 6 thinnest of the three-part document that you received as
 7 was available at handout, we analyzed the impacts of
 8 four different alternatives. One was the proposed
 9 action to recommend 13 river study areas to Congress for
 10 inclusion in the national wild and scenic rivers system.
 11 Another was the no action alternative, which means that
 12 BLM would not recommend any river study areas to
 13 Congress. The third alternative recommends to Congress
 14 only those portions or segments of river study areas
 15 that are not protected by wilderness or national
 16 conservation area status. The last alternative
 17 recommends all 20 of the river study areas.

18 Second, I want to summarize the steps that
 19 took place in the process of producing this legislative
 20 environmental impact statement. Over the past several
 21 years, Arizona BLM has developed resource management
 22 plans and plan amendments that involved evaluating
 23 rivers to determine whether they should be considered
 24 for wild and scenic rivers status. Through these plans,
 25 20 river study areas were identified and determined to

BARTELT & KENYON

1 be eligible for consideration.

2 While BLM was doing this, the Arizona River
 3 Coalition in March of 1991, studied and recommended 40
 4 Arizona river areas for wild and scenic river
 5 consideration. Fourteen of those were under BLM
 6 management responsibility. In 1992, the Arizona
 7 Congressional Delegation encouraged BLM to develop
 8 additional studies to facilitate the process. This
 9 resulted in a detailed document known as the Wild and
 10 Scenic River Assessments completed in September of 1993.

11 The Wild and Scenic River Assessments
 12 document contained an evaluation of each of the 20
 13 rivers BLM districts had identified as eligible in the
 14 planning process. Although the assessment was developed
 15 primarily for internal use, copies were sent to the
 16 Congressional delegation and several other interested
 17 parties.

18 We used the assessment document as the basis
 19 to identify the river study areas for the proposed
 20 action alternative in the environmental impact
 21 statement. However, each of the river study areas has
 22 at least two alternatives in the other two volumes, the
 23 two thicker volumes. Every river study area has at
 24 least two alternatives, the proposed action and the no
 25 action alternative. Some of the individual documents

BARTELT & KENYON

1 have a third alternative recommending either the entire
2 river area or portions of it. The draft LEIS was
3 produced during the fall of 1993 and the spring of 1994
4 and filed with the Environmental Protection Agency and
5 released for public review and comment on April 8th,
6 1994.

7 Finally, I want to talk a little bit about
8 public involvement. We in Arizona strongly believe in a
9 full public involvement process. In this case, our
10 public involvement efforts started with the resource
11 management plans and plan amendments. We encouraged the
12 public to identify issues and concerns that needed to be
13 considered in planning. We sent the documents out for
14 public review and comment and revised them accordingly.

15 When we decided to start preparing this
16 document we announced our plans in the Federal Register
17 and local papers. In the announcement we asked for
18 public comments. In March and April of last year we had
19 14 public scoping meetings, and we held those throughout
20 the state and in St. George, Utah. Over 500 people
21 attended these meetings and many sent written comments
22 to us. By the way, these comments are summarized in
23 Chapter Five of the statewide rivers document, again,
24 the smaller of the three documents.

25 We also mailed out three issues of Wild and

BARTELT & KENYON

1 scenic river updates to over a thousand people who had
2 asked to be on our mailing list. These updates have
3 kept people informed about the process and our progress.

4 Last month we started another important
5 phase of public involvement -- this public hearing is a
6 part of it. The public review and comment process on
7 the draft document is very important. We're very
8 anxious to know what you think about the wild and scenic
9 river alternatives. Each comment we receive tonight and
10 any other comments we receive in the mail until July 8th
11 will be carefully read and responded to as appropriate.
12 The public comments may result in changes to the
13 document. The comments and responses will be published
14 in the final document. This will be sent to the
15 Secretary of the Interior and forwarded to Congress to
16 aid in making decisions about adding rivers to the
17 national wild and scenic rivers system.

18 I'll give it back to Larry now. As he
19 mentioned, this is a formal public hearing process and
20 isn't a question and answer forum so I won't ask if
21 there are any questions at this time. But I and other
22 members of the BLN will be around after the meeting if
23 there is something you would like to discuss. Thank
24 you, Larry.

25 MR. BAUER: I have a request for the fellows

BARTELT & KENYON

1 in the control room back there. Would you turn up the
2 lights on the audience, please? Thank you very much.
3 At the present time I have 13 people who indicate they
4 wish to speak so I'm going to start out by allocating a
5 maximum of 10 minutes per person. When I call your name
6 and you get up to the microphone down here, please state
7 your name, where you're from, and who you represent, or
8 if you're speaking for yourself. Those who have come
9 with written statements may leave them with us when they
10 finish speaking. The first speaker is C. D. Cochran.

11 MR. COCHRAN: Good evening. My name is
12 Charles Cochran. I'm from Safford, lived here over 35
13 years now. And these are my comments. So as we gather
14 here this evening we are asked to comment on parts of
15 the Arizona plan relating to the Wild and Scenic Rivers
16 Act. First, I would say publicly this act of Congress
17 will ultimately be found to be unconstitutional, as will
18 many of the Congressional acts that have been with the
19 sovereignty of states' rights under treaty agreements
20 and under the equal footing clause of our Constitution.
21 Ladies and gentlemen, the state of Arizona still owns
22 all lands within her boundaries as does each state in
23 the Union. Federal land regulations apply only in the
24 territories, such as Guam and Puerto Rico. Federal land
25 regulations do not apply in the sovereign states.

BARTELT & KENYON

1 Having said these things, I call upon the federal
2 agencies involved to provide my county supervisor with
3 appropriate documentation showing the land titles being
4 held by them within Graham County. Further, I call for
5 an open-ended delay in planning activities until these
6 land deeds are provided to our county supervisor. Thank
7 you.

8 MR. BAUER: Our next speaker is Terry
9 Bingham.

10 MR. BINGHAM: My name is Terry Bingham. I'm
11 from Safford. I'm with the Graham County Board of
12 Supervisors. Now, we've been in this valley now for
13 five generations, and we've got along just fine. We've
14 raised our families, been able to grow our crops, raised
15 our gardens. This is a wonderful place in which to
16 live. You know, in the last couple of years it amazes
17 me how we got along with these 113 years without
18 somebody telling us what to do and making our decisions
19 for us. Seems as though all at once we are being told
20 that we are destroying and not protecting our lands, and
21 because of this we need somebody to do it for us. Let
22 me give you a few examples. A while back you created
23 the Gila Box riparian area. Took away some of our
24 rights. You know, this river had one of the finest
25 riparian areas that I have seen just 18 months ago. Go

BARTELT & KENYON

1 look at it now. It's not there. Man didn't do it, but
 2 nature did. No longer is there a riparian area. Now
 3 they come along and told us that we're destroying the
 4 fish, and so we have to be regulated again. We can't go
 5 in and build our dikes and dams any longer because it
 6 will hurt the fish. And lo and behold we come to find
 7 out that one fish was eating the other one. Not man.
 8 We didn't destroy it. Now we have ADFG here telling us
 9 that we're polluting the river and it's no longer good.
 10 Now, we have one more. The wild and scenic rivers. You
 11 know, this must be the most famous stretch of river in
 12 the United States to have to have five agencies control
 13 it and to regulate it when it did so good for 115 years.
 14 One other thing. With this designation and
 15 these other designations we are discriminating against
 16 the handicapped. No longer do they have access to go up
 17 into our places and participate. Yes, I understand
 18 you'll make a place where you can drive up to, but no
 19 longer can I go up in there like I need to and enjoy it
 20 because I'm handicapped. Is it fair? Is it right for
 21 those people to be discriminated against? What I am
 22 proposing is that you do not designate it, and that's
 23 what we're asking tonight. I think what we are here to
 24 say tonight is, gentlemen, we have had enough.
 25 MR. BAUER: Our next speaker is Baynes

T5-1

BARTELT & KENYON

1 Moore.
 2 MR. MOORE: My name is Raynes Moore. I have
 3 lived in Graham County for about 36 years. I reside in
 4 Safford, and I'm also a member of the Graham County
 5 Board of Supervisors. My plea is that we all look at
 6 this in an objective manner, and I'm afraid that there's
 7 not been enough study done on the possible adverse
 8 economic conditions that could occur if this is
 9 designated as a wild and scenic river. And as you know,
 10 Graham County is the poorest county in the state of
 11 Arizona and we can't afford to have anything that would
 12 interfere with our agriculture interest because that is
 13 35 percent of our total economic base in Graham County.
 14 And also I'm afraid that this would adversely affect the
 15 tourism that might possibly be developed along the
 16 river. So my plea is that the no action alternative be
 17 considered. Thank you.
 18 MR. BAUER: Our next speaker is John Luepke.
 19 MR. LUEPKE: My name is John Luepke. My
 20 family and I have lived out in Aravaipa Canyon for the
 21 last 15 years. And we are the -- my comments are really
 22 pointed to Aravaipa, the situation out there. We are
 23 the last residence before you come down to the
 24 wilderness area and the proposed wild and scenic
 25 corridor there. And what we are concerned with is that

T5-2

BARTELT & KENYON

1 we have -- although we're not in the area designated or
 2 that is proposed to be designated right now, we are
 3 concerned about the possibility of the effects of our
 4 diversion dam and whether that would be considered a
 5 detriment to the scenic values because of the occasional
 6 turbidity that's caused by putting up the diversion.
 7 And so we would like it -- I would like very much to
 8 have some policy stated as to how effects like this in
 9 areas adjacent to the proposed corridors -- how they
 10 will be affected; how, for instance, the turbidity of
 11 the water that occasionally happens.
 12 And I would also like to say that the wild
 13 and scenic rivers -- the statements that I have read
 14 have indicated that cultural and historical values are
 15 important also, important considerations to this, and
 16 agriculture out there is a historical fact of life and
 17 our farm out there is a relic of that. It's the last
 18 one in that particular area. So, thank you.
 19 MR. BAUER: I apologize for my pronunciation
 20 of the next speaker's last name. Betty Jean Clunts.
 21 MS. CLUNTS: My name is Betty Jean Clunts,
 22 and I am kind of representing the Sanchez Area, those
 23 people that live on that side of the river over there.
 24 We are really concerned about this because this is our
 25 neighborhood in which they're talking about making this

T5-3

BARTELT & KENYON

1 into this wild and scenic area. We have been using the
 2 river and enjoying it, and we do realize if they make
 3 this a scenic river, we will not be able to do as we
 4 have done, going up to picnic where we want to, when we
 5 want to, and enjoy the area. But one of the things that
 6 we are really concerned about is when they come along
 7 and they tell us in these areas, oh, dear, you can't
 8 come here anymore because we have an endangered species.
 9 Well, I want all of you to know that this isn't going to
 10 just stop up here. Now they're on Graham Mountain. We
 11 had the upper Twilight Canyon reserved for a class
 12 reunion, which we've tried to hold on the mountain ever
 13 since 1931, and we have had to reserve since the first
 14 of the year. We received a call from a ranger the other
 15 day who said, oh, you're not going to be able to use
 16 that area. There is an endangered species up there. It
 17 is a hawk.
 18 And now most of you know that they have been
 19 spending a lot of money to get the area all fixed up for
 20 the public to use for camping and everything. We can't
 21 go down there. You can't do it. And so it's not going
 22 to stop there. And I am -- for our area up there we are
 23 highly opposed to having a wild and scenic river, and as
 24 Terri said, I would be one who could not walk up in
 25 there any more to do it either. So we just want to let

T5-4

BARTELT & KENYON

1 you know that we are highly opposed to it.

2 MR. BAUER: Our next speaker is Howard

3 Hutchinson.

4 MR. HUTCHINSON: My name is Howard

5 Hutchinson, and I am working for the Coalition of

6 Arizona/New Mexico Counties. We submitted a rather

7 detailed list of scoping issues to the BLM and noted

8 that in the text here the majority of those concerns and

9 issues have been relegated to issues considered, but not

10 analyzed. And we believe that the issues that were

11 submitted to the BLM from the various affected counties

12 are certainly significant and certainly worthy of

13 consideration.

14 The Wild and Scenic Rivers Act does have

15 significant impacts on private property. And I would

16 suggest that within the environmental impact statement

17 being submitted to Congress that there be a detailed

18 listing of the impacts on private property holdings on

19 other selected wild and scenic rivers in the United

20 States. But I would also like to request that the BLM

21 reconsider their delegation of these two issues not

22 analyzed and examine the cumulative economic and social

23 impacts, not only from the designation of the wild and

24 scenic river, but also from the designations of

25 endangered and threatened species, other lands set aside

T5-5

BARTELT & KENYON

1 such as the riparian protection areas, and examine what

2 all of these total impacts have caused. The

3 requirements under the National Environmental Policy Act

4 through the Council of Environmental Quality require

5 that the cumulative impacts be examined.

6 We also are concerned with the commingling

7 of the conservation areas and the wilderness areas

8 coupled with the wild and scenic designation. There is

9 specific language in the wilderness and national

10 conservation area actions that prohibited buffer zones

11 that are now being destroyed by wild and scenic river

12 classification. We would also like to request that the

13 BLM quit making the statement that private lands are not

14 affected and uses of lands are not affected by wild and

15 scenic river designations. It's very clear in the act

16 that actions on private land are discouraged.

17 This initial draft, when it examined the

18 economic impacts, has failed to examine any of the other

19 impacts that are taking place from various other federal

20 actions either under consideration or having taken

21 place, such as range land reform. There's also a

22 failure to consider impacts on the upstream water uses

23 in New Mexico. One of the things that was interesting

24 in here was that it would consider purchases on a

25 willing seller/willing buyer basis of senior downstream

T5-6

BARTELT & KENYON

1 water rights. I have quite a bit of understanding about

2 water flows and it would seem that downstream water

3 rights would be the last thing that would be acquired.

4 Upstream water rights are what designates what the

5 instream flow is through a particular area.

6 There are quite enough other things in here,

7 whether they are deficiencies, examinations in the water

8 resources areas, the vegetation areas, and the wildlife

9 areas are all failing to examine other cumulative

10 impacts, and we would like to suggest that all of these

11 cumulative impacts be examined. Thank you.

12 MR. BAUER: Our next speaker is John

13 Korolsky.

14 MR. KOROLSKY: My name is John Korolsky.

15 I'm from Morenci. These are my personal comments.

16 Reading through the draft EIS, my concern is that the

17 Bureau of Land Management has not thought in depth about

18 potential consequences. Phrases like does not

19 anticipate and those do not guarantee that adverse

20 actions or results could occur. I believe there is a

21 real possibility, maybe even a probability, that

22 although the intentions are good, that restrictions on

23 future development that are not anticipated right now

24 could come about through litigation brought by special

25 interest groups seeking to further their own agenda

T5-7

BARTELT & KENYON

1 which in some cases is limiting or eliminating industry.

2 I would ask that the Bureau reexamine their designations

3 and especially in areas like the lower San Francisco

4 river near Morenci and others where future development

5 is anticipated. And though presently it seems like

6 there is no adverse effect, there is enough vagueness in

7 the regulations that are in the law that would allow for

8 someone with a high-priced attorney to come in, and put

9 some undesirable restrictions on development necessary

10 for people's livelihood. I think everybody here

11 regardless of whether they're pro or con in regard to

12 the wild and scenic rivers -- we all enjoy our rivers.

13 We would all like to see them maintained in some sort of

14 fashion that we can enjoy them. However, I'm not sure

15 this is the proper way to go about it. That's all I

16 have got.

17 MR. BAUER: Our next speaker is Delbert

18 Householder.

19 MR. HOUSEHOLDER: My name is Delbert

20 Householder. I'm a member of the Graham County Board.

21 The Board has five different issues that we are quite

22 interested in. That's the lower San Francisco River;

23 Gila River, which is the Gila Box; Santa Creek;

24 Aravaipa Creek and Turkey Creek. We support the no

25 action alternative on all of these rivers and creeks.

T5-8

BARTELT & KENYON

1 You know, water's a lifeblood to this area here and
2 without it it's got a negative impact on our economic
3 and social. It is critical not only for domestic
4 purposes, but the major sectors of our countywide
5 economy base which includes mining, agricultural,
6 ranching and recreation. The San Francisco and the Gila
7 Rivers, including tributaries, are inadequate to meet
8 the existing allocations of entitlement. These waters
9 are managed by the federal courts under the 1935 Globe
10 Equity Decree. Any attempt by federal agencies to
11 require additional water rights would result in further
12 negative impact.

13 Land acquisition will further impact local
14 property taxation which must support state and local
15 government and services and education. While the
16 federal government pays payment in lieu of taxation, the
17 formula was put in 20 years ago and it never has
18 changed. And we just feel like it's time that we go
19 looking after the people here within our county and the
20 United States. They are the endangered species now.
21 They have to raise their families and support their
22 needs. And I think people need to go looking after the
23 people and not all these endangered species. The Board
24 has got a written statement here that I'm going to leave
25 with you, and we hope you consider it real strongly when

BARTELT & KENYON

1 A decision is made. Thank you.

2 MR. BAUER: Our next speaker is Van Talley.

3 MR. TALLEY: My name is Van Talley. First
4 of all, I'd like to thank you folks for the opportunity
5 to allow us citizens to express our concerns about the
6 wild and scenic rivers and the impact that it would have
7 on our valley. I happen to be the Mayor of the City of
8 Safford. I am speaking for myself this evening and the
9 Safford City Council along with myself will be
10 presenting a written statement before your July 8th
11 deadline outlining our position more clearly than what I
12 will this evening.

13 The City of Safford has several interests in
14 the area. One of them happens to be the water, domestic
15 water resource for the majority of the county. We want
16 to see that water source preserved. We want to be able
17 to use the water source and at some point in time we may
18 want to expand the water source to meet the growing
19 needs of the valley. We are somewhat hesitant to put
20 the stamp of approval on any document that somehow may
21 affect that source in the future.

22 The other thing that we're concerned about
23 is the farming and agricultural, economic impact that
24 any kind of a designation would have on the rivers. The
25 City of Safford started out a farming community and it

BARTELT & KENYON

1 still is a farming community and we are proud of the
2 fact that we are based in farming. And I think that the
3 strength of our community comes from that heritage and
4 we want to preserve that. Traditional uses with the
5 rivers, I think, need to be examined very closely. I
6 would tell you as a young adult I spent many a Sunday,
7 not in church. I'm sorry. Many a Sunday going up the
8 river in a sand rail with family and friends. It was
9 certainly a good recreational outlet for our family;
10 something that we thoroughly enjoyed. I don't believe
11 that what we did had any adverse impact on the areas
12 that we went in the sand rail. As one of the Board of
13 Supervisors said earlier, this last flood pretty much
14 wiped out any indication of use by humans in that area.
15 And I think any future flood, which we seem to have them
16 every two or three years, will probably do the same.

17 As I had the opportunity on several
18 occasions over the last few months to go examine some
19 work that we were doing at the Bonita Creek area on our
20 water system, I noticed several groups on different
21 occasions of young people that were down in the Gila
22 River. They had taken their four-wheel drives down
23 there and set up a small camp and they had a volleyball
24 net, and, you know, I'm sure they had some refreshments
25 and were enjoying themselves. And I guess as I went

BARTELT & KENYON

1 through there in my mind I thought, geez, there is no
2 better place for these people to be enjoying themselves.
3 I don't want to see any of that limited. I think that
4 we want to work with BLM. We want to preserve these
5 areas and we would like BLM to help us in that
6 preservation through education, through enforcement of
7 laws that would keep vandals from destroying the areas.
8 But I don't think the answer is to keep the public out
9 and to keep the access limited by not allowing vehicles
10 up in those areas. But anyway, that's my comment this
11 evening. Thank you.

12 MR. BAUER: Our next speaker is Donald
13 Stacey.

14 MR. STACEY: My name is Don Stacey, and I'm
15 a member of the Board of Supervisors, Greenlee County,
16 and this is the official position of Greenlee County
17 concerning the wild and scenic rivers designation.

18 During scoping meetings and comment periods
19 previously held regarding wild and scenic rivers
20 designation in our area, Greenlee County has made its
21 concerns known regarding the unknown impact of wild and
22 scenic river designation on the various components of
23 our economy. Mining, agriculture, grazing and flood
24 control are all important components or issues affecting
25 our local economy and lifestyle. We feel wild and

BARTELT & KENYON

T5-12

1 scenic river designation may have a negative overall
 2 impact on the economic of Greenlee County. A short
 3 review of the draft legislative environmental impact
 4 statement causes us to present the following comments.
 5 Although the three volumes are full of interesting
 6 information, our comments will deal mainly with the
 7 perceived impact of designation of the Gila Box, Gila
 8 River; Gila Box, San Francisco River study areas; and to
 9 a lesser extent, the middle Gila River study area.

10 Comments pertaining to all three study areas
 11 include our continued concern that flood control
 12 activities will have unnecessary restrictions placed
 13 upon them in our county. Periodic flooding causes major
 14 property and crop damage in the Greenlee/Graham County
 15 areas. Any further restrictions in dealing with this
 16 issue is not acceptable to our county. Water rights
 17 issues for agriculture and mining as well as grazing
 18 could be impacted by the designations of these three
 19 study areas. We strongly feel that the wild and scenic
 20 designation of the two study areas connected to the Gila
 21 Box National Conservation area are unwarranted since
 22 protection for that area has been provided by Congress.
 23 Greenlee County has a strong record of supporting
 24 multiple-use activity with an additional emphasis that
 25 our public lands and waters should have as much public

HARTBLT & KENYON

T5-13

T5-14

1 access as allowable. We fear wild and scenic river
 2 designation will restrict our concept of such public
 3 access. With this in mind, Greenlee County wishes to go
 4 on record as supporting the no action alternative on
 5 these three study areas and request the BLM continue to
 6 manage public lands under its control without such
 7 designation. I want to thank you on behalf of Greenlee
 8 County for this opportunity.

9 MR. MAUER: Our next speaker is George
 10 Lemsen.

11 MR. LEMEN: My name is George Lemsen. I'm
 12 from Pima, and I'm here to speak in favor of the no
 13 action plan. I represent among other people the
 14 handicapped people in this community. Hardly a week
 15 goes by that I don't drive on one of your very nicely
 16 provided for us gravel roads in this county. If you
 17 take away our access to those roads, I won't be able to
 18 go up and look at the rivers and the streams anymore.
 19 There are some nice roads up on the San Francisco and up
 20 in the Gila Box. And I would not like -- on top of
 21 that, there's a really nice road that runs up Bonita
 22 Creek. And if you take that away from me, how am I
 23 supposed to go up there? Some other people have said,
 24 well, there's wheelchairs that are made like mountain
 25 bikes and you can go almost anywhere in there on one of

HARTBLT & KENYON

T5-15

1 those, and that may be true if you have two hands. I
 2 only have one. I can go round and round and round and
 3 round, but I don't get up very well on a wheelchair. I
 4 can't walk uphill anymore and I can't walk downhill
 5 anymore without assistance. I go up there in my
 6 four-wheel drive. I haven't had my truck in four-wheel
 7 drive in three years. But I could go up those roads and
 8 down those roads and look at the creeks and have a
 9 picnic with my wife and our children. Don't do this to
 10 us. Please do not do this to us. Please allow us the
 11 opportunity to go up and observe and look at and enjoy
 12 the rivers that we now can enjoy.

13 until 1985, I was an avid hiker and a member
 14 of the National Ski Patrol system. Hiker, backpacker,
 15 and then in 1985 one night I woke up unable to move my
 16 right side. Unable to speak. Thanks to some nice
 17 people in the hospitals around here and in some other
 18 places, I got my speech back and I got some of the use
 19 of my right side back. Please, do not do this to us.
 20 If you're -- I'm sorry, but I know -- I don't know what
 21 else to say except please consider the no change and
 22 consider it wisely because you, you, you and everyone
 23 here could wake up in the morning after having a stroke
 24 and be unable to use half their body. Thank you.

25 MR. MAUER: Our next speaker is Bailey

HARTBLT & KENYON

T5-16

1 Stauffer.

2 MR. STAUFFER: I really didn't plan on
 3 speaking tonight until I got here and I looked outside,
 4 but everything that's happened here tonight and what I
 5 have heard reminds me of what happened in Easter of
 6 1964. Three young lads went up to Neat Creek, camped
 7 out. All three worked at Thrifty Supermarket. We were
 8 good students in school and everything else. And we
 9 decided we were just going to take a little break. So
 10 Saturday evening, when we got through work at Thrifty
 11 Supermarket, we drove up in a 1972 Jeep four-wheel drive
 12 pickup. Went to Neat Creek, camped out, three of us.
 13 But of those three, I'm the only one here today.
 14 Saturday a special ceremony is being held for Walter R.,
 15 Bruce, Foote at the Special Forces here at the cemetery.
 16 Got killed in Vietnam. Awarded the Silver Star.
 17 Clayton Gatlin spent two tours in Vietnam. He came
 18 home, but all of you that knew Clayton, he didn't
 19 survive Vietnam. Two Purple Hearts and a Bronze Star
 20 right here.

21 I want my son to be able to get in my Bronco
 22 four-wheel drive and drive up to Neat Creek and be able
 23 to camp with his friends. And if you push this through,
 24 it's not going to happen. There is no way that three of
 25 us would walk up to Neat Creek and camp the weekend.

HARTBLT & KENYON

1 And the reason I'm speaking tonight is we
2 drove in here and I saw a white Blazer or Bronco, I
3 don't know which one it was. But I saw a big sign on
4 the front of it that said Ranger. Folks, I was an
5 Airborne Ranger in Vietnam. I was one of the first
6 there was. I walked in here and I saw one of your boys
7 with either a nine millimeter or a .45 on his hip, and I
8 don't know what you're afraid of, but that upset the
9 hell out of me. I don't know why you need an armed
10 guard coming in to one of these meetings that is a
11 so-called Ranger. Yesterday President Clinton awarded
12 the Congressional Medal of Honor to two Airborne Rangers
13 from Somalia. But you ain't got no business calling
14 yourself Rangers and you got no business coming to our
15 meetings wearing guns. Thank you.

16 MR. BAUER: Our next speaker is Bob Coyle.

17 MR. COYLE: I want to thank you for the
18 opportunity to speak on the designation of wild and
19 scenic rivers in Arizona. My name is Bob Coyle. I'm
20 from Morenci, and I'm making this statement on behalf of
21 Phelps Dodge Mining. This state of Arizona leads the
22 nation in mineral production providing a sound tax base
23 and employment opportunities for many communities
24 throughout the state as well as copper and other
25 minerals vital to the nation's well-being. Determining

BARTELT & KENYON

1 the suitability of wild and scenic rivers is an
2 important process. Phelps Dodge is concerned that the
3 potential impact of such a designation on private
4 property rights, water rights, tax base and economic
5 development issues received full consideration.

6 An understanding of what a wild and scenic
7 designation means must be made clear. The sphere of
8 influence of even the least restrictive designation is
9 not limited to just the river or its corridor. Indeed,
10 the Wild and Scenic Rivers Act can be used to prohibit
11 the issuance of required federal permits for any
12 activity within or occurring outside of the river
13 corridor that could affect the existing natural
14 conditions including air quality, water quality, sound
15 levels, visual attributes or natural flows within the
16 corridor. In addition, the Act proposes protecting the
17 natural condition of the river by coordination with
18 state and local agencies that issue such permits or
19 develop zoning regulation.

20 Current multiple use management practices
21 and special status provided to many of these areas under
22 existing RSM regulations has given us rivers of
23 outstanding natural value. We must determine if
24 designation as wild and scenic will enhance the value of
25 these rivers enough to offset the impacts of such

BARTELT & KENYON

1 designations.
2 Specifically, Phelps Dodge is opposed to the
3 designation of the lower San Francisco River and the San
4 Pedro River because of their proximity to our existing
5 operations at Morenci and Bisbee. Phelps Dodge also
6 opposes the designation of Bonita Creek because of its
7 proximity to potential future operations in this area.

8 In summary, Phelps Dodge would like to make
9 the following impacts of designation clear. Any wild,
10 scenic or recreation river designation will restrict
11 present activities and prevent future multiple use of
12 the river corridors and adjacent terrain.

13 We support the protection of truly superior
14 stream segments, but we feel that this exercise should
15 not result in the prohibition or restriction of existing
16 activities or important future development. The
17 analysis of opportunities foregone because of
18 designation of these river segments in comparison to the
19 unique values that are protected should be carefully
20 considered. Additionally, the impact on the customs and
21 culture of the local community must be considered. I
22 appreciate the opportunity to make these comments. I
23 have a written statement also.

24 MR. BAUER: Our next speaker is Jeff
25 Griffin.

BARTELT & KENYON

1 MR. GRIFFIN: My name is Jeff Griffin. I
2 thank you for the opportunity to speak on behalf of the
3 Arizona Mining Association and its member companies on
4 the designation of wild and scenic rivers in Arizona.
5 The designation of six rivers in the Safford district
6 are of particular concern to the Mining Association
7 members and our concern is for the restriction of future
8 development along these river corridors, both within the
9 corridors and adjacent to the corridors. I have an
10 example of the type of restriction that would occur.
11 Recently proposed legislation by the House of
12 Representatives states that the Secretary of either
13 Agriculture or the Interior shall have up to one year to
14 review the lands included in a mining permit as well as
15 lands onto which mineral activity may expand to
16 determine whether mining activities would significantly
17 degrade the values for which our natural conservation
18 systems unit located in close proximity to the mining
19 activities was established. These natural conservation
20 systems include wild and scenic rivers. The Arizona
21 Mining Association is opposed to any designation that
22 will restrict the future development of areas adjacent
23 to river corridors.

24 MR. BAUER: What I'd like to do now is
25 recess this meeting for about an hour and give you an

BARTELT & KENYON

1 opportunity to look at the maps in the back, ask
2 questions of Phil, and we also have Frank Riley. Are
3 you still here, Frank? Frank left; okay. Neq Johnson,
4 Mag's our resource area manager for this area; and Diane
5 Brobka, manager of the affairs office for this district.
6 You'll have a chance to talk to them. After about a
7 half hour, I will call the meeting back into session and
8 if anybody else would like to make any more comments or
9 any additional comments, we will make time available to
10 do that. So at this time I call the meeting into
11 recess.

12
13 (A recess was taken)

14
15
16 MR. BAUM: At this time I would like to
17 call the hearing back in order. Do I have anyone else
18 who'd like to speak? I had earlier that it was someone.
19 Yes, in the back. Please remember to state your name.

20 MR. ELLY: My name is Tony Elly. I'm
21 originally from Prescott, Arizona. I have also lived in
22 Flagstaff. I have lived in Phoenix; I have lived in
23 Tucson, and I have also lived here for a very short
24 time. But I'm quite attached to this area. I do work
25 for Phelps Dodge Mining Company. I have noticed a

BARTELT & KENYON

1 certain attitude here today, and that attitude is it
2 seems like we're pleading with our government not to do
3 something. We're pleading with our government, which we
4 are supposed to be in control of. We're supposed to run
5 the government, we the people. And that's not happening
6 right now. We're sitting here, it looks like children
7 pleading and begging even with tears sometimes about
8 sentimental things and values in our life, and we are
9 pleading with our government not to do things that we
10 hold true, we hold as part of our lives, and I see that
11 as a problem.

12 Even if this environmental impact statement
13 doesn't right now affect our livelihood, our
14 recreational activities, even if it doesn't happen right
15 now, we must nip this in the bud. Fine. We have a few
16 special interest groups that say, oh, we want to protect
17 this river for this specific use. Well, that's fine.
18 We need to protect our land from misuse. But also this
19 land has been given to us for our use, and I think we
20 must nip this seed in the bud. And if you get weeds in
21 your crops, what would you do? You take care of them in
22 the bud. You don't let them grow. You must take care
23 of it as soon as possible. And if there's any mining or
24 any farming or any industry that's going to occur in
25 this area and it's affected directly by this impact

BARTELT & KENYON

1 statement or another one that has in dual with this
2 statement later in the future, maybe not in our
3 lifetime, but this will affect other legislation in the
4 future and we must tightly -- as people of this country,
5 we must nip this or at least tightly watch what our
6 government is doing so that it does not affect our
7 future. Great; we may have some great rivers a hundred
8 years from now. But they're going to be through ghost
9 towns. They're going to go through towns with no
10 people. There will be a building and a great river
11 running through it. What good does that do for anybody?

12 I wasn't planning to speak tonight. I just
13 heard about this meeting about 3:00 o'clock this
14 afternoon, that it was going to happen. So I threw some
15 comments together as I got here. And when making a
16 decision -- which I basically believe that's what's
17 happening -- there's an impact statement, there's
18 something going before our Congress, and they're going
19 to be making a decision on this. I think any time you
20 make a decision, whether you're a young child or whether
21 you're a married person, whether you're older in years,
22 you must weigh the pros and cons. You must stack pros
23 on one side and cons on the other. And fine, we need
24 rivers. We need recreational areas. We need things
25 that protect it. But when the razorback sucker is put

BARTELT & KENYON

1 before the human being, there is something wrong.
2 There's something definitely wrong. What's more
3 important, the razorback sucker or a human being? If
4 you're standing here and you're faced with a decision,
5 your wife is next to you, your husband or your child,
6 and you're going to choose between that razorback sucker
7 or your family member or your best friend, what are you
8 going to choose? What are you going to choose the
9 livelihood for? Who are you going to choose, your
10 family, your friends, your country, the livelihood of
11 your country?

12 And also taxes. How are we going to
13 regulate this? How are we going to make sure if these
14 scenic rivers need to be protected, how are we going to
15 do it? We can't protect our people from getting
16 murdered. Why are we worried about protecting a few
17 suckers and a few weeds under the riverbed or why are we
18 worried about this when we have so many other things to
19 worry about.

20 Our country is trying to take away jobs by
21 making -- whether it's this specific legislation we have
22 before us now, but any general legislation that limits
23 our use of our land. Let's think about this. Limiting
24 our land would take away jobs. And what does Clinton
25 say all the time? He says we want jobs; we want to

BARTELT & KENYON

T5-20

1 provide jobs. But what happens? Our government takes
2 away jobs when they limit the use of our land. When you
3 limit the use of our land -- they say we want to make
4 something a wild and scenic river or wild and scenic
5 rivers or specifically whatever else is going to be
6 designated, and they're going to protect it with some
7 legislation, as they being the government, that we are
8 not now in charge of. When that happens, let's say we
9 make this portion of the river, say the Verde River in
10 Cottonwood, Arizona, that runs down into southern
11 Arizona. When you protect a small portion of that
12 river, the government is not only going to just protect
13 the small portion, but all the runoff areas, storm water
14 runoff. That water runs for miles and miles of square
15 miles around. A lot of people own these lands, whether
16 public lands or private lands. They are going to say,
17 well, you can't do this on your land, and this is your
18 land so that's taking away your rights of using that
19 land. And this is our country, and we can use our land
20 the way we want to. That doesn't mean we want to abuse
21 our privileges of our land. We must always be
22 conservative with our lands. We must be thoughtful of
23 our future.

24 And working with Phelps Dodge I would like
25 to state one thing. Yes, mining may not always be a

BARTLETT & KENYON

T5-21

1 beautiful sight when you come across it, but I would say
2 that working with them there, they are very
3 conscientious about protecting the land and when they
4 leave it, they make an effort to clean it up. They make
5 an effort to not contaminate water. They make an effort
6 not to contaminate the land. And I can remember
7 something in my past of someone trying to protect the
8 Copper Basin area near Prescott, and there was a mine
9 they wanted to go in there and an environmental impact
10 statement was in progress, and how much was it going to
11 cost to make that statement. And the person that was in
12 charge of -- against this project that didn't want the
13 mine to go in, environmentalist, they said, oh, you
14 can't cut down our trees, you can't mine there because
15 you're going to ruin the beauty of our land by doing
16 that. I agree it's a beautiful land we live in. But
17 also that person lived in a log cabin. I think there's
18 definitely a problem here. Okay.

19 Now, we must keep ourselves in check. We
20 must not be hypocritical about our thoughts. Let's be
21 straightforward about our land. We need to protect our
22 land for our children, but we must also protect our
23 economic future. If our taxes are going to pay for
24 this, why do we want to spend money for legislation that
25 might not even be preventing anything? If we want to

BARTLETT & KENYON

1 protect a river that's not going to be contaminated, why
2 pay money to protect a river that's not going to be
3 contaminated in the first place?

4 Pleasure and recreation. I think we can all
5 sacrifice pleasure and recreation to a certain degree,
6 but it all has the same importance. We must all have
7 recreation in our lives. Otherwise it would be dull.
8 If we were to protect a river, whether you're
9 handicapped or whether you're not, you want to hike into
10 the area, which I have done all my life. I have been a
11 hiker, and if I couldn't get in an area and it was
12 restricted for whatever reason, for -- say I can't hike
13 into that area because of a waterfall or snowball effect
14 of this legislation. First of all, you can't fish here;
15 first of all, you can't make roads to get to these
16 places. Then I can't backpack in there. And then what
17 further after that? What other recreation are they, our
18 government, going to steal from us?

19 And once again I'd like to make the point
20 that we're in charge of our government. We must take
21 that role back for the American people. And there is --
22 I was very disappointed here. I didn't see very many
23 people here. Maybe they didn't hear that it was going
24 to happen. But I think we need to help inform our
25 neighbor of what our government is doing because -- when

BARTLETT & KENYON

1 I was a senior in high school, I didn't know very much
2 about government at all. I took a civics class and my
3 eyes were opened to our government. I think most of the
4 time people of our country need to be informed so that
5 they again will feel not only the feelings and emotion,
6 but the logical responses that we need to be making.

7 Mining, farming, industry are already
8 suffocating with the different regulations that are put
9 on them. Why take away more jobs? We as a nation were
10 fleeing oppression, whether it was religious oppression,
11 economic oppression from other countries; whether we're
12 from Africa, whether we're from Asia, whether we're from
13 Britain, whether we're from anywhere in Europe, Canada
14 or even Mexico. We flee oppression to come to America.
15 Why put ourselves back under it? We need to be
16 empowered to take back our land from our government.

17 The last thing I'd like to say is this
18 impact statement is already coming from a bias. They
19 look at it and say, okay, we see rivers that need to be
20 protected, but they're not seeing man. When you want to
21 look at something, you look at the pros and cons.
22 Always. Man and the rivers, fine. We'll look at it in
23 the light of both of them. We want to protect this
24 land. We want to protect man also and his livelihood
25 and his future. I think when making laws of this

BARTLETT & KENYON

T5-22

1 natures, which I think are possible in the right time, or
2 might I say, in the right point of view, we must always
3 look at the impact it's going to have on people, not
4 just animals, vegetation, and rivers. I thank you for
5 your time.

6 MR. BAUER: Is there anyone else who would
7 like to speak tonight? Would you like to make an
8 additional statement, Mr. Am? Come on down. Would you
9 restate your name?

10 MS. CLUMES: My name is Betty Jean Clumes.
11 Because I get excited when I get up here I could not
12 finish what I wanted to a while ago. So I want to just
13 say, you know, this river, this scenic area, the birds,
14 fish, everything that's there has been there for
15 hundreds of years. Nobody's taking them away unless you
16 guys decide that you're going to pass this. It is here
17 for all of us to see and we can all see it. It's time
18 that we do think about everyone, which is humans,
19 instead of the fish, the animals, the birds. These
20 things are here anyway. When you come and find them and
21 you say they're an endangered species -- they have been
22 there. You just happen to come upon them. And this is
23 our beautiful country here, and we would like to keep it
24 in our valley so that all of us could come and see it.
25 Thank you.

T5-23

BARTELT & KENYON

1 MR. BAUER: Is there anyone else? Yes, sir.
2 It's Hutchinson; right?

3 MR. HUTCHINSON: Yes, Howard Hutchinson,
4 again with the Coalition of Arizona/New Mexico Counties.
5 In the examination of the social and economic impacts
6 from this, we would like to specifically have these
7 addressed county by county. Whenever you make your
8 economic impact analysis based on a statewide economy,
9 it often forgets that these local economies are very
10 fragile and when compared to a statewide economic
11 condition, there would be a result of the finding of no
12 significant impact. However, the significant impact
13 does occur at the local area. And so rather than having
14 this examination of this statewide, have it county by
15 county.

T5-24

16 MR. BAUER: Is there anyone else? If not, I
17 want to remind all of you and strongly urge those of you
18 who have not spoken to send your comments to us before
19 July the 8th. The mailing address is printed on the
20 cover letter attached to the drafted legislative
21 environmental impact statement. Send your comments to
22 Phil Moreland, Bureau of Land Management, Post Office
23 Box 16563, Phoenix, Arizona. 85011. Thank you all for
24 coming. This public meeting is hereby adjourned.

(The hearing concluded at 8:45 p.m.)

BARTELT & KENYON

1 STATE OF ARIZONA }
2 COUNTY OF PIMA } ss.

3
4 BE IT KNOWN that the foregoing proceedings
5 were taken before me, MELISSA J. BART, a Notary Public
6 in and for the County of Maricopa, State of Arizona;
7 taken down by me in shorthand and thereafter reduced to
8 computer-aided transcription under my direction; that
9 the foregoing 42 pages are a true and correct transcript
10 of all proceedings had upon the taking of said
11 proceedings, all done to the best of my skill and
12 ability.

13 I FURTHER CERTIFY that I am in no way
14 related to any of the parties hereto nor am I in any way
15 interested in the outcome hereof.

16 DATED at Tucson, Arizona, this 2nd day of
17 June, 1994.

18
19 Melissa J. Bart
20 Notary Public

21 My commission expires:
22 October 31, 1995
23
24
25



BARTELT & KENYON



GRAHAM COUNTY BOARD OF SUPERVISORS
 GRAHAM COUNTY COURTHOUSE - 600 MAIN STREET - PHONE 428 3250
 SAFFORD, ARIZONA 85546

SUPERVISORS
DELBERT HOUSEHOLDER, CHAIRMAN
TERRY J. BINGHAM, MEMBER
HAYNES MOORE, MEMBER

JOE CARTER, COUNTY MANAGER
BARBARA FELIX, CLERK

May 23, 1994

Mr. Phil Moreland, Chief
 Branch of Planning
 Arizona State Office
 PO Box 16563
 Phoenix, Az 85014

RE: Wild And Scenic River Suitability Assessment

Dear Mr. Moreland:

Thank you for the opportunity to review and comment on the Bureau's Wild and Scenic Rivers Legislative Environmental Impact Statement. Elected officials and private sector community leaders throughout Graham and Greenlee Counties have closely monitored this issue. We along with other local government officials and our Chambers of Commerce became most active in mid 1993 expressing opposition to efforts by the Arizona Rivers Coalition to pressure Congress to designate certain river segments in Arizona, bypassing suitability assessment obligations of the Bureau of Land Management and the United States Forest Service. Now that the BLM has completed its initial suitability assessment we want to focus our comments on their proposals within the Graham/Greenlee county area. More specifically our comments will focus on the following:

LOWER SAN FRANCISCO RIVER - The Bureau proposes two segments totaling 6.4 miles of the River for inclusion in the National Wild and Scenic Rivers System requiring additional federal expenses of \$697,000 dollars for acquisition of water rights, staff positions and management during the first five years. We support the no action alternative.

GILA RIVER (GILA BOX) - The Bureau proposes 26.6 miles of the Gila River for inclusion in the National Wild and Scenic Rivers System requiring additional federal expenses of \$179,500 dollars for land exchange, acquisition of water rights, staff positions and management over the first five years. We support the no action alternative.

BONITA CREEK - The Bureau proposes 8.1 miles of Bonita Creek for inclusion in the National Wild and Scenic Rivers System requiring federal expenses for land/water rights acquisition and management. We support the no action alternative.

AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER

ANAVAIPE CREEK - The Bureau proposes all ten miles of Anavaipe Creek for inclusion in the National Wild and Scenic Rivers System requiring additional federal expenses. We support the no action alternative.

TURKEY CREEK - The Bureau proposes 3.2 miles of Turkey Creek for inclusion in the National Wild and Scenic Rivers System requiring additional federal expenses for land acquisition and management. We support the no action alternative.

The basis for our support of the no action alternative for each of the above river segments is the negative economic and social impact. More specifically our concerns include:

Water is the life blood of our economic wellstay. It is crucial not only for domestic purposes but for the major sectors of our countywide economic base which includes mining, agriculture, ranching and recreation. Surface water is crucial to the agriculture, mining and ranching industries. The San Francisco and Gila river waters including their tributaries are inadequate to meet the existing allocation of entitlements. These waters are managed by the Federal Court under the 1935 Globe Equity Decree. Any attempts by federal agencies to acquire additional water rights will result in further negative impact.

Land acquisition will further impact local property taxation which must support state and local government services and education. Graham County consists of a land mass of over 4,500 square miles. Less than seven percent of that land mass is private with the remaining ninety three percent being federal lands and a portion of the San Carlos Apache Tribe reservation. While the Federal Government pays payment in lieu of taxation, the formula used for those payments has not been adjusted since it was created almost twenty years ago. Any attempt to remove more private lands through acquisition will affect our ability to generate needed property taxes to meet the above state obligations.

Recreation and tourism are an ever increasing component of rural economics. The Graham/Greenlee area is no exception. Area local governments and Chambers of Commerce have invested substantial dollars in promotional efforts in an attempt to shore up the private sector component of our economic base. Acquisition of land, water rights, restricting access and use will have a negative impact on efforts we've promised over the last ten years.

In reviewing the no action alternative for each of the above it is clear that each segment can be properly managed under present BLM management schemes and in a manner that provides, in most cases, the same production as contained in each recommended alternative without the additional federal expense and negative impact on our economy and traditional land uses.

Sincerely,
 GRAHAM COUNTY BOARD OF SUPERVISORS
Delbert Householder
 Delbert Householder, Chairman
Haynes Moore
 Haynes Moore, Member
Terry J. Bingham
 Terry J. Bingham, Member

PO BOX 111000
 COUNTY ADMINISTRATOR GREENLEE COUNTY
 DONALD R. STACEY
 CHIEF OF POLICE
 PO BOX 111000
 GREENLEE COUNTY



GREENLEE COUNTY
 SUPERVISOR
 DONALD R. STACEY
 DISTRICT 1 SUPERVISOR
 GREENLEE COUNTY

TESTIMONY OF
DONALD R. STACEY
DISTRICT 1 SUPERVISOR
ON BEHALF OF THE
GREENLEE COUNTY BOARD OF SUPERVISORS
AT THE BLM
WILD AND SCENIC RIVERS HEARING
TUESDAY, MAY 24, 1994
SAFFORD, ARIZONA

DURING SCOPING MEETINGS AND COMMENT PERIODS PREVIOUSLY HELD REGARDING WILD AND SCENIC RIVER DESIGNATION IN OUR AREA, GREENLEE COUNTY HAS MADE ITS CONCERN KNOWN REGARDING THE UNKNOWN IMPACT OF WILD AND SCENIC RIVER DESIGNATION ON THE VARIOUS COMPONENTS OF OUR ECONOMY. MINING, AGRICULTURE, GRAZING, AND FLOOD CONTROL ARE ALL IMPORTANT COMPONENTS OR ISSUES AFFECTING OUR LOCAL ECONOMY AND LIFESTYLE. WE FEEL WILD AND SCENIC RIVER DESIGNATION MAY HAVE A NEGATIVE OVERALL IMPACT UPON THE ECONOMY OF GREENLEE COUNTY.

A SHORT REVIEW OF THE DRAFT LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT CAUSES US TO PRESENT THE FOLLOWING COMMENTS. ALTHOUGH THE THREE VOLUMES ARE FULL OF INTERESTING INFORMATION, OUR COMMENTS WILL DEAL MAINLY WITH THE PERCEIVED IMPACTS OF DESIGNATION OF THE GILA BOX, GILA RIVER, GILA BOX, SAN FRANCISCO RIVER, AND TO A LESSOR EXTENT, MIDDLE GILA RIVER STUDY AREAS.

COMMENTS PERTAINING TO ALL THREE STUDY AREAS INCLUDE OUR CONTINUED CONCERN THAT FLOOD CONTROL ACTIVITIES WILL HAVE UNNECESSARY RESTRICTIONS PLACE UPON THEM IN OUR COUNTY. PERIODIC FLOODING CAUSES MAJOR PROPERTY AND CROP DAMAGE IN THE GREENLEE/GRAHAM COUNTY AREAS. ANY FURTHER RESTRICTIONS IN DEALING WITH THIS ISSUE IS NOT ACCEPTABLE TO OUR COUNTY. WATER RIGHT ISSUES FOR AGRICULTURE AND MINING AS WELL AS GRAZING COULD BE IMPACTED BY DESIGNATION OF THESE THREE STUDY AREAS.

TESTIMONY OF
DONALD R. STACEY
FOR GREENLEE COUNTY
MAY 24, 1994

WE STRONGLY FEEL THAT THE WILD AND SCENIC DESIGNATION OF THE TWO STUDY AREAS CONNECTED TO THE GILA BOX NATIONAL CONSERVATION AREA ARE UNWARRANTED SINCE PROTECTION TO THAT AREA HAS BEEN PROVIDED BY CONGRESS. WE ARE STILL TRYING TO EVALUATE THE IMPACTS OF THE GILA BOX NCA DESIGNATION ON OUR COUNTY AND HOPE THIS ADDITIONAL WILD AND SCENIC RIVER DESIGNATION EFFORT IS NOT SIMPLY A WAY TO MAKE SOMEONE LOOK GOOD WHEN THE TOTAL NUMBER OF DESIGNATED MILES ARE ADDED UP

GREENLEE COUNTY HAS A STRONG RECORD OF SUPPORTING MULTIPLE USE ACTIVITY WITH AN ADDITIONAL EMPHASIS THAT OUR PUBLIC LANDS AND WATERS SHOULD HAVE AS MUCH PUBLIC ACCESS AS ALLOWABLE. WE FEAR WILD AND SCENIC RIVER DESIGNATION WILL RESTRICT OUR CONCEPT OF SUCH PUBLIC ACCESS. WITH THIS IN MIND, GREENLEE COUNTY WISHES TO GO ON RECORD AS SUPPORTING THE NO ACTION ALTERNATIVE ON THESE THREE STUDY AREAS AND REQUEST THAT BLM CONTINUE TO MANAGE PUBLIC LANDS UNDER ITS CONTROL WITHOUT SUCH DESIGNATIONS. THANK YOU.

Thank you for this opportunity to speak on the designation of Wild and Scenic Rivers in Arizona. My name is Bob Coyle and I am making this statement on behalf of Phelps Dodge Mining Company.

The state of Arizona leads the Nation in mineral production, providing a sound tax base and employment opportunities for many communities throughout the state, as well as copper and other minerals vital to the Nations well being.

Determining the suitability of Wild and Scenic Rivers is an important process. Phelps Dodge is concerned that the potential impact of such designation on private property rights, water rights, tax base and economic development issues receive full consideration.

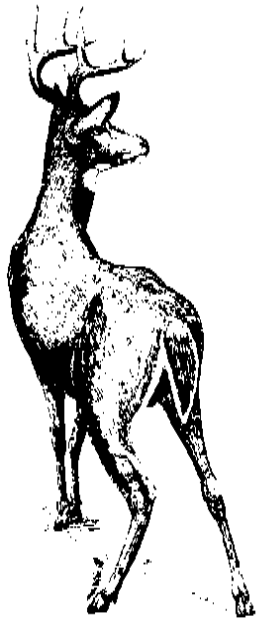
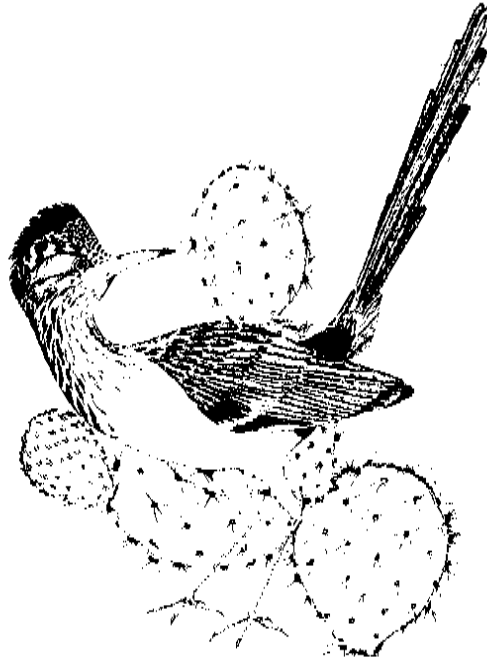
An understanding of what a "Wild and Scenic" designation means must be made clear. The sphere of influence of even the least restrictive designation is not limited to just the river or it's corridor. Indeed, the Wild and Scenic Rivers Act can be used to prohibit issuance of required Federal permits for any activity within or occurring outside the river corridor that could affect the existing natural conditions including air quality, water quality, sound levels, visual attributes or natural flows within the corridor. In addition, the Act proposes protecting the natural condition of the river by coordination with state and local agencies that issue such permits or develop zoning regulations. Current multiple use management practices and special status provided to many of these areas under existing BLM regulations have given us rivers of outstanding natural value. We must determine if designation as "Wild and Scenic" will enhance the value of these rivers enough to offset the impacts of such designation.

Specifically, Phelps Dodge is opposed to designation of the Lower San Francisco River and the San Pedro River because of their proximity to our existing operations at Morenci and Bisbee. Phelps Dodge also opposes the designation of Bonita Creek because of its proximity to potential future operations in this area.

In summary, Phelps Dodge would like to make the following impacts of designation clear. Any Wild, Scenic or Recreation river designation will restrict present activities and prevent future multiple use of the river corridors and adjacent terrain.

We support the protection of truly superior stream segments, but we feel that this exercise should not result in the prohibition or restriction of existing activities or important future development. The analysis of opportunities foregone because of designation of these river segments in comparison to the unique values that are protected should be carefully considered. Additionally, the impact on the customs and culture of the local community must be considered.

I appreciate the opportunity to make these comments to you.



GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY COURTHOUSE - 800 MAIN STREET - PHONE 426-1250
SAFFORD, ARIZONA 85946

SUPERVISORS

DELBERT HOUSEHOLDER, CHAIRMAN
TERRY J. BINGHAM, MEMBER
WAYNE MOORE, MEMBER

JOE CARTER, COUNTY MANAGER
BARBARA FELIX, CLERK

MEMO:

Bob Stokes
Will Wright
Ron Willis
Dorwin Meach
Dee Jackson
Kip Dingham
John Bryce
Mark Fooks
Gene Groely

FROM:

Joe Carter, Manager

DATE:

May 10, 1994

SUBJECT:

Wild and Scenic Rivers

Under separate cover each of you should have received a copy of BLM's suitability assessment for Wild and Scenic Rivers. Attached for your information and necessary action is the WILD AND SCENIC RIVERS UPDATE MAY 1994. There will be a formal Public Hearing on May 24, 1994 at 7:00 p.m. The hearing will be held in the Little Theater at Eastern Arizona College, Thatcher.

It is most important that a representative from each of your communities/organizations plan to attend and submit formal comments. You should also mail a copy of your written comments to each member of the Arizona Congressional Delegation and Governor Springston. Attached is a summary of those sites in the Graham/Greenville County areas which have been proposed. In developing your written comments it is most important that you focus on social economic impacts such designation would cause. If you are unable to identify specific issues it is important to state that suitability assessment contained in the BLM document did not adequately address the issue. Issues should at a minimum focus on water availability/rights and the economic impact on ranching and agriculture including access to areas that are proposed as well as traditional uses of such sites.

Please insure that your representative attends this important meeting and that you provide written copies to all those identified above.

cc: Board of Supervisors

AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER

RESPONSES TO STATEMENTS IN THE PUBLIC HEARINGS TRANSCRIPTS

Phoenix Public Hearing (T1):

Response T1 - 1: Please refer to general response # 1 (Alternatives).

Response T1 - 2: In the foreword portion of the document, under the section, Other Considerations, the statement is made that for the "purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation will be approved" (p. ii). In the case of the Gila Box Riparian National Conservation Area many management actions are prescribed by P.L. 101-628 (Arizona Desert Wilderness Act).

Response T1 - 3: The recommended alternative in the final document determines that the two segments of Cienega Creek are suitable and recommends them for designation with a Scenic classification.

Response T1 - 4: Please refer to general response # 1 (Alternatives).

Response T1 - 5: As stated on page 4 of the Bill Williams Legislative Environmental Impact Statement, the Bureau of Land Management has no authority to regulate or zone private lands.

Response T1 - 6: Please refer to general response # 2 (Economic Impacts).

Response T1 - 7: Please refer to general response # 1 (Alternatives).

Response T1 - 8: Please refer to general response # 1 (Alternatives).

Response T1 - 9: Please refer to general response # 3 (Eligibility Determinations).

Response T1 - 10: The Bureau of Land Management has no authority to regulate or zone private lands and would not seek authority to do so. See also general response # 4 (Federal and State Water Rights).

Response T1 - 11: The recommended alternative in the final document determines that the two segments of Cienega Creek are suitable and recommends them for designation with a Scenic classification (general response). Also, see general response # 1 (Alternatives).

Response T1 - 12: Please refer to general response # 1 (Alternatives).

Response T1 - 13: The Bureau of Land Management has rigorously and expeditiously followed the requirements of the environmental compliance process. Over 400 people attended public scoping meetings in March and April, 1993. Twenty-one separate draft legislative environmental impact statements were prepared, printed, and distributed for public review and comment in the 13-month period between April 1993 and April 1994. Over 2,000 copies of the draft document were distributed. The required 60-day public comment period was extended by 30 days to ensure maximum review and comment time. Five public hearings were conducted. These were attended by about 200 people. One hundred-sixteen letters were received on the draft document. We anticipate filing the document with EPA in December 1994. It will be available to the public at the same time.

Response T1 - 14: Please refer to general response # 1 (Alternatives). Locations for such projects as the Great Western Trail could be approved in areas designated as scenic or recreational and, of course, in areas not designated.

Kingman Public Hearing (T2):

Response T2 - 1: Please refer to general response # 5 (Instream Flow Water Rights).

Response T2 - 2: Please refer to general response # 4 (Federal and State Water Rights).

Response T2 - 3: Please refer to general response # 11 (Suitability Determinations).

St. George Public Hearing (T3):

Response T3-1: Under Utah law the state engineer recognizes two types of rights that apply to waters in Utah: perfected and unperfected.

"Perfected Rights" have been applied for, developed, put to beneficial use, and a certificate of right issued by the state engineer. Any rights reserved to the federal government under a wild and scenic river designation would have priority as of the date of designation, and would not affect "perfected" or certificated water rights in Utah.

Certificated water right holders in Utah are entitled to use specific amounts of water at specific locations on a priority that is based on their date of application. When a water user with a senior priority date applies for a change in location or type of use, the state engineer examines the proposal to ensure that no adverse impacts would result to any junior right holders. This examination could result in one of several outcomes, including approval, partial approval, approval with stipulations, or denial.

Should the Utah state engineer recognize a federal reserved water right in Arizona for a wild and scenic river designation, then such designation may have an impact on subsequent transfers, changes in use, or points of diversion of existing water rights.

"Unperfected Rights" are those that have not been developed, put to beneficial use, or certificated by the state water engineer. These have a priority based on date of application. A federal reserved right resulting from wild and scenic river designation would presumably have a priority based on the date of designation. It is unknown whether "unperfected rights" would be affected. Presumably, any consequences would be determined through either the state engineer's administrative hearing process or through litigation.

Financial costs of impacts on water rights resulting from designation are difficult to predict

and any attempt to do so would be highly speculative. The impacts depend on many variables, including amounts of water available for development, alternative water sources, conversions of water uses, water conservation savings, changes in demands, and many other factors.

One scenario of impacts of designation on Utah communities described in Professor John Groesbeck's statement in the transcript from the St. George, Utah wild and scenic river public hearing (see St George public hearings transcript). While the Bureau of Land Management does not accept all of the assumptions used in Professor Groesbeck's scenario, or his conclusions on impacts that designation of the Arizona portion of the Virgin River would have on Utah, reference to his statement has been incorporated into the final document. The transcript of the St George public hearing also will be forwarded to the Department of the Interior and Congress.

Response T3-2: Please refer to general response # 2 (Economic Impacts).

Response T3-3: Please refer to general response # 3 (Eligibility Determinations).

Response T3-4: Your concern is discussed on page 5 of the draft Virgin River Study Area Legislative Environmental Impact Statement. The discussion concludes that there will be no impact on perfected water rights in Utah, and since any federal reserve water right would be junior to existing unperfected water rights, there will be no significant impact on water rights. Therefore, since an environmental impact statement focusses on significant issues and significant impacts, the draft states that this "issue will not be discussed further". The instream flow study currently underway is not part of this environmental impact statement. Please refer to general response # 3 (Eligibility Determinations).

Response T3-5: Please refer to general response # 3 (Eligibility Determinations).

Response T3-6: Please refer to general response # 3 (Eligibility Determinations).

Response T3-7: Appendix 18 of the Arizona Strip District Resource Management Plan (1991) identifies the Virgin River outstandingly remarkable values. The resource management plan, which involved extensive public review and comment, contains no record of objections to the identified outstandingly remarkable values or suggestions as to others. The record of decision for the resource management plan authorized protective management for the Arizona portion of the Virgin River administered by The Bureau of Land Management. The protective management has been implemented under the Shilwits implementation plan.

Response T3-8: Please refer to general response # 11 (Suitability Determinations).

Response T3-9: Please refer to general response # 7 (Multiple Designations).

Response T3-10: Please see response T3-8.

Response T3-11: Please see response T3-8.

Response T3-12: Please see response T3-8.

Response T3-13: The Arizona Strip District Resource Management Plan, from which the proposed action was derived, involved extensive public participation activities. A Notice of Intent encouraging comments from agencies and the public on the legislative environmental impact statement was published in the *Federal Register* January 19, 1993. Public scoping meetings were held in St. George April 16, 1993. The legislative environmental impact statement considered the issue of upstream water impacts and concluded these would not be significant.

Response T3-14: Please refer to general response # 5 (Instream Flow Water Rights).

Response T3-15: Please refer to general response # 2 (Economic Impacts). The final document includes the statement by Professor Groesbeck, identifying it as an evaluation of what could occur as a result of implementation

of the all suitable alternative.

Response T3-16: Please see response T3-1, above.

Response T3-17: Please see response T3-4, above.

Response T3-18: Please see response T3-2, above.

Please refer to general response # 3 (Eligibility Determinations).

Response T3-20: Please refer to response T3-13, above.

Response T3-21: This document is an environmental impact statement written in compliance with 40 CFR 1500, the Council of Environmental Quality Regulations for Implementing the Environmental Policy Act. The guidelines to which you refer do not apply to the preparation of environmental impact statements.

Response T3-22: The record of decision for the Arizona Strip District Resource Management Plan authorized protective management for the Arizona portion of the Virgin River administered by The Bureau of Land Management. The resource management plan, which involved extensive public review and comment, contains no record of objections to the identified outstandingly remarkable values or suggestions as to others. The protective management has been implemented under the Shilwits implementation plan.

Response T3-23: Appendix 18 of the Arizona Strip District Resource Management Plan (1991) identifies the Virgin River outstandingly remarkable values. The resource management plan, which involved extensive public review and comment, contains no record of objections to the identified outstandingly remarkable values or suggestions as to others.

Response T3-24: Please refer to response T3-23.

Response T3-25: Please refer to general response # 3 (Eligibility Determinations).

Response T3-26: The term, outstandingly remarkable values, was defined in the glossary section of the draft statewide legislative environmental impact statement.

Response T3-27: Please refer to general response # 1 (Alternatives).

Response T3-28: Please refer to general response # 2 (Economic Impacts). The final document includes the statement by Professor Groesbeck, identifying it as an evaluation of what could occur as a result of implementation of the all suitable alternative.

Response T3-29: Please see response T3-2, above.

Response T3-30: Please refer to general response # 1 (Alternatives).

Response T3-31: Please refer to general response # 5 (Instream Flow Water Rights).

Response T3-32: Appendix 18 of the Arizona Strip District Resource Management Plan (1991) identifies the Virgin River outstandingly remarkable values. The resource management plan, which involved extensive public review and comment, contains no record of objections to the identified outstandingly remarkable values or suggestions as to others. The record of decision for the resource management plan authorized protective management for the Arizona portion of the Virgin River administered by The Bureau of Land Management. The protective management has been implemented under the Shilwits implementation plan.

Response T3-33: Please see general response # 10 (Suitability Determinations).

Response T3-34: The recommended alternative recommends the Virgin River for designation as a study river. This is consistent with the record of decision for the Arizona Strip District Resource Management Plan. Please see general response # 1 (Alternatives).

Response T3-35: There is no intent to establish buffer zones. The document clearly states that "Congressional action to include the Virgin River in the National Wild and Scenic Rivers System would not affect the use of private property. Designation does not open private lands to public access. The right to buy and sell property will not be affected" (draft Virgin River Study Area Legislative Environmental Impact Statement, p. 5)

Response T3-36: None of the management actions for the Arizona portions of the Virgin River outside the wilderness area involve road closures.

Tucson Public Hearing (T4):

Response T4-1: Data available to the Bureau of Land Management originating from the Arizona Game and Fish Department, indicate that native fish were collected from Cienega Creek between April of 1974 and April 1976.

Response T4-2: Please refer to general response # 1 (Alternatives).

Response T4-3: Please refer to general response # 1 (Alternatives).

Response T4-4: Please refer to general response # 1 (Alternatives).

Response T4-5: The recommended alternative in the final document determines that the two segments of Cienega Creek are suitable and recommends them for designation with a Scenic classification (general response).

Response T4-6: Please see response T4-5.

Response T4-7: Please see response T4-5.

Response T4-8: Please see response T4-5.

Response T4-9: Please see response T4-5.

Response T4-10: Please see response T4-5.

Response T4-11: Please see response T4-5.

Response T4-12: Please see response T4-5.

Response T4-13: Please refer to general response # 1 (Alternatives).

Response T4-14: Please see response T4-5.

Response T4-15: Please refer to general response # 1 (Alternatives).

Response T4-16: Please refer to general response # 1 (Alternatives).

Response T4-17: After Congress acts to designate a river into the National Wild and Scenic Rivers System, the Bureau of Land Management would develop a river management implementation plan. Approval for this implementation plan would be authorized only after a public comment and review period similar to this document.

Thatcher Public Hearing (T5):

Response T5-1: The Bureau of Land Management would fully comply with the Americans with Disabilities Act. Specific details of this compliance would be addressed in appropriate management plans developed for rivers selected for designation by Congress.

Response T5-2: Please refer to general response # 2 (Economic Impacts).

Response T5-3: Designation of a waterway by Congress under the Wild and Scenic Rivers Act does not affect existing, valid water rights and will not affect private property. The Bureau of Land Management has no authority over private land or to regulate activities occurring on nonfederal land. Designation does not open private land to public access.

Response T5-4: After Congress acts to designate a river into the National Wild and Scenic Rivers System, the Bureau of Land Management would develop a river management implementation plan. Approval for this implementation plan would be authorized only after a public comment and review period similar to this document.

Response T5-5: Please refer to general response # 2 (Economic Impacts).

Response T5-6: Please refer to general response # 7 (Multiple Designations).

Response T5-7: Response T5-7: The term "downstream," in connection with water rights acquisition, has been eliminated in the final document. The acquisition of existing water rights would be pursued only on a "willing seller-willing buyer basis" and would be implemented regardless of wild and scenic river designation.

Response T5-8: Please see general responses # 2 (Economic Impacts), and # 4 (Federal and State Water Rights).

Response T5-9: Please see general response # 1 (Alternatives).

Response T5-10: Please see general response # 6 (Land Acquisition).

Response T5-11: After Congress acts to designate a river into the National Wild and Scenic Rivers System, the Bureau of Land Management would develop a river management implementation plan. Approval for this implementation plan would be authorized only after a public comment and review period similar to this document.

Response T5-12: Please see general response # 2 (Economic Impacts).

Response T5-13: Please see general response # 7 (Multiple Designations).

Response T5-14: Please see general response # 1 (Alternatives).

Response T5-15: The Bureau of Land Management would fully comply with the Americans with Disabilities Act. Specific details of this compliance would be addressed in appropriate management plans developed for rivers selected for designation by Congress.

Response T5-16: Please refer to general response # 1 (Alternatives).

Response T5-17: Section 6 of the Wild and Scenic Rivers Act authorizes several types of

actions, each subject to the approval of the Secretary of the Interior. Addressing and discussing these types of possibilities is beyond the scope of this document. It can be assumed that any actions of the Bureau of Land Management subsequent to a Congressional decision to designate a waterway to the National Wild and Scenic Rivers System would be consistent with resource management plans.

Public Involvement is required in the development of a resource management plan.

Response T5-18: Please refer to general response # 1 (Alternatives).

Response T5-19: Please refer to general response # 1 (Alternatives).

Response T5-20: Please refer to general response # 1 (Alternatives).

Response T5-21: Please see response T5-3, above.

Response T5-22: Please refer to general response # 1 (Alternatives).

Response T5-23: Please refer to general response # 1 (Alternatives).

Response T5-24: Please refer to general response # 2 (Economic Impacts).

GENERAL RESPONSES TO COMMENTS IN THE PUBLIC HEARINGS AND LETTERS

There are 14 general responses.

General response # 1: Alternatives

As stated on page 9 in the draft statewide document, the legislative environmental impact statement is not a decision document; it is a component part of the decision making package.

The Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act issued by the Council on Environmental Quality (40 CFR 1500) require that environmental impact statements contain a range of reasonable alternatives, including no action. In the environmental impact statement each alternative must be described and the impacts of its implementation analyzed. "The range of alternatives discussed in environmental impact statements shall encompass those to be considered by the ultimate decisionmaker" (43 CFR 1502.2(e)).

The regulations also state that the "agency shall make every effort to disclose and discuss at appropriate points in the draft statement all major points of view on the environmental impacts of the alternatives including the proposed action" (43 CFR 1502.9(a)).

The proposed action/recommended alternative selected by the Bureau of Land Management was chosen from alternatives described and analyzed in the 1993 Suitability Assessment document which is available for public review at Bureau of Land Management field offices and many public libraries in Arizona, Utah, and New Mexico.

Congress may select any alternative, or combination of alternatives in its decision on rivers to be included in the National Wild and Scenic Rivers System.

General response # 2: Economic Impacts

The conclusion that there would be no

significant economic impacts from implementing any of the alternatives was based on a review of factors considered relevant by BLM personnel.

These consisted of the following:

- 1) No significant economic impacts from wild and scenic river eligibility determinations were identified in any of the resource management plans or amendments prepared between 1985 and 1994;
- 2) No significant economic impacts were identified in any of the Bureau of Land Management Suitability Assessments prepared in 1993;
- 3) None of the alternatives provide for Bureau of Land Management action to acquire or dispose of federal land;
- 4) None of the alternatives provide for Bureau of Land Management action to acquire or dispose of existing water rights;
- 5) None of the alternatives provide for Bureau of Land Management action to acquire or dispose of mineral rights;
- 6) None of the alternatives provide for Bureau of Land Management action to discourage or prevent the filing of water rights on non-federal land;
- 7) None of the alternatives provide for any kind of Bureau of Land Management action on non-federal land;
- 8) Congressional designation of an Arizona river, by itself, would not cause a noticeable increase in tourism, based on the visitor use totals in wilderness areas;
- 9) Since Bureau of Land Management already is managing the subject areas under one or more land use plans, Congressional designation would not involve any major changes; and,
- 10) The likelihood is minimal for wild and scenic river designation, by itself, to have any direct or indirect effects on real estate values, commercial activities, or industrial production.

General response # 3: Eligibility Determinations

In accordance with the Bureau of Land Management Planning Regulations (43 CFR 1600) and Bureau of Land Management Manual Section 8351, eligibility determinations are made during the resource management planning process.

This process of determining eligibility, identified in Bureau of Land Management Manual Section 8351.31, was described on pages 9 and 10 of the Arizona Statewide Wild and Scenic Legislative Environmental Impact Statement. In each of the planning documents in which eligibility was determined, review and comments by agencies and the public was encouraged.

In order to change existing eligibility determinations, it would be necessary to prepare a resource management plan amendment which would involve public review and comment.

General response # 4: Federal and State Water Rights

Two types of water rights are addressed in this document: state appropriative rights and federal reserved rights.

State water rights are acquired through the state appropriative process. Traditionally these have been separated into surface rights (including instream flow rights) and ground water permits. Both require that the water be put to beneficial use. Beneficial use, defined under state law, includes the support of traditional human endeavors such as agriculture, mining, or domestic as well as stockwatering and wildlife uses.

A federal reserved water right is established by Congress when it sets aside a parcel of federal land for a specific purpose, such as for an Indian or military reservation, national park, wilderness area or wild and scenic river. This right may be either implied or specifically identified, as in the Arizona Desert Wilderness Act (P.L. 101-628). The quantity of water reserved can be only the minimum amount

necessary to fulfill the primary purposes of the reservation and the priority date of such a right is the date of the enactment of the reservation.

Federal and state water rights are quantified and asserted during state judicial proceedings called adjudications. Water rights are adjudicated by priority date with the oldest water right having first call on the available water supply.

Often, in Arizona, there are more water rights than available water. When this is the case a river or water source is considered over-allocated. Stream flow in Arizona is extremely variable from season to season and from year to year and some junior water rights may be filled only in extremely wet years.

General response # 5: Instream Flow Water Rights

Instream flow water rights, recognized under Arizona state law, are considered non-consumptive since no water is diverted from the stream channel. Instream beneficial uses include wildlife, fish, and recreation.

The Bureau of Land Management has filed for state instream flow water rights on many of the river segments included in this document. In addition, the Arizona Desert Wilderness Act (P.L. 101-628) established a federal reserved right for those portions of the rivers flowing through wilderness. The priority date of these rights in wilderness areas will be senior to any water right granted under wild and scenic rivers designation.

The Arizona Department of Water Resources requires a detailed assessment report in order to perfect an instream flow right. The assessment must quantify the amount of water needed by each of the beneficial uses in relation to water availability (i.e., the minimum base flow of the river). Valid rights along the stream are identified and an assessment made of possible impacts to existing users. The Bureau of Land Management is using this same instream flow assessment process to quantify its federal instream flow reserved rights.

General response # 6: Land Acquisition

Land acquisition is not a wild and scenic rivers management action, and is not part of any proposal to designate a wild and scenic river. Land acquisitions, where mentioned, are identified as ongoing management actions authorized by resource management plans approved by the Arizona State Director. The land acquisition efforts will continue regardless of Congressional wild and scenic river designations.

This is consistent with regulations and policy stipulating that that Bureau of Land Management land acquisitions must be in conformance with land use plans that are subject to public review and comment (Federal Land Policy and Management Act, P.L. 94-579, Sec 202; 43 CFR 1600; 43 CFR 2200). Public review and comment was encouraged in each of the land acquisitions identified in the resource management plans.

General response # 7: Multiple Designation

Management procedures where multiple designations may exist are discussed for each alternative that addresses wild and scenic management actions (see chapter 2 in each document). In the case of overlap, the most stringent procedural option is selected.

The location of a river segment, or the kind of plan under which it is managed (wilderness, national conservation area, area of critical environmental concern, resource management plan), do not limit or enhance its status as a potential wild and scenic river.

As stated in chapter 1 of the statewide document, the Wild and Scenic Rivers Act requires consideration of "potential national wild, scenic and recreational river areas" on all "planning for the use and development of water and related land uses..."

The process of considering and evaluating rivers that are potential additions to the National Wild and Scenic Rivers System begins with eligibility determinations. Bureau of Land Management policy specifies that to be eligible

"a river segment must be 'free-flowing' and must possess at least one river-related value considered to be 'outstandingly remarkable.' ... No other factors are considered in determining the eligibility of a river segment" (Manual Section 8351.31A, Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation, and Management).

Designation determinations, similarly, are not limited or enhanced by the management status of a river. In other words, the potential for a river segment to be recommended to Congress for inclusion in the National Wild and Scenic Rivers System has nothing to do with whether the segment is in a wilderness or national conservation area.

In addition, if a segment in a wilderness or national conservation area is designated by Congress, a river management plan must be developed. If the designation overlaps an area managed as wilderness, or a riparian national conservation area, there would be no conflict with implementing the required wild and scenic river management actions. The most stringent action would be implemented. Management planning efforts for Wild and Scenic Rivers within overlapping existing designations, according to Bureau of Land Management policy, "must be consistent with the expressed administrative purpose(s) or controlling statutory intent(s) of the existing designation, e.g., wilderness area" (MS 8351.08). Also, "[m]anagement of WSR rivers which overlap designated wilderness areas or wilderness study areas will meet whichever standard is highest. If an area is released from wilderness study status and the associated Wilderness Interim Management Policy, the applicable WSR river classification guidelines and standards would then apply" (MS 8351.51D1).

General response # 8: Cienega Creek Recommended Alternative

The recommended alternative in the final document determines that the two segments of Cienega Creek are suitable and recommends them to Congress for designation with a Scenic classification.

The selection of this alternative is consistent with the Cienega Creek eligibility determination, suitability assessment alternatives, and analysis in the draft Cienega Creek Wild and Scenic River study area legislative environmental impact statement.

General comment # 9: River Study Area Protection

This document is focussed on the environmental impacts that could occur under the implementation of various river study area alternatives. The alternatives respond to issues identified during scoping by the public and Bureau of Land Management personnel.

As discussed on page 59 of the draft statewide document, the designation or non-designation of the rivers would not occur in a vacuum. The lands and resources in the river study areas already are, and regardless of Congressional designation decisions, will continue to be managed under ongoing Arizona Bureau of Land Management resource management plans.

The Wild and Scenic Rivers Legislative Environmental Impact Statement does not equate the specifics of one type of legislative protection with another. However, areas under legislative protection are comparable in one important way: since Congress creates the protective status, only Congress can revoke it.

Different purposes are served by the three types of legislative protection mentioned in this document. The Wilderness Act states that the purpose of administering a wilderness area is to leave it "unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness" (P.L. 89-577, Sec 2(a)). The Arizona riparian national conservation areas generally are established to conserve, protect, and enhance the riparian areas ... and the aquatic, wildlife, archeological, paleontological, scientific, cultural, educational, and recreational resources of the conservation area" (P.L. 101-628, Sec 201(a)). As mentioned on page 9 of

the statewide document, the purpose of the National Wild and Scenic Rivers Act is to preserve in "free-flowing condition" and to protect for the "benefit and enjoyment of present and future generations ... certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values" (P.L. 90-542, Sec. 1(b)).

The Bureau of Land Management activities must conform to, and comply with, special Congressional protection directives. Some of these pertain directly to waterways. For example, wilderness and national conservation area designation conveys a federal reserved water right; required prohibitions on the use of motorized equipment is a deterrent to dam construction and waterway diversion. Other requirements provide protection for resource values: new mining activities are prohibited; motorized vehicle use is restricted; public use is regulated; new road and trail construction is banned.

General response # 10: Comparisons

The Arizona statewide legislative environmental impact statement is focussed on the analysis of environmental impacts that could occur from implementation of various alternatives for river study area wild and scenic river designations (draft document, p. 9). Existing wilderness and national conservation areas are parts of the environment that would be affected by implementation of the alternatives that recommend wild and scenic river designation or nondesignation.

Due to the focus of the document, comparing the degrees or type of protection associated with resource management under the Congressional designations of wilderness, national conservation, and wild and scenic rivers would be pointless because the Congressionally protected areas would not be subject to, nor would they generate, significant adverse impacts.

General response # 11: Suitability Determinations

The suitability determination process, incorporating the directives listed in Bureau of Land Management Manual Section 8351.33, was discussed on pages 10 and 11 in the draft statewide legislative environmental impact statement. According to the manual, "[t]he planning determination of suitability provides the basis for any decision to recommend legislation... In most cases, BLM will assess river suitability in the RMP process ... Where a suitability determination cannot be made by the BLM in the RMP, [a] separate legislative EIS (LEIS) shall be required ... to make that determination ... [A]ll eligible river segments are evaluated for suitability ... (MS 8351.33)

With the exception of the Paria River, management decisions were made to defer suitability determinations on Bureau of Land Management rivers during the completion of resource management plans and resource management plan amendments between 1983 and 1993. This, in turn, provided the basis for the preparation of the internal suitability reports and the preparation of the legislative environmental impact statement.

The suitability assessments were completed in 1993. The suitability assessments evaluated all river segments determined to be eligible through the resource management planning process.

The alternatives in the suitability reports established the basis for the range of alternatives to be analyzed in the environmental impact statement. The reports did not constitute the final suitability determination of the agency.

The availability of the suitability assessments was announced in written notifications to approximately 1,000 people and in statewide press releases. Copies of the assessments were provided for review in public libraries and Bureau of Land Management field offices.

Chart 1-1 of the draft statewide legislative environmental impact statement contains a

summary of characteristics for each river included in the Bureau of Land Management proposed action alternative. Chart 1-1 does not contain information on any of the other alternatives considered in the suitability assessment.

General response # 12: Visual Impacts

The Wild and Scenic River Act does not give federal agencies authority to regulate the use of nonfederal lands. The visual quality of existing activities on nonfederal lands adjacent to a wild and scenic river is not a consideration determining eligibility. According to Bureau of Land Management manual section 8351, *Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation, and Management*, "a river segment must be 'free-flowing' and must possess at least one river-related value considered to be 'outstandingly remarkable' No other factors are considered in determining the eligibility of a river segment"

In addition, the visual quality of existing activities on nonfederal lands adjacent to a wild and scenic river is not one of the considerations in determining suitability. Further, the Wild and Scenic River Act does not give federal agencies authority to force changes in the existing activities on nonfederal lands.

General response # 13: Water Rights Severance and Transfer

The point of diversion of a state appropriative right may be changed through a process called severance and transfer. This process is approved by the Arizona Department of Water Resources. The process examines impacts to valid water rights between the severance and transfer points. Water rights holders who believe they are adversely affected by this action have the right of protest to the department.

Any existing right on a drainage, including instream flow rights, could impact the execution of the severance and transfer. For example, if a mining company wanted to buy a water right from a downstream location and transfer the

diversion point upstream of an instream flow water right, the holder of the instream flow right could be impacted and could protest the action.

No proposals for severance and transfer involving river segments under consideration in this document are currently before the Department of Water Resources.

General Response # 14: The Virgin River and Utah Perfected and Unperfected Water Rights

Under Utah law the state engineer recognizes two types of rights that apply to waters in Utah: perfected and unperfected.

"Perfected Rights" have been applied for, developed, put to beneficial use, and a certificate of right issued by the state engineer. Any rights reserved to the federal government under a Wild and Scenic River designation would have priority as of the date of designation, and would not affect "perfected" or certificated water rights in Utah.

Certificated water right holders in Utah are entitled to use specific amounts of water at specific locations on a priority that is based on their date of application. When a water user with a senior priority date applies for a change in location or type of use, the state engineer examines the proposal to ensure that no adverse impacts would result to any junior right holders. This examination could result in one of several outcomes, including approval, partial approval, approval with stipulations, or denial.

Should the Utah state engineer recognize a federal reserved water right in Arizona for a wild and scenic river designation, then such

designation may have an impact on subsequent transfers, changes in use, or points of diversion of existing water rights.

"Unperfected Rights" are those that have not been developed, put to beneficial use, or certificated by the State Water Engineer. These have a priority based on date of application. A federal reserved right resulting from wild and scenic river designation would presumably have a priority based on the date of designation. It is unknown whether "unperfected rights" would be affected. Presumably, any consequences would be determined through either the state engineer's administrative hearing process or through litigation.

Financial costs of impacts on water rights resulting from designation are difficult to predict and any attempt to do so would be highly speculative. The impacts depend on many variables, including amounts of water available for development, alternative water sources, conversions of water uses, water conservation savings, changes in demands, and many other factors.

One scenario of impacts of designation on Utah communities described in Professor John Groesbeck's statement in the transcript from the St. George, Utah wild and scenic river public hearing (see St George public hearings transcript). While the Bureau of Land Management does not accept all of the assumptions used in Professor Groesbeck's scenario, or his conclusions on impacts that designation of the Arizona portion of the Virgin River would have on Utah, reference to his statement has been incorporated into the final document. The transcript of the St George public hearing also will be forwarded to the Department of the Interior and Congress.

**LETTERS AND BUREAU OF LAND
MANAGEMENT RESPONSES**

During the 90-day comment period from April 8 to July 8, 1994, 116 letters containing comments on the draft document were received. Copies of the letters and transcripts from the public hearings are printed below. After the comment period ended, two letters, both with July 26 dates, were received. Although responses were not prepared for these, they are included as information.

according to source as follows:

- Letters from federal agencies;
- Letters from state agencies;
- Letters from local governments;
- Letters from interest groups;
- Letters from individuals;
- Letters received after the close of the comment period.

The letters are numbered sequentially in order of receipt, but they are displayed in groups

Table CR-3 lists the letters alphabetically by author.

**TABLE 5-CR3
LETTERS FROM INDIVIDUALS**

NUM	NAME	REPRESENTING	CITY
44	Albright, S.T.	U.S. National Park Service	San Francisco, CA
19	Anderson, J.S.	Private	Tucson
61	Arnquist, P.	Private	Phoenix
94	Baison, A.L.	Private	Tucson
99	Beatson, R.R.	League of Conservation Voters	Tucson
85	Becker, S.	Private	Scottsdale
110	Belfuss, C.D.	Private	Phoenix
109	Blake, D.	Private	St. George, UT
102	Blake, D.	Private	St. George, UT
38	Bruns, M.A.	Private	Baraboo, WI
115	Burton, J.K.	Arizona Game and Fish Department	Phoenix
25	Byerley, L.	Private	Tucson
43	Cabin, S.W.	Citizens' Coalition for Arizona Rivers	Tucson
39	Cabin, S.W.	Private	Tucson
42	Cassidy, R. and D.	Private	Tucson
104	Clawson-Damp, Turner	Sierra Club/Southwest	Phoenix
35	Cooper, L.K.	Daughton, Hawkins, et al	Phoenix
36	Darling, L.A.	Cyprus Amax	Englewood, CO
82	Darling, L.	Cyprus Amax	Englewood, CO
108	Drury, J.A.	Stone Container Corp	Snowflake

68	Eady, C.F.	Private	Safford
34	Ellickson, B.	Private	Glendale
80	Elmer, H.	Private	Safford
21	Eesig, J.J.	Private	Tucson
79	Farrel, D.	U.S. Environmental Protection Agency	San Francisco, CA
112	Fischer, D.	Private	Willcox
81	Flood, T.J.	Friends of Arizona Rivers	Phoenix
103	Frankel, Z.	Southern Utah Wilderness Alliance	Salt Lake City, UT
83	Frehner, V.	Scenic Improvement District	Mesquite
37	Genser, R.	Private	Tucson
58	Glustrum, L.	Private	Prescott
70	Gundlach, D.	Private	Tucson
93	Hanson, G.S.	Private	St. George, UT
55	Hernder, H.	Private	Tucson
30	Hibpshman, M.H.	Bureau of Mines	Denver, CO
59	Hopkins, J.	Private	Tucson
40	Householder, D. and Moore	Graham County Supervisore	Safford
49	Householder, Moore and Bingham	Graham County Supervisore	Safford
111	Huddy, P.W.	Private	Tucson
84	Huizingh, D.	Central Arizona Paddlers Club	Phoenix
27	Hulmes, D.	Private	Prescott
51	Hyde, P. and G. Peters	American Rivers	Phoenix
9	Ingvoldstod, M.	Private	Tucson
86	Innes, L.	Mayor	Thatcher
62	Ivantosh, B.	Private	Tucson
11	Jeffetz, B.	Environmental Goode	Tucson
17	Jimmerfield, E.S.	Sonoran Bioregional Project	Tucson
116	Joe, R.S.	Department ofthe Army/ Corps of Engineers	Los Angeles, CA
1	Johnaon, M.	Private	Tucson
71	Kahl, R.G.	Private	Tucson
48	Keller, G.	ASA4WDC	Tempe
47	Keller, G.	ASA4WDC	Tempe

50	Kelly, N.	Sierra Club/Rincon	Tucson
66	Kennedy, J.	Private	Safford
65	Kennedy, G.	Private	Safford
77	Kecke, F.E.	Private	Pima
96	Kevin, J.	Private	Apache Junction
22	Keyes, Jr, C.J.	International Boundary Water Commission	El Paso, TX
101	Kimball and Curry, Atts	Phelps Dodge	Phoenix
8	Kobe, C.M.	Private	Tucson
113	Koppinger, D.	Tucson Audubon Society	Safford
14	Kroese, K.W.	O'Connell & Kroese, PC	Tucson
73	Lanchiou, P.	Private	Tucson
114	Lazzelle, T.	Sierra Club/Palo Verde Group	Phoenix
87	Lee, A.N.	Apache County Board of Supervisors	Globe
53	Levick, L.	Private	Tucson
57	Lewis, J.B.	Washington County Commissioners	St. George, UT
29	Liebold, R.L.	Sierra Club/Grand Canyon	Kingman
75	Lockner, D.	Private	Klondyke
76	Lockner, K.	Private	Klondyke
91	Manager	Arizona Department of Commerce/ Clearing House	Phoenix
105	Marsik, G.A.	Worldwide Exploration	Flagstaff
4	Mazanek, S.	San Pedro Water Conservation District	Benson
89	McCrary, R.	Private	Tucson
28	Mendola, T. and M.	Private	Tucson
10	Miller, R.G.	Forests Institute	Tucson
16	Mudge, N.	SEAC-Southwest	Tucson
24	Nash, K.	Private	Tucson
18	Nelson, D.K.	Private	Tucson
26	Otero, D.G.	Private	Lakeview
46	Palmer, S.	Private	Tucson
33	Pamperin, J.	Private	Phoenix
15	Pelich, W. and D.	Private	Tucson
92	Palusi, J.	Private	Glendale
69	Prandergast, R.	Private	Sun City

74	Rea, B. and J.	Private	Eugene, OR
56	Richardson, W.F.	Greenlee County Water Association	Morenci
52	Richgels, T.	Private	Mesa
32	Riddle, D.L.	Private	Chandler
41	Ridinger, D.C.	Arizona Mining Association	Phoenix
72	Riggs, C.R.	Private	Tucson
31	Roberts-Manciakla, S.	Private	Tucson
63	Romney, P.	Arizona Trappers Association	Safford
5	Rosinski, G.F.	Private	Tucson
98	Ruedas, H.	Greenlee County Board of Supervisors	Morenci
7	Schlossberg, M.	Private	Tucson
54	Serragho, R.	Private	Tucson
67	Skinner, L.	Mayor	Pima
97	Snider, T.R.	Phelps Dodge	Morenci
60	Sowle, W.W.	Private	Phoenix
106	Steuter, D.	Private	Phoenix
20	Taunton, S.	Private	Tucson
23	Tepper, C.	Private	Tucson
3	Thomas, J.W.	U.S. Forest Service	Washington, D.C.
2	Thompson, R.	Washington County Water Conservancy District	St. George, UT
45	Thornton, D.H.	Morenci Water/Electric	Morenci
100	Travis, R.C.	Greenlee County	Morenci
78	Vlahovich, J.E.	Cochise County Planning Department	Sierra Vista
64	Walters	Graham County Chamber of Commerce	Safford
6	Williams, B.	Private	Prescott
68	Williams, H.	Private	Tucson
95	Wilson, K.	Private	Mesa
107	Wilson, B.B.	Private	Tucson
13	Wilson, B.B.	Private	Tucson
12	Wolf, D.	Private	Flagstaff
90	Zeilman, T.A.	Private	Tucson

Letters from federal agencies



United States
Department of
Agriculture

Forest
Service

000003

Washington
Office

14th & Independence SW
P.O. Box 96090
Washington, DC 20090-0090

Reply To: 2354

Date: APR 20 1994

APR 20 1994

SEARCHED	
INDEXED	
SERIALIZED	
FILED	
PERMITS	
INVESTIGATIONS	
ADVISORY	
STATE COUNCIL	
AGENCY FILES	
MAIL	

Mr. Lester K. Rosenkrantz
State Director, Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

Dear Mr. Rosenkrantz:

Thank you for your March 31, 1994, letter sending a copy of your Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement for our review.

We are referring your report to the Recreation, Heritage, and Wilderness Resources Staff for review, and they will provide an appropriate response by July 7, 1994, as you requested.

Sincerely,

Jack Ward Thomas
JACK WARD THOMAS
Chief



Caring for the Land and Serving People

FS-4100-128-62B



OFFICE OF THE COMMISSIONER
UNITED STATES SECTION

INTERNATIONAL BOUNDARY AND WATER COMMISSION
UNITED STATES AND MEXICO

000022

JUN 9 1994

Mr. Phil Moreland
Chief
Branch of Planning
Environment, Lands and Recreation
Arizona State Office
Bureau of Land Management
P.O. Box 16563
Phoenix, Arizona 85014

Dear Mr. Moreland:

We appreciate the opportunity to review and comment on the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (DEIS) dated April, 1994, reference 1790 (931) and 8351 (931). The DEIS analyzes the environmental impacts of recommending to Congress 13 rivers within the State of Arizona as suitable for inclusion in the National Wild and Scenic Rivers System. In 1993 we provided comment to the Bureau of Land Management (BLM) for five of the rivers under consideration, Agua Fria River (letter dated June 21), Bill Williams River (August 4), Cienega Creek (April 16), Hassayampa River (June 21), and San Pedro River (April 16).

As we stated at those times, the United States Section of the International Boundary and Water Commission (USIBWC), by virtue of the 1944 Water Treaty (TS 994; 59 Stat. 1213) and other boundary and water treaties and agreements concluded by the United States and Mexico, is responsible for ensuring the United States Government meets the obligations incurred in those agreements. The USIBWC's statutory authority for carrying out actions in the United States under these agreements rests in 22 U.S.C. 277 a-d.

In our letters of comment on the proposed evaluation for eligibility for the Agua Fria River, the Bill Williams River, and the Hassayampa River, we recommended that treaty obligations relating to water quality and deliveries to Mexico be considered in your decisions since the flows of these rivers enter the Colorado River and are sometimes calculated into the treaty deliveries to Mexico. Our review of the main DEIS and the River Appendices indicates the only reference made to the Treaty of February 3, 1944, "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" is found in the Bill Williams River DEIS in River Appendices Volume 1. The treaties and international agreements in force between the United States and Mexico also apply, as we stated in our earlier letters, to

THE COMMONS BUILDING C. SUITE 310 • 4171 N. MESA STREET • EL PASO, TEXAS 79902
(915) 534-6700 • (FTS) 570-6700

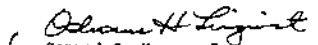
22-1 those waters of the Aqua Fria and Hassayampa rivers; and we believe this reference to treaties and international agreements between the United States and Mexico should also be made within the main DEIS.

22-2 The discussion on the 1944 Water Treaty in the third paragraph, first column, on page 3 of the Bill Williams River DEIS in River Appendix Volume 1 is in the past tense. Be advised this is a treaty in force between the United States and Mexico. Waters continue to be distributed between the two countries with a guaranteed annual quantity of 1.85 thousand cubic meters (1.5 million acre feet) provided to Mexico in accordance with the 1944 Water Treaty.

22-3 We also find the "International Boundary and Waters [sic] Commission" is listed on page 21 of the main DEIS; however, it is not found within the Consultation and Coordination with Federal Agencies listing on page 125 of the main DEIS. The proper reference should be, "United States Section, International Boundary and Water Commission, United States and Mexico" and the abbreviation, "USIBWC," is appropriate following first reference.

Thank you for providing us the opportunity to review the DEIS and River Appendices and for taking our comments into consideration. Please provide two copies each of the final EIS and River Appendices when they are available. Also provide one copy each of these documents to Mr. Al Goff, Project Manager, United States Section, International Boundary and Water Commission, P.O. Box 5737, Yuma, Arizona 85364, telephone: 602/782-1598 and to Mr. Carlos Pena, Project Manager, United States Section, International Boundary and Water Commission, P.O. Box 6759, Nogales, Arizona 85621, telephone: 602/281-1832.

Sincerely,


for Conrad C. Keyes, Jr.
Principal Engineer, Planning

cc: Colorado River Salinity Control Forum

Response 22 - 1: References to the responsibilities of the International Boundary and Water Commission have been added to River Appendix Volume, Section I.C., for the Agua Fria and Hassayampa rivers.

Response 22 - 2: The present tense is used in the final text.

Response 22 - 3: Reference to the USIBWC has been added to the appropriate pages in the final statewide document and appendices.

AUG 1 1993

Mr. Dave Curtis
Planning and Environmental Coordinator
Yuma District
Bureau of Land Management
3150 Winsor Avenue
Yuma, Arizona 85365

Reference: 8560 (931) and 8351 (931)

Dear Mr. Curtis:

We appreciate Mr. Kast's July 9, 1993, letter providing a copy of the draft Amendment to the Yuma District Resource Management Plan Environmental Assessment (EA) No. AZ-050-93-E2 for our review and comment. The Bureau of Land Management (BLM) proposes to evaluate the eligibility of a portion of the Bill Williams River for inclusion in the National Wild and Scenic Rivers System. The segment, designated by BLM as Segment C, is a free flowing, 6 kilometers (5 miles) long portion of the Bill Williams River between Alamo Dam and Planet Ranch.

As you are aware, the United States Section of the International Boundary and Water Commission (USIBWC), by virtue of the 1944 Water Treaty (TS 994; 59 Stat. 1219) and other boundary and water treaties and agreements concluded by the United States and Mexico, is responsible for ensuring that the United States Government meets the obligations incurred in those agreements. The USIBWC's statutory authority for carrying out actions in the United States under these agreements rests in 22 U.S.C. 277 a-d.

The Treaty of February 3, 1944, for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" distributed between the two countries the waters of the Rio Grande and the Colorado River. The 1944 Treaty provides a guaranteed annual quantity of 1,850,250 thousands of cubic meters (1.5 million acre-feet) of the Colorado River waters be delivered in accordance with schedules formulated in advance by Mexico within specified limitations, and it also provides any other waters arriving at the Mexican points of diversion under certain understandings. These deliveries are made to Mexico by the USIBWC at Morelos Dam on the Colorado River near Yuma, Arizona, and on the land boundary at San Luis, Arizona/Sonora. Releases are made from upstream reservoirs to assure that treaty obligations reach Morelos Dam for diversion by Mexico.

On August 30, 1973, the United States and Mexico reached agreement under the terms of the 1944 Water Treaty for a "Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River" (International Boundary and Water Commission Minute No. 242). This Minute provided for

- 2 -

immediate reduction in the salinity of the waters delivered to Mexico, stipulating that the United States shall adopt measures to assure that the waters delivered upstream of Morelos Dam have an annual average salinity of no more than 115.30 parts per million over the annual average salinity of the Colorado River at Imperial Dam.

Immediate interim measures were put into effect under the authorization of the Colorado River Salinity Control Act of June 24, 1974. The United States Bureau of Reclamation constructed works which bypassed all of the saline drainage waters to the Santa Clara Slough in Mexico on the Gulf of California. Waters of low salinity were substituted for the bypassed waters.

Compliance with the agreement is jointly monitored by the USIBWC and Mexican Section of the International Boundary and Water Commission (MXIBWC). The waters delivered upstream from Morelos Dam are jointly sampled each weekday, and they are analyzed for salinity by the USIBWC and the MXIBWC, and the results are jointly compared by the International Boundary and Water Commission. Since the agreement was signed, the records show that the United States is fully complying with its terms.

It was recognized that to continue the interim measures to implement the agreement with Mexico would result in a serious loss of waters needed to meet Colorado River Basin uses within the United States. The Salinity Control Act authorized the construction, operation and maintenance of a desalting plant in the United States to reduce the salinity of the drain waters. The Yuma Desalting Plant is now constructed and was placed into operation from October to December 1992. Floods from the Gila River have made it unnecessary to utilize the plant in 1993.

The USIBWC takes this opportunity to inform you of these treaty obligations, and to request that they be taken into consideration in your evaluation of eligibility for Segment C of the Bill Williams River. Since the flows of this river enter the Colorado River, these waters are sometimes used for and calculated into the treaty deliveries the USIBWC must make to Mexico. We recommend that these required treaty deliveries be considered in your decision.

The USIBWC is prepared to work with you in providing the treaty obligation flow information you might need for your evaluation. The USIBWC contacts for this information are Mr. Ken Rakestraw, Deputy Division Engineer, Water Resources Investigation Division, at the letterhead address, telephone: 915/514-6707; and Mr. Al Goff, Project Manager, U.S. Section, International Boundary and Water Commission, P.O. Box 5737, Yuma, Arizona 85364, telephone: 602/782-1598.

- 3 -

Thank you for providing us the opportunity to review the Draft Amendment and for taking our comments into consideration in your decision of eligibility. Please provide two copies each of the Final Amendment and the Decision Record when they are available to me at the letterhead address. Also provide one copy each of these documents to Mr. Al Goff at the address given above.

Sincerely,

Conrad G. Keyes, Jr.
Principal Engineer, Planning

cc: Mr. Herman L. Kast
Deputy State Director
Lands and Renewable Resources
Bureau of Land Management
Arizona State Office
P.O. Box 16563
Phoenix, Arizona 85011

Colorado River Salinity Control Forum
U.S. Bureau of Reclamation, Yuma

JUN 21 1993

Ms. Gail Acheson
Area Manager
Phoenix Resource Area
Bureau of Land Management
2015 West Deer Valley Road
Phoenix, Arizona 85027

Dear Ms. Acheson:

We appreciate the opportunity to review Mr. McClure's May 18, 1991, letter providing a copy of the draft Amendment and Environmental Assessment (EA) for the Phoenix Resource Management Plan and Lower Gila North Management Framework Plan for our review and comment. The Bureau of Land Management (BLM) proposes to evaluate the eligibility of portions of the Agua Fria and Hassayampa Rivers for inclusion in the National Wild and Scenic Rivers System.

As a matter of information, the United States Section of the International Boundary and Water Commission (USIBWC), by virtue of the 1944 Water Treaty (TS 994; 59 Stat. 1219) and other boundary and water treaties and agreements concluded by the United States and Mexico, is responsible for ensuring that the United States Government meets the obligations incurred in those agreements. The USIBWC's statutory authority for carrying out actions in the United States under these agreements rests in 22 U.S.C. 277 a-d.

The Treaty of February 3, 1944, for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" distributed between the two countries the waters of the Rio Grande and the Colorado River. The 1944 Treaty provides a guaranteed annual quantity of 1,850,250 thousands of cubic meters (1.5 million acre-feet) of the Colorado River waters be delivered in accordance with schedules formulated in advance by Mexico within specified limitations, and it also provides any other waters arriving at the Mexican points of diversion under certain understandings. These deliveries are made to Mexico by the USIBWC at Morelos Dam on the Colorado River near Yuma, Arizona, and on the land boundary at San Luis, Arizona/Sonora. Releases are made from upstream reservoirs to assure that treaty obligations reach Morelos Dam for diversion by Mexico.

On August 30, 1973, the United States and Mexico reached agreement under the terms of the 1944 Water Treaty for a "Permanent and Definitive Solution to the International Problem of the Salinity of the Colorado River" (International Boundary and Water Commission Minute No. 242). This Minute provided for immediate reduction in the salinity of the waters delivered to Mexico, stipulating that the United States shall adopt measures to assure that the waters delivered upstream of Morelos Dam have an annual average salinity of no more than 115±30 parts per million over the annual average salinity of the Colorado River at Imperial Dam.

Immediate interim measures were put into effect under the authorization of the Colorado River Salinity Control Act of June 24, 1974. The United States Bureau of Reclamation constructed works which bypassed all of the saline drainage waters to the Santa Clara Slough in Mexico on the Gulf of California. Waters of low salinity were substituted for the bypassed waters.

Compliance with the agreement is jointly monitored by the USIBWC and Mexican Section of the International Boundary and Water Commission (MXIBWC). The waters delivered upstream from Morelos Dam are jointly sampled each weekday, and they are analyzed for salinity by the USIBWC and the MXIBWC, and the results are jointly compared by the International Boundary and Water Commission. Since the agreement was signed, the records show that the United States is fully complying with its terms.

It was recognized that to continue the interim measures to implement the agreement with Mexico would result in a serious loss of waters needed to meet Colorado River Basin uses within the United States. The Salinity Control Act authorized the construction, operation and maintenance of a desalting plant in the United States to reduce the salinity of the drain waters. The Yuma Desalting Plant is now constructed and is presently undergoing startup studies at one-third operation through 1994.

The USIBWC takes this opportunity to inform you of these treaty obligations, and to request that they be taken into consideration in your evaluation of eligibility for the subject rivers. Since the flows of the designated rivers enter the Painted Rock Reservoir and subsequently to Colorado River via the Gila River, these waters are sometimes used for and calculated into the treaty deliveries the USIBWC must make to Mexico. We recommend that these required treaty deliveries be considered in your decision.

You state in the assessment on page 5, last paragraph, that no flood control dams, levees or other works would be allowed and only existing structures would be maintained. Considering the

devastating floods of the Gila River in 1993, we recommend not ruling out the possibility of flood control works in the future along the Gila and its tributaries.

The USIBWC is prepared to work with you in providing the treaty obligation flow information you might need for your evaluation. The USIBWC contacts for this information are Mr. Ken Rakestraw, Chief, Water Accounts Branch, at the letterhead address, telephone: 915/534-6707; and Mr. Al Goff, Project Manager, U.S. Section, International Boundary and Water Commission, P.O. Box 5737, Yuma, Arizona 85364, telephone: 602/782-1598.

Please provide two copies of the Decision Record when it is available to me at the letterhead address. Also provide one copy of this document to Mr. Al Goff at the address given above.

Sincerely,

Conrad G. Keyes, Jr.
Principal Engineer, Planning

cc: Mr. Beaumont C. McClure
Deputy State Director
Bureau of Land Management
Arizona State Office
Lands and Renewable Resources
P.O. Box 16563
Phoenix, Arizona 85011

Colorado River Salinity Control Forum
U.S. Bureau of Reclamation, Yuma

APR 1 1993

Mr. William T. Civish
District Manager
U.S. Bureau of Land Management
Safford District Office
425 E. 4th Street
Safford, Arizona 85546

Dear Mr. Civish:

Thank you for your March 25, 1993, letter (Reference 8351-041) inviting us to attend one of the several open houses the Safford District Office of the Bureau of Land Management (BLM) will hold beginning April 12, 1993. You propose to identify issues and concerns that will be addressed in a study to determine the suitability of eight rivers and streams in southeastern Arizona for inclusion in the National Wild and Scenic Rivers System.

Your letter listed the several rivers and streams located on public lands managed by the Safford District Office of the BLM. One of these rivers, the San Pedro, has its headwaters in Sonora, Mexico. The river crosses the international boundary into Arizona near Palomas and flows northward to its confluence with the Gila River near Winkelman. About 1,120 square kilometers or 432 square miles of its drainage area are in Mexico and about 6,098 square kilometers (2,354 square miles) are in Arizona.

The San Pedro River Basin is long and narrow, enclosed by many northward-trending mountain ranges and is characterized by many small tributaries. The river's flow is continuous where the streambed intercepts the water table or where it is spring-fed; elsewhere, it flows only in response to precipitation.

As the United States Section of the International Boundary and Water Commission, United States and Mexico (USIBWC), understands, the BLM took title in April, 1986, to a reach of the San Pedro between the United States and Mexico international boundary and St. David, Arizona. The reach is about 58 kilometers (36 miles) long and about 5 kilometers (3 miles) wide and is designated the San Pedro Riparian National Conservation Area (SPRNCA) by legislative action. It is the reach of river within the SPRNCA that BLM is proposing for inclusion in the National Wild and Scenic Rivers System.

As you are aware, the USIBWC by virtue of the Treaty of February 3, 1944, for "Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande" (TS 994; 59 Stat. 1219), and

- 2 -

agreements concluded thereunder by the United States and Mexico, is responsible for ensuring that the United States Government meets the obligations incurred in those agreements. The USIBWC's statutory authority for carrying out those actions in the United States under these agreements rests in 22 U.S.C. 277 a-d. By this authority and other agreements, the USIBWC is interested in activities that could affect the hydrology, water quality, and ground-water resources of the several international streams located along the United States and Mexico international boundary.

Your proposal to include the San Pedro River in the National Wild and Scenic Rivers System appears to be consistent with our concerns for this international stream. We support your studies to formulate a recommendation to Congress for the inclusion of this stream into the system.

You also requested input regarding Cienega Creek near Sonoita, Arizona, to determine its eligibility and suitability for inclusion in the National Wild and Scenic Rivers System. Since this stream is distantly removed from the international boundary, flows north from headwaters northwest of Sonoita, and has its confluence with the Santa Cruz River downstream from Tucson, we can offer no relevant comments on Cienega Creek as it is out of the jurisdiction of the USIBWC.

Thank you again for the invitation to the scheduled open houses. We may not be able to have a USIBWC representative at any of the open houses due to travel restraints, but we do appreciate your taking our comments into consideration. Please keep us informed of the results of your proposed study to include these streams in the National Wild and Scenic Rivers System.

Sincerely,

Conrad G. Keyes, Jr.
Principal Engineer



United States Department of the Interior

BUREAU OF MINES
Intermountain Field Operations Center
P.O. Box 25086
Building 20, Denver Federal Center
Denver, Colorado 80225

000030

JUN 23 1994

June 20, 1994

Memorandum

To: Philip Moreland, Branch Chief, Planning, Environment,
Lands and Recreation, Arizona State Office, Bureau of
Land Management, 1707 North 7th Street, P.O. Box 16563,
Phoenix, AZ 85011

From: Mark H. Hibbsman, Supervisory Physical Scientist

Subject: Draft Arizona Statewide Wild and Scenic Rivers
Legislative Environmental Impact Statement

We received a copy of the subject document which contains analyses for about 20 Arizona rivers for designation under the wild and scenic river system. A number of areas being considered contain important mineral resource values, and we appreciate your giving us the opportunity to comment. If, after reading the review, you have questions concerning our comments, please contact Jean A. Dupree at (303) 236-0451.

Mineral resource impacts are adequately addressed for most study areas under discussions for proposed actions and for all suitable alternatives. Such impacts are not adequately addressed for three areas proposed for management under the wild and scenic river system: San Francisco River, Gila River (Gila Box), and Middle Gila River. For these areas, additional mineral impacts that should be included in the final EIS are discussed below. For three other areas, we recommend against implementation of the proposed action because it would impede future development in older mining districts: Agua Fria River, Hassayampa River, and Santa Maria River. For several areas, mineral impacts are not adequately addressed under the all-suitable-alternative discussions; our comments regarding these areas also appear below. The all suitable alternative presents significant mineral resource impacts in many cases, and, for this reason, we urge BLM avoid this alternative for Agua Fria River, Big Sandy River, Bonita Creek, Burro Creek, Cienega Creek, Francis Creek, Gila River (Gila Box), Hassayampa River, Middle Gila River, San Francisco River, and Santa Maria River.

Of all riparian areas recommended, the proposal to include the San Francisco River in the wild and scenic rivers management system is the most perplexing. The U.S.G.S. 7.5 minute topographic map for the area shows that the river is as close as a mile to the Morenci operation tailings dams, which surely must be visible from the river. Morenci is not, as the document states, "one of the most significant copper mining districts in the United States"

Response 30 - 1: The corrected information appears in the final document.

- (Appendix, Volume II, "Gila Box: Lower San Francisco River," p. 25, emphasis added), it is the largest copper mine in the United States and the second largest in the world. Alone, the mine supplies more than one fifth of U.S. copper production. It is impossible to so designate a river within a mile of a world-class mine without creating significant adverse impacts to future mineral resource development. First, the mine probably now has a visual impact on the San Francisco River. If the company expands its operation, having an adjacent river included in the wild and scenic rivers system (even if it is designated only as "recreational") is a definite adverse impact during the permitting process--questions invariably will be raised about worsening the present visual impact. Therefore, future expansion of the mine could be significantly curtailed. Furthermore, the suggestion that project planners wish to quantify instream flow strongly implies an intent to call into question water rights issues. In spite of the fact that any water rights secured would be junior to existing water rights (Appendix, Volume II, Gila Box: Lower San Francisco River, p. 3), such a statement is provocative to existing water users. A 1993 U.S. District Court order resulted in limiting pumping from a major aquifer in central Texas to preserve endangered species in local springs--a legal decision that indicates that certain water uses can take precedence over established private ones. The operation presently utilizes water from wells in the drainage. Threat of curtailment of that water supply by rationing users to maintain a certain flow level introduces a significant impact. The document notes that the river is already Federally protected as part of the Gila Box Riparian Natural Conservation Area. Adding another level of protection for the river and its water use introduces significant impacts to mine expansion, impacts that should be brought to light and addressed in the mineral resource discussions (in both Affected Environment and Environmental Consequences sections). We strongly urge no action.
- Recommendation of the Gila River (Gila Box) area poses a similar threat of water rights battles because of BLM's announced intent to apply for a an instream water flow of 439 cubic feet per second and to quantify instream water rights. Potentially affected upstream users include Phelps Dodge's Morenci operation along the San Francisco River. Again, the operation seems to be visible from parts of Segment 1 (designated "recreational" under the proposed action) and parts of Segment 2 (designated "scenic" under proposed action). Mine expansion would be compromised if it creates a visual impact on riparian areas designated as "scenic/recreational" (proposed alternative) or as "wild/scenic" (all suitable alternative). The prohibition of additional power corridors probably impacts future expansion at Morenci and the anticipated development of the Sanchez, Dos Pobres, and Lone Star copper deposits. Such impacts deserve discussion in the mineral resource impacts analysis. We argue that existing protection of the area as part of the Gila Box Riparian National Conservation Area is adequate, and we recommend no action.
- Regarding the Middle Gila River area, the riparian corridor passes through the Christmas Mine area, owned by Cyprus-Ammax Minerals Co.

30-2

30-3

30-4

30-5

30-6

30-7

30-8

Response 30 - 2: A Congressional decision to designate the river is not expected to affect potential mine expansion for several reasons: the mine and potential area for expansion of operations near the portion of the San Francisco River under consideration in this document are primarily on private lands; nothing in the Wild and Scenic Rivers Act gives the federal government authority to regulate the activities on these lands.

Response 30 - 3: Please refer to general response # 5 (Instream Flow Water Rights). The lower 1/8 mile of the San Francisco River was granted a federal reserved water right in the Arizona Desert Wilderness Act of 1990 with a 1990 priority date; in compliance with the Act, the Bureau of Land Management will assert these rights in the upcoming state adjudication.

In the case of the remainder of the San Francisco River the Bureau has filed for an instream flow water right with the state of Arizona for wildlife purposes. This is in the application phase, is for 10 cfs, and has a priority date of 1985.

Response 30 - 4: Discussion of the water issue to which you refer is outside the scope of this document.

Response 30 - 5: Please refer to general response #7 (Multiple Designations).

Response 30 - 6: Please refer to general response #12 (Visual Impacts).

Response 30 - 7: Please refer to general response #12 (Visual Impacts).

Response 30 - 8: Please refer to general response #7 (Multiple Designations).

30-9 Quantifying instream water flow makes future mine development uncertain, and this impact on future water needs of the copper mine should be addressed. Even merely designating part of the river "recreational" (proposed action) could frustrate development.

30-10 because of the mine's visual impact on the riparian area. Additionally, the document should note the proximity of the Hayden smelter, within a mile of the lowermost end of segment 1 of the proposed action and certainly visible from the lower part of segment 3 of the all suitable alternative. Mineral impacts discussions (for the proposed action and for the all suitable alternative) should note whether the smelter is visible from lower river segments. If it is, the document should discuss impacts to future smelter expansion because of its visual impacts on the river. We recommend the no action alternative because of the routing of the segment through the Christmas Mine area.

30-11 Similarly, an adverse impact on future mineral development is realistically predictable for Cienega Creek under the all suitable alternative. Asarco has a yet undeveloped property at Helvetia on the east side of the Santa Rita Mountains. If parts of Cienega Creek are designated as scenic, permitting of the mine will be significantly impacted because of its visual impact on the riparian corridor. We again recommend no action, which is the proposed alternative in this case. The threat to future development of this copper property as a function of its visual impact on Cienega Creek should be addressed in "Affected Environment" and in "Environmental Consequences" sections in the all suitable alternative analysis.

30-12 Bonita Creek is situated midway between Morenci and several undeveloped copper properties. One of these properties, Sanchez, is in the final stages of permitting prior to development. The other two, Lone Star and Dos Fobres, are currently being evaluated by Phelps Dodge for future development. The all suitable alternative could have significant impacts for future development of all the above properties from the standpoint of visual impacts and water rights issues. Discussion of potential mineral resource impacts should be included in "Affected Environment" and "Environmental Consequences" sections where the all suitable alternative is analyzed.

Regarding the Santa Maria River, it is our understanding that Cyprus Bagdad and the Arizona Department of Highways operate sand and gravel borrow pits in Segment B for road surfacing material. Continued use of such pits would be impossible under the all suitable alternative (which proposes Segment B as wild)--a significant mineral resource impact. Commentary on this impact should appear both in "Affected Environment" and "Environmental Consequences" section where the all suitable alternative is discussed.

Mark H. Hibbsman
Mark H. Hibbsman

jad/cvl

Response 30 - 9: Please refer to general responses # 4 (Federal and State Water Rights), and # 12 (Visual Impacts). There would be no adverse impacts from possible water rights or visual management on the potential development of the mining properties.

Response 30 - 10: Please refer to general response # 12 (Visual Impacts).

Response 30 - 11: Please refer to general response # 12 (Visual Impacts).

Response 30 - 12: Valid existing mineral claims would not be abrogated and existing mining activity would be allowed under wild and scenic river designation (Bureau of Land Management manual section 8351.51A1d, 1992).



IN REPLY REFER TO:

16016 DES 94-0015 (WR-RP)

NATIONAL PARK SERVICE
Western Region
900 Harrison Street, Suite 600
San Francisco, California 94107-1572

United States Department of the Interior

000044

JUL 05 1994

JUL 1 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (S31)
Arizona State Office, Bureau of Land Management
3707 North 7th St.
P.O. Box 16863
Phoenix, AZ 85011

Dear Mr. Moreland:

This letter is in response to your request for comments on the Draft Arizona Statewide Wild and Scenic Rivers Legislation Environmental Impact Statement (LEIS) (DES-94/0015). The National Park Service has the following comments on the LEIS.

GENERAL COMMENTS

We commend the Bureau of Land Management, Arizona State Office (BLM) for carrying out an ambitious and time-consuming Wild and Scenic River eligibility and suitability study process. It is clear that BLM manages many outstanding river resources in Arizona. We are pleased that the proposed alternative recommends portions of 13 rivers for designation, and we appreciate the opportunity to provide comments on the LEIS.

SPECIFIC COMMENTS

The comments below are based on information in the suitability assessments of September, 1993, as well as in the LEIS, as little information on the rationales for suitability/non-suitability was contained in the LEIS.

- **Virgin River:** BLM makes a strong case for designation of this river, based on its outstanding resources and BLM's ability to manage and protect the river (Virgin River Suitability Assessment p.17, Manageability of River Area by BLM). Nevertheless, BLM proposes study status for this section as well as the river as a whole. Because of the quality of the resources and the significant threats to the river as a whole, we urge BLM to recommend immediate designation for the Arizona section, combined with study of the Utah and Nevada sections, rather than defer designation of the Arizona section until completion of a three-state study. Lake Mead National Recreation Area, where the Virgin River flows into Lake Mead, will benefit from the protection of river resources that Wild and Scenic designation can provide.

- **Cienega Creek:** We understand that there is notable difference of opinion as to the significance of this river, which BLM has found to be non-suitable for designation and not deserving of national recognition. We recommend that BLM reconsider the significance of this river, which is identified as "one of the last places in Arizona supporting native fish populations uncontaminated by exotic or non-native fish" (Cienega Creek Suitability Assessment, p. 5). It is claimed by the Arizona Rivers Coalition to be one of the last and best remaining cienega-type rivers in the southwest, and it is rated "Outstanding" for its wildlife, fish, riparian vegetation, and stream hydrology resources in

272

44-1

44-2

Response 44 - 1: Please refer to general response # 1 (Alternatives).

Response 44 - 2: Please refer to general response # 8 (Cienega recommended alternative).

the Arizona Rivers Assessment, which this office undertook in partnership with Arizona State Parks. BLM cites no management impediments to designation of the river.

While Clansaga Creek is currently managed as an Area of Critical Environmental Concern (ACEC), the area appears to be worthy of the higher level of protection afforded by the Wild and Scenic Rivers Act. As BLM recognizes in the Virgin River Suitability Assessment and others, ACEC's are "internal, administrative designations, and management restrictions are not as binding as Congressional designations" (Virgin River suitability assessment, September, 1993, p.17). Wild and Scenic suitability is not precluded by wilderness or ACEC designations, and can provide a significantly higher level of protection.

- **Massayampa River:** BLM has found this river to be unsuitable for designation based on the argument that it is "unmanageable as a whole" (Massayampa River Suitability Assessment, p.2). However, a significant portion of the river lies within the Massayampa River Canyon Wilderness Area, and is already managed much the way a Wild and Scenic River would be. Furthermore, BLM recommends disconnected sections of a number of other rivers (e.g. Burro Creek) for designation.

BLM argues in the Massayampa River Suitability Assessment that there are "no threats of development or other actions that could only be prevented through a WSRSA designation" (p.2). However, as noted in the LRS, the Bureau of Reclamation (BOR) has a withdrawal for a dam in the Box Canyon area. While the BOR does not have any current plans for a dam at this site, the existence of this withdrawal underscores the added protection that can be provided to this river by Wild and Scenic designation.

We recommend designation of a reach, which is manageable and which includes the Massayampa River Canyon area, to permanently protect this river resource. Wild and Scenic designation would complement the protection provided by the existing Massayampa River Canyon Wilderness Area.

SUMMARY

Due to the reasons given above, we urge BLM to recommend immediate Wild and Scenic designation for the Arizona section of the Virgin River, combined with a study of the Utah and Nevada sections. We also recommend that BLM reconsider the significance of the Clansaga Creek, which BLM has found to be non-suitable for designation and not deserving of national recognition, as a Wild and Scenic suitability is not precluded by wilderness or ACEC designation and can provide a significantly higher level of protection. Finally, we recommend designation of a reach for the Massayampa River, which is manageable and includes the Massayampa River Canyon area.

Should you have any questions, please contact Martha Crusius, Outdoor Recreation Planner, at (415) 744-3975, or Dan Olson, Regional Environmental Coordinator, at (415) 744-3968.

Thank you for the opportunity to provide these comments.

Sincerely,

Patricia A. Newtack

for Stanley T. Albright,
Regional Director, Western Region

44-3

273

Response 44 - 3: Please refer to general response # 11 (Suitability Determinations).



000079 JUL 11 1984
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

JUL 07 1984

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Bureau of Land Management
3707 North 7th St.
P.O. Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

The U.S. Environmental Protection Agency (EPA) has reviewed the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (DEIS). Our comments on this DEIS are provided pursuant to the National Environmental Policy Act (NEPA) [42 USC 4231 et seq.], Council on Environmental Quality (CEQ) regulations [40 CFR Parts 1500-1508] and Section 309 of the Clean Air Act.

The DEIS examines the inclusion of additional Arizona rivers into the National Wild and Scenic Rivers System (Wild Rivers System). The DEIS assesses 4 alternatives for future management of river areas in Arizona and analyzes the environmental consequences of the alternatives. The proposal, or preferred alternative, recommends that 13 specific river areas be designated as part of the Wild Rivers System.

We have rated this DEIS as "LO" -- Lack of Objections. We recommend, however, that the DEIS address a few additional issues. The DEIS should examine the possible sources of air pollution which may create visibility problems in the river areas. The Final EIS (FEIS) should discuss whether these river areas will be designated as Prevention of Significant Deterioration, Class I areas under the Clean Air Act [42 U.S.C. 57491].

The FEIS should assess the impacts on water quality of the proposed river areas from activities potentially causing direct discharges and polluted runoff. Direct sources of water pollution are regulated under the permit system established by the Clean Water Act - the National Pollution Discharge Elimination System (NPDES) [33 U.S.C. 1342]. We recommend that you contact Wayne Palsma at the Arizona Department of Environmental Quality (ADEQ) to determine what NPDES permits have been granted or are pending which may affect the river areas under consideration for designation. Mr. Palsma can be reached at the Surface Water Section, ADEQ, 3033 N. Central Ave.,

Response 79 - 1: Visibility is not a consideration in the determination of eligibility or suitability under the Wild and Scenic Rivers Act. Possible causes of pollution affecting visibility would be considered in the development of river management plans after Congressional designation.

Response 79 - 2: Water quality monitoring is not a consideration in the determination of eligibility or suitability under the Wild and Scenic Rivers Act. Maintenance and enhancement of water quality would be considered in the development of river management plans after Congressional designation.

Phoenix, AZ 85012. Polluted runoff can be caused by those activities permitted under the Wild Rivers System or could be caused by activities outside the river areas. Such potential runoff includes sediment and concrete materials from construction of buildings or operation of mines, petroleum products from vehicle traffic, pesticides from vegetation management and agriculture and sewage from small facilities.

We appreciate the opportunity to review this DEIS. Please send one copy of the FEIS to this office at the same time it is officially filed with our Washington, D.C. office. If you have any questions, please contact me at (415) 744-1574 or Edward Yates, of my staff, at (415) 744-1571.

Sincerely,

Joanne Keall Wright
David Farrel, Chief
Environmental Review Section
Office of Federal Activities

MI #1857



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT CORPS OF ENGINEERS
P.O. BOX 2111
LOS ANGELES, CALIFORNIA 90021-2111

July 11, 1994

MAIL TO
ATTENTION OF
Office of the Chief
Environmental Resources Branch

Mr. Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P. O. Box 16563
Phoenix, Arizona 85011

Dear Mr. Moreland:

The Los Angeles District, Corps of Engineers (Corps), has reviewed the draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement, dated April 1994 and received in our office on June 29, 1994. Our comments are enclosed.

We appreciate the opportunity to review the draft document and look forward to receiving the final document, when completed. If you have any questions, please contact Mr. Ronald MacDonald, Senior Ecologist, at (213) 894-3661.

Sincerely,

Robert S. Jew
Robert S. Jew
Chief, Planning Division

Enclosure

000116

JUL 18 1994

275

CESPL-PD-RQ (200)

U. S. ARMY CORPS OF ENGINEERS
COMMENTS ON DRAFT ARIZONA STATEWIDE
WILD AND SCENIC RIVERS
LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT
DATED APRIL 1994

General Comments

116-1

1. The Environmental Impact Statement (EIS) should include the following statement: "As part of the Alamo Lake, Bill Williams River, Mohave and La Paz Counties, Arizona project, all lands required for the project up to the spillway crest elevation of 1,235 feet and lands along the river downstream for approximately one mile have been withdrawn from the Public Domain and management authority rests with the U. S. Army Corps of Engineers (Corps), as directed by the Congress. Management authority for fish and wildlife purposes on all project lands has been delegated to the Arizona Game and Fish Department. Recreation facilities at the lower portion of the lake are operated and maintained by the Arizona State Parks Department. All operation, maintenance, and replacement activities are conducted in accordance with the approved Corps Master Plan. The only management activities retained by the Bureau of Land Management (BLM) within this area are (1) Burro control, (2) Grazing leases, and (3) mineral rights. Items (2) and (3), above, are subject to the Corps surface land management authority, direction, and authorization."

116-2

2. The boundaries for the Francis Creek, Big Sandy River, Burro Creek, and Santa Maria River Wild and Scenic River Study Areas upstream from Alamo Lake, and the Bill Williams River Wild and Scenic River Study Area downstream of Alamo Dam must be revised to delete any lands withdrawn for the Alamo Lake project, as these lands are managed by the Corps and are not subject to designation under the Wild and Scenic River System by the BLM.

116-3

3. The text of the EIS as well as the individual assessments in the River Appendix Volumes 1 and 2 should be revised to indicate that designation of the river segments noted in General Comment #2, above, do not include any lands withdrawn for the Alamo Lake project and that operation of Alamo Lake will not affect any of the Wild and Scenic River Study Areas.

4. The text of the EIS and Appendixes should be revised to delete any reference to instream flow studies to be conducted on the Bill Williams River. Any reference to the Bill Williams River should include a discussion of the Bill Williams River Corridor Technical Committee (BWRCTC), of which the BLM is a member. The BWRCTC has studied issues pertaining to the Bill Williams River and the operation of Alamo Dam and has developed a plan for operation and regulation of Alamo Dam. Corps studies are underway to revise the

Encl

Response 116 - 1: The final document includes appropriate portions of the suggested statement.

Response 116 - 2: None of the action alternative maps for the Francis Creek, Big Sandy River, Burro Creek, or Santa Maria River study areas include lands withdrawn for the Alamo Lake project under Public Land Order 492 dated April 28, 1948. Withdrawn lands are not an issue in the no action alternative.

Response 116 - 3: The final appendix documents for the Big Sandy, Bill Williams, and Santa Maria rivers include appropriate clarifications regarding agency management responsibilities for the Alamo Lake area.

Reservoir Regulation Manual for Alamo Dam to include the recommended plan of operation worked out by the BWRCTC.

116-4

5. The proposals for the river segments noted in General Comment #2, above, have not been coordinated with the Corps. The Corps cannot support any recommendations on these segments. Further coordination with the Corps is required before these segments can be proposed as part of the Wild and Scenic River System.

SPECIFIC COMMENTS ON THE EIS -

1. Page 12, Big Sandy River. Delete reference to "Potential raising of Alamo Dam..." A study is currently underway to assess potential safety aspects of Alamo Dam. One alternative under study is to raise the elevation of the Dam; however, the raising of the dam would be for safety purposes and would not affect the spillway design flood pool.

116-5

2. Page 12, Big Sandy River. Delete reference to "free-flowing values" since no proof has been provided to support that statement.

3. Page 14, Santa Maria. Delete reference to "Potential raising of Alamo Dam..." A study is currently underway to assess potential safety aspects of Alamo Dam. One alternative under study is to raise the elevation of the Dam; however, the raising of the dam would be for safety purposes and would not affect the spillway design flood pool.

4. Page 14, Santa Maria. Delete reference to "free-flowing values" since no proof has been provided to support that statement.

5. Page 18, Table 1-2. Delete the acreage withdrawn for the Alamo Lake project from the areas listed for the Yuma, Kingman, and Phoenix Resource Areas.

6. Page 19, Table 1-3. Delete the area withdrawn for the Alamo Lake project from the percentage of BLM land listed for the Yuma, Kingman, and Phoenix Resource Areas.

7. Page 23, Issues Considered. Add that the Corps has the right to flood all lands withdrawn for the Alamo Lake project and to control downstream flows in accordance with the Alamo Lake Reservoir Regulation Manual.

8. Page 27, Table 2-PA1. Delete the miles/acreage withdrawn for the Alamo Lake project from the areas listed for the Bill Williams, Big Sandy, and Santa Maria Rivers.

Response 116 - 4: Please be aware that the eligibility determinations for Francis Creek, Burro Creek, the Big Sandy River, Santa Maria River and portions of the Bill Williams River were made in the Kingman Resource Management Plan. A Notice of Intent announcing the preparation of the plan and requesting information about issues was published in the Federal Register September 27, 1988. A well publicized and extensive effort at public involvement was conducted during the three-year development of the plan. In addition, as stated in the plan, "[o]n March 28, 1990, there was a meeting with representatives from the Corps of Engineers to discuss Alamo Lake (page 234, Final Kingman Resource Management Plan)." Also, the Corp of Engineers was listed among the agencies to which copies of the draft and final resource management plans were sent (page 235, Final Kingman Resource Management Plan).

A Notice of Intent announcing the preparation of the wild and scenic rivers legislative environmental impact statement and requesting information about issues was published in the Federal Register February 19, 1993. Information in the Consultation and Coordination chapter of each document provides details about the letters, public scoping meetings,

9. Page 28, Management Actions. A statement should be included that Management Actions by the BLM will not be undertaken on lands withdrawn for the Alamo Lake project.

10. Page 29, Management Actions. It should be noted that new road development will not be prohibited on lands withdrawn for the Alamo Lake project.

11. Page 29, Management Actions. It should be noted that campground development will be in accordance with the approved Master Plan for Alamo Lake on lands withdrawn for the Alamo Lake project.

12. Page 29, Management Actions. It should be noted that, as with campground development, recreation activities and limits will be in accordance with the approved Master Plan for Alamo Lake on lands withdrawn for the Alamo Lake project.

13. Page 29, Management Actions. It should be noted that plans for willow planting on lands withdrawn for the Alamo Lake project will be developed in coordination between the Corps and the Arizona Game and Fish Department.

14. Page 30, Management Actions. It should be noted that, on lands withdrawn for the Alamo Lake project, no additional grazing will be permitted. Delete any reference to Corps areas.

15. Page 61, Table 4-PA1. Delete the acreage withdrawn for the Alamo Lake project from the areas listed for the Bill Williams, Big Sandy, and Santa Maria Rivers.

16. Page 62, paragraph 2. Delete this entire paragraph. Congressional designation and BLM management of possible Wild and Scenic River segments will not include lands withdrawn for the Alamo Lake project. Alamo Lake is operated for purposes authorized by The Congress, and operation is based on protecting lands downstream on the Bill Williams River and the Colorado River downstream into Mexico.

17. Page 115, Other Agency Consultation and Coordination. We note that there has been no coordination with the Corps. Had coordination been conducted with the Corps, many of the above comments may not have been necessary. Proper coordination is an essential part of preparation of a NEPA document, and for this reason, the Corps finds the draft EIS deficient and should be revised in accordance with the above comments and recirculated as a draft document.

116-6

and other efforts taken by the Bureau of Land Management to involve other agencies and the public. The Corps of Engineers was among the agencies to whom copies of the draft document were sent for review and comment (page 125, draft statewide document).

Response 116 - 5: The Kingman Resource Management Plan determined these segments of the Big Sandy and Santa Maria rivers to be free-flowing and eligible for consideration as wild and scenic rivers (see general response # 11 (Suitability Determinations)).

Response 116 - 6: See response 116-4.

SPECIFIC COMMENTS ON THE APPENDIX -

- 279
- 116-7 1. River Appendix Volume 1, Big Sandy Wild and Scenic River Study Area, page 24. The boundaries for the Francis Creek, Big Sandy River, Burro Creek, and Santa Maria River Wild and Scenic River Study Areas upstream from Alamo Lake, and the Bill Williams River Wild and Scenic River Study Area downstream of Alamo Dam must be revised to delete any lands withdrawn for the Alamo Lake project, as these lands are managed by the Corps and are not subject to designation under the Wild and Scenic River System by the BLM. The text of the individual assessments in the River Appendix Volumes should be revised to indicate that designation of these river segments do not include any lands withdrawn for the Alamo Lake project and that operation of Alamo Lake will not affect any of the Wild and Scenic River Study Areas.
- 116-8 2. River Appendix Volume 1, Bill Williams Wild and Scenic River Study Area, page 1. Change 37 miles to 39 miles; change 4,730 square miles to 4,770 square miles.
3. River Appendix Volume 1, Bill Williams Wild and Scenic River Study Area, page 6. The prohibition on construction of various facilities along the 17.4 riparian miles of Bureau of Land Management land does not include the approximately one river mile downstream of the dam that has been withdrawn for the Alamo Lake project and would not ban repair or replacement in kind of the existing stream gage immediately down-stream from Alamo Dam.
- 116-9 4. River Appendix Volume 1, Bill Williams Wild and Scenic River Study Area, page 15. Alamo Dam construction was completed in 1968, not 1969; the sentence should be re-written to say "Alamo Dam began to regulate flows in 1969." The maximum flow below Alamo Dam in 1980 was approximately 3,900 cfs, not 888 cfs.
5. River Appendix Volume 2, Santa Maria Wild and Scenic River Study Area, page 2. What is meant by "There is a U.S. Army Corps of Engineers withdrawal of floodwaters of the Alamo Dam"? The Corps controls flood runoff in the Bill Williams River drainage area above Alamo Dam through operation of the dam.
- 116-10 6. River Appendix Volume 2, Santa Maria Wild and Scenic River Study Area, page 17. The boundaries for the Francis Creek, Big Sandy River, Burro Creek, and Santa Maria River Wild and Scenic River Study Areas upstream from Alamo Lake, and the Bill Williams River Wild and Scenic River Study Area downstream of Alamo Dam must be revised to delete any lands withdrawn for the Alamo Lake project, as these lands are managed by the Corps and are not subject to designation under the Wild and Scenic River System by the BLM.

The text of the individual assessments in the River Appendix Volumes should be revised to indicate that designation of these river segments do not include any lands withdrawn for the Alamo Lake project and that operation of Alamo Lake will not affect any of the Wild and Scenic River Study Areas.

Response 116 - 7: No lands are included under Public Land Order 492 for the Alamo Dam project under the action alternatives for the Francis Creek, Burro Creek, and Big Sandy River study areas

Response 116 - 8: The final document contains the appropriate corrections.

Response 116 - 9: The final document contains the appropriate corrections.

Response 116 - 10: The final document contains the appropriate corrections.

Bureau of Land Management, 1994

Letters from state agencies



ARIZONA
Department of Commerce

000091

JUL 11 1994

File Symington
Governor of Arizona

Sara Goetsen
Director

MEMORANDUM

TO : Bureau of Land Management, DOI
FROM : ARIZONA STATE CLEARINGHOUSE
DATE : July 7, 1994
RE : DRAFT Arizona Statewide Wild and Scenic Rivers
Legislative EIS

SAI NO: AZ 940401-80-0024

This memorandum is in response to the above project submitted to the Arizona State Clearinghouse for review.

The project has been reviewed pursuant to the Executive Order 12372 by certain Arizona State officials and Regional Councils of Government.

The project is supported as written. Any comments, received within the 60 day comment period, will be directed to the federal agency with a copy to the applicant.

Manager Arizona State Clearinghouse

cc: Arizona State Clearinghouse
Applicant



THE STATE OF ARIZONA

GAME & FISH DEPARTMENT

2221 West Graceway Road, Phoenix, Arizona 85023-4399 (602) 942-3000

000115

COMMUNICATIONS SECTION
Chairman: Elizabeth T. Wrentham, Tucson
Arthur Pomeroy, Phoenix
Nancy J. Jones, Scottsdale
Michael H. Douglas, Flagstaff
Herb Crowder, Tuba
Director
Diane L. Sargent
Deputy Director
Thomas W. Spang

July 8, 1994

Mr. Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. BOX 16563
Phoenix, Arizona 85011

Re: Draft Arizona Statewide Wild and Scenic Rivers Legislative
Environmental Impact Statement

Dear Mr. Moreland:

The Arizona Game and Fish Department (Department) has reviewed the
above-referenced Draft Legislative Environmental Impact Statement
(EIS), dated April 1994, and the following comments are provided.

GENERAL COMMENTS

In addition to the rivers specifically mentioned below, these
general comments would apply to all other reaches being considered
for designation. For rivers already within a designated
Wilderness, the Department notes that strict coordination between
functions of an existing Wilderness Management Plan and the
Management Plan to be developed under the Wild and Scenic Rivers
Act (Act) will be a critical issue. The Department recommends that
the guidance provided by the International Association of Fish and
Wildlife Agencies (attached) with regard to the development of
Wilderness Management Plans be closely reviewed when developing
overlapping Management Plans. The Department notes that this
overlap in land management requirements should not hinder the
efficient management of wildlife resources by State or Federal
wildlife agencies.

BIG SANDY RIVER

Page 1. General Description of Study Area. Clarification is needed
regarding the location of the terminus of the study area at Alamo
Lake. No portion of the Alamo Wildlife Area should be included in
the study area.

Response 115 - 1: Management plans developed for all rivers designated by Congress will be developed in compliance with the requirements of the National Environmental Policy Act which provide interagency consultation and public review and comment. Recommendations by state and federal agencies would be encouraged.

Response 115 - 2: The southern terminus of the Big Sandy River study area is in T12N, R12W, section 18, SW¼. None of the action alternatives for the study area include lands withdrawn under Public Land Order 492 for Alamo Dam and Alamo Lake, where wildlife management by the Arizona Game and Fish Department is authorized under a cooperative agreement between the Department and the U.S. Army Corps of Engineers.

283

115-1

115-2

Mr. Phillip Moreland
July 8, 1994
2

115-3

Page 2. The Bureau of Land Management. If the Big Sandy-Santa Maria-Bill Williams-Alamo Lake area is referred to as a "complex", the Department recommends noting that this area is not under a single jurisdiction. In addition, a more accurate description of the administrative situation might be the Big Sandy-Santa Maria-Bill Williams-Alamo Wildlife Area complex.

115-4

Page 3. Department of the Interior Agencies. Please note that the Arizona Game and Fish Department became the lead agency in the Bald Eagle Nest Watch Program in 1991.

115-5

Page 5. State. The Department recommends that the mention of Alamo Lake State Park be expanded to reflect that lands within the Alamo Wildlife Area are under the primary management authority of the Department. This authority is provided by the Fish and Wildlife Coordination Act of 1934; Public Land Order 492; the General Plan agreement between the Secretary of the Army, Secretary of the Interior, and the Director of the Arizona Game and Fish Department signed by Stewart Udall on January 19, 1968; and license agreement DACW09-3-71-6 between the U.S. Army Corps of Engineers and the Arizona Game and Fish Department.

Page 23. Impacts on Outstandingly Remarkable Fish and Wildlife Values. The Department notes that restrictions based on the presence of bald eagle nests must be coordinated with our agency and the U.S. Fish and Wildlife Service (Service).

BILL WILLIAMS RIVER

115-6

Page 2. Bureau of Land Management. It is the Department's belief that the Alamo Wildlife Area extends to a point approximately 1.5 miles downstream from Alamo Dam. This would appear to overlap with the stated boundaries of the Bureau of Land Management's (Bureau) Bill Williams Riparian Management Area (BWRMA). The Department recommends modifying the stated boundaries of the BWRMA to reflect that no portion of the Alamo Wildlife Area is under primary jurisdiction of the Bureau.

Page 3. State. Because the Alamo Wildlife Area extends approximately 1.5 miles downstream from the dam, this area is administered by the U.S. Army Corps of Engineers (Corps) and the Department.

115-7

Page 7. Ongoing management actions. With regard to the proposed restrictions on helicopter flights, the Department does not believe the Bureau has jurisdiction over the restriction of airspace. We recommend that proposed developments up to one mile from the subject nests be jointly evaluated by the Department, the Service, and the Bureau regarding the possible need for additional restrictions.

Response 115 - 3: The final document includes appropriate clarifications regarding agency management responsibilities for the Alamo Lake area.

Response 115 - 4: The final document contains the corrected information.

Response 115 - 5: See response 115-3.

Response 115 - 6: The final document contains the corrected information.

Response 115 - 7: This ongoing management action is derived from the Kingman Resource Area final Resource Management Plan.

Mr. Phillip Moreland
July 8, 1994
3

Page 9. Ongoing management actions. In addition to limits of vegetation utilization, the Department recommends that other factors be monitored when evaluating livestock and burro impacts, such as effects on bank stability.

SANTA MARIA RIVER

115-8 Page 1. General Description of Study Area. The Department recommends that the study area be more clearly defined. The narrative lists the study area as beginning in Section 1 of Range 5 West. However, the map shows it in Range 8 West. Clarification is also needed regarding the terminus of the study area at Alamo Lake.

115-9 Page 2. Bureau of Land Management. A description of the boundaries of the Santa Maria Area of Critical Environmental Concern (ACEC) is needed. The confluence of the Big Sandy and Santa Maria Rivers is apparently within the ACEC, and the Department suggests that our agency's jurisdiction over this area be clarified in the Final EIS. The Department recommends developing Allotment Management Plans (AMP) for the three grazing allotments in segment A for which no AMP's currently exist. The Department believes these AMP's are needed and that their development would facilitate implementation of the Wild and Scenic management action regarding livestock grazing on page 8. In addition, the determination of current grazing levels in the context of the Wild and Scenic Rivers Act could be accomplished by such AMP development.

115-10 It is stated that "wild burros are managed in accordance with the Wild Horse and Burro Act and the Alamo Interim Herd Management Area Plan." Those portions of the Santa Maria River located within the Alamo Wildlife Area are under the Department's jurisdiction and do not meet the criteria set forth in the Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) which would allow them to be administered for the management and protection of wild horses and burros under the provisions of that Act (Sec. 2(e)).

115-11 Page 3. State of Arizona. The Department recommends that, in addition to the acknowledgement of the Department's statewide responsibility for the management of wildlife populations, the Final EIS should mention that lands within the Alamo Wildlife Area are under the primary management authority of the Department, as previously stated in our comments on the Big Sandy River section (Page 3. State).

Page 3. Issues Considered but not Discussed Further. The Department recommends changing "any future management restrictions would apply only to public lands" to specify "...public land managed by the Bureau of Land Management."

285

Response 115 - 8: The eastern terminus of the Santa Maria River study area is at the intersection of T13/14N, R7/8W. The western terminus is at the R11/12W line in T11N, Section 18.

Response 115 - 9: Suggestions regarding the development of allotment management plans are beyond the scope of this document.

Response 115 - 10: The geographic area is not within the study area boundary. Since the material on the Alamo Interim Herd Management Area Plan was not essential to the discussion it has been deleted in the final document.

Response 115 - 11: Agency management responsibilities for the Alamo Lake area have been revised and clarified in Section I.C.

Mr. Phillip Moreland
July 8, 1994
4

115-12

Page 4. Impact on recreation. The Department believes that the estimate of visitor use of "less than 1000 days annually" is too low, and we recommend recalculating this figure. Off-highway vehicle travel alone would seem to exceed this estimate.

Page 6. Ongoing management actions. Please refer to our comments above regarding page 7 of the Bill Williams River section.

115-13

Page 14. Wildlife. The Department recommends noting that nesting peregrine falcons have been documented as occurring in the nearby Arrastra Mountain Wilderness.

Page 20. Impacts on Outstandingly Remarkable Fish and Wildlife Values. In the paragraph discussing the Corps and Alamo Lake, the Department believes that the Alamo Wildlife Area should be mentioned.

Thank you for the opportunity to review and comment on this Draft EIS. If you have any questions, please contact me at 789-3601.

Sincerely,

for Ron Chiefferson
James E. Burton, Chief
Habitat Branch

JEB:gss:ss

cc: Regional Supervisors
Sam Spiller, State Supervisor, Az. ES State Office, USFWS

Enclosure

AGFD# 3-24-94(01)

Response 115 - 12: The 1,000 figure is an estimate based on field observation.

Response 115 - 13: The final document contains the corrected information.

POLICIES AND GUIDELINES FOR FISH AND WILDLIFE MANAGEMENT
IN NATIONAL FOREST AND BUREAU OF LAND MANAGEMENT WILDERNESS

Purpose

This statement of policy and the following guidelines are intended to provide guidance to State and Federal personnel for the management of fish and wildlife in wilderness in accordance with the Wilderness Act of 1964 (16 USC 1131-1136). Both State and Federal agencies are responsible for fostering mutual understanding and cooperation in the management of fish and wildlife in wilderness. These guidelines should serve as a framework for cooperation among the Forest Service, Bureau of Land Management, and the States in the coordination of fish and wildlife management and in the development of cooperative agreements or other management plans.

These policies and guidelines were developed within the overall context of the purpose and direction of the Wilderness Act, and they should be made available to all agencies responsible for management of the National Wilderness Preservation System, to appropriate State fish and wildlife agencies, and to other interested parties.

General Policy

Fish and wildlife management activities in wilderness will be planned and carried out in conformance with the Wilderness Act's purpose of securing an "enduring resource of wilderness" for the American people. The wilderness resource is defined in section 2(c) of the Act, as an area essentially "untrammeled by man", where natural ecological processes operate freely and the area is "affected primarily by the forces of nature." The National Wilderness Preservation System will be managed to ensure that ecological succession, including fire and infestation of insects, operate as freely as possible with only minimum influence by humans.

Fish and wildlife management activities will emphasize the protection of natural processes. Management activities will be guided by the principle of doing only the minimum necessary to manage the area as wilderness.

Section 4(d)(7) of the Wilderness Act stipulates that "Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several States with respect to wildlife and fish in the national forests." Angling, hunting, and trapping are legitimate wilderness activities, subject to applicable State and Federal laws and regulations.

This nation is fortunate in having a National Wilderness Preservation System encompassing a wide range of ecosystems. Specific on-the-ground conditions will result in slightly different application of these guidelines in so vast a system. These different applications are spelled out in National Forest Plans or wilderness management plans. This is both appropriate and proper, if we are to allow nature to play the dominant role.

Appendix 1-1

1. Use of Motorized Equipment

Section 4(c) of the Wilderness Act states:

Except as specifically provided for in this Act, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this Act and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.

The emphasis is on the management of the area as wilderness as opposed to the management of a particular resource. This language is viewed as direction that all management activities within wilderness be done without motor vehicles, motorized equipment, or mechanical transport, unless truly necessary to administer the area or are specifically permitted by other provisions in the Act. It means that any such use should be rare and temporary; that no roads can be built; and that wilderness managers must determine such use is the minimum necessary to accomplish the task. Any use of motorized equipment or mechanical transport requires advance approval by the administering agency.

2. Fish and Wildlife Research and Management Surveys

Research on fish and wildlife, their habitats and the recreational users of these resources is a legitimate activity in wilderness when conducted "in a manner compatible with the preservation of the wilderness environment" (Sec. 4(d)(1) of the Wilderness Act). Methods that temporarily infringe on the wilderness environment may be approved if alternative methods or other locations are not available. Research or management surveys must be approved in writing, on a case-by-case basis, by the administering agency.

Helicopters and fixed-wing aircraft overflights may be used to conduct approved fish and wildlife research activities. Aircraft must be used in a manner that minimizes disturbance of other users, including humans and wildlife.

All fish and wildlife studies within and over wilderness must be conducted so as to preserve the natural character of the wilderness. Aerial counts and observations of wildlife may be permissible for management of wilderness wildlife resources. Capturing and marking of animals, radio telemetry, and occasional temporary installations (such as shelters for cameras and scientific apparatus and enclosures essential for wildlife research or management surveys) may be permitted, if they are essential to studies that cannot be accomplished elsewhere.

1-2

Guidelines

- a. Obtain specific written approval or permits from the administering agency before erecting any structure, enclosure, or exclosure.
- b. Locate and construct all structures so as to make them unobtrusive on the landscape.
- c. Construct structures of native materials or camouflage to make them blend with their natural surroundings.
- d. Plan aircraft flights over wilderness to minimize disturbance. Consider time of day, season of the year, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.
- e. Research projects underway when a wilderness is designated may continue, but modify research methods to minimize disturbance of the wilderness environment.
- f. Installation of permanent base stations within wilderness is not permitted for monitoring of radio-instrumented animals.
- g. The administering agency should only approve capture methods that minimize the impact on the wilderness environment.

J. Facility Development and Habitat Alteration

In rare instances, facility development and habitat alteration may be necessary to alleviate adverse impacts caused by human activities on fish and wildlife. For the benefit of wildlife that spend only part of the year in wilderness, give first priority to locating facilities or habitat alterations outside wilderness.

Flow-maintenance dams, water developments, water diversion devices, ditches and associated structures, and other fish and wildlife habitat developments necessary for fish and wildlife management (which were in existence before wilderness designation) may be permitted to remain in operation.

Clearing of debris that impedes the migratory movements of fish on primary spawning streams may be permitted, but only in a manner compatible with the wilderness resource.

Maintenance of existing water supplies and development of additional water supplies may be permitted, but only when essential to preserve the wilderness resource and to correct unnatural conditions resulting from human influence.

Guidelines

- a. Submit proposals for new structures or habitat alterations to the administering agency for approval.

- b. Build or maintain new and existing structures permitted for wildlife management in a manner that minimizes the visual impacts on the landscape.
- c. Limit clearing of debris from spawning streams to those identified in the wilderness management plan as being critical to the propagation of fish.
- d. Use only unmotorized equipment to clear debris. Use explosives only when the use of hand tools is not practical, and only outside of heavy visitor-use periods.
- e. The administering agency and the State agency will jointly make decisions to remove existing water related improvements.
- f. If it is necessary to restore essential food plants after human disturbance, use only indigenous plant species.

4. Threatened and Endangered Species

Many wilderness areas provide important habitat for Federally listed threatened and endangered species of wildlife. Actions necessary to protect or recover threatened or endangered species, including habitat manipulation and special protection measures, may be implemented in wilderness. For such actions to be necessary for the perpetuation or recovery of the species and it must be demonstrated that the actions cannot be done more effectively outside wilderness. Use only the minimum actions necessary and the methods most appropriate in wilderness.

Guidelines

- a. Manage wilderness to protect known populations of Federally listed threatened or endangered species where necessary for their perpetuation and to aid in their recovery in previously occupied habitat.
- b. When alternative areas outside of wilderness offer equal or better opportunities for habitat improvement or species protection, take actions to recover threatened or endangered species outside of wilderness first.
- c. Threatened and endangered species may be translocated into previously occupied habitat within wilderness.
- d. All transplants or habitat improvement projects require approval by the administering agency.
- e. To prevent Federal listing, protect indigenous species that could become threatened or endangered or are listed as threatened or endangered by States.

5. Angling, Hunting and Trapping

Angling, hunting and trapping are legitimate wilderness activities subject to applicable State and Federal Laws and regulations.

6. Population Sampling

Scientific sampling of fish and wildlife populations is an essential procedure in the protection of natural populations in wilderness.

Guidelines

- a. Use only methods that are compatible with the wilderness environment.
- b. Gill netting, battery-operated electrofishing, and other standard techniques of population sampling may be used.
- c. Closely coordinate sampling activities with the administering agency and schedule them to avoid heavy public-use periods.

7. Chemical Treatment

Chemical treatment may be necessary to prepare waters for the reestablishment of indigenous species, to protect or recover Federally listed threatened or endangered species, or to correct undesirable conditions resulting from the influence of man. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Undesirable conditions and affected species shall be identified in wilderness plans.

Guidelines

- a. Use only registered pesticides according to label directions.
- b. In selecting pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.
- c. Schedule chemical treatments during periods of low human use, insofar as possible.
- d. Immediately dispose of fish removed in a manner agreed to by the administering agency and the State agency.

8. Spawn Taking

The collection of fish spawn shall be permitted from wilderness when alternative sources are unavailable or unreliable, or where spawn taking was an established practice before wilderness designation.

Guidelines

- a. Do not use motorized equipment to assist in collecting and removing spawn.
- b. Use of techniques and facilities necessary to take spawn, which were in existence before wilderness designation, may continue as provided for in the wilderness management plan.
- c. Facilities for spawn-taking stations approved after wilderness designation must be removed after the termination of each season's operation.
- d. Decisions to prohibit spawn taking, where it was an established practice before wilderness designation, will be made jointly by the administering agency and the State agency.

9. Fish Stocking

Fish stocking may be conducted by the State agency in coordination with the administering agency, using means appropriate for wilderness, when either of the following criteria is met: (a) to reestablish or maintain an indigenous species adversely affected by human influence; or (b) to perpetuate or recover a threatened or endangered species.

Selection of species for stocking will be determined jointly by the administering agency and the State agency. Exotic species of fish shall not be stocked. The order of preference for stocking fish species is (a) Federally listed threatened or endangered indigenous species, (b) indigenous species. Species of fish traditionally stocked before wilderness designation may be considered indigenous if the species is likely to survive. Numbers and size of fish and time of stocking will be determined by the State agency.

Barren lakes and streams may be considered for stocking, if there is mutual agreement that no appreciable loss of scientific values or adverse effects on wilderness resources will occur.

Guidelines

- a. The State agency shall make fish stocking schedules available to the administering agency, indicating what species and numbers are planned for each water within a wilderness.
- b. Adjust stocking rates to minimize the likelihood of exceeding the carrying capacity of the water being stocked so as to reduce the chance of producing a population imbalance and to minimize the likelihood of attracting overuse detrimental to the wilderness resource.

10. Aerial Fish Stocking

Aerial stocking of fish shall be permitted for those waters in wilderness where this was an established practice before wilderness designation or where other practical means are not available. Aerial stocking requires approval by the administering agency.

7

Guidelines

- a. As justification for aerial stocking, the State agency will supply the administering agency a list of those waters where stocking with aircraft was an established practice before wilderness designation, indicating the type of aircraft used (fixed-wing or helicopter). This justification will become a part of the wilderness management plan.
- b. To stock waters that had not been aerially stocked before wilderness designation, the State agency will demonstrate to the administering agency the need for using aircraft.
- c. Plan aircraft flights over wilderness to minimize disturbance. Consider season of year, time of day, route and altitude of flight, and location of landing areas on the perimeter of the wilderness.

11. Transplanting Wildlife

Transplants (removal, reintroduction, or supplemental introduction) of terrestrial wildlife species in wilderness may be permitted if necessary: (a) to perpetuate or recover a threatened or endangered species; or (b) to restore the population of an indigenous species eliminated or reduced by human influence.

Transplants shall be made in a manner compatible with the wilderness character of the area. Transplant projects, including follow-up monitoring, require advance written approval by the administering agency.

Guidelines

- a. Motorized methods and temporary holding and handling facilities may be permitted if they are the minimum necessary to accomplish an approved transplant.

12. Wildlife Damage Control

Wildlife damage control in wilderness may be necessary to protect Federally listed threatened or endangered species, to prevent transmission of diseases or parasites affecting other wildlife and humans, or to prevent serious losses of domestic livestock. Control of nonindigenous species also may be necessary to reduce conflicts with indigenous species, particularly if the latter species are threatened or endangered.

Guidelines

- a. Acceptable control measures include lethal and nonlethal methods, depending upon need, justification, location, conditions, efficiency and applicability of State and Federal laws.

- b. Control measures will be implemented by the Animal and Plant Health Inspection Service, the administering agency, the State fish and wildlife agency, or other approved State agency, pursuant to cooperative agreements or memoranda of understanding. Wildlife damage control must be approved by the administering agency on a case-by-case basis.

- c. Direct control at individual animals causing the problem.
- d. Use only the minimum amount of control necessary to solve the problem.

- e. Use pesticides only where other measures are impractical. Use only registered pesticides according to label directions and subject to the following restrictions:

- 1) Pesticides may be applied only by certified pesticide applicators.
- 2) The placement of pesticides shall be accurately indicated on the largest scale USGS map available.
- 3) Place warning signs at the entrance to the area where pesticides are being used to warn the public of any dangers to themselves or their pets.
- 4) In the selection of pesticides, give preference to those that will have the least impact on non-target species and on the wilderness environment.

13. Visitor Management to Protect Wilderness Wildlife Resources.

Many wildlife species are sensitive to human encroachments on their ranges. Critically bear, bighorn sheep, elk, mountain goat, birds of prey (such as peregrine falcon and bald eagle), other migratory and resident birds, and certain other wilderness wildlife species cannot tolerate excessive human disturbance, particularly during certain seasons of the year.

When necessary to reduce human disturbance to a wildlife species, the administering agency, in coordination with the State agency, may take direct or indirect management actions to control visitor use.

Guidelines

- a. Specify in the wilderness management plan the management actions necessary and the agency responsible to reduce conflicts with wildlife.
- b. If and when it becomes apparent that public use is significantly degrading the wilderness wildlife resources, limitations on visitor use may be imposed and enforced by the appropriate agency. Any limitations will be applied equitably to all wilderness visitors.

1A. Management of Fire

The objectives of fire management in wilderness are to: (a) permit lightning-caused fires to play, as nearly as possible, their natural ecological role within wilderness and (b) reduce, to an acceptable level, the risks and consequences of wildfire within wilderness or escaping from wilderness. Fire ignited by lightning will be permitted to burn or will be suppressed as prescribed in an approved plan. Prescribed fires ignited by man may be permitted to reduce unnatural buildup of fuels only if necessary to meet objectives (a) and (b) above. Although additional benefits may result from man-ignited prescribed fire, vegetative manipulation will not be used to justify such fires.

Bureau of Land Management, 1994

Letters from county and local agencies



000002

Ronald W. Thompson
District Manager

Roberta McMullin
Secretary-Treasurer

WASHINGTON COUNTY
Water Conservancy District

136 North 100 East
Suite 1
St. George, Utah 84770
Office: (801) 673-3617
Fax: (801) 673-4971

BOARD OF DIRECTORS

C. Jack Lemmon, Chairman
Ken E. Barlow
Dale Gubler
Dennis Iverson
Wayne B. Nuttall
Ray S. Schmitz
John H. Wadsworth

April 5, 1994

Mr. Lester Rosenkrance
State Director
Bureau of Land Management
1707 North 7th Street
Phoenix, AZ 85014

Dear Les:

The Washington County Water Conservancy District has participated in the Wild and Scenic River evaluation process on a number of occasions. We have also on file a number of requests we made for information, not only to the local office but to the Arizona State Office and the Bureau's Washington office. We have also requested to be kept informed of any decisions or reports relating to Wild and Scenic River designation on the Virgin River.

In spite of this written and verbal record of participation in the process and requests to be kept informed as the process proceeded, we were entirely left off from the list of agencies and organizations to whom copies of the draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement was sent.

We are at a loss to understand how this oversight could have happened and we wish to register a strong protest to this omission.

As the agency specifically charged with water management and development in Washington County, and the agency most likely to be effected by designation and protective management measures on upstream water users, we ask that you take immediate steps to see that the Washington County Water Conservancy District is added to the list of agencies who were involved in the process and receive copies of all pertinent documents.

Respectfully,
Ronald W. Thompson
Ronald W. Thompson

RWT/rm

SEARCHED	1
SERIALIZED	1
INDEXED	1
FILED	1
APR 11 1994	
FBI - PHOENIX	

294

2-1

Response 2 - 1: The necessary changes have been made in the mailing list and the list of agencies in the final document has been revised to include the Washington County Conservation District.



000040

GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY COURTHOUSE - 600 MAIN STREET - PHONE 428-3250
SAFFORD, ARIZONA 85646

SUPERVISORS

DELBERT HOUSEHOLDER, CHAIRMAN
TERRY J. BINGHAM, MEMBER
HAYNES MOORE, MEMBER
June 29, 1994

JOE CARTER, COUNTY MANAGER
BARBARA FELIX, CLERK

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
PO Box 16563
Phoenix, Az 85014

Post-M* branch transmittal memo 787		5
To: Phil Moreland	By: Joe Carter	
cc: Graham County		
Date: 6/29-94		
Fax: 450-0152		428-5951

RE: Wild and Scenic Rivers Suitability Assessment

Dear Mr. Moreland:

We, in a letter dated May 23, 1994, submitted formal comments to you on the Bureau's Wild and Scenic Rivers Legislative and Environmental Impact Statement. Having reviewed proposed segments in Graham and Greenlee Counties more closely we thought it important to submit supplemental comments and questions seeking clarification. More specifically our comments will focus on the lower San Francisco River, Gila River (Gila Box), Bonita Creek and Aravilapa Creek.

LOWER SAN FRANCISCO RIVER - The proposed 6.4 miles lies just to the south of the Copper Mountain Mining District in Greenlee County. This river was studied jointly by the Forest Service and BLM in the early 1980's. At that time it was determined unsuitable due to lack of public support, impacts on opportunities for flood control structures, water storage and impacts on mineral and geothermal development. Each of these conditions are more important to us today than in 1982. The study area lies just south of the Copper Mountain Mining District. Mining is a greater part of our economic base than it was twelve years ago. It is the largest producing mine in the United States and employs 2,400 workers at an average annual salary of \$24,700 dollars. Even though the mine is located in Greenlee County approximately one third of that work force lives in Graham County and commutes daily. The remaining workers shop in the Graham County towns and services centers. They contribute significant dollars to that sector of our economic base annually. The draft EIS alludes to threats and adverse impacts created by mining operations even though those operations are on adjacent private lands.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON EMPLOYMENT LEVELS AT THE MINE INCLUDING THE DOMINO EFFECT IN TERMS OF NEGATIVE IMPACT ON RETAIL TRADES, SALES AND SERVICES SHOULD DESIGNATION OCCUR.

The proposal also calls for acquisition of about five hundred ninety (590) acres

AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER

295

40-1

40-2

Response 40 - 1: The recommended alternative considers additional power lines and acknowledges impacts of mine operations and expansion on the scenic values of the study area. The Wild and Scenic Rivers Act does not empower the federal government to regulate uses on private lands. The recommended alternative is not expected to impact operation and future expansion of the Phelps Dodge mine at Morenci.

Response 40 - 2: Please refer to general response # 6 (Land Acquisition).

page 2

of adjacent private lands. The Bureau in its draft EIS failed to complete an analysis and identify that land's current economic contribution to area economies and the long term impact by becoming public lands on those economies and property taxation losses which support state/local governments and education.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

40-3

The draft also alludes to threats and adverse impacts on future power transmission lines which support the high tech mining operations and are crucial to cost effective mining operations. The draft EIS anticipates that the mining operations will need additional power. It also indicates that new power lines will be routed through the existing corridor. What authoritative basis lead the Bureau to believe that the existing corridor would accommodate future power transmission lines? IF the existing corridor proves to be inadequate for future transmission line needs the Bureau must identify cost for alternative routes should designation occur and the economic impact of that cost.

IF THERE IS NO AUTHORITATIVE BASIS FOR THIS STATEMENT THE BUREAU MUST PROVIDE AN ANALYSIS TO SUPPORT THAT CONCLUSION. THE ANALYSIS MUST BE FOR A PERIOD MORE REFLECTIVE OF THE MINES FUTURE LIFE AS OPPOSED TO THE IMMEDIATE TWENTY YEAR PERIOD.

40-4

The draft EIS also focuses on geothermal development, recreational activity including sand ralls, flood control structures and water storage. Geothermal energy development research continues and we are opposed to restrictions which may impair such opportunities for an alternative energy source. Such development could occur and contribute significantly to our economy. Sand rill recreation has become increasingly popular in the Graham/Greenlee County area. This recreational activity attracts folks from throughout southeastern Arizona. The Bureau failed to provide an analysis of the economic contribution of this recreational activity and negative impact on the retail trades, sales and services component of our economic base by limiting such use. The Bureau further alludes to no activity within the next twenty years with respect to floods control structures. The Graham/Greenlee County area remains subject to frequent major flood events, which affect our economies and traditional uses of both private and public lands. In-fact such flood events occur almost every three years. Events for the last thirty years are well documented in terms of recovery cost and economic losses. The financial impact for the thirty year period through January 1993 has exceeded three hundred million (\$300,000,000) dollars. Resolution of flood control issues and water storage continues to be a high priority for Graham/Greenlee County elected officials and community leaders along with their counterparts in southwest New Mexico.

40-5

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT SHOULD DESIGNATION OCCUR IN TERMS OF LIMITING OR RESTRICTING OPPORTUNITIES WHICH EXIST AS WE ATTEMPT TO RESOLVE THIS CONCERN.

40-6

GILA RIVER (GILA BOX) - The proposed 25.6 miles lies between two large copper mining districts. Those are the Copper Mountain Mining District in Greenlee County which was addressed in our comments on the lower San Francisco River and the Sanchez, San Juan, Dos Pobres and Lonestar Mining District in Graham County. While the study area is not in any established mineral district the draft EIS does identify mineral deposits immediately beyond the southwestern terminus of the study area. As reported in the draft document the Sanchez mine is scheduled to begin operations in 1995 creating two hundred (200) plus jobs for the next

Response 40 - 3: The preferential use of existing corridors for additional power lines was established in the Safford District Resource Management Plan. This corridor would be preferred for additional power lines regardless of wild and scenic river designation. Ongoing management actions would address additional power line needs on a case by case basis. The Wild and Scenic Rivers Act discourages but does not prohibit new utility corridors that cross designated river segments.

Response 40 - 4: According to data available to the Bureau of Land Management, geothermal resources in the area do not have the required characteristics for power generation. See the discussion on page 133 of the Final Safford District Resource Management Plan (1991).

Response 40 - 5: Please refer to general response # 2 (Economic Impacts).

Response 40 - 6: The Bureau of Land Management is not aware of any water retention or flood control structures that have been proposed within the study area. Proposed levees and riprapping in the Clifton area and upstream dams would not be impacted by designation.

page 3

Twenty years at an average annual salary of \$30,000 dollars. Phelps Dodge has announced its intent to move forward with development of properties in Graham County. They hope to be operational within the next five years according to their Chairman of the Board. Phelps Dodge anticipates approximately six hundred (600) new jobs will be created at their mine at an average annual salary of \$35,000 dollars.

SHOULD THIS DESIGNATION OCCUR THE BUREAU MUST ASSURE AREA CITIZENS THAT IT WILL NOT IMPACT THE SCHEDULED DEVELOPMENT OF THOSE PROPERTIES AND THEIR OPERATION IN THE YEARS TO COME. IF-IN-FACT THERE MAY BE A THREATENED IMPACT THE BUREAU MUST INCLUDE AN ANALYSIS OF THE ANTICIPATED LONG TERM ECONOMIC LOSS.

40-7

The designation alludes to additional permanent congressional protection of free flowing waters in the Gila River. While flows on the Gila River fluctuate dramatically from minimal, to moderate to extreme levels during the frequent flood events the available water resources in any given year do not meet current entitlements of various users as determined under the 1935 Gila Equity Decree. These waters are managed by a Federally appointed commissioner. Agriculture and others entitled to portions of this resource must annually supplement their proportioned share by pumping ground water. The most single significant non-government component of Graham County's economic base is agriculture. It represents just over thirty percent of the countywide economy. It also holds significant water rights, although it has not received in any given year its full entitlement.

40-8

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE ECONOMIC IMPACT IF DESIGNATION RESULTED IN REQUIRING MINIMAL IN-STREAM FLOWS. SUCH ACTION WOULD PRIMARILY AFFECT THE UPPER GILA RIVER USERS AND THEIR COUNTERPARTS IN THE WATER SHED AREA IN SOUTHWESTERN NEW MEXICO, MORE SO THAN DOWN STREAM BELOW THE COOLIDGE DAM.

This section of the river, in spite of designation as a Riparian National Conservation Area, continues to be a popular recreational area. Recreational activities range from individual family outings to large gatherings. The area has traditionally been most popular for Graham/Greenlee area citizens. It has also been an attraction for citizens from throughout southeastern Arizona for a wide variety of recreational purposes.

40-9

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE IMPACT IN TERMS OF TRADITIONAL USES AND ECONOMIC LOSSES IN THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE THROUGH LIMITING OR LOSS OF EXISTING RECREATIONAL USES.

40-10

The proposal also recommends acquiring about five hundred (500) acres of private lands. Graham County consists of a landmass of just over 4,600 square miles. About six percent of that landmass is private and must bear the burden of property taxation in support of state/local governments and education. While public lands pay PILT in lieu of property taxation the payment formula has not been adjusted since its creation in 1975. The Bureau failed to complete an analysis and identify the land's current economic contribution to the area.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

40-11

The draft EIS indicates that portions of eight livestock grazing allotments are in the study area. That portion of the allotments actually in the study area ranges from one percent to fifty one percent. The proposed plan calls for removal of livestock from the upper end of the study area and, on a limited basis, down stream to the end of the study area. The Bureau failed to provide an economic

Response 40 - 7: Please refer to general responses # 4 (Federal and State Water Rights), and # 12 (Visual Impacts). There would be no adverse impacts from possible water rights or visual management on the potential development of the mining properties. In addition, the Wild and Scenic Rivers Act does not empower the Bureau of Land Management to regulate or control nonfederal lands or activities on nonfederal lands.

Response 40 - 8: Please refer to general responses # 4 (Federal and State Water Rights) and # 5 (Instream Flow Water Rights).

Response 40 - 9: Please refer to general response # 2 (Economic Impacts).

Response 40 - 10: Please refer to general response # 6 (Land Acquisition).

Response 40 - 11: The decision to defer livestock grazing in the Gila Box was made in the Upper Gila San Simon Grazing Environmental Impact Statement (completed in 1978). This decision is incorporated by reference into the Safford District Resource Management Plan. The decision to defer livestock grazing would be implemented regardless of Congressional designation of this study area.

page 4

analysis of the impact on the ranching community from this proposed action and the domino effect on the retail trades, sales and services industry. Unlike some areas in the western United States, Graham County ranching operations are small family businesses. Ranching has provided for the economic well being of those families for many years.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON THESE BUSINESSES INCLUDING THE DOMINO EFFECT ON THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE.

40-12

The draft EIS also focuses on geothermal resources and in fact the Gillard Hot Springs is the hottest spring in the state with an average surface temperature of 180°. It further indicates that this resource could be used as a heat source. It appears that the Gillard Hot Spring geothermal resource has the highest development potential use even though geothermal resources exist at three of the five segments being considered in the Graham/Greenlee area.

WE URGE THE BUREAU TO CONSIDER THIS POTENTIAL ALTERNATIVE ENERGY SOURCE AND NOT RECOMMEND ANY ACTION WHICH WILL LIMIT OR PROHIBIT SUCH DEVELOPMENT OPPORTUNITIES.

40-13

BONITA CREEK - The proposed 9.1 miles lies between the two major mining deposits identified in our comments on the Lower San Francisco and Gila river segments. This proposal also calls for the acquiring of nine hundred seventy (970) acres of private land. Again it also impacts grazing allotments, recreational uses, utility facilities including the primary water source facility owned by the City of Safford. Safford provides domestic water for about sixty five (65) percent of the total county population of 25,000. Threats to the proposal include mining, grazing, recreational uses, transportation corridors and utilities.

298

40-14

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT OF DESIGNATION WERE IT TO OCCUR. THAT ANALYSIS MUST FOCUS ON MINING EMPLOYMENT LEVELS, ECONOMIC WELL BEING OF RANCHING FAMILIES, IMPACTS ON SAFFORD'S PRIMARY DOMESTIC WATER SOURCE, RECREATION, UTILITY CORRIDORS AND THE DOMINO EFFECT ON OUR RETAIL TRADES, SALES AND SERVICES.

ARAVAIPA CREEK - The proposal calls for all 10 miles of Aravaipa Creek. This proposal will impact four grazing allotments, recreational opportunities and the entire economic base for the small Clondyke community located about sixty miles from the County Seat.

40-15

AGAIN THE BUREAU MUST PROVIDE AN ANALYSIS ON THE LONG TERM IMPACT ON RANCHING, AGRICULTURE AND RECREATIONAL OPPORTUNITIES. THAT ANALYSIS MUST FOCUS ON THE ENTIRE ECONOMIC STRUCTURE OF CLONDYKE AS WELL AS ITS CONTRIBUTION TO THE COUNTY TRADES, SALES AND SERVICES ECONOMIC SECTOR.

40-16

In closing Graham/Greenlee County area elected officials and community leaders feel that the Bureau of Land Management has not provided adequate care in terms of the cumulative social and economic impact of these proposals. More specifically, and in addition to our specific site concerns, we believe that the Bureau must respond and evaluate the two county impact from a cumulative perspective on the following issues.

LONG TERM IMPACT ON MINING EMPLOYMENT LEVELS IN GRAHAM/GREENLEE COUNTIES INCLUDING REVENUE LOSSES OF MINING JOBS AT AN AVERAGE ANNUAL SALARY OF \$30,000 DOLLARS PLUS AND LIBERAL HEALTH CARE BENEFIT PACKAGES VERSUS CREATION OF SERVICE INDUSTRY JOBS WHICH ARE NORMALLY AT OR NEAR MINIMUM WAGE WITH NO HEALTH CARE BENEFITS.

Response 40 - 12: According to data available to the Bureau of Land Management, geothermal resources in the area do not have the required characteristics for power generation. See the discussion on page 133 of the Final Safford District Resource Management Plan (1991).

Response 40 - 13: Please refer to general response # 6 (Land Acquisition).

Response 40 - 14: Please refer to general responses # 1 (Alternatives) and # 2 (Economic Impacts).

Response 40 - 15: Please refer to general responses # 1 (Alternatives) and 2 (Economic Impacts).

Response 40 - 16: Cumulative impacts were addressed in each of the river study area legislative environmental impact statements as well as in the statewide wild and scenic river legislative environmental impact statement. See general response # 2 (Economic Impacts).

page 5

IDENTIFY THE POTENTIAL ECONOMIC LOSS (INCLUDING LOSS OF PROPERTY TAXATION DOLLARS WHICH SUPPORT STATE/LOCAL GOVERNMENT AND EDUCATION IF THE 2100 ACRES OF PRIVATE LANDS BECOME PUBLIC.

ECONOMIC IMPACT BY LIMITING RECREATION AND IN SOME CASES COMPLETE LOSS OF CURRENT RECREATIONAL ACTIVITIES ON THE THE RETAIL TRADES, SALES AND SERVICES INDUSTRY. YOUR ANALYSIS SHOULD ALSO FOCUS ON TRADITIONAL RECREATIONAL USES BY CITIZENS FROM THROUGHOUT SOUTHEAST ARIZONA.

LONG TERM ECONOMIC IMPACT ON THE SMALL RANCHING BUSINESSES AS WELL AS THEIR CONTRIBUTION TO THE RETAIL TRADES, SALES AND SERVICES ECONOMIC SECTOR.

WATER RIGHTS AND RESOURCES IMPACTED BY MINIMUM IN-STREAM FLOW REQUIREMENTS INCLUDING DIRECT IMPACT ON THE AGRICULTURAL COMMUNITY, MINING AND SAFFORD'S DOMESTIC WATER SUPPLY SYSTEM.

IMPACT ON TRANSPORTATION CORRIDORS, UTILITY CORRIDORS AND THE COST FOR ALTERNATIVES TO MEET THESE NEEDS SHOULD EXISTING CORRIDORS BE INADEQUATE.

SOCIAL AND ECONOMIC IMPACT BY ADDING WILD AND SCENIC RIVER DESIGNATION TO THE EXISTING GILA BOX RIPARIAN NATIONAL CONSERVATION AREA, UNIQUE WATER SUPPLY DESIGNATION IN THE BONITA CREEK AND CRITICAL HABITAT OF THE GILA RIVER.

The proposed segments within the Graham/Greenlee County area consist of 51.1 river miles consuming some 17,000 acres of public and private lands. Each of the proposed segments are already afforded enhanced federal protection above and beyond the normal agency land management plan. Those enhanced protection measures are the Gila Box Riparian National Conservation Area, Unique Water Supply Designation on Bonita Creek, Critical Habitat Designation of the Gila River up to its one hundred year flood plain, etc.

Your consideration and response to the specific site and cumulative impact questions would be greatly appreciated. Again thank you for the opportunity to comment.

Sincerely,
GRAHAM COUNTY BOARD OF SUPERVISORS

Delbert Householder
Delbert Householder, Chairman
Haynes Moore
Haynes Moore, Member

Terry J. Bingham, Member

Response 40 - 17: Please refer to general response # 7 (Multiple Designations).

40-17

299



GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY COURTHOUSE · 800 MAIN STREET · PHONE 428-3250
SAFFORD, ARIZONA 85546

SUPERVISORS

DELBERT HOUSEHOLDER, CHAIRMAN
TERRY J. BINGHAM, MEMBER
MAYNES MOORE, MEMBER

JOE CARTER, COUNTY MANAGER
BARBARA FELIX, CLERK

June 29, 1994

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
PO Box 15563
Phoenix, Az 85014

RE: Wild and Scenic Rivers Suitability Assessment

Dear Mr. Moreland:

We, in a letter dated May 23, 1994, submitted formal comments to you on the Bureau's Wild and Scenic Rivers Legislative and Environmental Impact Statement. Having reviewed proposed segments in Graham and Greenlee Counties more closely we thought it important to submit supplemental comments and questions seeking clarification. More specifically our comments will focus on the lower San Francisco River, Gila River (Gila Box), Bonita Creek and Araviapa Creek.

LOWER SAN FRANCISCO RIVER - The proposed 6.4 miles lies just to the south of the Copper Mountain Mining District in Greenlee County. This river was studied jointly by the Forest Service and BLM in the early 1980's. At that time it was determined unsuitable due to lack of public support, impacts on opportunities for flood control structures, water storage and impacts on mineral and geothermal development. Each of these conditions are more important to us today than in 1982. The study area lies just south of the Copper Mountain Mining District. Mining is a greater part of our economic base than it was twelve years ago. It is the largest producing mine in the United States and employs 2,400 workers at an average annual salary of \$34,700 dollars. Even though the mine is located in Greenlee County approximately one third of that work force lives in Graham County and commutes daily. The remaining workers shop in the Graham County trades and services centers. They contribute significant dollars to that sector of our economic base annually. The draft EIS alludes to threats and adverse impacts created by mining operations even though those operations are on adjacent private lands.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON EMPLOYMENT LEVELS AT THE MINE INCLUDING THE DOMINO EFFECT IN TERMS OF NEGATIVE IMPACT ON RETAIL TRADES, SALES AND SERVICES SHOULD DESIGNATION OCCUR.

The proposal also calls for acquisition of about five hundred ninety (590) acres

AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER

JUL 8 1994

000049

Response 49 - 1: Please see the responses to comment letter 40.

300 49-1

of adjacent private lands. The Bureau in its draft EIS failed to complete an analysis and identify that land's current economic contribution to area economies and the long term impact by becoming public lands on those economies and property taxation losses which support state/local governments and education.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

The draft also alludes to threats and adverse impacts on future power transmission lines which support the high tech mining operations and are crucial to cost effective mining operations. The draft EIS anticipates that the mining operations will need additional power. It also indicates that new power lines will be routed through the existing corridor. What authoritative basis lead the Bureau to believe that the existing corridor would accommodate future power transmission lines? If the existing corridor proves to be inadequate for future transmission line needs the Bureau must identify cost for alternative routes should designation occur and the economic impact of that cost.

IF THERE IS NO AUTHORITATIVE BASIS FOR THIS STATEMENT THE BUREAU MUST PROVIDE AN ANALYSIS TO SUPPORT THAT CONCLUSION. THE ANALYSIS MUST BE FOR A PERIOD MORE REFLECTIVE OF THE MINES FUTURE LIFE AS OPPOSED TO THE IMMEDIATE TWENTY YEAR PERIOD.

The draft EIS also focuses on geothermal development, recreational activity including sand rills, flood control structures and water storage. Geothermal energy development research continues and we are opposed to restrictions which may impair such opportunities for an alternative energy source. Such development could occur and contribute significantly to our economy. Sand rill recreation has become increasingly popular in the Graham/Greenlee County area. This recreational activity attracts folks from throughout southeastern Arizona. The Bureau failed to provide an analysis of the economic contribution of this recreational activity and negative impact on the retail trades, sales and services component of our economic base by limiting such use. The Bureau further alludes to no activity within the next twenty years with respect to floods control structures. The Graham/Greenlee County area remains subject to frequent major flood events, which affect our economies and traditional uses of both private and public lands. In-fact such flood events occur almost every three years. Events for the last thirty years are well documented in terms of recovery cost and economic losses. The financial impact for the thirty year period through January 1993 has exceeded three hundred million (\$300,000,000) dollars. Resolution of flood control issues and water storage continues to be a high priority for Graham/Greenlee County elected officials and community leaders along with their counterparts in southwest New Mexico.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT SHOULD DESIGNATION OCCUR IN TERMS OF LIMITING OR RESTRICTING OPPORTUNITIES WHICH EXIST AS WE ATTEMPT TO RESOLVE THIS CONCERN.

GILA RIVER (GILA BOX) - The proposed 26.6 miles lies between two large copper mining districts. Those are the Copper Mountain Mining District in Greenlee County which was addressed in our comments on the Lower San Francisco River and the Sanchez, San Juan, Dos Pobres and Lonestar Mining District in Graham County. While the study area is not in any established mineral district the draft EIS does identify mineral deposits immediately beyond the southwestern terminus of the study area. As reported in the draft document the Sanchez mine is scheduled to begin operations in 1995 creating two hundred (200) plus jobs for the next

twenty years at an average annual salary of \$30,000 dollars. Phelps Dodge has announced its intent to move forward with development of properties in Graham County. They hope to be operational within the next five years according to their Chairman of the Board. Phelps Dodge anticipates approximately six hundred (600) new jobs will be created at their mine at an average annual salary of \$35,000 dollars.

SHOULD THIS DESIGNATION OCCUR THE BUREAU MUST ASSURE AREA CITIZENS THAT IT WILL NOT IMPACT THE SCHEDULED DEVELOPMENT OF THOSE PROPERTIES AND THEIR OPERATION IN THE YEARS TO COME. IF-IN-FACT THERE MAY BE A THREATENED IMPACT THE BUREAU MUST INCLUDE AN ANALYSIS OF THE ANTICIPATED LONG TERM ECONOMIC LOSS.

The designation alludes to additional permanent congressional protection of free flowing waters in the Gila River. While flows on the Gila River fluctuate dramatically from minimal, to moderate to extreme levels during the frequent flood events the available water resources in any given year do not meet current entitlements of various users as determined under the 1935 Globe Equity Decree. These waters are managed by a Federally appointed commissioner. Agriculture and others entitled to portions of this resource must annually supplement their proportioned share by pumping ground water. The most single significant non-government component of Graham County's economic base is agriculture. It represents just over thirty percent of the countywide economy. It also holds significant water rights, although it has not received in any given year its full entitlement.

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE ECONOMIC IMPACT IF DESIGNATION RESULTED IN REQUIRING MINIMAL IN-STREAM FLOWS. SUCH ACTION WOULD PRIMARILY AFFECT THE UPPER GILA RIVER USERS AND THEIR COUNTERPARTS IN THE WATER SHED AREA IN SOUTHWESTERN NEW MEXICO, MORE SO THAN DOWN STREAM BELOW THE COOLIDGE DAM.

This section of the river, in spite of designation as a Riparian National Conservation Area, continues to be a popular recreational area. Recreational activities range from individual family outings to large gatherings. The area has traditionally been most popular for Graham/Greenlee area citizens. It has also been an attraction for citizens from throughout southeastern Arizona for a wide variety of recreational purposes.

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE IMPACT IN TERMS OF TRADITIONAL USES AND ECONOMIC LOSSES IN THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE THROUGH LIMITING OR LOSS OF EXISTING RECREATIONAL USES.

The proposal also recommends acquiring about five hundred (500) acres of private lands. Graham County consists of a landmass of just over 4,600 square miles. About six percent of that landmass is private and must bear the burden of property taxation in support of state/local governments and education. While public lands pay PILT in lieu of property taxation the payment formula has not been adjusted since its creation in 1976. The Bureau failed to complete an analysis and identify the land's current economic contribution to the area.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

The draft EIS indicates that portions of eight livestock grazing allotments are in the study area. That portion of the allotments actually in the study area ranges from one percent to fifty one percent. The proposed plan calls for removal of livestock from the upper end of the study area and, on a limited basis, down stream to the end of the study area. The Bureau failed to provide an economic

analysis of the impact on the ranching community from this proposed action and the domino effect on the retail trades, sales and services industry. Unlike some areas in the western United States, Graham County ranching operations are small family businesses. Ranching has provided for the economic well being of those families for many years.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON THESE BUSINESSES INCLUDING THE DOMINO EFFECT ON THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE.

The draft EIS also focuses on geothermal resources and in-fact the Gillard Hot Springs is the hottest spring in the state with an average surface temperature of 180°. It further indicates that this resource could be used as a heat source. It appears that the Gillard Hot Spring geothermal resource has the highest development potential use even though geothermal resources exist at three of the five segments being considered in the Graham/Greenlee area.

WE URGE THE BUREAU TO CONSIDER THIS POTENTIAL ALTERNATIVE ENERGY SOURCE AND NOT RECOMMEND ANY ACTION WHICH WILL LIMIT OR PROHIBIT SUCH DEVELOPMENT OPPORTUNITIES.

BONITA CREEK - The proposed 8.1 miles lies between the two major mining deposits identified in our comments on the lower San Francisco and Gila river segments. This proposal also calls for the acquiring of nine hundred seventy (970) acres of private land. Again it also impacts grazing allotments, recreational uses, utility facilities including the primary water source facility owned by the City of Safford. Safford provides domestic water for about sixty five (65%) percent of the total county population of 28,000. Threats to the proposal include mining, grazing, recreational uses, transportation corridors and utilities.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT OF DESIGNATION WERE IT TO OCCUR. THAT ANALYSIS MUST FOCUS ON MINING EMPLOYMENT LEVELS, ECONOMIC WELL BEING OF RANCHING FAMILIES, IMPACTS ON SAFFORD'S PRIMARY DOMESTIC WATER SOURCE, RECREATION, UTILITY CORRIDORS AND THE DOMINO EFFECT ON OUR RETAIL TRADES, SALES AND SERVICES.

ARAWATPA CREEK - The proposal calls for all 10 miles of Arawatpa Creek. This proposal will impact four grazing allotments, recreational opportunities and the entire economic base for the small Klondyke community located about sixty miles from the County Seat.

AGAIN THE BUREAU MUST PROVIDE AN ANALYSIS ON THE LONG TERM IMPACT ON RANCHING, AGRICULTURE AND RECREATIONAL OPPORTUNITIES. THAT ANALYSIS MUST FOCUS ON THE ENTIRE ECONOMIC STRUCTURE OF KLONDYKE AS WELL AS ITS CONTRIBUTION TO THE COUNTY TRADES, SALES AND SERVICES ECONOMIC SECTOR.

In closing Graham/Greenlee County area elected officials and community leaders feel that the Bureau of Land Management has not provided adequate data in terms of the cumulative social and economic impact of these proposals. More specifically, and in addition to our specific site concerns, we believe that the Bureau must respond and evaluate the two county impact from a cumulative perspective on the following issues.

LONG TERM IMPACT ON MINING EMPLOYMENT LEVELS IN GRAHAM/GREENLEE COUNTIES INCLUDING REVENUE LOSSES OF MINING JOBS AT AN AVERAGE ANNUAL SALARY OF \$30,000 DOLLARS PLUS AND LIBERAL HEALTH CARE BENEFIT PACKAGES VERSES CREATION OF SERVICE INDUSTRY JOBS WHICH ARE NORMALLY AT OR NEAR MINIMUM WAGE WITH NO HEALTH CARE BENEFITS.

IDENTIFY THE POTENTIAL ECONOMIC LOSS INCLUDING LOSS OF PROPERTY TAXATION DOLLARS WHICH SUPPORT STATE/LOCAL GOVERNMENT AND EDUCATION IF THE 2100 ACRES OF PRIVATE LANDS BECOME PUBLIC.

ECONOMIC IMPACT BY LIMITING RECREATION AND IN SOME CASES COMPLETE LOSS OF CURRENT RECREATIONAL ACTIVITIES ON THE THE RETAIL TRADES, SALES AND SERVICES INDUSTRY. YOUR ANALYSIS SHOULD ALSO FOCUS ON TRADITIONAL RECREATIONAL USES BY CITIZENS FROM THROUGHOUT SOUTHEAST ARIZONA.

LONG TERM ECONOMIC IMPACT ON THE SMALL RANCHING BUSINESSES AS WELL AS THEIR CONTRIBUTION TO THE RETAIL TRADES, SALES AND SERVICES ECONOMIC SECTOR.

WATER RIGHTS AND RESOURCES IMPACTED BY MINIMUM IN-STREAM FLOW REQUIREMENTS INCLUDING DIRECT IMPACT ON THE AGRICULTURAL COMMUNITY, MINING AND SAFFORD'S DOMESTIC WATER SUPPLY SYSTEM.

IMPACT ON TRANSPORTATION CORRIDORS, UTILITY CORRIDORS AND THE COST FOR ALTERNATIVES TO MEET THOSE NEEDS SHOULD EXISTING CORRIDORS BE INADQUATE.

SOCIAL AND ECONOMIC IMPACT BY ADDING WILD AND SCENIC RIVER DESIGNATION TO THE EXISTING GILA BOX RIPARIAN NATIONAL CONSERVATION AREA, UNIQUE WATER SUPPLY DESIGNATION IN THE BONITA CREEK AND CRITICAL HABITAT OF THE GILA RIVER.

The proposed segments within the Graham/Greenlee County area consist of 51.1 river miles consuming some 17,000 acres of public and private lands. Each of the proposed segments are already afforded enhanced federal protection above and beyond the normal agency land management plan. Those enhanced protection measures are the Gila Box Riparian National Conservation Area, Unique Water Supply Designation on Bonita Creek, Critical Habitat Designation of the Gila River up to its one hundred year flood plan, etc.

Your consideration and response to the specific site and cumulative impact questions would be greatly appreciated. Again thank you for the opportunity to comment.

Sincerely,
GRAHAM COUNTY BOARD OF SUPERVISORS

Delbert Householder
Delbert Householder, Chairman
Haynes Moore
Haynes Moore, Member
Terry J. Bingham
Terry J. Bingham, Member

000056

JUL 6 1994

RECEIVED
JUL 5 1994
NATIONAL OFFICE

JUL 6 '94

9:00 A.M.
PHOENIX, ARIZONA

Mr. Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P. O. Box 1653
Phoenix, Arizona 85011

Re: Comments on Arizona Statewide Wild & Scenic Rivers Draft LEIS

Dear Mr. Moreland:

These comments are submitted on behalf of Greenlee County as a member of the Arizona Rural Water Association (ARWA). I appreciate the opportunity to comment on the Draft Arizona Statewide Wild & Scenic Rivers Legislative Environmental Impact Statement (LEIS).

I believe two of the study areas included the alternatives analyses would have significant adverse impacts on Greenlee County if they are selected for inclusion in the Wild & Scenic River System. These proposed river systems are: 1) Gila Box: Lower San Francisco River, and 2) Gila Box: Gila River. The issues of concern are water rights, property taxes, and CAP water use.

On the subject of water rights, the Draft LEIS indicates that private land and water rights within river study areas identified as suitable for designation in the Wild & Scenic River System, would be acquired. The protection and use of water rights are extremely sensitive and controversial issues when associated with new regulatory programs proposed by the Federal government, such as Wild & Scenic River System designations. Any impact on local water rights because of a Wild & Scenic River System designation of either of these two study areas, will significantly impact the economy of Greenlee County. Our economy is based primarily on mining, agriculture, and ranching, all of which depend on secure water rights.

The Draft LEIS states that water rights associated with existing beneficial uses will not be reduced. Please explain how existing beneficial use is defined. It also states that minimum instream flows will be established for river study areas designated as part of the Wild & Scenic River System. Please explain how that process will be implemented considering the fact that water rights claims are currently being adjudicated in Arizona. Also, please explain how, on river systems like the Gila and San Francisco Rivers where all available water has been decreed and is currently being readjudicated, minimum instream flow standards will be established without adversely impacting the ability to expand existing uses which are appurtenant to water rights that are being adjudicated. In addition, please explain how the current regulatory provisions allowing the severance and transfer of water rights will operate when rights are severed from below either of these two areas and transferred to users above these two areas.

Regarding property taxes, the Draft LEIS indicates that private land within river study areas identified as suitable for designation in the Wild & Scenic River System, would be acquired. There is a general issue of concern when private lands are removed from the public tax rolls in rural areas, because rural counties generally have a very small private land base for tax collection.

Response 56 - 1: Please refer to general response # 4 (Federal and State Water Rights).

Response 56 - 2: Please refer to general responses # 4 (Federal and State Water Rights) and # 6 (Land Acquisition).

Response 56 - 3: Please refer to general response # 6 (Land Acquisition). The distribution of CAP water is beyond the scope of this document.

303

56-1

56-2

56-3

P. Moreland

-2-

July 5, 1994

Please explain how local county governments will not be adversely affected by the reduction of private land holdings and the associated property tax base within their boundary, without having to increase the property tax on individuals and businesses.

Finally, there is the issue of using CAP water in rural areas through water exchanges. Please explain how rural areas such as Clifton, Morenci, and Duncan, would participate in the exchange mechanisms envisioned in the CAP system, if they are faced with minimum instream flows that would have a priority right over exchange water.

56-4

In summary, I am very concerned regarding the possible designation of the Lower San Francisco River as suitable for inclusion in the Wild & Scenic Rivers System. Such a designation will have an adverse impact on Greenlee County for the reasons discussed herein. Therefore, I support the No Action Alternative for the Lower San Francisco River.

Designating the Gila Box: Gila River segment for inclusion in the Wild & Scenic River System, would not provide additional benefits in terms of management of the resource, beyond that which is available under its current designation as a National Riparian Conservation Area. Therefore, for this reason and the others outlined herein, I support the No Action Alternative for this river study area.

Thank you for the opportunity to comment on the LEIS. Please feel free to contact me at any time regarding issues associated with the Draft LEIS or any other issues.

Sincerely,



W. F. Richardson
Greenlee County Director,
Arizona Rural Water Association

c: D. C. Nelson, Executive Vice-President
Arizona Rural Water Association

R. Stokes, Greenlee County Administrator

Response 56 - 4: Please refer to general response # 1 (Alternatives).

304



000057

WASHINGTON COUNTY
197 East Tabernacle • St. George, Utah 84770

GAYLE M. ALDRID
Chairman

JERRY B. LEWIS
RUSSELL J. GALLIAN

FAX (801) 634-5753

June 30, 1994

CLINTON D. PERKINS
County Assessor

ERIC A. LUDLOW
County Attorney

CALVIN R. ROBINSON
County Clerk/Juditor

RUSSELL SHIRTS
County Recorder

GLENWOOD HUMPHRIES
County Sheriff

ALIS M. RITZ
County Treasurer

Phillip Moreland, Branch Chief
Planning, Environment, Lands and
Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

RECEIVED
BLM AZ STATE OFFICE
JUL 1 1994
PHOENIX, ARIZONA

Re: Comments on Draft Arizona Statewide Wild and Scenic
Rivers Legislative Environmental Impact Statement

Dear Mr. Moreland:

These comments are directed on behalf of Washington County to the Bureau of Land Management's (BLM's) proposed alternative in the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (DLEIS) for the designation of the Virgin River in Arizona (the VR) as a study river under the Wild and Scenic Rivers Act (WSRA).

First and foremost, the VR is not a free-flowing river as defined by the WSRA. There have been numerous and substantial alterations to the stream channel, including massive riprapping of the channel arising from the presence of Interstate Highway 15 through the Virgin River Gorge. The DLEIS describes the riprap along Segment 2 as "talus slopes from highway construction," in an apparent attempt to avoid the requirements of the WSRA. The description of Segment 3 admits the significant modifications of the waterway for Interstate Highway 15, but nevertheless ignores them in determining that the VR is, nevertheless, "free-flowing." On this basis alone, there is no valid legal basis for BLM's determination that the VR is either eligible or suitable for designation under the WSRA.

In addition, the VR does not offer the outstandingly remarkable values stated in the DLEIS. For example, the riparian areas along the VR are similar to those found throughout southern Utah and northern Arizona. The analysis fails to take into account a proper comparison of the values presented by the VR in

305

57-1

57-2

Response 57 - 1: Please refer to general response # 11 (Suitability Determinations).

Response 57 - 2: The outstandingly remarkable values associated with the Virgin River were identified and discussed in Appendix 18 of the Arizona Strip District Resource Management Plan (1991). The Arizona Strip District Resource Management Plan was subject to public review and comment at the time it was prepared.

Mr. Moreland
Page 2
June 30, 1994

comparison to other rivers in the region. The perfunctory treatment given to the analysis of outstandingly remarkable values in the DEIS does not meet the requirements of the BLM Manual or of other applicable law.

57-3

The DEIS's failure to address impacts on existing, valid water rights is unjustified. For example, federal reserved water rights created by designation may impact applications to change uses or points of diversion of existing, valid water rights, even where those rights are senior to the new federal reserved water right. Such impacts, arising from water rights created outside of the operation of state law, which has been designed to take into account the balance of uses, may be severe. These impacts, in fact, may be the most significant which arise from designation and yet they are virtually ignored in the DEIS. This omission constitutes a failure to meet the requirements of NEPA.

57-4

The DEIS admits that the "existing and future demands [for the water of the Virgin River] far exceed the river's supply," and yet explicitly chooses not to address in any meaningful fashion the effects that designation would have on these same competing demands. This omission is, on its face, arbitrary and capricious.

The refusal to acknowledge the impacts on potential commercial, agricultural and residential development which will arise from limitations on water development constitutes a failure to meet the requirements of NEPA.

57-5

Analysis of the impacts of designation of the Virgin River in Arizona without consideration of the impacts of designation of other segments of the river in Utah constitutes an improper segmentation of the analysis. Use of the WSRA to further the purposes of the Endangered Species Act is also improper.

57-6

Any protective management of the VR arising from BLM's determination that the river is eligible or suitable for study or designation by Congress under the WSRA is inappropriate and unsupported by law.

57-7

Designation of the VR as a study river by Congress under Section 4(a) of the WSRA is inappropriate. The VR does not meet the requirements of the WSRA and therefore should not be studied further. Since it does not meet the requirements of the WSRA, treatment as a Congressionally designated study river would unduly institute and prolong a protective management scheme which is not justified by the facts or the law.

Response 57 - 3: Financial costs of impacts on water rights resulting from designation are difficult to predict and any attempt to do so would be highly speculative. The impacts depend on many variables, including amounts of water available for development, alternative water sources, conversions of water uses, water conservation savings, changes in demands, and many other factors.

One scenario of impacts of designation on Utah communities is described in Professor John Groesbeck's statement included in the transcript from the St. George, Utah wild and scenic river public hearing (see St. George public hearings transcript). While the Bureau of Land Management does not accept all of the assumptions used in Professor Groesbeck's scenario, or his conclusions on impacts that designation of the Arizona portion of the Virgin River would have on Utah, reference to his statement has been incorporated into the final document. The transcript of the St. George public hearing also will be forwarded to the Department of the Interior and Congress.

Response 57 - 4: Any rights reserved to the federal government under a wild and scenic river designation would have priority as of the date of designation, and would not affect "perfected" or certificated water rights in Utah.

Certificated water right holders in Utah are entitled to use specific amounts of water at specific locations on a priority that is based on their date of application. When a water user with a senior priority date applies for a change in location or type of use, the state water engineer examines the proposal to ensure that no adverse impacts would result to any junior right holders. This examination could result in one of several outcomes, including approval, partial approval, approval with stipulations, or denial.

Should the Utah state water engineer recognize a federal reserved water right in Arizona for a wild and scenic river designation, then such designation may have an impact on subsequent transfers, changes in use, or points of diversion of existing water rights.

"Unperfected Rights" are those that have not been developed, put to beneficial use, or certificated by the Utah state water engineer. These have a priority based on date of application. A federal reserved right resulting from wild and scenic river designation would presumably have a priority based on the date of designation. It is unknown whether "unperfected rights" would be affected. Presumably, any consequences would be determined through either the state water engineer's administrative hearing process or through litigation.

Response 57 - 5: The Bureau of Land Management has no record of any specific plans, future projects, or objectives that would be adversely affected by implementation of the alternatives analyzed in the Virgin River Study Area Legislative Environmental Impact Statement. The significant cumulative impacts of the proposed/recommended action are addressed in the draft and final documents.

Response 57 - 6: The issue of protective management is associated with the management of eligible rivers. The statement is made in chapter 3 (Affected Environment) that "the resources [in this document] are described as they would be managed without protective management." This legislative environmental impact statement evaluates the impacts of implementing various alternatives, and provides recommendations to Congress regarding wild and scenic river suitability.

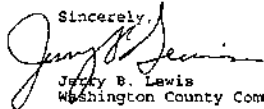
Response 57 - 7: As stated on page 9 of the draft legislative environmental impact statement, the Bureau of Land Management is required by the Wild and Scenic Rivers Act (P.L. 90-542, Sec 5(d)) to evaluate potential additions to the National Wild and Scenic Rivers System, regardless of any existing designations. Congress has the opportunity to choose from the recommended, or any other alternative. See general response # 1 (Alternatives).

Mr. Moreland
Page 3
June 30, 1994

The DLEIS does not provide an accurate or meaningful assessment which would be useful to Congress when it considers BLM's proposal. If Congress were to rely on this document, which chooses to omit analysis of many impacts which would be associated with designation as a study river as well as impacts associated with final designation under the WSRA, it would have no realistic understanding of the true impacts of its decision on those who make their living here in Washington County, Utah. These omissions do a disservice to Congress as well as to the people of this County.

Washington County and its citizens would, no doubt, experience the greatest impact if the VR were to be designated under the WSRA. Those impacts have not been adequately or properly addressed in the DLEIS. As a result, any action by BLM toward the preferred alternative arising from the DLEIS would be arbitrary, capricious and not in accord with applicable law. We request that BLM withdraw the DLEIS as it applies to the Virgin River and either prepare a meaningful NEPA document which adequately and honestly addresses the areas required by law or withdraw the VR from consideration altogether.

Sincerely,



Jerry B. Lewis
Washington County Commissioner

JBL:cg

Response 57 - 8: The legislative environmental statement is neither a decision document nor an action-implementing document. The present management status of the portion of the Virgin River that crosses Bureau of Land Management administered land in Arizona is authorized by the record of decision for the Arizona Strip District Resource Management Plan (1991) and the subsequent Shivwits Area implementation plan (1992).

57-8

309



Graham County
CHAMBER OF COMMERCE

118 Thatcher Boulevard • Safford, Arizona 85546 • Phone (602) 428-251

000064

JUL 07 1984

July 5, 1984

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
P O Box 16563
Phoenix, Arizona 85014

Re: Draft - Wild and Scenic Rivers Legislative Environmental Impact
Statement

Thank you for the opportunity to respond to the Wild and Scenic Rivers
Legislative Environmental Impact Statement.

Because of the private sector represented by the Graham County
Chamber of Commerce, we will limit our response to those rivers and
streams located in our area. We have followed the Wild and Scenic
Rivers issue over the past year and have studied the various
"alternatives" defined in the Draft.

We support the "No Action" Alternative for the following areas:

Lower San Francisco River;
Gila River (Gila Box);
Bonita Creek;
Aravaipa Creek

Our comments will focus on these areas:

LOWER SAN FRANCISCO RIVER: The proposed 6.4 miles, which lies
south of the Morenci Mining District in Greenlee County, was studied
jointly by the Forest Service and BLM in the early 1980's. At that time it
was determined unsuitable due to impacts on opportunities for flood
control, water storage, mineral and geothermal development and lack of
public support. These conditions still exist and are more important
today than they were in 1982.

Mining is very important to the economic base in Graham County. Phelps
Dodge mine located in Greenlee County, employs 2,400 workers - one
third of the miners live in Graham County and the other two thirds use the
retail and service facilities available in Graham County. Additional mine
development is being considered in Graham County.

**THE BUREAU MUST INCLUDE THE LONG TERM IMPACT ON
EMPLOYMENT LEVELS OF MINING AND RETAIL SALES AND SERVICES.**

"THE GRAND COMBINATION"

Response 64 - 1: The recommended alternative makes allowances for additional power lines and acknowledges impacts of mine operations and expansion on the scenic values of the study area. The Wild and Scenic Rivers Act does not empower the federal government to regulate uses on private lands. The recommended alternative is not expected to impact operation and future expansion of the Phelps Dodge mine at Morenci.

64-2

The proposal calls for acquisition of 590 acres of adjacent private lands. Over 93% of Graham County is already controlled by the public sector, the EIS fails to identify current economic contribution to area economy and the long term impact of additional public lands to that economy.

THE BUREAU NEEDS TO STUDY THE LONG TERM ECONOMIC IMPACT CREATED THROUGH THE LOSS OF ADDITIONAL PRIVATE LANDS.

GILA RIVER (GILA BOX): The proposed 26.6 miles lies directly between the Morenci Mining District in Greenlee County and the Safford Mining District in Graham County. The Sanchez mine is scheduled to open in 1995 and expected to create 210 jobs for the next twenty years with an average annual income of over \$30,000 per employee. Phelps Dodge, in Morenci, presently employs 2,400 people and are planning to expand that site. They also intend to open a mine in Graham County which is projected to employ an additional 600 new people with an average annual of \$35,000 per employee. Designations for "Wild and Scenic" also include visual impacts. Mining obviously has a visual impact. If these planned mines are not allowed to open or operate because of a visual impact on the "rivers", what will be the economic impact on the communities involved?

64-3

THE BUREAU MUST ASSURE GRAHAM AND GREENLEE COUNTY RESIDENTS THAT THE DESIGNATION WILL NOT IMPACT THE SCHEDULED DEVELOPMENT OF MINING IN FUTURE YEARS.

64-4

Information concerning additional permanent congressional protection for free flowing water in the Gila River is unclear. The waters are now managed by a Federally appointed commissioner and the entitlement of various users was determined under the 1935 Globe Equity Decree. Agriculture is an important component to our economic base and represents 30% of our economy and holds significant water rights.

THE BUREAU NEEDS TO ANALYZE THE ECONOMIC IMPACT IF THE DESIGNATION IMPACTS THE PRESENT AGRICULTURAL ALLOTMENT AND GUARANTEE THE WATER RIGHTS AS ALLOTTED UNDER THE 1935 GLOBE EQUITY DECREE.

This section of the Gila River serves as a popular recreation area. It has traditionally been a popular area for Graham and Greenlee residents and more recently has attracted people from around the state and nation.

64-5

THE BUREAU NEEDS TO STUDY THE IMPACT OF THE TRADITIONAL USE OF THE AREA AND CONSIDER THE ECONOMIC LOSSES IN RETAIL AND SERVICE BUSINESS THROUGH THE LOSS OF THE RECREATION INDUSTRY

Response 64 - 2: Please see general response # 6 (Land Acquisition).

Response 64 - 3: Please refer to general response # 12 (Visual Impacts).

Response 64 - 4: Please refer to general responses # 4 (Federal and State Water Rights) and # 5 (Instream Flow Water Rights).

Response 64 - 5: Please refer to general response # 2 (Economic Impacts).

64-6

The proposal recommends acquiring approximately 500 additional acres of private land. With only about 6% private land in Graham County, loss of acre places an even larger role on private sector to carry the burden of supporting state and local government and education. PILT is received in lieu of property taxes from public lands but that payment formula has not been adjusted since 1978.

THE BUREAU NEEDS TO STUDY THE LONG TERM ECONOMIC IMPACT SHOULD DESIGNATION OCCUR AND ADDITIONAL PRIVATE LANDS BE REMOVED FROM THE PROPERTY TAX ROLLS

64-7

BONITA CREEK: The proposed 8.1 miles lies between the mining deposits identified earlier in our comments. The proposal also acquires 970 acres of private land. Threats of the proposal include mining, grazing, and recreation uses. Designations for "wild and scenic" also include visual impacts. Mining obviously has a visual impact. If these planned mines are not allowed to open or operate because of a visual impact on the "Rivers", what will be the economic impact on the communities involved?

AGAIN THE LONG TERM ECONOMIC IMPACT NEEDS TO BE INCLUDED IN THE ANALYSIS - INCLUDING MINING, RANCHING, AGRICULTURE, RECREATION, RETAIL AND SERVICE BUSINESSES.

64-8

Bonita Creek is also the major source of domestic water for Graham County. The water source facility owned by the City of Safford provides 65% of the total 27,000 population.

THE BUREAU MUST GUARANTEE ADEQUATE WATER FOR DOMESTIC USE TODAY AND FOR FUTURE EXPANSION.

ARAVAIPA CREEK: The proposal, which includes ten miles of Aravaipa Creek will impact grazing allotments, recreation and a small community called Klondyke.

THE BUREAU NEEDS TO ASSESS THE LONG TERM ECONOMIC IMPACT INCLUDING RANCHING, RECREATION AND RETAIL BUSINESS.

The "NO ACTION" alternatives for the Lower San Francisco River, the Gila River (Gila Box), Bonita Creek and Aravaipa Creek are based on the "Conclusions" identified in the Draft. It has no direct adverse impact in any of the areas identified in the Draft. The conclusions are found: on the scenic values (page 109), on the recreational values (page 110), geologic values (page 110), remarkable fish and wildlife habitat and aquatic habitat values (page 112), cultural and historic values (page 112), hydrologic values (page 112), mineral developments (page 113).

Response 64 - 6: Please see response 64 - 2, above.

Response 64 - 7: The entire Bonita Creek Wild and Scenic River Study Area is contained within the Gila Box Riparian National Conservation Area established by the Arizona Desert Wilderness Act (P.L. 101-628, 1990). The Act withdrew the entire area from mineral entry. No additional impacts from designation as a wild and scenic river are anticipated.

Response 64 - 8: The recommended alternative reflects your concerns over the Safford domestic water supply in its recommendation that the wild and scenic river segment terminate at Lee Trail upstream of the city water facility.

In reviewing the "no action" alternative for each of the above listed areas, it is clear that they can be properly managed under present BLM management without the additional federal expense and with no impact on our economy and traditional land and water uses.

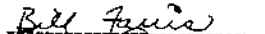
Respectfully,
Graham County Chamber of Commerce Board of Directors



Tim Walters, President



Steve Eady, Vice President



Bill Farris, Member



Tim Graham, Member



Tom Johnson, Member



Eugene Ho, Member



Janet Curtiss, Member



Cheryl Baker, Member



Janet Stephens, Member



COCHISE COUNTY PLANNING DEPARTMENT

419 MC COTY LAKE, SISSON, ARIZONA 85605-2000

(602) 426-9409/9431
FAX 426-9429

000078

JUL 11 1994

July 7, 1994

Mr. Phil Moreland, Chief
Branch of Planning, Environment, Lands and Recreation
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P. O. Box 16563
Phoenix, Arizona 85014

Re: The Arizona Wild and Scenic Rivers Legislative Environmental
Impact Statement (LEIS)

Dear Mr. Moreland:

Pursuant to the above referenced LEIS, I am sending you this correspondence. The LEIS analyzes various alternatives, including a proposed action determining 13 river study areas as suitable and recommending that Congress include them in the National Wild and Scenic River System. Within the confines of Cochise County, the San Pedro River and Hot Springs Canyon are being considered for such designation. My comments will specifically address these two areas and will attempt to summarize the alternatives discussed within the LEIS and their related impacts to facilitate understanding on the part of those individuals I have copied on this letter.

First of all, the overall purpose of the National Wild and Scenic Rivers Act (Public Law 90-542) enacted October 2, 1968, is to preserve in "free-flowing condition" and to protect for the "benefit and enjoyment of present and future generations... certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values". In response to this Act, the subject LEIS has proposed to identify Arizona rivers with outstandingly remarkable values to (1) determine suitability and recommend designation by Congress for inclusion in the National Wild and Scenic River System, and (2) recommend the remaining rivers as non-suitable for designation.

Waterways in the 19 Study Areas identified in the LEIS were assigned tentative classifications for protective management as Wild, Scenic, or Recreational on the basis of criteria in the Wild and Scenic Rivers Act. Said criteria are as follows:

1. Wild river areas - Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and water unpolluted. These represent vestiges of primitive America.
2. Scenic river areas - Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads.
3. Recreational river areas - Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past.

Hot Springs Canyon has been proposed for designation due to outstandingly remarkable fish and wildlife habitat values whereas the San Pedro River has been proposed for designation due to outstandingly remarkable scenic, recreation, fish and wildlife habitat, cultural and historic, hydrologic and paleontologic values.

The LEIS has provided an overall suitability assessment summary of these two river study areas as follows:

The Hot Springs Canyon river segment proposed for designation is not nationally significant, there are no threats to free-flowing values or outstandingly remarkable values, and no additional protective management is needed for fish and wildlife values. If the river segment is not designated under the Wild and Scenic Rivers Act, it would be managed as part of the Swamp Springs/Hot Springs Watershed Area of Critical Environmental Concern (ACEC). If the river segment was designated however, there would be little, if any change from current management. Under the Proposed Alternative Action within the LEIS, the BLM is recommending the river segment (6 miles) as non-suitable for designation.

The San Pedro River is a nationally prominent riparian ecosystem and ranks as the top area in the western hemisphere for paleontological sites associated with early mankind. Groundwater depletion on adjacent lands and in Mexico could adversely affect surface flows. Under the Proposed Alternative Action within the LEIS, the BLM is recommending two river segments (44 miles) as suitable for designation. A portion of one segment (2 miles) of private land is recommended as non-suitable. This segment lies between the southern and northern sections of the San Pedro Riparian National Conservation Area. The segment was found non-suitable because a decision was made not to acquire easements for access.

I would now like to summarize those specific management alternatives suggested under the Proposed Alternative Action for the two rivers as set forth within the LEIS. The summary for each of these rivers will be followed by a staff recommendation from this department.

HOT SPRINGS CANYON WILD AND SCENIC RIVER STUDY AREA

Specific portions of the Hot Springs Canyon River were identified in the Safford District Resource Management Plan (1993) as eligible for further study in the Wild and Scenic River evaluation process. The purpose of the LEIS was to determine the suitability for recommending these portions of Hot Springs Canyon to Congress for inclusion in the National Wild and Scenic Rivers System.

The Hot Springs Canyon Wild and Scenic River Study Area is located about 30 miles north of Benson. The segment under consideration is approximately six miles long with one mile flowing through state and private land. This segment was considered eligible for wild and scenic river designation in the Safford District Resource Management Plan because it is free-flowing and possesses outstandingly remarkable fish and wildlife values. It is tentatively classified as Wild because the shoreline is primitive and undeveloped and there are no roads or other developments in the corridor.

Most of the land is in public ownership although the Arizona Nature Conservancy and the state own short reaches of the canyon bottom. Hot Springs is a perennial stream.

The Hot Springs Canyon study area will be managed under the provisions of the Muleshoe Ecosystem Management Plan whether or not it is designated as a wild and scenic river.

Proposed Action

The Proposed Action Alternative determines the entire Hot Springs Canyon study area to be nonsuitable and does not recommend the study area for designation.

Wild and Scenic River management actions

The Proposed Action determines the Hot Springs Canyon study area to be nonsuitable. No management actions associated with Wild and Scenic River designation would apply.

Ongoing management actions

Hot Springs Canyon study area will remain open to mineral entry. Plans of operations would be required for all mining activities above the level of casual use. A no surface occupancy stipulation would be required for mineral leasing activities in the riparian zone of the study.

- The study area will be managed for dispersed recreation. This includes hiking, hunting, picnicking, bird watching and camping.
- The area is designated as a Visual Resource Management Class II zone. The objective of this class is to maintain the existing character of the landscape.
- The area is closed to woodcutting.
- The riparian area of Hot Springs Canyon is closed to off-highway vehicle use.
- Establish the Gila chub as a priority species and manage habitat to maintain or increase population levels.
- Establish the gray hawk as a priority species and manage habitat to maintain or increase population levels.
- Manage riparian vegetation in accordance with the Bureau of Land Management goal of having 75 percent of the riparian areas in functional condition and in an advanced ecological status.
- Stream flow will be monitored on a monthly basis to protect the existing instream flow water right and advance it to the certificate stage.
- Hot Springs Canyon will be evaluated for designation as a Unique Water under state law.
- Livestock use of the study area will follow the grazing prescription developed in the Muleshoe Ecosystem Plan for Swamp Springs-Hot Springs Area of Critical Environmental Concern. Livestock will either be excluded from the 160 acre riparian zone associated with stream segment or managed in a manner that protects the riparian and other resource values.

Staff Comments

The Proposed Action Alternative as suggested within the LEIS is to not designate Hot Springs Canyon under the Wild and Scenic River Act. As previously mentioned, this recommendation is based on the following factors:

- the segment is not nationally significant;
- there are no threats to free-flowing values or outstandingly remarkable values;
- no additional protective management is needed for fish and wildlife values;

- if not designated, the segment would be managed as part of the Swamp Springs/Hot Springs Watershad ACEC; and
- if designated, there would be little if any change from current management.

Based upon the above justification and the ongoing management actions that will take place in the study area should non-designation occur, Planning Department staff concurs with the Proposed Action Alternative to not designate Hot Springs Canyon under the Wild and Scenic Rivers Act.

SAN PEDRO WILD AND SCENIC RIVER STUDY AREA

Specific portions of the San Pedro River were identified in the Safford District Resource Management Plan (1993) as eligible for further study in the Wild and Scenic River evaluation process. The purpose of this action is to determine the suitability for recommending these portions of the San Pedro River to Congress for inclusion in the National Wild and Scenic Rivers System.

The San Pedro Wild and Scenic Study Area is ten miles east of Sierra Vista. Specifically, it is the segment of the river contained in the San Pedro Riparian National Conservation Area between the Mexican border and St. David. The study area contains 46 river miles, 36.3 of which are managed by the Bureau of Land Management, and a strip of land that extends out 0.25 miles from the shoreline on either side.

Public lands in the study area are managed by the Tucson Resource Area under the San Pedro River Riparian Management Plan (1989) and the Safford District Resource Management Plan (1993). The remainder of the study area is privately owned. There are public, private, and state-owned lands adjacent to the study area.

The San Pedro River was determined to be eligible for inclusion in the Wild and Scenic Rivers System by the Bureau of Land Management because the river is free-flowing and has outstandingly remarkable scenic, recreation, fish and wildlife habitat, hydrologic, paleontologic, and cultural values. The San Pedro River study area suitability assessment found the single 46-mile segment suitable as Recreational.

Although the study area has been used for farming, ranching, mining, and recreational activities, it generally retains its natural appearance.

Proposed Action

The Proposed Action creates two segments consistent with the southern and northern sections of the San Pedro River Riparian National Conservation Area. Both segments are determined to be suitable and recommended for designation as Recreational.

The southern segment is three miles long and consists of two miles of public land and one mile of private land. The northern segment is 41 miles in length, consisting of 36.3 miles of public land and 4.7 miles of private land. A third segment, a two-mile stretch of private land between the southern and northern sections of the San Pedro Riparian National Conservation Area (essentially two miles north of where Highway 92 crosses over the San Pedro River in Palomines) is determined to be nonsuitable and is not recommended for designation.

Wild and Scenic River management actions

Wild and scenic river designation would require certain management actions to be initiated. In accordance with the Bureau of Land Management Wild and Scenic River Manual the following would occur in the implementation of the Proposed Action for the two Wild segments of the San Pedro Study Area. Where the wild and scenic river management actions would overlap ongoing management actions, the more stringent would apply.

- Water quality would be maintained or improved to meet state standards.
- New hydroelectric power facilities would be prohibited.
- Existing low dams, diversion works, riprap, and other minor structures would be permitted.
- New waterway structures could be allowed.
- Existing parallel roads would be maintained.
- Motorized travel is permitted.
- Interpretive centers, administrative headquarters, campgrounds, and picnic areas could be established.
- Recreation use would be encouraged but public use and access may be regulated and distributed to protect and enhance recreational river values.
- New minor structures for fish and wildlife habitat protection would be permitted.
- New rights-of-ways, transmission lines, natural gas lines, water lines would be discouraged. Where no reasonable alternate location exists, additional or new facilities would be restricted to existing rights-of-way.
- Instream flow would be quantified. An assessment was developed in order to secure instream flows associated with protecting the outstandingly remarkable values.

Ongoing management actions

The ongoing management actions listed below summarize selected provisions of the San Pedro Riparian National Conservation Area Management Plan and the Safford District Resource Management Plan.

- Efforts would be made to acquire nonfederal lands on a willing seller-willing buyer basis or through exchange.
- Land use authorizations (rights-of-way, leases, temporary use permits) would be considered on a case-by-case basis.
- Off-highway vehicle use is limited to designated roads and trails.
- Length of stay would be limited to seven days.
- Up to four interpretive displays would be developed.
- Up to four foot/equestrian trails would be developed.
- Up to three dedicated outdoor environmental education field study areas of five to ten acres each would be developed. These facilities will include shade shelters, tables, signs, and small parking areas. Access to and use of these sites would be restricted.
- Up to two campgrounds (San Pedro Ranch house/30-50 units; Hereford/15-30 units) would be developed.
- Up to six small picnic sites and up to three group picnic sites would be developed.
- Trapping would be prohibited except where a need is determined through consultation with the Arizona Game and Fish Department and the Animal and Plant Health Inspection Service.
- Up to ten miles of fence would be constructed to protect riparian areas, according to the Arizona Riparian-Wetland Area Management Strategy.
- Native trees (seedlings and poles) would be planted along the riparian corridor and other areas.
- Wildlife waters would be constructed in the drier upland portion of the area.
- Revegetation of stream banks would be completed where appropriate.
- Proposals for activities that could result in increased use or surface disturbance will be reviewed by a cultural resource specialist.

- In most cases, a cultural resource field inventory of the potentially affected area will be completed.
- If sites are determined eligible for the National Register of Historic Places, in consultation with the State Historic Preservation Officer, they will be avoided by the proposed activity.
- If avoidance is not possible, impacts will be mitigated through a data recovery program developed in consultation with the State Historic Preservation Officer.
- Unnecessary wells would be closed and capped.
- Dikes and berms along the east and west sides of the abandoned farm fields would be removed and preexisting drainages would be reestablished.
- Erosion control structures would be built only as needed to protect other resources and watershed values.

Staff Comments

In reviewing the LEIS for the San Pedro River Study Area, there are three alternatives discussed, the Proposed Action (which has just been summarized), the All Suitable Action and the No Action. The essential difference between the Proposed Action and the All Suitable Action is that the Proposed Action would exclude the 2 mile river segment north of State Highway 92 since it is in private ownership whereas the All Suitable Action would include this 2 mile segment for designation under the Wild and Scenic Rivers Act.


The No Action Alternative determines the San Pedro River to be not suitable and does not recommend designation for the entire San Pedro Wild and Scenic River Study Area. Implementation of the No Action Alternative would rescind any protective status associated with the eligibility findings, and place the river area under applicable multiple use management prescriptions defined in the San Pedro Riparian Management Plan.

Planning Staff contends that the San Pedro River Study Area merits specific protection status under the Wild and Scenic Rivers Act. We therefore concur with the Proposed Alternative Action to designate two segments of the San Pedro River under the Wild and Scenic Rivers Act. We would, however, encourage the Bureau of Land Management to work with the private property owners within the 2 mile river segment that would be excluded for designation under the Proposed Alternative Action to establish some suitable level of protection of the San Pedro River in this specific area.

I would like to thank the Bureau for allowing the County to respond to the draft LEIS. I would ask that we be maintained on all

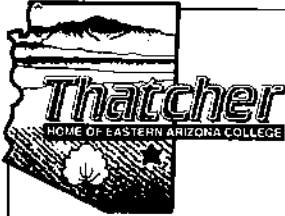
mailing lists so that we will be appraised of any future dispositions in this regard.

Sincerely,


James E. Vlahovich
Planning Director

cc: Judy Anderson, Senior Planner
John MacKinnon, Deputy County Attorney
Board of Supervisors
Comprehensive Plan Update Committee

Response 78 - 1: If Congress acts to designate these segments of the San Pedro River to the National Wild and Scenic Rivers System, the Bureau of Land Management would be required to develop a river management plan. This would involve public participation throughout the process.



JUL 13 1994

000086

July 7, 1994

MR. PHIL MORELAND, Chief
Branch of Planning
Arizona State Office
P.O. Box 18561
Phoenix, AZ 85014

Dear Mr. Moreland:

Re. Wild and Scenic Rivers Suitability Assessment

Dear Mr. Moreland:

This letter is submitted to formally comment on the Bureau's Wild and Scenic Rivers Legislative and Environmental Impact Statement. The community and Thatcher Town Council will focus our concerns on the lower San Francisco River, Gila River, Bonita Creek and Aravaipa Creek. First, the San Francisco River runs just south of the Copper Mining District in Greenlee County, possibly affecting the largest producing copper mine in the United States with about 2,400 workers. Although this mine lies in Greenlee County, the size of this operation significantly contributes to Graham County's economy with about one third (1/3) of these workers coming from our area. Therefore, it is our desire that any environmental review will have a thorough analysis on long term employment levels at this mining operation, including the rippling effect that will further result on secondary services in the retail and services sectors.

There are a number of other possible activities, including: geothermal energy; recreational activities such as sand rails; flood control structures to better manage these waters for agriculture needs and reduce damage to public and private property; and water storage facilities to address the drinking water needs of a growing valley. These factors need to be folded into any review and environmental impact study of these waters because they are so vital to this area.

TOWN OF THATCHER

P.O. BOX 670 • 1130 N. COLLEGE AVENUE • THATCHER, AZ 85552 • (502) 428-2290 • FAX (502) 428-7081

Response 86 - 1: Please refer to general response # 2 (Economic Impacts).

319

86-1

Page 2

Secondly, the Gila River which runs through our valley carrying the water so vital for agricultural and ranching purposes, which industries represent a significant portion of our economy in Graham County. In addition, impact on possibly new mining concerns, recreational activities, as well as the possibility of geothermal resources will be negatively impacted by this designation, thereby further hurting our rural economy by limiting these valuable resources from our use. It is our desire that the federal government begin to recognize the detrimental impacts that are being caused to communities by the limitations imposed by any designation of rivers to the Wild and Scenic Rivers Program.

86-2

The Bonita Creek analysis appears to complicate the primary water source facilities owned by the City of Safford. Safford provides domestic water to Thatcher and I'm told about 65 % of our valley. Any limitations or threats on this essential commodity would obviously have terrible ramifications and this includes not being able to explore and develop new water sources as our area grows.

86-3


Finally, the Aravaipa Creek would impact existing ranching concerns and the community of Klondyke located in this vicinity. There are also important recreational opportunities in this area with Aravaipa Canyon already preserving a significant portion of land for people. The question arises then why would the federal government want to further restrict the peoples ability to use the resources of this area, as well as the other proposed areas being considered for Wild and Scenic River designation.

86-4

These proposals call for the federal government to acquire additional lands and to further limit the use of some 17,000 acres of public and private lands. As I believe has been shown and others have made more detailed comments, these designations will have a significant detrimental impact on our existing economy, as well as greatly hinder future growth, causing undue hardship on the citizens of Thatcher, as well as those in other communities of this area. For these reasons, the Thatcher Town Council and I would respectfully request that you and your staff reasonably identify these impacts and consider the far-reaching social and economic impacts to our area as you deliberate on these proposed designations.

86-5

Sincerely,


Larry Innes
Mayor of Thatcher

Response 86 - 2: Please refer to general response # 1 (Alternatives).

Response 86 - 3: Please refer to general response # 4 (Federal and State Water Rights).

Response 86 - 4: Please see response 86 - 1, above.

Response 86 - 5: Please refer to general response # 6 (Land Acquisition).

ARTHUR M. LEE
CHAIRMAN OF THE BOARD
P. O. BOX 218 - FLAGSTAFF, AZ 86001

JOE SHIRLEY, JR.
MEMBER OF THE BOARD
CHANDLER SUB-OFFICE
P. O. BOX 1923 - CHANDLER, AZ 85223

AMBROSE SHEPHERD
MEMBER OF THE BOARD
CANTON SUB-OFFICE
P. O. BOX 194 - CANTON, AZ 85904

BOARD OF SUPERVISORS
OF APACHE COUNTY

P. O. BOX 428
ST. JOHNS, ARIZONA 85924
TELEPHONE 527-4344



CLARENCE A. BIGELOW, MANAGER - CLERK
ST. JOHNS, AZ 85924
REGULAR BOARD MEETING
FIRST AND THIRD MONDAY

JUL 09 1994

000087

Mr. Phil Moreland, Chief
Branch of Planning
Bureau of Land Management
Arizona State Office
P.O. Box 16563
Phoenix, AZ 85014

July 7, 1994

Dear Mr. Moreland:

We are writing in support of, and adopt as our own, Graham County's attached comments regarding the proposed designation of several riparian areas as Wild, Scenic, or Recreational Rivers. In addition, Apache County offers the following observations.

- 321
- 87-1 1. The courts clearly state that for a project of broad geographical scope, such as this one, a separate EIS must be performed for each proposed action (State of California v. Block, 1982).
On these grounds, we request that the current EIS be scrapped and that new ones be done for each proposed Wild and Scenic River designation.
- 87-2 2. The EIS does not adequately address the economic impact of your proposed designations. Further, it fails to consider the possible taking of people's property and water rights without just compensation, which would be a violation of the 5th amendment of the Constitution.
We recommend that this EIS be rejected for these reasons, and that new EIS' more comprehensively examine these impacts.
- 87-3 3. We extend the socio-economic impact arguments of Graham County to all waters proposed for Wild and Scenic designation, because of the serious economic and social consequences each would foster.
We urge that you reexamine this project, and carefully consider each site individually in light of the significant disruption their designation would cause in local economies and the social stability of affected Counties.

Thank you for this opportunity to comment. Your serious consideration of our objections to the Draft EIS is appreciated.

Sincerely,

Arthur M. Lee, Chair
Board of Supervisors of Apache County

Response 87 - 1: The river appendix volume contains separate environmental impact statements for each of the 20 eligible rivers.

Response 87 - 2: Please refer to general responses # 2 (Economic Impacts) and 4 (Federal and State Water Rights). None of the wild and scenic river action alternatives propose acquiring land or water rights.

Response 87 - 3: Please refer to general response # 2 (Economic Impacts).



GRAHAM COUNTY BOARD OF SUPERVISORS

GRAHAM COUNTY COURTHOUSE - 800 MAIN STREET - PHONE 428-3250
SAFFORD, ARIZONA 85548

SUPERVISORS

DELBERT HOUSEHOLDER, CHAIRMAN
TERRY J. BINGHAM, MEMBER
HAYNES MOORE, MEMBER

JOE CARTER, COUNTY MANAGER
BARBARA FELIX, CLERK

June 29, 1994

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
PO Box 16563
Phoenix, Az 85014

RE: Wild and Scenic Rivers Suitability Assessment

Dear Mr. Moreland:

We, as a letter dated May 23, 1994, submitted formal comments to you on the Bureau's Wild and Scenic Rivers Legislative and Environmental Impact Statement. Having reviewed proposed segments in Graham and Greenlee Counties more closely we thought it important to submit supplemental comments and questions seeking clarification. More specifically our comments will focus on the Lower San Francisco River, Gila River (Gila Box), Bonita Creek and Araviapa Creek.

LOWER SAN FRANCISCO RIVER - The proposed 6.4 miles lies just to the south of the Copper Mountain Mining District in Graham County. This river was studied jointly by the Forest Service and BLM in the early 1980's. At that time it was determined unsuitable due to lack of public support, impacts on opportunities for flood control structures, water storage and impacts on mineral and geothermal development. Each of these conditions are more important to us today than in 1982. The study area lies just south of the Copper Mountain Mining District. Mining is a greater part of our economic base than it was twelve years ago. It is the largest producing mine in the United States and employs 2,400 workers at an average annual salary of \$34,700 dollars. Even though the mine is located in Greenlee County approximately one third of that work force lives in Graham County and commutes daily. The remaining workers shop in the Graham County trades and services centers. They contribute significant dollars to that sector of our economic base annually. The draft EIS alludes to threats and adverse impacts created by mining operations even though those operations are on adjacent private lands.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON EMPLOYMENT LEVELS AT THE MINE INCLUDING THE DOMINO EFFECT IN TERMS OF NEGATIVE IMPACT ON RETAIL TRADES, SALES AND SERVICES SHOULD DESIGNATION OCCUR.

The proposal also calls for acquisition of about five hundred ninety (590) acres

AN EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION EMPLOYER

Page 2

of adjacent private lands. The Bureau in its draft EIS failed to complete an analysis and identify that land's current economic contribution to area economies and the long term impact by becoming public lands on those economies and property taxation losses which support state/local governments and education.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

The draft also alludes to threats and adverse impacts on future power transmission lines which support the high tech mining operations and are crucial to cost effective mining operations. The draft EIS anticipates that the mining operations will need additional power. It also indicates that new power lines will be routed through the existing corridor. What authoritative basis lead the Bureau to believe that the existing corridor would accommodate future power transmission lines? If the existing corridor proves to be inadequate for future transmission line needs the Bureau must identify cost for alternative routes should designation occur and the economic impact of that cost.

IF THERE IS NO AUTHORITY BASIS FOR THIS STATEMENT THE BUREAU MUST PROVIDE AN ANALYSIS TO SUPPORT THAT CONCLUSION. THE ANALYSIS MUST BE FOR A PERIOD MORE REFLECTIVE OF THE MINES FUTURE LIFE AS OPPOSED TO THE IMMEDIATE TWENTY YEAR PERIOD.

The draft EIS also focuses on geothermal development, recreational activity including sand rails, flood control structures and water storage. Geothermal energy development research continues and we are opposed to restrictions which may impair such opportunities for an alternative energy source. Such development could occur and contribute significantly to our economy. Sand rail recreation has become increasingly popular in the Graham/Greenlee County area. This recreational activity attracts folks from throughout southeastern Arizona. The Bureau failed to provide an analysis of the economic contribution of this recreational activity and negative impact on the retail trades, sales and services component of our economic base by limiting such use. The Bureau further alludes to no activity within the next twenty years with respect to floods control structures. The Graham/Greenlee County area remains subject to frequent major flood events, which affect our economies and traditional uses of both private and public lands. In-fact such flood events occur almost every three years. Events for the last thirty years are well documented in terms of recovery cost and economic losses. The financial impact for the thirty year period through January 1993 has exceeded three hundred million (\$300,000,000) dollars. Resolution of flood control issues and water storage continues to be a high priority for Graham/Greenlee County elected officials and community leaders along with their counterparts in southwest New Mexico.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT SHOULD DESIGNATION OCCUR IN TERMS OF LIMITING OR RESTRICTING OPPORTUNITIES WHICH EXIST AS WE ATTEMPT TO RESOLVE THIS CONCERN.

GILA RIVER (GILA BOX) - The proposed 26.6 miles lies between two large copper mining districts. Those are the Copper Mountain Mining District in Greenlee County which was addressed in our comments on the Lower San Francisco River and the Sanchez, San Juan, Dos Pobres and Lonestar Mining District in Graham County. While the study area is not in any established mineral district the draft EIS does identify mineral deposits immediately beyond the southwestern terminus of the study area. As reported in the draft document the Sanchez mine is scheduled to begin operations in 1995 creating two hundred (200) plus jobs for the next

page 3

twenty years at an average annual salary of \$30,000 dollars. Phelps Dodge has announced its intent to move forward with development of properties in Graham County. They hope to be operational within the next five years according to their Chairman of the Board. Phelps Dodge anticipates approximately six hundred (600) new jobs will be created at their mine at an average annual salary of \$35,000 dollars.

SHOULD THIS DESIGNATION OCCUR THE BUREAU MUST ASSURE AREA CITIZENS THAT IT WILL NOT IMPACT THE SCHEDULED DEVELOPMENT OF THOSE PROPERTIES AND THEIR OPERATION IN THE YEARS TO COME. IF-IN-FACT THERE MAY BE A THREATENED IMPACT THE BUREAU MUST INCLUDE AN ANALYSIS OF THE ANTICIPATED LONG TERM ECONOMIC LOSS.

The designation alludes to additional permanent congressional protection of free flowing waters in the Gila River. While flows on the Gila River fluctuate dramatically from minimal, to moderate to extreme levels during the frequent flood events the available water resources in any given year do not meet current entitlements of various users as determined under the 1935 Globe Equity Decree. These waters are managed by a Federally appointed commissioner. Agriculture and others entitled to portions of this resource must annually supplement their proportioned share by pumping ground water. The most single significant non-government component of Graham County's economic base is agriculture. It represents just over thirty percent of the countywide economy. It also holds significant water rights, although it has not received in any given year its full entitlement.

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE ECONOMIC IMPACT IF DESIGNATION RESULTED IN REQUIRING MINIMAL IN-STREAM FLOWS. SUCH ACTION WOULD PRIMARILY AFFECT THE UPPER GILA RIVER USERS AND THEIR COUNTERPARTS IN THE WATER SHED AREA IN SOUTHWESTERN NEW MEXICO, MORE SO THAN DOWN STREAM BELOW THE COOLIDGE DAM.

This section of the river, in spite of designation as a Riparian National Conservation Area, continues to be a popular recreational area. Recreational activities range from individual family outings to large gatherings. The area has traditionally been most popular for Graham/Greenlee area citizens. It has also been an attraction for citizens from throughout southeastern Arizona for a wide variety of recreational purposes.

THE BUREAU FAILED TO PROVIDE AN ANALYSIS OF THE IMPACT IN TERMS OF TRADITIONAL USES AND ECONOMIC LOSSES IN THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE THROUGH LIMITING OR LOSS OF EXISTING RECREATIONAL USES.

The proposal also recommends acquiring about five hundred (500) acres of private lands. Graham County consists of a landmass of just over 4,600 square miles. About six percent of that landmass is private and must bear the burden of property taxation in support of state/local governments and education. While public lands pay PILT in lieu of property taxation the payment formula has not been adjusted since its creation in 1976. The Bureau failed to complete an analysis and identify the land's current economic contribution to the area.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT SHOULD DESIGNATION OCCUR AND THOSE PRIVATE LANDS BE REMOVED FROM PROPERTY TAX ROLLS AND ECONOMIC LOSS DATA.

The draft EIS indicates that portions of eight livestock grazing allotments are in the study area. That portion of the allotments actually in the study area ranges from one percent to fifty one percent. The proposed plan calls for removal of livestock from the upper end of the study area and, on a limited basis, down stream to the end of the study area. The Bureau failed to provide an economic

page 4

analysis of the impact on the ranching community from this proposed action and the domino effect on the retail trades, sales and services industry. Unlike some areas in the western United States, Graham County ranching operations are small family businesses. Ranching has provided for the economic well being of those families for many years.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM IMPACT ON THESE BUSINESSES INCLUDING THE DOMINO EFFECT ON THE RETAIL TRADES, SALES AND SERVICES COMPONENT OF OUR ECONOMIC BASE.

The draft EIS also focuses on geothermal resources and in-fact the Gillard Hot Springs is the hottest spring in the state with an average surface temperature of 180°. It further indicates that this resource could be used as a heat source. It appears that the Gillard Hot Spring geothermal resource has the highest development potential use even though geothermal resources exist at three of the five segments being considered in the Graham/Greenlee area.

WE URGE THE BUREAU TO CONSIDER THIS POTENTIAL ALTERNATIVE ENERGY SOURCE AND NOT RECOMMEND ANY ACTION WHICH WILL LIMIT OR PROHIBIT SUCH DEVELOPMENT OPPORTUNITIES.

BONITA CREEK - The proposed 8.1 miles lies between the two major mining deposits identified in our comments on the lower San Francisco and Gila river segments. This proposal also calls for the acquiring of nine hundred seventy (970) acres of private land. Again it also impacts grazing allotments, recreational uses, utility facilities including the primary water source facility owned by the City of Safford. Safford provides domestic water for about sixty five (65%) percent of the total county population of 28,000. Threats to the proposal include mining, grazing, recreational uses, transportation corridors and utilities.

THE BUREAU MUST PROVIDE AN ANALYSIS OF THE LONG TERM ECONOMIC IMPACT OF DESIGNATION WERE IT TO OCCUR. THAT ANALYSIS MUST FOCUS ON MINING EMPLOYMENT LEVELS, ECONOMIC WELL BEING OF RANCHING FAMILIES, IMPACTS ON SAFFORD'S PRIMARY DOMESTIC WATER SOURCE, RECREATION, UTILITY CORRIDORS AND THE DOMINO EFFECT ON OUR RETAIL TRADES, SALES AND SERVICES.

ARAVAIPA CREEK - The proposal calls for all 10 miles of Aravaipa Creek. This proposal will impact four grazing allotments, recreational opportunities and the entire economic base for the small Klondyke community located about sixty miles from the County Seat.

AGAIN THE BUREAU MUST PROVIDE AN ANALYSIS ON THE LONG TERM IMPACT ON RANCHING, AGRICULTURE AND RECREATIONAL OPPORTUNITIES. THAT ANALYSIS MUST FOCUS ON THE ENTIRE ECONOMIC STRUCTURE OF KLONDYKE AS WELL AS ITS CONTRIBUTION TO THE COUNTY TRADES, SALES AND SERVICES ECONOMIC SECTOR.

In closing Graham/Greenlee County area elected officials and community leaders feel that the Bureau of Land Management has not provided adequate data in terms of the cumulative social and economic impact of these proposals. More specifically, and in addition to our specific site concerns, we believe that the Bureau must respond and evaluate the two county impact from a cumulative perspective on the following issues.

LONG TERM IMPACT ON MINING EMPLOYMENT LEVELS IN GRAHAM/GREENLEE COUNTIES INCLUDING REVENUE LOSSES OF MINING JOBS AT AN AVERAGE ANNUAL SALARY OF \$20,000 DOLLARS PLUS AND LIBERAL HEALTH CARE BENEFIT PACKAGES VERSUS CREATION OF SERVICE INDUSTRY JOBS WHICH ARE NORMALLY AT OR NEAR MINIMUM WAGE WITH NO HEALTH CARE BENEFITS.

page 5

IDENTIFY THE POTENTIAL ECONOMIC LOSS INCLUDING LOSS OF PROPERTY TAXATION DOLLARS WHICH SUPPORT STATE/LOCAL GOVERNMENT AND EDUCATION IF THE 2100 ACRES OF PRIVATE LANDS BECOME PUBLIC.

ECONOMIC IMPACT BY LIMITING RECREATION AND IN SOME CASES COMPLETE LOSS OF CURRENT RECREATIONAL ACTIVITIES ON THE THE RETAIL TRADES, SALES AND SERVICES INDUSTRY. YOUR ANALYSIS SHOULD ALSO FOCUS ON TRADITIONAL RECREATIONAL USES BY CITIZENS FROM THROUGHOUT SOUTHEAST ARIZONA.

LONG TERM ECONOMIC IMPACT ON THE SMALL RANCHING BUSINESSES AS WELL AS THEIR CONTRIBUTION TO THE RETAIL TRADES, SALES AND SERVICES ECONOMIC SECTOR.

WATER RIGHTS AND RESOURCES IMPACTED BY MINIMUM IN-STREAM FLOW REQUIREMENTS INCLUDING DIRECT IMPACT ON THE AGRICULTURAL COMMUNITY, MINING AND SAFFORD'S DOMESTIC WATER SUPPLY SYSTEM.

IMPACT ON TRANSPORTATION CORRIDORS, UTILITY CORRIDORS AND THE COST FOR ALTERNATIVES TO MEET THOSE NEEDS SHOULD EXISTING CORRIDORS BE INADEQUATE.

SOCIAL AND ECONOMIC IMPACT BY ADDING WILD AND SCENIC RIVER DESIGNATION TO THE EXISTING GILA BOX RIPARIAN NATIONAL CONSERVATION AREA, UNIQUE WATER SUPPLY DESIGNATION IN THE BONITA CREEK AND CRITICAL HABITAT OF THE GILA RIVER.

The proposed segments within the Graham/Greenlee County area consist of 51.1 river miles consuming some 17,000 acres of public and private lands. Each of the proposed segments are already afforded enhanced federal protection above and beyond the normal agency land management plan. Those enhanced protection measures are the Gila Box Riparian National Conservation Area, Unique Water Supply Designation on Bonita Creek, Critical Habitat Designation of the Gila River up to its one hundred year flood plan, etc.

Your consideration and response to the specific site and cumulative impact questions would be greatly appreciated. Again thank you for the opportunity to comment.

Sincerely,
GRAHAM COUNTY BOARD OF SUPERVISORS

Delbert Householder, Chairman

Haynes Moore, Member

Terry J. Bingham, Member

324

ROBERT STOKES
County Administrator * (602) 865-2310
CECORA K. DALE
Gen. of the Board * (602) 865-2072
FACSIMILE * (602) 865-4477



BOARD OF SUPERVISORS
P.O. BOX 909
CLIFTON, ARIZONA 85533

000098

JUL 8 8 1994

DONALD R. STAGEY
District 1
HECTOR RUDAS
District 2
H.J. MILLER
District 3

July 6, 1994

Mr. Phillip Moreland, Branch Chief
Planning, Environment, and Recreation (901)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

RE: Comments on Arizona Statewide Wild a& Scenic Rivers Draft LEIS

Dear Mr. Moreland:

During scoping meetings and comment periods previously held regarding wild and scenic river designation in our area, Greenlee County has made it's concern known regarding the unknown impact of wild and scenic river designation on the various components of our economy. Mining, agriculture, grazing, and flood control are all important components or issues affecting our local economy and lifestyle. In addition, Greenlee County is made up of 91% federal and state lands. Any impacts or restrictions place on public lands have the major potential ramifications.

The single most important component of our local economy is mining. Phelps Dodge Morenci, Inc. (PDMI) operates the largest copper mine in North America within proximity of both the Gila Box : Gila River and Gila Box: San Francisco wild and scenic river study areas. The county's largest employer, PDMI has over 2,400 employees which average over \$34,000 in annual salary. Over 80 percent of the county's assessed value or tax base is attributed to the mining operation. State and local sales tax revenues to the county are dominated by mining activities. Millions of dollars for education and state government are generated each year by the mine. It is our contention that the economy of Southeastern Arizona is anchored by the PDMI mining operation in Greenlee County.

Response 98 - 1: Please refer to general response # 2 (Economic Impacts).

325

98-1

Mr. Phillip Moreland
July 6, 1994
Page 2

With the economic importance of mining to the State of Arizona and our area, we request that a complete accounting of short and long term impacts upon mining in this area be explored and reported back to Greenlee County and Arizona officials. This investigation should include but not be limited to the impact designation has on:

98-2 | **Water Rights (acquiring rights, minimum instream flow rights, current adjudication, severance and transfer of rights, CAP exchanges, etc.)

98-3 | **Future Electrical Power Requirements for the mine since solvent extraction / electro winning has become an economical, environmentally sound method of copper extraction.
**Sight and Sound Restrictions - Will operation of the mine be hindered due to the fact that the mine operation may be seen or equipment heard from these two areas.

The proposals also have impacts upon the other components of our economy such as agriculture, ranching, flood control and tourism. We do not feel that the draft study deals in sufficient detail in order to understand the potential impacts.

We therefore request that additional studies be effected upon the Gila Box, Gila River and Gila Box San Francisco study areas so that sufficient information is available to understand the complete economic, social, cultural and historic impacts upon Greenlee County and Southeastern Arizona.

98-4 | Our previous comments on this issue have made it very clear that we strongly support the No Action Alternative for these two study areas unless better information is presented.

Sincerely,

GREENLEE COUNTY BOARD OF SUPERVISORS


Hector Ruedas
Chairman

Response 98 - 2: Please refer to general responses # 4 (Federal and State Water Rights) and # 5 (Instream Flow Water Rights).

Response 98 - 3: Please refer to general response # 12 (Visual Impacts).

Response 98 - 4: Please refer to general response # 1 (Alternatives).

326

San Pedro Natural Resource Conservation District

880 West 4th Street, #2 • Benson • AZ • 85602 • Fax/Ph. 1-602-566-3467

MAY 5 1994

000004

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

April 18, 1994

Mr. Moreland:

Members of the San Pedro NRCD have received and reviewed the Draft Wild and Scenic Rivers EIS documents dated April 1994, reference 1790 (931) 8351 (931).

4-1

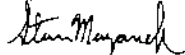
This District feels that the entire proposal is redundant and unnecessary, however our focus is primarily on the San Pedro. The segments recommended for designation have been more than adequately "protected" by NCA status and further measures would be wasteful of both time and resources

The District questions the motivation of the BLM in its attempts to duplicate its own so called protection measures that appear to have no management goals or real purpose other than ownership by the Federal Government

4-2

Finally, we request a statement of the actual cost of this proposal to date

Respectfully yours,



Stan Mazanek
Supervisor

Conservation • Development • Self-Government

Response 4 - 1: As stated on page 9 of the draft legislative environmental impact statement, the Bureau of Land Management is required by the Wild and Scenic Rivers Act (P.L. 90-542, Sec 5(d)) to evaluate potential additions to the National Wild and Scenic Rivers System, regardless of any existing designations. Congress has the opportunity to choose from the recommended, or any other, alternative. See general response # 1 (Alternatives).

Response 4 - 2: Actual costs of the project have been minimal because: a) it is an in-house effort and b) it has not required new field research (the primary data were obtained from existing Bureau of Land Management resource management plans, suitability assessments, etc).

The primary expenses have been associated with the required public involvement efforts and the printing of documents. Actual costs for developing individual wild and scenic river management plans will be compiled and available on a river-specific basis.

TOWN OF PIMA

000067

JUL 07 1994

Box 426
110 W. Center
Pima, Arizona 85543
485-2611

July 6, 1994

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
P.O. Box 16563
Phoenix, AZ 85014

Re: *Wild and Scenic Rivers Suitability Assessment.*

Dear Mr. Moreland:

As the Mayor and Town Council of the Town of Pima, located in Graham County, Arizona, we hereby submit to you our comments concerning the Bureau's Wild and Scenic Rivers Legislative and Environmental Impact Statement.

We have grave concerns with regard to the specific sites which have been proposed as well as the cumulative impact that this designation would have on our Town and this entire area.

It seems as though our area is the subject of a regulatory onslaught. You should be aware that a portion of the designated areas have already been declared critical habitat for the Razorback Sucker fish and there is also decades old litigation concerning the water rights to the Gila River. At some point in time these regulations are going to break the "camel's back," so to speak.

We are enclosing for your reference a study which was prepared by the Western Economic Analysis Center describing the Economic Impact on Graham and Greenlee Counties, Arizona, of Designation of a Portion of the Upper Gila River Basin as Critical Habitat for the Razorback Sucker. Much of this analysis would also be applicable to a designation as a Wild and Scenic River. Dr. Learning was eminently qualified to make this analysis and it was done at the cost of thousands of dollars.

Bonita Creek is a major tributary of the Gila River. The primary water source for the City of Safford is located there and there are various grazing allotments and recreational uses present. Also, a ten mile stretch of Araviapa Creek has been included.

One thing that should be clearly understood is that Arizona, at least in this area, is a desert and that water is an absolutely critical resource necessary for both man and beast. We do not live back East where the grass grows green on the hillsides. This water is necessary to sustain the rangeland base as well as the mining activity in our area. The copper mine which is located in Morenci is the largest producing mine in the United States employing some 2,400 workers with expansion contemplated. Many of those employees live in our Town and this County.

If all of the attempts to regulate this area are implemented, the cumulative impact will be economic devastation and destruction of communities that have existed for over 100 years.

We ask that you give consideration to these comments and carefully review the attached economic analysis before determining that the proposed areas be designated as Wild and Scenic Rivers.

Respectfully submitted,

Mayor and Town Council:

Response 67 - 1: Please refer to general response # 2 (Economic Impacts).

328

67-1

THE ECONOMIC IMPACT ON
GRAHAM AND GREENLEE COUNTIES, ARIZONA
OF
DESIGNATION OF A PORTION OF THE UPPER GILA RIVER BASIN
AS CRITICAL HABITAT FOR THE RAZORBACK SUCKER

PRELIMINARY REPORT

Prepared by

George F. Leaming, Ph.D.

WESTERN ECONOMIC ANALYSIS CENTER
MARIANA, ARIZONA

January 6, 1994

CONTENTS

	Page
SUMMARY . . . . .	. 1
THE CRITICAL HABITAT PROPOSAL . . . . .	. 2
EXISTING ECONOMIC CONDITIONS . . . . .	. 3
Population . . . . .	. 3
Employment and Unemployment . . . . .	. 4
Personal Income . . . . .	. 6
The Economic Base . . . . .	. 8
The Local Government Tax Base . . . . .	. 8
DIRECT IMPACTS ON THE LOCAL ECONOMY . . . . .	. 11
On Agriculture . . . . .	. 11
On Mining . . . . .	. 12
On Other Sectors . . . . .	. 13
INDIRECT, INDUCED, AND ACCUMULATED IMPACTS . . . . .	. 14
On the Household Sector . . . . .	. 14
On Personal Income . . . . .	. 14
On Employment and Unemployment . . . . .	. 14
On the Business Sector . . . . .	. 15
On Local Government . . . . .	. 15
METHODOLOGY . . . . .	. 18
REFERENCES . . . . .	. 21

SUMMARY

The Proposed Critical Habitat

The United States Fish and Wildlife Service has proposed designation of the Gila River and its 100-year floodplain from Coolidge Dam upstream to the Arizona-New Mexico border as critical habitat necessary for the preservation and recovery of the razorback sucker, an endangered species. The proposed critical habitat area lies almost entirely within Graham and Greenlee counties, Arizona, and includes, besides the Gila River, portions of two of its tributaries, Eagle Creek and Bonita Creek, also in Graham and Greenlee counties.

The Existing Economic Conditions

Graham and Greenlee counties, with a 1992 population of 36,100, have a combined economy that is based largely on the raising of cotton, small grains, and alfalfa on bottomlands adjacent to the Gila River, copper mining in the mountains north of the Gila River, prisons operated by the State of Arizona and the Federal Government, and retirement and welfare payments to local residents. Unemployment in 1992 averaged 9.6% of the labor force, with the total number of persons employed, including seasonal farm workers at about 11,250.

Impacts of Habitat Designation

The designation of critical habitat along the Gila River and Eagle and Bonita creeks, as proposed by the Fish and Wildlife Service would have a minimum direct impact of curtailing a recovery in the local agricultural sector and preventing the continued expansion of copper mining activity in the counties. At most, the impact could severely curtail even existing crop raising and copper mining activity. The effects of the designation would reduce the output of these two sectors by at least \$104 million annually, in 1992 dollars, below what it would otherwise be without the designation. That reduction in output, however, could climb to over \$461 million each year, if existing farming and mining are curtailed.

The combined direct and indirect impacts of the critical habitat will be much greater. The total number of jobs lost directly and indirectly in the two counties will be at least 1,380, and the total could go as high as 7,950. Personal income levels in the county will drop by at least \$29.9 million (7.6% of the 1991 level) and could fall by as much as \$172 million (44%). Local government revenues would also be adversely affected, dropping by at least \$3.7 million annually and possibly by as much as \$21.5 million each year.

THE CRITICAL HABITAT PROPOSAL

The Fish and Wildlife Service of the United States Department of the Interior has proposed designation of a portion of the Upper Gila River Basin as critical habitat necessary for the preservation and recovery of the razorback sucker, a species of fish also proposed for listing as an official endangered species. The proposed critical habitat area includes part of the Gila River and portions of two of its tributaries, Bonita Creek and Eagle Creek, and includes not only the streams themselves but also their adjacent 100-year floodplains.

Specifically, the proposed critical habitat area includes the Gila River and its 100-year floodplain from Coolidge Dam upstream as far as the Arizona-New Mexico border and includes San Carlos Reservoir. Above San Carlos Reservoir, the proposed habitat lies entirely within Graham and Greenlee counties, Arizona. The proposed razorback sucker habitat also includes that portion of Bonita Creek and its 100-year floodplain from the confluence with the Gila River upstream as far as the infiltration gallery. The proposed critical fish habitat further includes that portion of Eagle Creek and its 100-year floodplain from the creek's confluence with the Gila River upstream as far as the Phelps Dodge Corporation pumping plant, which is used to take water from the creek for use in the Company's copper mining and processing operations at Morenci. All of both the proposed Bonita Creek and Eagle Creek critical habitat areas lie within Graham and Greenlee counties.

The total proposed critical habitat area within Graham and Greenlee counties encompasses more than 120 miles of stream plus the adjacent 100-year floodplain, which varies in width. Significant portions of the floodplain in the Safford Valley of Graham County and the Duncan Valley of Greenlee County are inhabited or under cultivation, mainly for the growing of cotton, small grains, and alfalfa. Much of the normally available water supply in the three streams has been appropriated and is used for mining or farming or for municipal water supplies in the communities along the Gila River in both counties. Part has also been appropriated to maintain the water level in the San Carlos Reservoir. The water supply is in excess of its current uses only in times of severe flooding, as occurred most recently in January of 1993, when releases of excess water from San Carlos Reservoir at Coolidge Dam became necessary.

EXISTING ECONOMIC CONDITIONS

Population

In 1990, the United States Bureau of the Census determined the population of Graham and Greenlee counties, Arizona, to be a combined total of 34,562 persons, of whom more than three quarters, some 26,554, were residents of Graham County, with the other 23%, some 8,008, residents of Greenlee County. Virtually all of the residents of Greenlee County lived in the incorporated municipalities of Clifton and Duncan and in the nearby unincorporated communities of Morenci and Stargo and York Valley, all in the southern part of the county and all within the Safford trade area. Of these, only the relatively small communities of York Valley and Duncan are in the Duncan Valley of the Gila River. Most of Graham County's residents lived in the incorporated municipalities of Safford, Thatcher, and Pima and in the nearby communities along the Gila River that stretch from Solomonville at the east end of the Safford Valley to Bylas on the San Carlos Apache Indian Reservation on the west.

The population of the two counties has been relatively stable since 1980, with declines in the population of Greenlee County offset by increases in the population of Graham County. In the decade prior to 1980, the populations of both counties had increased significantly. Since the 1990 Census, population in the two counties has risen by more than 4%, to over 36,000.

Table 1

POPULATION OF GRAHAM AND GREENLEE COUNTIES, ARIZONA
1970-1992

Year	Population	Year	Population
1970	26,908	1981	34,300
1971	28,700	1982	34,400
1972	28,800	1983	33,300
1973	30,300	1984	33,500
1974	32,400	1985	33,000
1975	31,900	1986	32,500
1976	32,800	1987	32,700
1977	32,900	1988	32,400
1978	32,800	1989	33,100
1979	33,500	1990	34,562
1980	34,268	1991	35,500
		1992	36,100

Source of data: United States Bureau of the Census and the Arizona Department of Economic Security.

Employment and Unemployment

In 1992, the civilian labor force in Graham and Greenlee Counties, Arizona, averaged 12,450, while the number of employed persons averaged 11,250, for an average unemployment rate in the two-county region of 9.6%. This was the highest unemployment rate in the region since 1988, and came just one year after a 6.4% rate in 1991, which had been the lowest unemployment rate experienced in the region in a decade. The total number of employed persons in the two counties in 1992 was the highest since 1981. As shown in Table 2, however, part of the decline in the unemployment rate since the high of 27.2% reached in 1982 was the result of a declining labor force, as unemployed persons left the region during the recession of the early 1980s to find work elsewhere or simply withdrew from the labor force. In 1992, the total labor force in the two counties was still 10% below the high reached in 1982, before such emigration or withdrawal began.

Table 2

LABOR FORCE, EMPLOYMENT, AND UNEMPLOYMENT
IN GRAHAM AND GREENLEE COUNTIES, ARIZONA
1980-1992

Year	Labor Force	Employment	Unemployment Rate
1980	12,850	11,825	8.0%
1981	12,700	11,700	7.9
1982	13,775	10,025	27.2
1983	12,425	10,200	17.9
1984	11,475	10,600	7.6
1985	10,675	9,325	12.6
1986	10,575	9,375	11.3
1987	10,850	9,800	9.7
1988	10,725	9,600	10.5
1989	11,300	10,425	7.7
1990	11,550	10,725	7.1
1991	12,200	11,425	6.4
1992	12,450	11,250	9.6

Source of data: Arizona Department of Economic Security

The residents of Graham and Greenlee counties are heavily dependent upon a limited number of activities for jobs. As shown in Table 3, these include the retail and wholesale trade sectors and state and local government as well as the mining industry. Virtually all of the jobs in the mining sector are provided by one large employer. In addition, seasonal agricultural work employs a large number of Graham County's residents and some residents of the Duncan Valley in Greenlee County.

Table 3
COVERED WAGE AND SALARY EMPLOYMENT
IN GRAHAM AND GREENLEE COUNTIES, ARIZONA
FOURTH QUARTER, 1991
(by place of work)

Industry	Number of Employees	Percent
Agriculture(1)	330	3.5
Mining	1,975	21.2
Manufacturing	210	2.2
Construction	430	4.6
Transportation and Public Utilities	200	2.1
Wholesale and Retail Trade	1,785	19.1
Finance, Insurance, and Real Estate	145	1.6
Services	1,025	11.0
Federal Government(2)	360	3.9
State and Local Government	2,670	30.8
TOTAL	9,330	100.0

Includes only employees covered by the employment security laws of Arizona. Does not include self-employed persons, who are mostly in trade, services, and agriculture.

(1) Excludes more than 1,000 seasonal farm workers not covered by the employment security laws of Arizona.

(2) Excludes some federal government workers who are not covered by the employment security laws of Arizona.

Source of data: Arizona Department of Economic Security

Personal Income

Total personal income received by residents of Graham and Greenlee counties has risen substantially since the early 1980s. As shown in Table 4, the total amount of personal income received by those living in the two-county region has risen by more than two thirds since the recession low of 1982 to exceed \$393 million in 1991, the latest year for which reliable estimates are available.

Table 4
PERSONAL INCOME RECEIVED BY
RESIDENTS OF GRAHAM AND GREENLEE COUNTIES, ARIZONA
1981-1991

Year	Wages and Salaries(1)	Total Personal Income(2)
1981	\$154,292,000	\$261,768,000
1982	119,686,000	232,100,000
1983	135,791,000	247,174,000
1984	144,081,000	268,982,000
1985	140,382,000	257,414,000
1986	143,660,000	270,656,000
1987	150,230,000	291,246,000
1988	161,989,000	321,206,000
1989	169,767,000	344,205,000
1990	187,163,000	382,371,000
1991	202,091,000	393,528,000

(1) Earned by place of work.

(2) Received by place of residence.

Source of data: Bureau of Economic Analysis, United States Department of Commerce.

As shown in Table 5, the total of \$393,528,000 in personal income received by residents of Graham and Greenlee counties in 1991 came largely from a small number of sources. The largest was government, including federal, state, and local government employment as well as transfer payments (mostly social security and other federal retirement benefits and welfare payments). Dividends, interest, and rents were also a large source of personal income in Graham and Greenlee counties in 1991, but much of this personal income involved payments made by residents of the two-county region to other residents of the region, as the basic income brought into the region from outside circulated within the local economy. The largest source of such basic income, after state and federal government, was mining.

333

Table 5

PERSONAL INCOME OF GRAHAM AND GREENLEE COUNTY RESIDENTS
1990

Source of Income	Amount of Personal Income
Earnings by industry (by place of work)	
Agriculture and related	\$34,510,000
Mining	68,650,000
Construction	10,701,000
Manufacturing	7,041,000
Transportation and Public Utilities	6,427,000
Wholesale and Retail Trade	29,521,000
Finance, Insurance, and Real Estate	4,128,000
Services	25,364,000
Federal Government	11,911,000
State and Local Government	61,595,000
Dividends, Interest, and Rent	39,624,000
Net Transfer Payments (1)	81,098,000
Earnings by non-residents	1,801,000
TOTAL	\$382,371,000

(1) Total transfer payments minus personal contributions for social insurance.

Source of data: Bureau of Economic Analysis, United States Department of Commerce.

Table 6

BASIC PERSONAL INCOME RECEIVED BY
RESIDENTS OF GRAHAM AND GREENLEE COUNTIES, ARIZONA
1990

Source of Income	Amount of Income	Percent
Agriculture and related	\$34,510,000	14.7
Mining	68,650,000	29.2
Manufacturing for export	2,638,000	1.1
Tourism	832,000	0.4
Federal Government Employment	11,911,000	5.1
State Government Employment	35,550,000	15.1
Retirement and Welfare	81,098,000	34.4
TOTAL	\$235,189,000	100.0

Source: Western Economic Analysis Center, based on data from the United States Department of Commerce.

The Economic Base

The data in Table 6 show the relationships between the basic sectors of the Graham-Greenlee County region in 1990, the most recent year for which consistent data are available. These basic economic sectors are the activities that bring money into the local economy by exporting their products or selling their services to non-residents. The basic economic sectors thus include federal and state governments and retirement and welfare payments such as social security and other retirement benefits, because those funds are also injected into the local economy from outside. All other personal income received by residents of the Graham-Greenlee economy is the result of the circulation and recirculation within the two counties of the basic (imported) income.

The economic base of the Graham-Greenlee County region is dominated by four sectors: retirement and welfare, mining, agriculture, and state and federal government employment. In 1990, retirement and welfare, including social security, military retirement, railroad retirement, and similar benefits, provided more than 34% of the basic personal income in the two-county region. The mining industry, virtually all of it located in Greenlee County, was not far behind with over 29% of the region's basic income. State and federal government employment, mostly at prison facilities in the Safford area of Graham County, was the third most important basic economic sector, supplying over 20% of the region's basic personal income. Agriculture was fourth with less than 15%. Both tourism and manufacturing of goods for export from the region have been relatively unimportant in the economic base of the region.

All of the other economic activities conducted in Graham and Greenlee counties, including construction, wholesale and retail trade, transportation, public utilities, finance, insurance, real estate, non-traveler services, and local government, are non-basic in nature. That is, they exist to serve the basic sectors and the resident population, and their contributions to personal income are derived from the money brought into the local economy by the basic sectors.

The Local Government Tax Base

Graham and Greenlee counties get part of their revenues from property taxes and part from the disbursement of sales and other taxes by the State of Arizona under a formula established by legislation and based on local property taxes levied and local collections of state sales and other taxes. In 1992, Graham and

Greenlee counties got a total of \$3,239,693 from the State through such disbursements and collected \$2,551,683 in property taxes. The property taxes were collected on assessed property located within the county. The various classifications of this property and the primary assessed valuations of each class in 1992 are shown in Table

Table 7

THE PROPERTY TAX BASE OF
GRAHAM AND GREENLEE COUNTIES, ARIZONA
1992

Class of Property	Net Primary Assessed Valuation
Agricultural property, vacant land	\$ 14,389,823
Producing mines and standing timber	154,864,027
Railroads	1,630,496
Public Utilities	18,688,444
Other commercial and industrial property	20,319,843
Rented residential property	7,344,758
Owner-occupied residential property	24,361,290
Historic property	9,072
TOTAL	\$241,609,753

Source of data: Arizona Department of Revenue

The five incorporated municipalities in the region, Safford, Thatcher, Pima, Clifton, and Duncan, received a total of \$981,682, in State revenue disbursements based on their populations, while they collected \$111,673 in property taxes. Property taxes, thus are not a major source of revenue for municipal governments in the region.

They are a major source of revenue for the region's school districts. School districts in Graham and Greenlee counties get their revenues from taxes levied on the property within their jurisdictions and through the distribution of state sales and other taxes, including mining severance taxes, according to a formula established by law and based essentially on average daily student membership. In 1992, the six school districts along the Gila River in Graham and Greenlee counties (the Duncan, Solomonville, Safford, Thatcher, Pima, and Fort Thomas school districts) got 71.0 % of their revenues from the distribution of state taxes and 18.5 % from the property tax. The composition of their combined property tax base is shown in Table 8.

Table 8

THE PROPERTY TAX BASE OF THE
GILA RIVER SCHOOL DISTRICTS OF
GRAHAM AND GREENLEE COUNTIES
1992

Class of Property	Net Primary Assessed Valuation
Agricultural property, vacant land	\$11,221,517
Producing mines and standing timber	-0-
Railroads	1,381,546
Public Utilities	13,921,869
Other commercial and industrial property	15,850,041
Rented residential property	3,676,210
Owner-occupied residential property	22,073,917
Historic property	8,740
TOTAL	\$68,133,840

Note: Includes the Fort Thomas, Pima, Thatcher, Safford, and Solomonville school districts in Graham County, and the Duncan School District in Greenlee County.

Source of data: Arizona Department of Revenue.

DIRECT IMPACTS ON THE LOCAL ECONOMY

Direct Impact on Agriculture

Approximately 80% of the crops raised in Graham and Greenlee counties are grown in the bottomlands immediately adjacent to the Gila River. They are irrigated largely with water diverted from the river or its tributaries. Consequently, any designation of the Gila River and its Eagle Creek and Bonita Creek tributaries as critical habitat for the razorback sucker, as has been proposed by the United States Fish and Wildlife Service, would at least prevent any expansion of the currently depressed level of crop agriculture in the two counties to the average level of output of the past five years. At most, because of the uncertainties such designation would cause from year-to-year in the availability of irrigation water, as well as in the right to till the land and use appropriate fertilizers and pesticides, the growing of crops in those lands adjacent to the Gila River in Graham and Greenlee counties could become completely uneconomic and result in a shutdown of the entire industry.

Thus, the proposed critical habitat designation could cost the economy of the two counties at least \$7.99 million each year in lost agricultural output during the term of the designation. Under the more severe probable conditions, the loss could go as high as \$22.87 million annually, stated in 1992 dollars.

That probable loss of farm output would, in turn, directly reduce the personal income received by farm owners and farm workers. The direct loss in personal income from agriculture in Graham and Greenlee counties would amount to at least \$3.02 million per year and could go as high as \$8.64 million annually, in 1992 dollars.

The proposed critical habitat designation also would result in a direct loss of local government revenues in the two impacted counties through reductions in the property tax base resulting from the loss of value in affected agricultural land. Through its negative impact on agricultural land, the critical habitat designation would reduce the total assessed property valuation in the two-county region by at least 1.56% and possibly by as much as 4.47%. Reductions of total assessed valuations would be felt most severely in the six school districts along the Gila River that are most heavily dependent upon agricultural property valuations for their tax base. Under tax rates in effect in 1992, the lost local government revenues (primarily county and school district governments) would amount to at least \$250,000 per year and could go as high as \$740,000 annually.

The Impact on Mining

The designation of critical habitat along the Gila River and Eagle and Bonita creeks, as proposed by the United States Fish and Wildlife Service, by restricting water availability and by placing severe requirements on effluent water quality, would adversely impact both existing and proposed mining operations in Graham and Greenlee counties. At a minimum, the habitat designation would prevent bringing the Sanchez Copper Oxide Mine of the AZCO Copper Company into production just north of the Gila River in Graham County and prevent the further expansion of the Morenci copper mining and processing operations of the Phelps Dodge Corporation in Greenlee County. That would reduce mineral output in Graham and Greenlee counties by \$96,200,000 per year (in 1992 dollars) below what it would otherwise be without the critical habitat designation. The effects of the designation, however, by restricting water availability and imposing severe effluent standards, could adversely impact the entire Morenci mining and processing operation, making it economically unfeasible, particularly at existing copper prices. That, combined with the loss of the Sanchez Mine, could run the total direct loss of mineral industry output in Graham and Greenlee counties up to as high as \$439,500,000 annually, in 1992 dollars.

The probable loss of mineral industry output, in turn, would directly reduce the personal income received by mine workers. The direct loss of personal income from mining in Graham and Greenlee counties as a result of critical habitat designation would be at least \$13,190,000 per year. Under the more severe impact on the entire Morenci operation, the direct loss of personal income from mining in the two counties could reach as high as \$93,010,000 annually, in 1992 dollars.

The proposed critical habitat designation also would result in a direct loss of local government revenues in the two impacted counties, primarily through reductions in the property tax base resulting from the loss of value in mineral producing property. Through its negative impact on the value of mining property, the critical habitat designation would reduce the total assessed property valuation in the two-county region by at least 13.3% and possibly by as much as 73.6%. Under tax rates in effect in 1992, that would directly reduce local government revenues in the two counties by at least \$1,520,000 per year, and the economic loss could go as high as \$10,690,000 annually, in 1992 dollars. These direct losses of local government revenues through reductions in property tax payments do not include the losses of local and state revenues resulting from the loss of mining severance tax revenues paid to the State of Arizona and distributed to local governments throughout Arizona.

Direct Impacts on Other Sectors

Other basic sectors of the Graham-Greenlee regional economy, essentially the tourism, state government, federal government, and retirement/welfare sectors, are not likely to be affected directly by the designation of critical habitat for the razorback sucker along the Gila River as proposed by the United States Fish and Wildlife Service.

Table 9

DIRECT IMPACTS OF
RAZORBACK SUCKER HABITAT DESIGNATION
ON THE ECONOMY OF GRAHAM AND GREENLEE COUNTIES

<u>Impacted Economic Sector and Type of Impact</u>	<u>Annual Direct Loss (in 1992 dollars)</u>	
	<u>Minimum</u>	<u>Maximum</u>
LOSSES OF BUSINESS INCOME		
Agriculture	\$ 7,990,000	\$ 22,870,000
Mining	96,200,000	439,500,000
Total	\$104,190,000	\$461,370,000
LOSSES OF PERSONAL INCOME		
Agriculture	\$ 3,020,000	\$ 8,640,000
Mining	13,190,000	93,010,000
Total	\$16,210,000	\$101,650,000
LOSSES OF LOCAL GOVERNMENT REVENUE		
Agriculture	\$ 250,000	\$ 740,000
Mining	1,520,000	10,690,000
Total	\$1,770,000	\$11,430,000
TOTAL DIRECT ECONOMIC LOSS	\$122,170,000	\$574,450,000

Source: Western Economic Analysis Center

INDIRECT, INDUCED, AND ACCUMULATED IMPACTS

Impacts on the Household Sector

The full economic impact of the designation of the Gila River and portions of Bonita Creek and Eagle Creek in Graham and Greenlee counties will not be limited to the direct losses of business, personal, and government income caused by associated reductions in economic activity in the counties. The money that is currently received by mine and farm workers, suppliers to those businesses, and local governments in the region circulates and recirculates a number of times within the counties before being dissipated through leakages or outflows from the local economy to other parts of the state and nation. As this money circulates and recirculates, it creates additional indirect personal, business, and government income in a ripple or multiplier effect. As a result of this ripple effect, the direct losses from the curtailment of activity in any basic industry such as agriculture or mining are multiplied well beyond the direct losses caused by reductions in payrolls, purchases, and taxes paid directly by those industries themselves.

The designation of critical fish habitat in Graham and Greenlee counties that has been proposed by the United States Fish and Wildlife Service will cause an indirect economic loss of personal income in the two counties that would be at least \$13.7 million annually and could go as high as \$70.5 million each year, in 1992 dollars. As shown in Tables 10 and 11, that indirect loss combined with the direct loss of personal incomes in agriculture and mining will cause a total accumulated loss of personal income in Graham and Greenlee counties of at least \$29.9 million each year. The combined direct and indirect loss of personal income could go as high as \$172.1 million annually. The minimum figure is equivalent to 7.6% of the personal income received by all residents of the two counties in 1991. The maximum figure is equivalent to 43.7% of personal income received by all residents of the regional economy.

The loss of at least \$29.9 million annually in personal income as a result of the designation of critical fish habitat as has been proposed, would mean the loss of at least 1,380 jobs in the two counties. That would increase the unemployment rate to 20.7% of the existing labor force, a level exceeded only in the depressed labor market conditions of 1982. The loss of the maximum of \$172.1 million annually in personal income as a result of the proposed critical habitat designation, would mean the loss of as many as 7,950 jobs in the two-county region. That represents a reduction of the number employed in the region by

more than 70% and would increase the unemployment rate to over 73% of the existing labor force. Of course, with that many people without jobs, the labor force would not remain in the counties and there would undoubtedly be a major emigration of residents from the region. The emigration would most likely be to Arizona's metropolitan areas, thereby increasing their unemployed labor forces and significantly increasing the amount of unemployment in both Phoenix and Tucson.

Impacts on the Business Sector

The designation of critical razorback sucker habitat in Graham and Greenlee counties, as proposed by the Fish and Wildlife Service, will cause an indirect economic loss of sales revenues for non-farming and non-mining businesses the two counties that would be at least \$32.0 million annually and could go as high as \$173.1 million each year, in 1992 dollars. As shown in Tables 10 and 11, that indirect loss combined with the direct loss of business incomes in the agricultural and mining sectors will cause a total accumulated loss of business income in Graham and Greenlee counties of at least \$136.2 million each year. The combined direct and indirect loss of business income could go as high as \$634.4 million annually, in 1992 dollars.

Impacts on Local Government

Local governments in Graham and Greenlee counties, including county governments, municipal governments, school districts, fire districts, and a number of other special districts, will see an indirect loss in their tax revenues of at least \$1.9 million each year as a result of the critical fish habitat designation that has been proposed. That indirect loss of local government revenues could go as high as \$10.1 million annually, in 1992 dollars. That is equivalent to almost 30% of all of the revenues of all school districts in the two counties in 1992.

As shown in Tables 10 and 11, the indirect loss in local government revenues combined with the direct loss of tax revenues from agricultural and mining enterprises will result in a combined loss in local government revenues that would be at least \$1.7 million each year and could go as high as \$21.5 million annually, in 1992 dollars. The smaller figure is equivalent to about 11% of the total revenue of all school districts in the two counties in 1992, while the larger figure is equivalent to about 63% of all school revenues in Graham and Greenlee counties in 1992. The full impact of lost tax revenues, of course, would be felt not only by the school districts but by the counties, municipalities, and other local jurisdictions as well.

Table 10
MINIMUM COMBINED DIRECT AND INDIRECT IMPACTS OF
RAZORBACK SUCKER CRITICAL HABITAT DESIGNATION ON
THE ECONOMY OF GRAHAM AND GREENLEE COUNTIES, ARIZONA

	<u>Minimum Annual Loss</u> (in 1992 dollars)
The designation of critical habitat for the razorback sucker as proposed will cause for the Graham-Greenlee regional economy a:	
TOTAL DIRECT LOSS OF	\$122,170,000
including direct losses in:	
Personal Income of	\$ 16,210,000
Business Income of	104,190,000
Local Government Revenues of	1,770,000
which, because of the circulation and recirculation of income through the regional economy, will result in a:	
TOTAL INDIRECT LOSS OF	\$47,650,000
including indirect losses in:	
Personal Income of	\$13,720,000
Business Income of	31,980,000
Local Government Revenues of	1,950,000
to create an:	
ACCUMULATED ECONOMIC LOSS OF	\$169,820,000
including combined direct and indirect losses in:	
Personal Income of	\$ 29,930,000
Business Income of	136,170,000
Local Government Revenues of	3,720,000

Amounts are in 1992 dollars.

Source: Western Economic Analysis Center

Table 11

MAXIMUM COMBINED DIRECT AND INDIRECT IMPACTS OF
RAZORBACK SUCKER CRITICAL HABITAT DESIGNATION ON
THE ECONOMY OF GRAHAM AND GREENLEE COUNTIES, ARIZONA

	<u>Minimum Annual Loss</u> (in 1992 dollars)
The designation of critical habitat for the razorback sucker as proposed will cause for the Graham-Greenlee regional economy a:	
TOTAL DIRECT ECONOMIC LOSS OF	\$574,450,000
including direct losses in:	
Personal Income of	\$101,650,000
Business Income of	461,370,000
Local Government Revenues of	11,430,000
which, because of the circulation and recirculation of income through the regional economy, will result in a:	
TOTAL INDIRECT LOSS OF	\$253,630,000
including indirect losses in:	
Personal Income of	\$ 70,490,000
Business Income of	171,080,000
Local Government Revenues of	10,060,000
to cause an:	
ACCUMULATED ECONOMIC LOSS OF	\$828,080,000
including combined direct and indirect losses in:	
Personal Income of	\$172,140,000
Business Income of	634,450,000
Local Government Revenues of	21,490,000

Amounts are in 1992 dollars.

Source: Western Economic Analysis Center

METHODOLOGY

Direct Economic Impacts

The definition of the proposed critical habitat area and the description of conditions necessary to preserve and recover the population of razorback suckers within that area to a level at which the species would no longer be endangered, together with the legal restrictions that could be made even on existing economic activities in the critical habitat area or on nearby lands, indicate two levels of economic impact that would result from the proposed critical habitat designation: (1) a minimum level of impact involving essentially a preservation of the status quo in agricultural and mining activity on the affected lands; and (2) a maximum level of impact involving a major reduction of existing agricultural and/or mining activity on those affected lands. Estimates of these two levels of direct impact were derived separately for each affected industry and then combined to determine the minimum and maximum total direct economic impacts.

Direct Impact on Agriculture

Foregone increase in agricultural output needed to return existing level of output to average of output from 1981-1991: \$9,925,000

Percent of two-county output impacted: 80.5

= Minimum annual loss of agricultural business income: \$7,989,600

Average annual agricultural output from crop raising in Graham and Greenlee counties, 1981-1991: \$28,411,000

Percent of two-county output impacted: 80.5

= Maximum annual loss of agricultural business income: \$22,820,900

Percent of gross agricultural business income paid as personal income in Graham and Greenlee counties(1991) 37.8

= Minimum annual loss of personal income from farming \$3,020,100

= Maximum annual loss of personal income from farming \$8,645,200

Assessed value of affected farm property (1992): \$10,833,208
 Then, in the same proportions as the loss of output:

= Maximum loss of property tax base: \$10,833,208
 = Minimum loss of property tax base: \$3,784,416

x Effective average property tax rates for 1992 of
 \$2.4648/\$100 of assessed value for county governments
 \$4.3708/\$100 of assessed value for school districts

= Minimum annual loss of property tax revenues for:

County governments:	<u>\$ 93,278</u>
School Districts:	<u>\$165,409</u>

= Maximum annual loss of property tax revenues for:

County governments:	<u>\$267,018</u>
School Districts:	<u>\$473,498</u>

Direct Impact on Mining

Foregone annual production from the Sanchez Mine: 25,000 tons Cu
 Foregone annual increase in output at Morenci: 23,100 tons Cu
 (at average rate of past five years)

= Total foregone production: 48,100 tons Cu
 @ an expected average price of \$1/lb. of copper

= Minimum annual loss of mining business income \$96,200,000

But, under most adverse potential impact, all of the
 production at Morenci would be curtailed. Then:

Annual value of lost Morenci output: \$389,500,000
 Annual value of foregone Sanchez Mine output: 50,000,000

= Maximum annual loss of mining business income: \$439,500,000

Based on actual industry figures for annual payrolls,

Foregone Sanchez annual payrolls:	\$8,155,700
Foregone annual increase in Morenci payrolls:	5,032,600

= Minimum annual loss of personal income from mining: \$13,188,200
 Foregone Sanchez annual payrolls: \$ 8,155,700
 Lost Morenci annual payrolls: 84,856,000

= Maximum annual loss of personal income from mining: \$93,011,700

Based on actual industry figures for tax payments
 to local governments in Graham and Greenlee counties,

<u>Minimum</u> annual loss of local government revenues:	<u>\$1,515,600</u>
<u>Maximum</u> annual loss of local government revenues:	<u>\$10,689,300</u>

Indirect Economic Impact

Direct income flows, such as payrolls, purchases, and taxes, will circulate and recirculate within a local economy such as that of Graham and Greenlee counties. As they do, they create additional indirect income for the residents, businesses, and governments in that economy. These indirect income usually affect not only those households, business firms, and government units that receive direct payments from the enterprises subject to direct change, but also many who do not receive any direct income from those enterprises. The amount of such income must also be considered in assessing the full economic impact of any change in the level of economic activity. Where that economic activity is expanded, the indirect income generated is positive. Conversely, where economic activity is diminished, the indirect income flows are negative, further increasing the economic losses incurred by direct losses in business income.

As the circulation and recirculation of direct income gains or losses takes place, it multiplies the total impact of the increases or decreases in direct payments for payrolls, purchases, and taxes. Following this flow through the Graham and Greenlee County economy by means of a set of impact dispersion networks (one each for direct business income, personal income, and government income changes) allows the computation of appropriate income multipliers. The application of these income multipliers by means of a combined impact matrix yields an estimate of the indirect income gain or loss generated as a result of the direct income changes. When the direct income changes affect economic activities that bring money into the local economy from outside, as agriculture and mining do in Graham and Greenlee counties, then the indirect effects follow inevitably, multiplying the effects of the direct economic loss.

REFERENCES

- Arizona Department of Commerce, Graham-Greenlee Community Profile, Phoenix: Arizona Department of Commerce, 1988.
- Arizona Department of Commerce, Pima Community Profile, Phoenix: Arizona Department of Commerce, 1989.
- Arizona Department of Commerce, Safford Community Profile, Phoenix: Arizona Department of Commerce, 1990.
- Arizona Department of Commerce, Thatcher Community Profile, Phoenix: Arizona Department of Commerce, 1986.
- Arizona Department of Economic Security, Arizona Employer, Employee, and Wage Data, Quarterly, Phoenix: Arizona Department of Economic Security, various issues through Fourth Quarter 1991.
- Arizona Department of Economic Security, Arizona Labor Market Information Newsletter, Phoenix: Arizona Department of Economic Security, various issues through September 1993.
- Arizona Department of Economic Security, Arizona's Workforce, Phoenix: Arizona Department of Economic Security, various issues through December 1993.
- Arizona Department of Revenue, State and County Abstract of the Assessment Role, Phoenix: Arizona Department of Revenue, various issues through 1992.
- Arizona Department of Revenue, Summary of Revenues Distributed to Cities, Phoenix: Arizona Department of Revenue, various issues through July 1993.
- Arizona Department of Revenue, Summary of Revenues Distributed to Counties, Phoenix: Arizona Department of Revenue, various issues through July 1993.
- Arizona Department of Revenue, Tax Facts, Phoenix: Arizona Department of Revenue, various issues through October 1993.
- Arizona Tax Research Foundation, Property Tax Rates and Assessed Values, Phoenix: The Arizona Tax Research Foundation, annual series through 1992.
- Bishop, C. Diane, Annual Report of the Superintendent of Public Instruction, Statistical and Financial Data for the Fiscal Year 1991-1992, Phoenix: Arizona Department of Education, December 1992.

Brookshire, David S., Michael McKee, and Gary Watts, Draft Economic Analysis of Proposed Critical Habitat Designation in the Colorado River Basin for the Razorback Sucker, Humpback Chub, Colorado Squawfish, and Bonytail, Salt Lake City, Utah: United States Fish and Wildlife Service, 1993.

de Gennaro, Nat, ed. Arizona Statistical Abstract, Tucson: Division of Economic and Business Research, the University of Arizona, 1990.

Graham County Chamber of Commerce, Gila Valley Directory, 1990-91, Safford: Graham County Chamber of Commerce, 1990.

Leaming, George F., The Adverse Economic Impacts of Wilderness Land Withdrawals in Greenlee County, Arizona, Marana: Western Economic Analysis Center, 1989.

Leaming, George F., The Copper Industry's Impact on the Arizona Economy, Marana: Western Economic Analysis Center for the Arizona Mining Association, annual series, 1974 through 1993.

Leaming, George F., The Socioeconomic Impact of the Sanchez Copper Oxide Project, Safford, Arizona, Marana: Western Economic Analysis Center, 1991.

Maddux, Henry R., Lesley A. Fitzpatrick, and William R. Noonan, Colorado River Endangered Fishes Critical Habitat, Draft Biological Support Document, Salt Lake City, Utah: United States Fish and Wildlife Service, 1993.

Phelps Dodge Corporation, Annual Report, Phoenix: Phelps Dodge Corporation, annual series through 1993.

United States Bureau of the Census, Census of Business, 1987, Retail Trade, Arizona, Washington, D.C.: United States Department of Commerce, 1989.

United States Bureau of the Census, Census of Business, 1987, Service Industries, Arizona, Washington, D.C.: United States Department of Commerce, 1989.

United States Bureau of the Census, Census of Governments, 1987, Washington, D.C.: United States Department of Commerce, 1989.

United States Bureau of the Census, County Business Patterns, 1990, Arizona, Washington, D.C.: United States Department of Commerce, 1992.

United States Bureau of Economic Analysis, Farm Income and Expenses for counties, 1969-1991, Arizona, Washington, D.C.: United States Department of Commerce, 1993.

United States Bureau of Economic Analysis, Personal Income by Major Source and Earnings by Industry, for Counties and Metropolitan Areas, 1969-1991, Arizona, Washington, D.C. United States Department of Commerce, 1993.

United States Department of Agriculture, National Agriculture Statistics Service, Arizona Agricultural Statistics, Phoenix: Arizona Agricultural Statistics Service, annual series through 1993.

Vest, Marshall, Arizona Economic Indicators, Tucson: Economic and Business Research Program, The University of Arizona, various issues through Fall 1993.

000083 JUL 01 1994

July 5, 1994

Phillip Moreland, Branch Chief
Planning - Environment Lands, (931)
and Recreation
Arizona State Office, BLM
3707 N. 7th St.
P.O. Box 16563
Phoenix, AZ 85011

Ref: Commenting on the Environmental Impact
Statement (931) i.e. The Wild and
Scenic (and Recreational) for the
Arizona portion of the Virgin River.
Ref: Proposed Roadway, and Virgin River
Crossing, as part of an Improvement
District.

Dear Mr. Moreland,

I [we] are concerned that nothing contained within the Environmental
Impact Statement for the Arizona portion of the Wild & Scenic /
Recreational designation for the Virgin River would hinder plans for
a river crossing as part of a highway construction project.

I am one of 572 land owners, owning a total of 5,420 acres in what is
now known as Scenic, Arizona, a portion of which is located 2 miles
from Mesquite, Nevada. Our need and involvement, having to do with
the Virgin River, are totally within Arizona.

The only way to get to Scenic, Arizona, at this time, is to travel an
out-of-the-way, bumpy, dirt road through Nevada before arriving at
the Arizona line. Because of my role as the "Petitioner" for the
"Scenic Improvement District," I am answerable to the Public Works
Department of Mohave County, Arizona. The Engineer selected to
direct the project will also have to insure that proper procedures
are followed with the BLM, and the Los Angeles office of the United
States Army Corps of Engineers. The purpose for the creation of the
"District" is to get build a highway to Scenic, Arizona, from Arizona
Highway 91, next to I-15, on the opposite side of the Virgin River.

It has taken nine months to get the backing of 81% of the land
privately owned in Scenic, calling for the creation of the
Improvement District. Once we get additional/appropriate backing
from members of the "District", and acquire the rest of the
commitments for Right-of-Ways, Mohave County will be in position to
accept the "Scenic Improvement District" as a legal entity.

The area that we share interest, is Section 3, T39N, R16W, (SRB&M) in
Mohave County, Arizona. The total distance of the proposed roadway

**Response 83 - 1: The text in the final document
has been modified to reflect a potential change
in the proposal from a bridge to a low water
crossing. Any crossing or bridge would be
prohibited from adversely affecting the
outstandingly remarkable values.**

342 83-1

across the area in your jurisdiction would be 1/3 mile. It would be about in the middle of the Section (see map) and would run from the NW corner, to the SE Corner.

Your awareness and continued attention in this matter is appreciated.

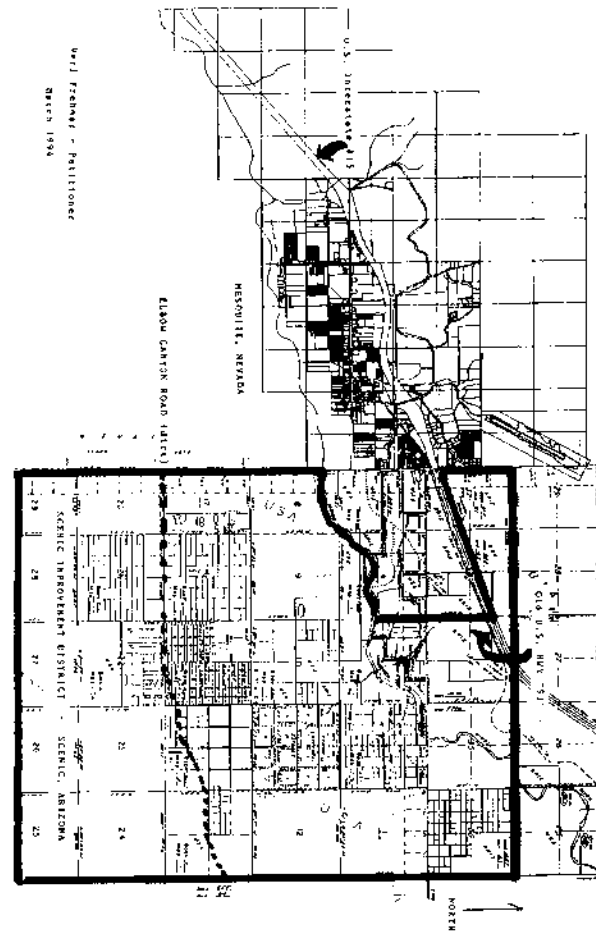
Sincerely,

Verl Frehner, Petitioner
Scenic Improvement District
P. O. Box 1700
Mesquite, Nevada 89024
Tel: (702) 345-2062

cc Bureau of Land Management
Attn: Mr. Roger Taylor
Arizona Strip District
390 N. 3050 East
St. George, UT 84770-9072

The District Engineer
U. S. Army Engineer
Los Angeles District
Attention: SPLCO-R
P. O. Box 2711
Los Angeles, CA 90053-2325

Mohave County Public Works
Attn: Richard A. Skalicky
3675 E. Andy Devine Ave.
Kingman, AZ 86402



Bureau of Land Management, 1994

Letters from special interest groups



000010
FORESTA INSTITUTE FOR OCEAN AND MOUNTAIN STUDIES

MAY 21 1991

FORESTA INSTITUTE
3400 E. Speedway St. 118 - 283
Tucson, Arizona 85718

P.O. BOX 4999 - TUCSON, AZ U.S.A. 85747

RICHARD GORDON MILLER, Ph.D.
ICHTHYOLOGY

Phil Moreland
2241 Arizona State Office
3703 N. 7th St. Phoenix 85014
Dear Mr. Moreland

29-5-91

Regarding Wild & Scenic River System protection please act to reverse the plan excluding Cienega Creek. Cienega Creek must be protected as vital and only habitat for some birds important in the global ecosystems. More background for this comment can be downloaded from the data in the Desert Field Council, as you know. The significance of this unique island of habitat should outweigh any and all local or exotic plans, programs or promises, or arguments for human employment.

Please do see that Cienega Creek be included with all the other sites presently listed, in protection as Wild and Scenic Rivers, and reserves.

I regret that I cannot speak at the hearings, as I will be out of state. (written at Tucson airport 6 am, May 23, 1991)

Thanks for your good service for land management

Sincerely R.G. Miller

P.S.: The seriousness of my perspective on the comment, above, lies in my experience as Foresta Institute delegate and advisor in the United National Environment Program, the United States National Service, Nevada State Parks Survey, 1970's, Desert Field Council, Governor's Commission on the Arizona Environment and field work on birds & habitat in Arizona, California, Nevada, and places abroad. In some circumstances I am in planning working groups and improving legislation. I'll be glad to help in any way I can. R.G.M. Thanks for getting the plan on line!

CONTRIBUTIONS TO FORESTA INSTITUTE ARE TAX-DEDUCTIBLE

346

10-1

Response 10 - 1: Please refer to general response # 8 (Cienega recommended alternative).

Pat Monahan
BUREAU OF LAND MANG.
ARIZONA STATE OFFICE
3703 N. 7TH ST.
PHOENIX, AZ 85014

 Environmental Goods

1811 W Prince #1
Tucson, Arizona 85705
602/ 887-5685
Fax 623-6311

Please Recycle Again This
100% Unbleached Post-
Consumer Recycled Paper.

000011

MAY 21 1984

24/MAY/84

MR. Monahan:

I personally stopped going to Public Hearings
only because people's comments seem to be given
in the end are ears. But business man will
Always win and the some people who speak against
environmental degradation will buy new homes
creating urban sprawl, buy gold ornaments, not
conserve water etc in their own lifestyle. They talk
a good story but don't live it.

I don't know all the issues but I hope you will
please have stand on Cienega Court in the future
warrant such a reversal.

Environmentally,

Pat Monahan

347

11-1

**Response 11 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

133 Ways to Save the Earth

Copy and give to people!

Solutions:

1. Reduce consumption wherever possible.
2. Use mugs instead of paper cups, rings instead of paper towels, cloth instead of paper napkins.
3. Double-side photocopiers; use reverse sides of paper.
4. Buy products in bulk or with the least amount of packaging.
5. Ring your own shopping bags to the market.
6. Buy products that are recycled, recyclable, refillable, reusable, avoid disposables.
7. Mend and repair rather than discard and replace.
8. Buy two-gal. or refillable containers; avoid non-recyclable containers.
9. Ask for recycled paper at stations and printers.
10. Recycle tires, auto oil, film, and scrap metal.
11. For books, use cloth or binding made of paper.
12. Prepare local food shelves and other businesses to deal with food packaging procedures.
13. Buy products that will last.
14. Avoid impulse buying. Read labels and research the products you plan to buy.
15. Borrow or rent items you use infrequently, and maintain and repair the items you own to increase their product life.
16. Remove excess packaging and leave it to the store; make it their problem.
17. Do not use plastic bags; request paper bags at stores.
18. Separate your recyclable garbage (newspaper, glass, paper, aluminum) and separate waste if you have a garbage only used to the landfill when you can't reuse.
19. Study your community's waste disposal system and request any plans to build more landfills or garbage incinerators.
20. If you don't have a recycling center, lobby your city council to establish one.
21. When purchasing a home, check for its energy efficiency.
22. Get a low-cost home energy audit from your utility company.
23. Insulate in simple basements, weather striping, and caulking.
24. Use natural gas rather than electricity for heat and appliances.
25. In winter, turn down your thermostat a few degrees, especially at night and when the house is empty.
26. Wear winter clothing in cooler temperatures.
27. If there are windows open the thermostat, keep them tightly closed.
28. Keep fireplace chimneys cleaned unless you have a fire going.
29. Avoid air-conditioning as much as possible.
30. Close all and do not heat unused rooms; use regulating checks and curtains on cold winter nights and hot summer days.
31. Avoid keeping your refrigerator or freezer too cold.
32. Add an insulator blanket to your water heater; turn it down to 120 degrees.



Solutions:

33. Tag a refrigerator rather than a dryer wherever possible.
34. Keep the lid closed in the dryer drum.
35. Instead of drying, hang clothes in the bathroom while you bathe or shower.
36. Don't buy oversized or electric tools or appliances unless they're essential and avoid those that include transformers.
37. Buy high efficiency electrical appliances.
38. Use outdoor lights only when necessary.
39. Use low-watt light bulbs.
40. Install plastic storm windows or new "superstorm" doors.
41. Have deciduous shade trees that prevent heat radiation from summer sun but allow it in during the winter.
42. Buy local and recycled products to cut indirect energy use.
43. Institute the environmental and parking policies of your local energy utility.
44. Explain whether non-utility owned power might be an option in your city.
45. Install leak faucet detectors and water-efficient showerheads; these use up to five times less water with no noticeable decrease in performance.
46. Take showers of less than five minutes; use hot water to cut water consumption.
47. Do not let water run when it not actively in use for showering, shaving, brushing teeth, or hand washing clothes.
48. Consider installing air-to-water heat exchangers which use 90 to 95 percent less water than conventional models.
49. Use water efficient washing machines and dishwashers, and use them only when full.
50. Use greasy food wash for plates and glasses.
51. Collect rainwater and use for plants or outdoor watering.
52. Regularly repair all leaks and drips as soon as they occur.
53. Consider your energy plans plus a note to your environmental or town similar changes that require little or no spending.
54. Buy phosphate-free, biodegradable soap and detergents; ask your representative for it if it doesn't already.
55. Find out where your water comes from, what it is, and what is being done to clean it up. If your area is over-saturated demand that they take pollution laws on water safety and get the wastewater companies for it to pay for cleaning it up.
56. Consider how production of your food affects the environment.
57. Eat lower on the food chain - vegetables, fruits, and grains; decrease consumption of meat and animal products.
58. Learn negotiation techniques and encourage others to be active vegetarians too.
59. Organize product boycotts.
60. Be explicit with letters.



recycle again this 100% Unbleached Post-Consumer Paper

Solutions:

61. Read the labels on food; buy foods that have not been heavily processed.
62. Buy local items that have minimal packaging and that require little care of pesticides, drugs, and other chemicals used in food production; support products that offer eco-friendly food.
63. Buy organic food, locally grown if possible.
64. Don't buy foods out of season.
65. Shop at local farmers markets or cooperatives.
66. Encourage your neighbors to start local green projects.
67. Grow a garden rather than a lawn, saving water and energy.
68. Grow herbs and herbs in a kitchen window.
69. Plant fruit and nut trees.
70. Be aware that many consumer groups question the health and environmental safety of food irradiation.
71. Draw local attention to hunger issues at home and in the Third World.
72. Support genetic diversity by growing rare and heirloom species of fruits and vegetables.
73. Inquire yourself about the laboring conditions of American agricultural workers; family farming becomes possible.
74. Inform schools, hospitals, stores, and banks of your local concerns.
75. Practice healthy food in local food shelves.
76. Use public transportation instead of your car and sleeping areas.
77. Arrange to join a car pool for commuting.
78. Use public transportation whenever possible.
79. Drive to work.
80. Buy the most fuel-efficient car you can. Aim for 35 miles per gallon and don't buy a bigger car than you need.
81. Properly maintain your vehicle, getting a tune-up every 3 to 10 thousand miles.
82. Use used tires.
83. Check the pressure at least once a week.
84. Buy a high mileage car or a hybrid; it will cost less in fueling.
85. Remove unnecessary vehicles from your car.
86. Don't speed. Drive at a constant pace.
87. Drive slowly; slow down gradually, accelerate gradually.
88. Use your tires carefully. Changing the wheels, have computerized wheel alignment.
89. Avoid city driving.
90. Combine shopping trips. Keep a list of what needs to be purchased.
91. Use American made tires; telephone, let Congress know you support America.
92. Lobby local and national leaders for building light rail bus or bus-rapid transit or subway service in your community.
93. Read labels of household products; buy the least toxic products available to use non-toxic alternatives.
94. Avoid aerosols and other products containing CFC's.
95. Avoid gas-borne fuel that is propane that is being used in home cook stoves; instead, use natural gas or electric cook tops.
96. Request your local government to set up a regulatory body to collect and recycling the CFC's in all refrigerators and air conditioners.
97. Eat better; use natural pest control products.
98. Do more than recycle. Show your neighbors how to recycle, especially when it comes to contact with household chemicals.
99. Use your home for household gas; because of products that use non-toxic chemicals, plywood, insulation, carpet, and upholstery.



Solutions:

100. Limit your electric expenditures; invest in renewable energy.
101. Consider alternative energy; encourage the production of renewable energy; avoid electric, gas, and other fossil fuels.
102. Be aware of byproducts of environmentally destructive companies.
103. Join with neighbors to ask local companies to reduce their own and production of waste that is toxic and unsafe.
104. Check the side effects of prescription drugs.
105. Be aware that overpopulation increases the carbon footprint; an average of one child per family reduces your carbon footprint.
106. Don't buy colorized photos, animals, or products made from unrecycled paper.
107. Avoid buying goods from the tropical rain forests unless you are sure it was purchased by sustainable tree farming methods.
108. Plant an "invasive" tree.
109. Encourage environmentally sound practices of your workplace.
110. Buy products from companies that don't pollute or damage the environment and don't use products on a mass scale.
111. Talk, support, and volunteer your time to organizations and alternative industries; let us know what you care about.
112. Contact your elected representatives through letters, telephone, calls, or visits; clearly communicating your concerns.
113. Use your local newspapers; write letters to the editor; contact a staff writer about a news story; take out an ad.
114. Identify program directors of radio and television stations of community issues with environmental impact.
115. Use simple means to live daily and avoid unnecessarily complicated luxuries.
116. Avoid "compassion" - love of what is new merely because it is new.
117. Appreciate ethnic and cultural differences; respect people.
118. Be concerned about the situation of Third and Fourth World people and attempt to avoid a standard of living you can't live better than them.
119. Use the best of all cultures of experience; learn from history.
120. Appreciate and choose, when possible, environmentally better than just making a living.
121. Cultivate life in your community.
122. Recycle sleep.
123. Lobby and lobby rather than election.
124. Appreciate all life forms rather than solely those considered "useful"; avoid the use of pesticides.
125. Be aware of the life threat utility as services. Remain conscious of their health value and dignity when even using them as resources.
126. Don't breathe yourself from stress or the weather; go hiking; travel a team; work.
127. Use there is a couple's happiness concept of your attitude and what you do; protect the forest.
128. Consider seasonal changes, habitats, and equinoxes with special celebrations.
129. Involve in to support non-violent direct action when other ways of action fail.
130. Reduce stress in your life.
131. Use physical work.
132. Have fun and be joyful.
133. Sing and dance.



101. Buy home in town and fix up. Helps to slow urban sprawl.

SAVE \$\$\$

will show you how your home or business can be restructured. environmental Goods

602/ 867-5685

Read the book "The Population Bomb" by Dr. Paul R. Ehrlich

"earth in the balance" by Al Gore

STOP JUNK MAIL. Write to: Mail Preference Service, Direct Marketing Assoc. 11 West 42nd St. PO BOX 3861 New York, NY 10163-3861

Electric Car Conversions Now Available Here in Tucson Call 575-4687

JUN 0 8 1994

SEAC-Southwest

000016
Tucson, Arizona
Student Environmental Action Coalition

June 1, 1994

1790 (931)
6351 (931)

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 N. 7th ST.
PO Box 16563
Phoenix, AZ 85001

Dear Mr. Moreland,

We have read the *Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement*, dated April, 1994. After reading the LEIS and attending the public hearing we have chosen to support the **All Suitable Alternative**.

We would also like to make some comments about the use of off road vehicles, mineral development and grazing management.

Off Road Vehicles

We recommend that no motorized vehicles should be allowed to leave the designated highways or roadways for any purpose other than rescue. All unpaved roads should be closed to motorized vehicle use in all the 40 segments recommended in the All Suitable Alternative.

Mineral Development

We recommend that no mineral development be allowed within the 40 segments. We also understand that the designation of Wild and Scenic Rivers will hinder development on adjacent lands. What is important is that these last special places be preserved.

Grazing Management

No grazing should be allowed in the 40 segments of recommended designation. We also recommend no further development of grazing in upland water sources.

Sincerely,

Naomi Mudge
Project Coordinator



→ P.O. Box 1891, Tucson, AZ 85702-1891 ←

☎ TEL: (602) 328-9919 FAX: (602) 795-2527. e-mail: seac-sw@ladfweb.com ☎

♻️ printed on post consumer recycled paper

16-1

349

Response 16 - 1: Please refer to general response # 1 (Alternatives).

JUN 06 1994

SONORAN BIOREGIONAL DIVERSITY PROJECT

May 25, 1994

1790 (931)
8351 (931)

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 N. 7th ST.
PO Box 16563
Phoenix, AZ 85001

Dear Mr. Moreland,

17-1

We have read the *Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement*, dated April, 1994. After reading the LEIS and attending the public hearing we have chosen to support the **All Suitable Alternative**.

We would also like to make some comments about the use of off road vehicles, mineral development and grazing management.

Off Road Vehicles

We recommend that no motorized vehicles should be allowed to leave the designated highways or roadways for any purpose other than rescue. All unpaved roads should be closed to motorized vehicle use in all the 40 segments recommended in the All Suitable Alternative.

Mineral Development

We recommend that no mineral development be allowed within the 40 segments. We also understand that the designation of Wild and Scenic Rivers will hinder development on adjacent lands. What is important is that these last special places be preserved.

Grazing Management

No grazing should be allowed in the 40 segments of recommended designation. We also recommend no further development of grazing in upland water sources.

Sincerely,

E. Shane Jimsfield
Director

P.O. BOX 1891, Tucson, Arizona, 85702-1891
TEL: (602)-322-9819 FAX: (602)-795-2527

350

Response 17 - 1: Please refer to general response # 1 (Alternatives).



SIERRA CLUB

000029
QUN 24 1994

Grand Canyon Chapter - Arizona

June 21, 1994

Mr. Phil Moreland, Chief
Branch of Planning, Environment, Lands & Recreation
Arizona State Office
3707 N. Seventh Street
PO Box 15563
Phoenix, AZ 85014

Dear Mr. Moreland:

Thank you for the opportunity to comment on the Draft Arizona Statewide Wild and Scenic River Legislative Environmental Impact Statement.

I attended the three public hearings in the Kingman area. Each time, the attendance grew smaller, until the last one on May 16, where only a handful attended with no one wanting to speak except for three men from Cypress Bagdad Mining. The appearance of this situation alarmed me in that it could have been concluded that environmentalists weren't very concerned. Those of us who care deeply about all riparian areas in Arizona would confound you otherwise, and that we will fight to the conclusion for maximum protection.

Toward this end, I polled the Sierra Club membership (153) in Mohave County. There was some disappointment over Wright Creek, Francis Creek, and the upper Santa Maria River. They explained that they did not attend the last meeting because the Draft was generally acceptable, since they expected some trade off, and that the BLM had done a pretty good job.

However, all 153 members want maximum protection for all riparian areas, and this certainly means all that qualify under the National Wild and Scenic River System. I would remind you that less than 10 percent of Arizona's riparian systems remain. That itself should be an alarm similar to Rachel Carson's *Silent Spring*. I am 64. Older persons such as myself have watched the ever-increasing greedy and thoughtless raping and treating of Arizona's natural resources. Here is a chance to do what you can do to save what is left. How long do you suppose it takes to grow a three-foot-wide cottonwood? If what remains of the riparian areas in Arizona is not given maximum protection now, I don't believe there will be another chance, another time.

Perhaps you are wondering why I'm not more scientific, more specific. Well, the BLM has a large staff of scientists, if they would be listened to; and I refuse to be regional. The fact that I have favorite streams, some of them close by, should have no bearing. I don't need to visit, to utilize them, in order that they have value. I care that they all exist and are protected as much as possible.

Thanks again for this opportunity.

Sincerely,

Richard L. Lalbaki, Conservation Chair
Mohave County Group, Sierra Club
4695 N. So-Hi Blvd., Kingman AZ 86413
(602) 565-3213



351

29-1

Response 29 - 1: Please refer to general response # 1 (Alternatives).

JUL 1994

Cyprus Amax Minerals Company
9100 East Mineral Circle
Post Office Box 3299
Englewood, Colorado 80155
303-643-5325
Fax: (303) 643-5988



000036

Lee A. Darling
Director, Environmental Affairs

June 30, 1994

Mr. Phillip Moreland, Branch Chief
Planning, Environmental, Land and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Re: Arizona Statewide Wild and Scenic Rivers DEIS

Dear Mr. Moreland:

Transmitted herewith are Cyprus Amax Minerals Company's (Cyprus) comments on the Arizona Statewide Wild and Scenic Rivers' Draft Environmental Impact Statement (DEIS). Our comments consist of this letter, the enclosed Technical Memorandum (dated June 15, 1994) and the five bound reports prepared by SWCA, INC. The bound reports have been previously provided to your office but, we understand, were not provided in time to be considered in the development of the DEIS.

Cyprus has substantial investments in five mining and mineral processing facilities in the State of Arizona and produces a significant portion of our nation's copper supply from these mines. We are continuing to both upgrade and expand these operations with the expectation that we will be recovering the valuable mineral resources at these properties well into the next century. We are very concerned that the BLM's Wild and Scenic River recommendations, if approved, would adversely impact our ability to continue mining and processing the mineral resources which exist near river segments recommended for inclusion in the Wild and Scenic system. We have expressed our concerns throughout BLM's EIS process, including offering comments at scoping sessions and public informational workshops, preparing written comments on draft Resource Management Plans (RMP's), final RMP's, and now in commenting on the DEIS. We have maintained a constructive approach in participating in this process and submit these comments and reports in an effort to continue to be constructive.

Two concerns are of particular importance to Cyprus. First, we request that the BLM re-evaluate its data file and the comments submitted on the DEIS and exclude those reaches of the upper Gila River within Sections 15, 16, and 21 identified as the upstream portion of Segment 7. This portion of the Gila River involves private and state ownership and could be readily excluded without fragmenting the remaining river segment. As the technical memorandum points out, the presently inactive mining operation (our Christmas Mine) and the existing mineral potential of this area is inadequately recognized in the DEIS. The proposed action should not include this segment for the same reasons that other stream reaches along the Gila with existing mineral development and considerable

Response 36 - 1: Please refer to general response # 1 (Alternatives).

Mr. Philip Moreland
June 30, 1994
Page 2

mineral resource potential have been excluded.

36-2

Second, although Cyprus strongly supports the BLM's proposed action of not including Burro Creek Segment C in the Wild and Scenic River program, we request that the BLM reconsider the inclusion of Segment B. Segment B is entirely within a designated wilderness area and the DEIS offers no convincing or compelling reasons to suggest that this study segment requires wild or scenic or recreational designation to preserve its values. One of Cyprus' key concerns is that Wild and Scenic designation of this stream segment could impair our ability to exercise valid pre-existing water rights which have been carefully protected by Congress in the prior wilderness area designation.

We appreciate your attention to these concerns and trust that the enclosed technical comments and reports are helpful in completing the final EIS and BLM's recommendations. Please contact me if you have any questions on our comments or concerns.

Sincerely yours,


Les A. Darling

LAD:amr

cc: The Honorable Fife Symington (w/o att.)
The Honorable John McCain (w/o att.)
The Honorable Jon L. Kyl (w/o att.)
The Honorable Bob Stump (w/o att.)
Mr. Lester K. Rosenkrance (w/o att.)

**Response 36 - 2: Please refer to general
response # 4 (Federal and State Water Rights).**

**The authority of the Wild and Scenic Rivers Act
does not apply to nonfederal land or valid,
existing rights.**

TECHNICAL MEMORANDUM

DATE: June 15, 1994

TO: Bruce Kirchhoff, Cyprus Copper Corp.
Jim Hardegan, Cyprus Copper Corp.

COPIES: Tucson File

FROM: Jim Tress, SWCA, Inc.
Jamie Sturgess

RE: **EVALUATION OF BLM'S ARIZONA STATEWIDE WILD AND SCENIC RIVERS LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT**

At Cyprus Copper Corporation's request, SWCA has completed its critique of selected portions of the BLM's Draft Arizona Statewide Wild and Scenic Rivers Legislative Environment Impact Statement. The segments evaluated are the same as those discussed in previous suitability evaluations completed by SWCA for Cyprus Copper Corporation.

The focuses of this critique are Burro Creek and Francis Creek and reaches of the Gila, Big Sandy, and Santa Maria Rivers. Our critique will first elaborate on some of our general comments regarding the document, followed by specific comments to the BLM's suitability analyses/EIS for each of the river segments.

GENERAL COMMENTS

- At this time, the draft EIS is undergoing the NEPA-mandated 90-day public review and comment period, which will expire on 8 July 1994. The W&SR suitability studies completed by SWCA were submitted after the original public comment period had closed and were not considered in the DEIS. These reports and the data contained within them can be submitted as part of Cyprus' comment opportunity and as such, the BLM must address the concerns, issues, and data contained within them in their Final EIS.
- The public scoping summaries mention the number of persons attending the various scoping meeting(s) but do not quantify the relative importance of the issues and concerns (i.e., how many people were concerned or unconcerned about a given issue, the number of people who supported or opposed designations, etc.). This information would help rank the importance of various issues related to W&SR designation to the local communities that would potentially be effected.

DSR:\WP51\UT-0468\W&SR\3FC MEM

Bruce Kirchhoff
Jim Hardegan
June 15, 1994
Page 2 of 5

- While the BLM states that 1) designation would create a federal reserved water right for "a quantity of water sufficient to meet the purposes of the act on designated river segments." (p. 4, Volume 1); 2) that this water right would be a junior right; and 3) for these reasons water rights issues will not be discussed further, we have yet to see a legal opinion on this issue from the BLM's legal counsel. This would be of particular interest in those instances where maintenance of the outstandingly remarkable value for which the river or river segment was designated could not be maintained without establishment of in-stream flow rights.
- The Comparison of Analysis Table for most of the rivers considered does not provide any clear rationale as to why one alternative is preferable over another. In many cases, the summary matrix of impacts indicates no difference between the Proposed Action, the All Suitable Action, and the No Action Alternatives. If there is no difference, does the BLM conclude that the W&SRA provides no more protection of outstandingly remarkable values than is currently being provided by public lands ownership? If so, why designate these river segments to the NWSRS at all.

For example, in Table BC-3 on p. 18 (Vol. 1), the Proposed Action would provide protection for outstandingly remarkable scenic values on 7,010 acres, while the No Action alternative would have no adverse impact on the outstandingly remarkable scenic values of 8,156 acres. Assuming that the no action alternative would not reduce scenic values, this indicates that there is no risk to scenic qualities within the river corridor. If this is the case, where does the beneficial impacts from implementation of the proposed action originate? In reality doesn't this indicate that there is no difference between the three alternatives for this outstandingly remarkable value? [Note that the same argument can be made when conclusions were reached for the other outstandingly remarkable values identified for this river.]

This finding of no-difference of the alternatives is taken to an extreme on the Middle Gila River where in the summary matrix (MG-3) the analysis of impacts to outstandingly remarkable values by the Proposed Action, the All Suitable Action, and the No Action alternatives are identical.

- The BLM appears to be relying on designation to the NWSRS to afford a special degree of legislative protection not already afforded by other kinds of special land status designations such as "wilderness area" (WA) or "areas of critical environmental concern" (ACEC). While ACEC status is created by regional agency management and can be changed (i.e., it is revokable) without legislative action, both WA and designation to NWSRS are legislative actions that are only revokable by Congress. As stated in Section 7(a) of the NWSRA, "...No department or agency of the United States shall recommend authorization of any water resources project that would have a direct and adverse effect

DSR:\WP51\UT-0468\W&SR\3FC MEM

Bruce Kirchhoff
Jim Hardegan
June 15, 1994
Page 3 of 5

on the values for which such river was established, as determined by the Secretary charged with its administration, or request appropriation to begin construction of any such project, whether heretofore or hereafter authorized, without advising the Secretary of the Interior or the Secretary of Agriculture, as the case may be, in writing of its intention so to do at least sixty days in advance, and without specifically reporting to the Congress in writing at the time it makes its recommendation or request in what respect construction of such project would be in conflict with the purposes of this Act and would affect the component and the values to be protected by it under this Act" (emphasis SWCA). While the W&SRA provides a significant level of protection to designated rivers, the highlighted portions provided above clearly indicate that any "protection" the Act provides in regard to water resources development projects (and therefore any resulting impacts) can be overridden by Congressional authorization after appropriate review. Therefore, the level of protection currently provided by wilderness designation is as strong as any that would be provided by designation to the National Wild and Scenic River System.

The BLM's suitability criteria are fairly explicit in regards to the identification of existing levels of protection provided rivers under consideration. The implication of those guidelines are that if a river's outstandingly remarkable values are already protected there is no overriding need to provide additional protection.

CRITIQUE OF INDIVIDUAL RIVER SEGMENT ANALYSES

Big Sandy River

Summary of the Proposed Action: The BLM determined that the 6.2 miles of Segment A within the Arrastra Mountain Wilderness Area be included in the NWSRS as wild. Segment B and the remainder of Segment A were determined not suitable for designation.

Summary of SWCA Analysis: In its previous report, SWCA concurred with the BLM's determinations of not suitable for Segment B and part of Segment A. However, SWCA disagreed with BLM's designation of the lower portion of the river as Wild because the entire reach of that segment is within the Arrastra Mountain Wilderness Area, which already affords it as much protection as Congress intended during the wilderness designation process. It is our understanding that Congress did not intend for the designation of the wilderness to interfere with operation of Alamo Dam, which according to the ACOE, could include raising spillway elevations to rectify problems with undersized spillway design.

DSR:\WP51\07-0446\WASE\SEC.MEM

Bruce Kirchhoff
Jim Hardegan
June 15, 1994
Page 4 of 5

Other Comments:

The only clear distinction between the Proposed Action and the No Action alternative is the BLM's perception of the protection that would be provided the lower segment from inundation by Alamo Lake. As discussed above, it appears to us that since Congress had intended to allow inundation of a portion of the wilderness area when it was designated wilderness. It is likely that they would allow such inundation of a portion of this segment of the Big Sandy if it was demonstrated by the ACOE to be in the best interest of the public.

Burro Creek

Summary of Proposed Action: The BLM identified 2.2 miles of Segment A, all of Segment B, all of Segment D, and 5.5 miles of Segment E as suitable for designation as Wild. The remaining portions of Segments A and E and all of Segment C were determined to be not suitable for designation.

Summary of SWCA Analysis: For this river, SWCA agreed with the BLM's suitability determinations with the exception of Segment B. SWCA disagreed with a designation of "Wild" for this segment because this segment is entirely within the Upper Burro Creek Wilderness Area, which already affords it protection. Inclusion into the NWSRS appears to do little to secure further protection of this segment.

Other Comments: There does not appear to be any difference in the level of protection provided to outstandingly remarkable values by the Proposed Action and the No Action Alternatives. In fact, the No Action Alternative appears to provide more protection of outstandingly remarkable actions when measured by acreage. The basis for the selection of the proposed action is not clear from this table.

Franel's Creek

Summary of Proposed Action: BLM determined the entire segment to be not suitable for designation into the NWSRS.

Summary of SWCA Analysis: SWCA concurred with the BLM's "not suitable" determination.

DSR:\WP51\07-0446\WASE\SEC.MEM

Bruce Kirchhoff
Jim Hardegan
June 15, 1994
Page 5 of 5

Middle Gila River

Summary of the Proposed Action: The BLM determined only the northern 7.5 miles of Segment 1 (referred to in earlier documents as Segment 3) to be suitable for designation to the NWSRA as recreational. The remaining portions of Middle Gila were considered not suitable for designation by the BLM.

Summary of SWCA Analysis: SWCA concurred with the BLM's determinations for all of the segments, provided that existing mining operations and claims be allowed to continue operations adjacent to Segment 1. No reference or consideration of the data and recommendations presented in the SWCA report is apparent in the BLM's decisions.

Other comments: There does not appear to be any difference in terms of impacts between the preferred alternative (designation of part of Segment 1 as recreational) and the no action alternative (no designation). If this is the case, what "outstandingly remarkable" values will be promoted, or for that matter, impacted?

The basis for the BLM analysis of impacts under the "mining scenario" is not provided. The document does not state where the assumed mine would occur or what kind of mine it would be. The acreage of impacts for these hypothetical mine operations appear extremely small given the moderate to high mineral potential identified in the DEIS. The DEIS does not fully recognize the potential for mineral development and/or impacts to mineral development that could occur in Sections 15, 16, and 21 (upstream portions of Segment 1 identified in the proposed alternative).

Santa Maria River

Summary of the Proposed Action: The BLM determined that the lower 17.6 miles of Segment A were suitable for designation to the NWSRS as wild. The remainder of Segment A and all of Segment B were determined to be not suitable for designation.

Summary of SWCA Analysis: SWCA concurred with the BLM's determinations that all of Segment B and part of Segment A were not suitable. However, SWCA disagreed with BLM's proposed designation of part of Segment A as wild and instead considered it not suitable because most of this portion is within the Aravaipa Mountain Wilderness Area (see previous discussions).

Other comments: With the exception of the potentially invalid assumption that designation would increase protection from inundation from Alamo Lake, there does not appear to be any difference between the No Action and the Proposed Action alternatives.



ARIZONA 000014
MINING ASSOCIATION

DAVID C. RINGIER
PRESIDENT

June 30, 1994

Phillip Moreland, Branch Chief
Fleming, Environment, Lands and Recreation
Bureau of Land Management
Arizona State Office
P.O. Box 16563
Phoenix, Arizona 85014

Dear Mr. Moreland:

NM Draft LEIS
April 1994

Attached hereto are comments of the Arizona Mining Association (AMA) and its member companies - ASARCO Incorporated, Cyprus Climax Metals Company, Magna Copper Company and Phelps Dodge Corporation - in response to NM's April 1994 draft LEIS concerning Arizona Statewide Wild and Scenic Rivers.

Our comments focus upon twenty-three (23) river and stream segments where designation or classification under WSRA would significantly impair, or even cause closure of current or future copper-mining operations in the vicinity of such segments.

If you have questions, or would like to discuss our comments, please contact me.

Sincerely,

Attachment

2702 N Third Street - Suite 2045 - Phoenix, Arizona 85004 - (602) 266-4416

Response 41 - 1: These comments were received and considered during the period when the Bureau of Land Management suitability assessment reports were prepared (February - September, 1993).

TABLE OF CONTENTS

I.	Introduction	
II.	Arizona Mining Association Letter to State Bureau of Land Management Director Leo Rosenkrantz, dated March 22, 1993	
III.	Map of Arizona	
IV.	Summary Table	
V.	Technical/Socioeconomic Data on Specific Rivers of Critical Importance to Arizona Mining Association	
	Arnett/Telegraph	1
	Big Sandy	3
	Blue	5
	Bonita	7
	BURRO	8
	Campana	12
	Cidoga	13
	East Clear Creek	14
	Eagle	16
	Franklin	18
	Gila Box	20
	Gila Mid	22
	Pigeon	22
	Pinto	24
	Salt, Upper	26
	San Francisco, Lower	28
	San Francisco, Upper	30
	San Pedro	32
	Santa Maria	33
	Sardine	34
	Sycamore	35
	Verde, Upper	36
	Verde, East	37



ARIZONA
MINING ASSOCIATION

June 28, 1994

ARIZONA MINING ASSOCIATION

Comments Submitted

In Response to

Bureau of Land Management

Draft Legislative Environmental Impact Statement

on

Arizona Statewide Wild and Scenic Rivers

April 1994

Member Companies:

ASARCO Incorporated
Cyprus Climax Metals Company
Magna Copper Company
Phelps Dodge Corporation

2702 N Third Street - Suite 2045 - Phoenix, Arizona 85004 - (602) 266-4416

INTRODUCTION

The State of Arizona is blessed with the greatest copper resources in the nation, providing jobs and taxes as well as copper and other materials vital to the nation's well-being.

Comments presented herein represent the position of the Arizona Mining Association (AMA) and its member companies - ASARCO Incorporated, Cyprus Climax Metals Company, Magna Copper Company and Phelps Dodge Corporation - with regard to the Bureau of Land Management (BLM) Draft Legislative Environmental Impact Statement (LEIS) on Arizona statewide Wild and Scenic Rivers, dated April 1994. Certain of these stream segments should be removed from consideration. Our reasons and justifications are presented in this document. These are streams located in the vicinities of mining operations and developments. Impacted mining facilities would include access routes, utility corridors, well fields, and areas utilized for extraction, tailings and overburden disposal.

The options for locating mining infrastructure and activities are limited to those unique locations that contain commercially viable ore deposits. This is an obvious fact of life for the mining industry. The AMA opposes designation of rivers as wild and scenic where there is conflict with mining properties, developments and communities.

The discussion and pages that follow offer specific examples where wild and scenic designation would interfere with the continuing viability and vitality of the Arizona copper industry, its employees, surrounding communities and the state of Arizona in general. This industry, which consistently produces some 55% of the nation's newly-mined copper (using no more than 1/4 of 1% of the land and 3% of the water in Arizona), contributed \$5.68 billion to the Arizona economy in 1993, while employing 11,800 people directly and 58,000 indirectly. Direct contributions to the economy of Arizona in 1993 included \$123 million in state and local tax payments, \$964 million in purchases from Arizona businesses and \$472 million in payroll, along with \$2.4 billion in value of products produced. At the same time, Arizona companies have met the challenges of new technologies, escalating costs, compliance with new regulations and global competition.

The AMA supports appropriate and necessary environmental safeguards, land withdrawals, and resource protection efforts and its member companies and their employees have been recognized for voluntary protection efforts. Each member company has made increasing commitments to achieve and exceed compliance with State and Federal environmental laws and rules.

Aside from the adverse economic consequences of designation, AMA questions the suitability of including streams that lack truly outstandingly remarkable wild and scenic characteristics. Designation of such rivers will not, in itself, make them wild or scenic. Designation will not make ephemeral or dry streambeds flow.

For those rivers and river segments discussed herein, multiple-use and other current management methods are critical to maintaining Arizona's economy and its mining industry. Such use and proper management methods will also benefit American consumers as well as tax-supported agencies. Mining employees and local communities throughout the state depend upon a healthy mining industry.

It is essential that protection be given the vital infrastructure and facilities which are necessary for the successful and competitive production of the mineral wealth of Arizona, which is a consistent national leader in the production of non-fuel minerals - more than \$2.7 billion worth in 1993. The streams and watersheds noted in these pages are not suitable for wild, scenic or recreational designation. We believe that such designation will have a substantial negative impact upon the well-being of Arizona mining and the Arizona economy.



ARIZONA MINING ASSOCIATION

DAVID BORGES
President

March 22, 1993

Lester Rosenkrance, State Director
Bureau of Land Management
Arizona State Office
3703 W. 7th Street
Phoenix, AZ 85011

Dear Mr. Rosenkrance:

Arizona Mining Association Scoping Response for BLM Wild and Scenic River LEIS

This statement, on behalf of the Arizona Mining Association (AMA) and its member companies, is in response to the February 19, 1993, Federal Register Notice titled: Intent to Prepare a Legislative Environmental Impact Statement (LEIS) for Suitability/Non-suitability Recommendations for Inclusion of Arizona Rivers in the National Wild and Scenic River System; Arizona State Office, Phoenix, Arizona. Issues identified in this statement are significant and should be given full consideration in the LEIS.

It is our understanding that the LEIS will present suitability recommendations for inclusion in the Wild and Scenic River (WSR) system of 17 to 20 river segments associated with lands administered by Arizona BLM. These river segments have been identified by BLM as eligible for WSR status and classified as wild, scenic or recreational in Resource Management Plans (RMPs) for the Safford, Arizona Strip, and Kingman Districts. The Arizona Strip RMP has been approved with a signed record of decision. The Safford RMP has been approved with a partial record of decision pending resolution of a protest of the eligibility determination for the Gila and Lower San Francisco Rivers. The Kingman RMP is in the draft stage and a record of decision has not been issued.

Determining WSR eligibility, classification, and suitability is an important and complex process. The AMA is concerned that the potential impact of WSR designation on private property rights, water rights, tax bases, and economic development receive full consideration and that the process be in full compliance with applicable laws, including the National Environmental Policy Act (NEPA) and the Wild and Scenic River Act (WSRA).

The following discussion of NEPA and WSRA issues sets forth our concerns regarding evaluation of alternatives and impacts and the eligibility, suitability and management of WSR segments:

Lester Rosenkrance
March 22, 1993
page 2

I. NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) COMPLIANCE

The NEPA process is intended to result in decisions that are based upon an understanding and full disclosure of the consequences of proposed actions. To meet this intent, the Arizona WSR LEIS must consider an adequate range of alternatives and address the full range of potential consequences which may arise from WSR designation.

A. ALTERNATIVES

NEPA requires that LEIS "rigorously explore and objectively evaluate all reasonable alternatives" (40 CFR 1502.14). The full range of alternatives for the Arizona WSR LEIS must include the following:

- No action alternative (not recommending specific river segments for WSR designation).
- Other BLM and/or state and local agency options for managing a river segment.
- Revisiting the eligibility determination for a river segment.

An alternative which revisits eligibility determinations is necessary because NEPA compliance has not been completed for all the river segments which have been proposed as eligible. In addition, it is our contention that, because the LEIS is a statewide evaluation, eligibility criteria should be consistent statewide. (See ELIGIBILITY section below). Application of statewide standards may change the results of previous eligibility evaluations and this possibility should be evaluated in the LEIS.

B. ENVIRONMENTAL CONSEQUENCES

The Affected Environment and Environmental Consequences sections of the LEIS must succinctly describe the effect of alternatives upon the environment and must also fully document and evaluate the potential impacts of those alternatives. Also, to meet the requirements of NEPA for full evaluation and disclosure, the Affected Environment and Environmental Consequences sections must include the following topics:

- Mineral Resources: Direct and indirect constraints imposed upon development of mineral resources within and outside of the WSR corridor.

Lester Rosenkrance
March 22, 1993
page 3

- Water Resources: Potential effects upon surface and groundwater rights, diversions, and water development facilities.
- Transportation: Potential effects upon planned and existing transportation corridors.
- Socioeconomics: Potential effect upon local and regional economies, local and state tax bases, land acquisition and condemnation and reduction in private land base.
- Cumulative and long-term impacts: Full evaluation of cumulative and long-term impacts on local and regional economies.

II. WILD AND SCENIC RIVERS ACT (WSRA) ISSUES

The WSRA provides the authority for designating river segments, general criteria for river segments to be included in the WSR system and a general framework for their management. BLM Manual 831 provides additional direction regarding identification, evaluation, and management of WSR segments. In order to meet NEPA requirements for full disclosure and alternative evaluation, the LEIS must clearly define how the provisions of the WSRA and direction given in BLM Manual 831 are specifically applied in Arizona to determine eligibility, suitability and the ultimate management of river segments which are included within the WSR system.

A. ELIGIBILITY

Section 1(b) of the WSRA requires that to be eligible, a river segment must possess one or more "outstandingly remarkable values" (ORVs). The WSRA and BLM Manual 831 provide broad definitions for ORVs which are subject to a wide range of interpretations. To comply with disclosure requirements of NEPA, the Arizona WSR LEIS must provide specific criteria for ORVs in Arizona. These criteria should be applied consistently across the state. This will provide a consistent basis for public review and evaluation of the appropriateness of the eligibility and suitability determinations. The following criteria for ORVs should be defined in the LEIS. Quotations are from BLM Manual 831.31C.

- Geographic Region: ORVs are defined on the basis of significance within the geographic region. The geographic region which this LEIS is considering should be, at a minimum, the State of Arizona.
- Scenic: The term "notable or exemplary" visual features and/or attractions within the geographic region must be defined.

Lesler Rosenkrantz
March 22, 1993
page 4

- * Recreation: A "critically important regional recreation opportunity" must be defined.
- * Geologic: A "rare, unusual, or unique" geologic feature must be defined.
- * Fish and Wildlife: Definitions are required for regionally important fish and wildlife populations and exceptionally high quality fish and wildlife habitat.
- * Cultural: Definition is required for nationally and regionally important Native American sites.
- * Historic: Definition of an "outstandingly remarkable" historic value is adequate for evaluation of eligibility if examples of significant events, important persons or cultural activity in Arizona are established.
- * Other Similar Values: Clear definition of other values which will be considered needs to be provided.

BLM Manual 8361.31B states that a segment with less than 40% BLM ownership can be designated as eligible only if "the government agency with control, State or local government for private land, supports the finding." These agencies must make clear statements of support for eligibility for a segment to be retained as eligible when BLM ownership is less than 40%.

B. SUITABILITY

Section 4(a) of the WSPA and BLM Manual 8361.33A require that a suitability determination for an eligible river segment include evaluation of "characteristics which do or do not make the area a worthy addition to the National Wild and Scenic River system." This criteria for segment suitability must be defined and consistently applied in the LEIS.

The following factors are specified in BLM Manual 8361.33A for evaluation of suitability and should be included in the LEIS:

- * Status of landownership, minerals, land use, and amount of private land.
- * Reasonably foreseeable potential uses of the land and related waters.
- * Federal, public, state, tribal, lease, or other interests in designation or nondesignation.
- * Land acquisition costs.

V1

Lesler Rosenkrantz
March 22, 1993
page 5

- * Ability of BLM to manage and/or protect the river segment.
- * Historical and existing rights.

C. MANAGEMENT

Section 10(a) of the WSPA requires that river segments within the system must be managed to protect the values for which the segment was designated without limiting other uses that do not substantially interfere with public use and enjoyment of these values. The LEIS should include clear definition of the management parameters and limitations on land use that would follow MSR designation on a segment-by-segment basis. These should include:

- * Land use limitations within the MSR corridor.
- * Land use limitations outside the MSR corridor.
- * Potential impact on surface water and groundwater rights.
- * Local agency participation
- * Land ownership and acquisition policies
- * Utility easements
- * Road crossings
- * Management status for eligible river segments during the LEIS process.

We recognize that the process of determining eligible and suitable additions to the MSR system is important for all of Arizona. It behooves the BLM to proceed in a manner which is consistent with law and clearly identify the public interest and concerns in these matters. Thorough compliance with NEPA and consideration of all alternatives and impacts in necessary to serve the public interest.

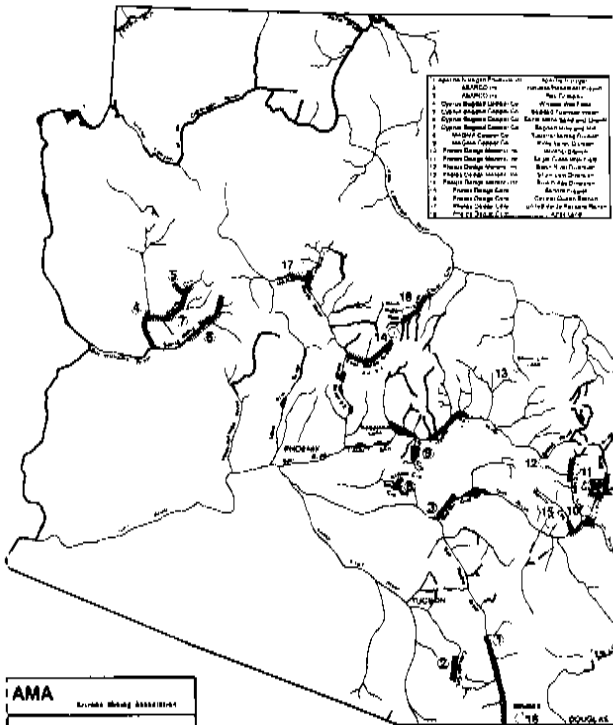
We appreciate having the opportunity to make comments on this issue. Our written comments on specific river segments will be forwarded to you in the near future.

Sincerely,

David C. Ridinger

DCR/jc

V11



V111

Summary Table - Arizona Mining Association Non-Suitable Rivers

NAME	STATE	ACRES	ECONOMIC IMPORTANCE	RIBERAL STRUCTURE	EXISTING UTILITIES	PROBLEMS
Big Bend	N.M.	150	High	None	None	Supplies 85% of town water
Blue	N.M.	50	High	None	None	Supplies 85% of town water
Burra	N.M.	93	High	None	None	Supplies 85% of town water
Chama	N.M.	100	High	None	None	Supplies 85% of town water
East Fork	N.M.	25	High	None	None	Supplies 85% of town water
El Rio	N.M.	25	High	None	None	Supplies 85% of town water
Franklin	N.M.	34	High	None	None	Supplies 85% of town water
Little Bend	N.M.	93	High	None	None	Supplies 85% of town water
Osage	N.M.	100	High	None	None	Supplies 85% of town water
Pecos	N.M.	100	High	None	None	Supplies 85% of town water
Pinto	N.M.	150	High	None	None	Supplies 85% of town water
Red	N.M.	85	High	None	None	Supplies 85% of town water
San Francisco	N.M.	15	High	None	None	Supplies 85% of town water
San Francisco	N.M.	15	High	None	None	Supplies 85% of town water
San Pedro	N.M.	15	High	None	None	Supplies 85% of town water

STREAM SEGMENT	WATER RIGHTS	W. PER. LAND	ECONOMIC IMPACT	MINERAL RESOURCES	EXISTING UTILITIES	SPURONS
Arnett/Telegraph	A.S.	20	Copper, Molybdenum	CU, MO, AG, AS; Sand, gravel	Power, water; San gas pipeline	Non-multiple private
Bardine		50	Phelps Dodge (Magma)	CU, MO, AG, AS	ROADS	Exploration, multiple
Sycamore	A.S.T.	57	Phelps Dodge (Upper Verde)	CU, MO, AG, AS	ROADS, POWER	Land exchange; Real estate value
Verde Upper	A.S.T.	45	Phelps Dodge (Upper Verde)	CU, MO, AG, AS	ROADS, POWER, RAIL	Land exchange; Real estate value
Verde East	A.S.T.	38	Phelps Dodge (Magma)	CU, MO, AG, AS	ROADS, POWER	Water transport

A.S. = surface water rights
 A.S.T. = water right transfer
 A.S.P. = upstream water rights
 A.S. = vested water rights
 A.S. = registered rights

CU = copper
 MO = molybdenum
 AG = silver
 AS = arsenic
 U.S. = uranium
 R = rhenium
 No. = none
 No. = none

Exploration potential - Confined with access, exploration, and development of stream with mineral potential

Technical/Socioeconomic Data on Specific Rivers of Critical Importance to Arizona Mining Association

Arnett/Telegraph..... 1

Big Sandy..... 3

Blum..... 5

Bonita..... 7

Burro..... 8

Campaign..... 12

Cienega..... 13

East Clear Creek..... 14

Flag..... 16

Franklin..... 18

Gila Box..... 20

Gila Mid..... 22

Pigeon..... 23

Pinto..... 24

Salt, Upper..... 26

San Francisco, Lower..... 28

San Francisco, USFS..... 30

San Pedro..... 32

Santa Maria..... 34

Bardine..... 34

Sycamore..... 35

Verde, Upper..... 36

Verde, East..... 37

AMA REVIEW - POTENTIAL DESIGNATION OF ARNETT/TELEGRAPH CREEKS

DESCRIPTION: Arnett and Telegraph Creeks; USFS recommends scenic designation on segments that are 2.5 miles and 1.0 miles in length, respectively. Both extend from their confluence with Queen Creek; Arnett to the north and Telegraph to the south.

The scenic designation proposed for these two segments is not fitting. Neither is potential in nature nor does either exhibit the outstanding characteristics that would be necessary for a WSR designation. Portions of these stream segments are already included in a designated Wilderness Area and need no further designation.

ADVERSE ECONOMIC IMPACT:

Designation under WMA would have a major impact in the area due to adverse effects on existing industrial activities that support the local community of Superior. A premature closure of the Magma-Superior mining operation along with the cattle ranching, perlite operations, and sand & gravel industry in the area could easily result in an estimated loss of some 360 jobs. Expenditures in Arizona for the Superior mining operations in 1992, in the form of payroll, purchases of goods and services and state and local taxes exceeded \$36 million.

IMPACTED COMPANIES AND GROUPS:

- Magma Copper Company - Superior Mining Division.** Magma has operated its Superior mine and mill since its re-opening in 1989. Prior operations date back to 1915. This facility lies approximately 1 mile west of the proposed stream segment. The millsite tailings, smelter area, and mill itself are in definite visual proximity to the stream. Superior is within the "scenic easement" for these two streams.
Magma's water rights in the area include a single well (Belmont Mine), that lies within the drainage area of Telegraph Creek. This well is currently not being used, but Magma may utilize it at a future time.
- Salt River Project (SRP).** SRP provides power to Magma and all of the surrounding area. Last year Magma purchased \$3,511,740 kilowatts of power from SRP.
- Cattle Ranching.** It is unknown at this time how many ranchers currently have cattle operations within close proximity of these proposed segments; however, cattle-raising is common in those areas.
- Perlite Operations.** A perlite mine is operating approximately 1/2 mile west of the Picket Post area, very close to Telegraph Creek. It is unknown how many people are employed and what the economic impact may be.

POTENTIAL DESIGNATION OF ARNETT/TELEGRAPH CREEKS

IMPACTED COMPANIES AND GROUPS, continued

- Superior Municipality.** The town of Superior lies 1-2 miles west of these segments. This municipality would be affected significantly by the loss of 360 jobs.
- Sand and Gravel.** Guzman Construction Company, Inc. operates within 1/2 miles of Telegraph Creek and employs 6-10 workers.

AMA POSITION:

WSR designation as scenic of Arnett/Telegraph Creeks is inappropriate for the following reasons:

- Extreme adverse economic impacts upon the local and regional areas due to the impacts upon at least five separate economic activities.
- Major facilities already in place and operating.
- Most of Telegraph and a small portion of Arnett Creeks already lie within a Wilderness area and should need no further designation.
- Arnett does not meet the criteria of "outstanding" for its designation.
- The surface flow of Arnett and Telegraph Creeks is "intermittent".

AMA REVIEW - POTENTIAL DESIGNATION OF BIG SANDY RIVER, BLM SEGMENT 2

DESCRIPTION: Big Sandy River, BLM Segment 2 (BLM doc. p.73), eighteen miles long. Agency recommends 17.4 miles as wild and 2.6 miles as scenic. Very low Federal land position - predominantly private property.

BLM Segment 2 includes eighteen miles of the Big Sandy River from the Bridge on U.S. Highway 93 downstream to the Signal Township. Of this potential WSR segment, the great majority is private property, with only 3% under BLM jurisdiction. Except for a 4-mile reach immediately upstream from the Signal Road crossing, where the Big Sandy flows intermittently through a rather nondescript range of granite hills, this potential WSR segment is largely characterized by barren sand migrating back and forth within a broad, desert scrub-covered floodplain. Low terraces within and adjacent to the floodplain have been widely settled for more than 100 years, with ranches, small farms, and retirement residences providing homes for some 50 residents within the broad, hot, low desert valleys that make up this segment.

ADVERSE ECONOMIC IMPACT:

Very high potential for significant adverse economic impacts to the regional economy because three important utility corridors lie within the proposed WSR corridor, requiring road access for maintenance.

Potential complex and very contentious long-term water rights issues threaten the regional economy and numerous local property owners.

IMPACTED COMPANIES AND GROUPS:

1. Cyprus Bagdad Copper Corporation operates a world-class copper mining and milling complex employing more than 400 people at Bagdad, twenty miles east of Segment 2. In 1992, Cyprus-Bagdad paid \$4.2 million in property taxes, making it one of the largest taxpayers in Yavapai County. In addition to sustaining the 2500 people residing in Bagdad, and supporting Arizona businesses with purchases of goods and services worth \$80 million, last year Cyprus-Bagdad's overall direct economic impact totaled about \$1 billion a day. The importance of the Bagdad mining operation to the local and state economy is growing yearly. In addition to the major threat of adverse impacts to the private property and historic in-stream water rights along the Big Sandy, Arizona Mining Association strongly opposes WSR designation because of negative impacts on three utility companies that serve the Cyprus-Bagdad facility.
2. Arizona Electric Power Cooperative, Inc. delivers power to Bagdad through its 45 KV overhead powerline that traverses Segment 2 near the Signal Road crossing.

3

POTENTIAL DESIGNATION OF BIG SANDY RIVER, BLM SEGMENT 2

IMPACTED COMPANIES AND GROUPS, continued

3. Citizens Utilities - Arizona Gas Division maintains a buried pipeline delivering natural gas to the Bagdad operation. This pipeline right-of-way crosses the Big Sandy just south of the Arizona Electric Power Company powerline.
4. Mohave Electric Cooperative, Inc. services customers via more than 4 miles of powerline lying within the proposed WSR corridor.

OTHER GROUPS AND POPULATION CENTERS ADVERSELY IMPACTED:

Any significant adverse WSR impacts on Cyprus-Bagdad will be reflected by economic losses throughout the region. Hardest hit would be the Yavapai County school districts, Bagdad and the business communities of Prescott and Wickenburg. In Mohave County, the communities of Wikieup and Signal, along with ranchers and other Big Sandy property owners, would be most severely impacted by WSR designation.

AMA POSITION:

BLM Segment 2 of the Big Sandy is clearly unsuitable for Wild & Scenic River designation for numerous reasons, the most compelling being:

1. Segment 2 fails the fundamental WSR test, because there are no truly "outstandingly remarkable" values. This segment is characterized by a predominantly dry sand wash with only intermittent stream flow, and has been so badly flood-ravaged that riparian values are almost non-existent.
2. Potentially highly adverse economic impacts are related to utility corridors and maintenance of access over more than seven miles of county and local graded roads.
3. By far the greatest threat to private property and the regional economy stems from the specter of prolonged water-rights litigation related to complex, unresolved issues including in-stream rights, and future water adjudication complicated by federally-reserved waters for Wild & Scenic River usage.

4

AMA REVIEW - POTENTIAL DESIGNATION OF BLUE RIVER, SEGMENT 2

DESCRIPTION: Blue River: USFS - 34 miles recommended by agency as scenic - 19 miles as recreational. Segment 2, south of the Blue Ridge Primitive Area and north of the Morenci ore deposit, is 12 miles long. Designation under WSR of this segment would precipitate adverse economic impacts in various ways.

The area traversed by the proposed wild and scenic river segment has significant potential for mineralization. This segment is located 8 to 17 miles northeast from the Morenci ore deposit. USGS Bulletin 1261-I indicates mineralization at the southern margin of the Blue Ridge Primitive Area which is traversed by this corridor. Portions of the river corridor at the southern boundary of the primitive area were prospected by Phelps Dodge in 1874. This prospecting resulted in drilling which encountered acid sulfate alteration and pyrite without economic minerals. The alteration is indicative that other drilling targets are present in the area. Reinterpretation of geophysical data for this area is in progress and may lead to mineral drilling targets.

ADVERSE ECONOMIC IMPACT:

Restriction of vehicular access within the designated river corridors in Greenlee County north of Clifton isolates significant acreage surrounded by the river barriers. This isolation of public land precludes the development of the land by restricting access for utilities and vehicles. It is in the best interest of the public to leave this prospective ground accessible for multiple-use and future development.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci mining operations - future expansions.
2. Public utilities rights-of-way.
3. Rural communities of Clifton, Duncan, Morenci and Safford.
4. Cattle growers.

AMA POSITION:

WSR designation of Segment 2 of Blue River is inappropriate for the following reasons:

1. WSR restrictions upon future development of mineral deposits near the Morenci mine would have significant economic consequences for the local economy, including the mining operation.

5

AMA REVIEW - POTENTIAL DESIGNATION OF BLUE RIVER, SEGMENT 2

AMA POSITION, continued

2. Existing access routes to multiple-use land cross the river corridor during periods of low river flow. Use for access would be incompatible with designation of the river.
3. Some three percent of the entire river is privately held.
4. Current USFS land-use plans protect the river. Upper reaches of the river are protected by the Blue Ridge Primitive Area.

6

AMA REVIEW - POTENTIAL DESIGNATION OF BONITA CREEK, SEGMENT 1

DESCRIPTION: Bonita Creek: BLM - All 15 miles recommended by agency as recreational.

The fifteen-mile long segment reaches from the San Carlos Apache Indian Reservation to the confluence with the Gila River. The Gila Box Riparian National Conservation Area encompasses 100% of the segment and needs no further protection.

ADVERSE ECONOMIC IMPACT:

This segment, adjacent to future mining operations near Gafford, is located in an area not fully tested for its mineral potential. WSR designation may physically restrict potential areas from expansion, utility easements near the planned operations, or may impede permitting projects. The segment is also downstream from a city of Safford water source which contributes to the flow of the creek.

The segment includes ranch land purchased by Phelps Dodge Corporation for a BLM land exchange at the Safford property for production facilities. The exchange was not protected in the BLM RMP on the basis of the Gila Box agreements because a Wild and Scenic recreational designation would be less restrictive than the land-use requirements of the Gila Box BRCA plan.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge planned mining operation at Safford.
2. City of Safford water supply.

AMA POSITION:

Wild & Scenic River designation of Bonita Creek, Segment 1, is inappropriate for the following reasons:

1. City of Safford water is supplied from the collection gallery in Upper Bonita Creek.
2. Planned mining operations within one mile of the creek will be impacted by the designation.
3. The area is highly mineralized and adjacent to a known mineral deposit.
4. The area is part of the Gila Box National Riparian Protection Area and needs no additional protection.

7

AMA REVIEW - POTENTIAL DESIGNATION OF BURRO CREEK, SEGMENT 1

DESCRIPTION: Burro Creek, Segment 1: BLM - Agency recommends seven miles as recreational.

Four miles of upper Burro Creek, extending upstream from the Wilderness boundary at Cyprus Bagdad Copper Corporation Francis Creek Road to a point above Francis Creek. BLM-managed public lands make up only 1% of this portion of Segment 1. This reach of Burro Creek has many similarities with the adjoining Segment of Lower Francis Creek, and is largely fed by Francis Creek during the dry season. The Cyprus Bagdad water and natural gas pipelines, and Francis Creek Road cross this segment of Burro Creek, and the main Francis Creek booster station lies within or immediately adjacent to the proposed WSR corridor, half way up the west side of Burro Creek Canyon. This part of Burro Creek already is afforded extraordinary protection because it lies immediately upstream from the Upper Burro Creek Wilderness, and because it is within the Francis and Burro Creek Unique Waters Protection Area.

WSR designation is totally inappropriate for this portion of Burro Creek because of Bagdad's community water system and potential conflicts perhaps even including a federal taking of historic in-stream water rights owned by Cyprus Bagdad Copper Corporation.

ADVERSE ECONOMIC IMPACT:

There is a high potential for extremely adverse local and regional economic impact because of the direct threat to Cyprus Bagdad in-stream water rights, and Bagdad's 20-year old, \$2 million community water supply system.

IMPACTED COMPANIES AND GROUPS:

1. Cyprus Bagdad Copper Corporation and 2,500 residents of Bagdad who depend upon the long established Francis Creek water system for about 85% of the community water supply.
2. Rural community and county. The 20-year old, \$2 million Francis Creek water system is vital to Cyprus Bagdad's long-range operation; proposed WSR designation constitutes a very real threat to the local and state economy. Cyprus Bagdad paid more than \$9.2 million in state and local taxes, including \$4.7 million in property taxes, making Cyprus Bagdad one of the largest supporters of the Yavapai County school districts.
3. Local ranchers, state and federal land and wildlife managers, hunters and other outdoor recreationists all depend upon Cyprus Bagdad's pipeline road to provide access into the upper Burro Creek and lower Francis Creek areas.

8

AMA REVIEW - POTENTIAL DESIGNATION OF BURRO CREEK, SEGMENT 1, continued

AMA POSITION:

WSR designation of Burro Creek, Segment 2, is inappropriate for the following reasons:

1. Less than 1% of this reach of Burro Creek is federal land.
2. A potential federal "taking" of Cyprus Bagdad's historic in-stream water rights would have a devastating impact upon the town of Bagdad and its 2,500 residents and the local economy.
3. Because of existing unique waters protection and restrictions related to wilderness immediately downstream, WSR designation would constitute a totally unnecessary and added layer of bureaucratic management to be funded by the taxpayer.
4. Cyprus Bagdad's access and maintenance requirements related to the Francis Creek water system constitute an irreconcilable conflict with WSR designation. In addition, the required truly "outstandingly remarkable" values are lacking within this segment.

9

AMA REVIEW - POTENTIAL DESIGNATION OF BURRO CREEK, SEGMENT 2

DESCRIPTION: Burro Creek, Segment 2: BLM - Agency recommends seven miles as recreational.

Seven miles of Burro Creek, beginning at a point about a half-mile downstream from Silver-Hill Crossing and extending upstream to the southern boundary of the Upper Burro Creek Wilderness Area. This portion of Burro Creek is predominately private land belonging to Cyprus Bagdad Copper Corporation and its subsidiary, the Super-Gate Company. Existing flow control is less than 40%. Cyprus has three historic in-stream water rights of Burro Creek where its main 24-inch Wikipup aqueduct crosses this proposed WSR segment. Except for a small canyon cut in granitic rocks downstream from the Boulder Creek confluence, the intermittent flow of Burro Creek is confined in a broad, bouldery channel between terraced and low bluffs marking the center of a broad valley. A graded road follows the stream the length of the valley, and the old county road to Kingman crosses Burro Creek at Elk-Hill Crossing. There are no truly unique or "outstandingly remarkable" values along Segment 2 of Burro Creek.

WSR designation is totally inappropriate for this portion of Burro Creek for many reasons, including the fact that it is predominately private property.

ADVERSE ECONOMIC IMPACT:

There is a high potential for extremely adverse local and regional economic impact due to conflicts resulting from local land uses incompatible with WSR designation. A significant potential exists for multi-billion dollar losses to the state and local economies, due to premature closures of the Cyprus Bagdad mining and milling operation. The loss of 400 or more mine-related jobs and potential tax losses would amount to many millions of dollars, with lost metals production and business opportunities totaling several billion dollars.

IMPACTED COMPANIES AND GROUPS:

1. Cyprus Bagdad Copper Corporation and 2,500 residents of Bagdad. Cyprus operates a world-class mine and milling complex a few miles east of Burro Creek. A 600-foot high Mammoth Wash tailings dam lies in close visual proximity to this segment of Burro Creek, and in the future expanding tailings dams will have much greater visual impacts on the adjacent proposed WSR corridor. Complex water rights issues and unavoidable visual impacts of continued operation on potential WSR designation constitute a very high risk for the long-range future of the Cyprus Bagdad mine.
2. Arizona Electric Power Cooperative, Inc. provides power to the Bagdad operation via the 69 KV Parker transmission line that crosses this segment of Burro Creek.

10

AMA REVIEW - POTENTIAL DESIGNATION OF BURRO CREEK, SEGMENT 2

IMPACTED COMPANIES AND GROUPS:, continued

3. Citizens Utilities delivers natural gas to Cyprus Bagdad via a pipeline crossing the central part of the proposed WSR corridor, a short distance downstream from Cyprus Bagdad's main Winkup water line crossing.
4. GSA Resources mines high-value clays from several pits within the proposed segment.
5. Nyser Cattle Company has already invested more than \$60,000 to establish a BLM award-winning Riparian Improvement Area along this part of Burro Creek.
6. Rural community and county. A premature closure of the Cyprus Bagdad copper mine could result in the loss of more than 600 jobs and devastate the 2,500 residents of Bagdad. In addition, the state and regional economies would stand to lose annual business purchases exceeding \$80 million and tax revenues of perhaps \$30 million. Yavapai County schools and businesses in Prescott, Wickanburg and Hillside would feel the impact the most.

AMA POSITION:

WSR designation of Burro Creek, Segment 2, is inappropriate for the following reasons:

1. Extreme adverse local and regional economic impacts with impact on at least five separate companies.
2. Predominately private land, less than 40% BLM controlled with no truly "outstandingly remarkable" values.
3. Major tailings facilities and historic in-stream water rights, resulting in irreconcilable use conflicts.

11

AMA REVIEW - POTENTIAL DESIGNATION OF CAMPAIGN CREEK

DESCRIPTION: Campaign Creek: USFS - 10.5 miles of the 11-mile segment are managed by USFS. Designation is not recommended by the agency; AWC proposes wild/scenic designation.

The segment is within the view shed of Magma's Pinto Valley mining operation, which, if designation takes place, could be of major concern, as could be the designation and location of high water marks.

ADVERSE ECONOMIC IMPACT:

Exploration for, and operation of, future mines within this highly mineralized district could be severely limited by a WSR designation, as could the operation of existing mines. In 1991, Magma's Pinto Valley operation employed 662 workers and contributed \$86.7 million to the Arizona economy in the form of payroll, state and local taxes and purchases of goods and services from Arizona businesses.

Salt River Project (SRP), provider of power to Magma's mining operations and surrounding communities, would be impacted significantly by costly restrictions on the mining facility.

IMPACTED COMPANIES AND GROUPS:

1. Magma's Pinto Valley mining operations.
2. Rural communities of Miami and Globe where a majority of Magma's workers reside.
3. Salt River Project.

AMA POSITION:

WSR designation of Campaign Creek is inappropriate for the following reasons:

1. The segment is adequately protected in that it lies partially within the Superstition Wilderness Area.
2. The surface flow of Campaign Creek is intermittent.
3. Adverse economic impact would be placed upon the rural communities of Miami and Globe if continuance of mining operations were limited in any way.

12

AMA REVIEW - POTENTIAL DESIGNATION OF CIENEGA CREEK

DESCRIPTION: Cienega Creek: BLM - All 10.3 miles. No eligibility determination by agency. Proposed as scenic by AWC. The segment has been purchased from private owners and is 100% protected as an Empire-Cienega Resource Conservation Area.

ADVERSE ECONOMIC IMPACT:

ASARCO Incorporated has plans to develop the Rosemont/Helvacia Mine, which would be visible from the water corridor. If this segment is designated as scenic, permitting would be extremely difficult if at all possible. The operation would provide 800-850 high-paying new jobs for Arizona residents.

IMPACTED COMPANIES AND GROUPS:

1. ASARCO Incorporated with 600-800 potential jobs.
2. Tucson Electric Power Company (TEPCO) utilizes corridor for power transmission lines.
3. Ranchers and recreationists could lose right to access the area.

AMA POSITION:

WSR scenic designation of Cienega Creek is inappropriate for the following reasons:

1. The entire segment is protected as a National Conservation Area.
2. The creek is intermittent and ephemeral.
3. Some 600 to 800 potential jobs would be in jeopardy.
4. TEPCO transmission lines positioned in the corridor would have to be relocated at great expense.

13

AMA REVIEW - POTENTIAL DESIGNATION OF EAST CLEAR CREEK

DESCRIPTION: East Clear Creek: USFS - All 23 miles recommended as scenic by agency.

ADVERSE ECONOMIC IMPACT:

The proposed segment begins 1 mile below the Blue Ridge Dam which controls the flow of the creek. Designation as part of the Wild and Scenic River System could result in potential interference with the continued operation of Blue Ridge Dam, especially with maintenance of the structure. Applications for dredge and fill permits for maintenance of the reservoir could be restricted and real estate owned by Phelps Dodge Corporation could be restricted from development.

The water from Blue Ridge Reservoir is pumped into the East Clear Creek for use by Salt River Project customers in exchange for water used at Phelps Dodge's Morenci mine and the towns of Clifton and Morenci.

Restrictions on the future operations of the Morenci Mine would pose significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$70 million in state and local taxes, \$80 million in payroll and \$200 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve sounds, earth movement or visual impairments could be significantly restricted by WSR designation.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Corporation's Morenci operations provides employment for 2,100 workers.
2. The municipalities of Morenci, Clifton, Duncan and Safford benefit directly from the economic impact of the Morenci mining operation.
3. Salt River Project customers rely on water transfers from the Blue Ridge Reservoir to East Clear Creek.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers for the following reasons:

1. The upstream impoundment of the creek makes it unsuitable habitat for the Tak species.

14

AMA REVIEW - POTENTIAL DESIGNATION OF EAST CLEAR CREEK

AMA POSITION:, continued

2. Existing wilderness and USFS land-use plans protect 22 miles of the river.
3. Approximately 22 percent of the land is privately owned.
4. The existing Blue Ridge Reservoir, one mile north of the segment, provides future opportunities for development of the water resource.

15

AMA REVIEW - POTENTIAL DESIGNATION OF EAGLE CREEK, SEGMENT 1

DESCRIPTION: Eagle Creek, USFS - 21 mile segment from Four-Drag Ranch to the end of the USFS designated segment. Agency recommends designation as recreational.

ADVERSE ECONOMIC IMPACT:

Designation as WSR would have a significantly adverse economic impact upon the communities of Clifton, Duncan, Morenci and Mafford and would interfere with the continued operation of wells, pipelines and discharge facilities on national forest rights-of-way. The transport of water from Eagle Creek is vital to the Phelps Dodge Morenci mining operation and to the towns of Clifton and Morenci.

Restrictions on the future operations of the Morenci mine would pose significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$200 million directly to the Arizona economy, including \$30 million in state and local taxes, \$60 million in payroll and \$20 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve sounds, earth movement or visual impairments could be significantly restricted by WSR designation.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci operations with 2,100 workers.
2. Ranches located within the river corridor.
3. Towns of Clifton and Morenci dependent upon water transported through the river segment and where a large number of mine workers live.
4. Public utilities with rights-of-way along the river corridor.

AMA POSITION:

WSR designation of Eagle Creek, Segment 1, is inappropriate for the following reasons:

1. The segment from the Four-Drag Ranch to Sheep Wash is in excess of 50% private ownership. Crossings of the stream frequently are maintained for access to ranches and a school bus that lie within the corridor.

16

AMA REVIEW - POTENTIAL DESIGNATION OF FRANCIS CREEK, SEGMENT 1

AMA POSITION:, continued

2. Phelps Dodge Morenci water facilities are visible from much of the river corridor which could interfere with a scenic designation. The majority of the water flow is created by discharge from Phelps Dodge water facilities.
3. USFS land-use plans currently protect 20 miles of the creek; the San Carlos Apache Tribe manages lands adjacent to the creek. No additional protection is needed or justified.

17

AMA REVIEW - POTENTIAL DESIGNATION OF FRANCIS CREEK, SEGMENT 1

DESCRIPTION: Francis Creek, Segment 1: BLM - Agency recommends 4.8 miles as recreational.

Fourteen miles of Francis Creek, upstream from its confluence with Burro Creek. BLM Segment 1 is only 34% public land, and includes Bagdad's main water supply at the fee-owned Francis Creek spring pumping station. Approximately 85% of Bagdad's community water requirements are pumped from this source through a 15-mile long aqueduct system that includes major natural-gas powered pump stations at the Francis Creek Springs and four miles southeast in Burro Creek Canyon. Except for the 2-3 mile-long reach from the springs downstream to Burro Creek, Francis Creek is predominantly a dry, intermittent mountain stream confined to a narrow barren canyon developed in Miocene-age volcanic rocks. All federal land along the perennial lower reach of Francis Creek is already included in the Upper Burro Creek Wilderness Area, and the entire perennial stream is already highly protected as part of a state-mandated Unique Water Protection Area.

The Arizona Rivers Coalition proposes a seven-mile segment upstream from the Burro Creek confluence - both the BLM and ARC proposals are unsuitable because of land ownership and water-use conflicts.

ADVERSE ECONOMIC IMPACT:

There is a high potential for extremely adverse local and regional economic impact because of threat to Cyprus Bagdad's in-stream water rights, and Bagdad's twenty-year old, \$2 million community water system.

As one of Yavapai County's largest taxpayers with more than \$4.2 million in total property taxes paid in 1992, any long-term adverse effects upon the Cyprus Bagdad mining operation will impact jobs, and state and county tax revenues. In addition to maintaining the 2,500 residents of Bagdad, and supporting the Arizona business community by buying goods and services worth about \$30 million in 1992, Cyprus Bagdad's overall direct economic impact totaled more than \$1 million per day.

IMPACTED COMPANIES AND GROUPS:

1. Cyprus Bagdad Copper Corporation and 2,500 residents of Bagdad, are almost entirely dependent upon the Francis Creek pumping system for their water supply. This is the community's only dependable water supply and provides about 85% of Bagdad's water needs. Continuing use of the Francis Creek access road, and operation and maintenance of Cyprus Bagdad's five converted-diesel engine pumps, the 12-inch waterline and its 2-inch natural gas pipe line are preexisting land uses incompatible with WSR designation.

18

AMA REVIEW - POTENTIAL DESIGNATION OF FRANCIS CREEK, SEGMENT 1

IMPACTED COMPANIES AND GROUPS: continued

2. Yavapai County and the State - The twenty-year old Francis Creek water system is vital to Cyprus Bagdad's mining operation. Proposed WSR designation on Francis Creek constitutes a very real threat to the local and state economy.
3. Local ranchers, hunters and other outdoor recreationists would be deprived of reasonable access if Cyprus Bagdad were unable to maintain its road and the Francis Creek pump station. Cyprus Bagdad normally allows public access to Francis and Upper Burro Creeks via this rugged back country road.

AMA POSITION:

WSR designation of Francis Creek, Segment 1, is inappropriate for the following reasons:

1. Segment 1 is only 344 federal land.
2. WSR protection would constitute a totally unnecessary extra burden upon the taxpayer, because the perennial flow of Francis Creek is already adequately protected by existing wilderness and Unique Waters Protection management.
3. Most of Segment 1 lacks the required truly "outstandingly remarkable" values.
4. Cyprus Bagdad's historic in-stream water rights on Francis Creek, while supplying Bagdad with 85% of its community water supply, still provide for the bulk of the spring discharge to maintain perennial flow in the lower reaches of Francis Creek. The mining operation pumping system, pipelines and access road are preexisting and land uses incompatible with WSR designation.
5. Very high potential for adverse impact upon the town of Bagdad, and the economics of Yavapai County.

19

AMA REVIEW - POTENTIAL DESIGNATION OF GILA RIVER, GILA BOX SEGMENT

DESCRIPTION: Gila Box Segment: BLM - Agency recommends 11.4 miles as scenic and 15.7 as wild. This segment is immediately adjacent to and below Phelps Dodge's Moranci mine, including well fields at Clifton.

ADVERSE ECONOMIC IMPACT:

The Greenlee Public Lands Committee on March 2, 1993 set forth their opposition to any further restrictions on the waters in Greenlee County and reaffirmed their opposition to any actions which would have an adverse impact to the custom, culture, and economy of Greenlee County.

An additional layer of restrictions being imposed upon the Gila Box National Conservation area would be a breach of faith by the United States government. Carefully worked out compromises were reached in a management plan and in the legislation establishing that area to the effect that further restrictions would not be added to that or nearby areas.

Designation of the Gila Box segment may physically restrict the area from expansion of Phelps Dodge Moranci mining operations or impede permitting them. The designation may restrict water additions from other mining operations for transfer to Moranci. Restrictions to utility easements in this area are onerous.

Restrictions on the future operations of the Moranci mine would pose significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Moranci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve sound earth movement or visual impairments could be significantly restricted by WSR designation.

This is in an area of the county that is suitable for future development.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge's Moranci mining operations withdraw water from upstream wells for the mine and discharge it back into the creek below the mine.
2. The municipalities of Clifton and Moranci receive water pumped from upstream wells while ranches and farms use water from the river for irrigation.
3. Designation may restrict transfer of water rights from New Mexico to Arizona.

20

AMA REVIEW - POTENTIAL DESIGNATION OF GILA RIVER, GILA BOX SEGMENT

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Utility lines, railways, roadways and several highway bridges are visible from the segment.
2. Highly mineralized area could be restricted from mineral development and geothermal exploration.
3. The BLM land-use plans currently protect 25.4 miles of the river segment.
4. The Moranci mine facilities and tailings dam are visible and audible from much of the river corridor, creating a significant impact.
5. Diversion at the New Mexico border for irrigation reduces the flow.
6. During periods of low flow, the corridor is used to access public lands.
7. The towns of Clifton and Duncan, upstream of this segment have sustained significant damage due to flooding and funding has been approved to modify the river channel immediately upstream of the segment.

21

AMA REVIEW - POTENTIAL DESIGNATION OF GILA RIVER MIDDLE SEGMENTS

DESCRIPTION: Gila River Middle Segments 1, 2 & 3: BLM - Agency has recommended a total of 19.4 miles as recreational and 12.5 miles as wild. Segment extends from Coolidge Dam to the East edge of the Asarco Ray Complex tailing ponds.

ADVERSE ECONOMIC IMPACT:

This segment traverses an area of high mineral potential along the San Carlos Indian Reservation boundary. Current and future mining operations could be impacted, which will affect Hayden, Krazy, Winkelman and the San Carlos Indians.

IMPACTED COMPANIES AND GROUPS:

1. Asarco Ray Complex provides some 1,800 people with high paying jobs.
2. The economic health of the municipalities of Hayden, Krazy and Winkelman and the counties of Gila and Pinal is dependent upon the continued operations at Asarco Ray.
3. Cyprus's Christmas mine operations envelope both sides of the Gila River. Potential ore grade mineralization occurs on this property within 1/4 mile of the high water line along the River Bank. For the future development of these copper resources, it is critical that the Middle Section of the Gila River be declared non-suitable for WSR designation.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. The water flow is not natural; it is controlled by Coolidge Dam.
2. The Needle's Eye Wilderness area encompasses 100% of Segment 1, and no additional protection is needed.
3. Valid water rights have existed since 1935 and the land is used for mining, grazing and other public land uses.
4. The entire river segment is highly mineralized and should not be limited to recreational use.
5. Tailings and slag piles are highly visible from segment 3.
6. There is significant private ownership in Segment 3. The river crosses two miles of private land in three separate parcels. Only 7 of 14 miles in segment 3 are public lands.
7. Virtually all of the public land on the middle segment is encumbered with federal power and water service withdrawal.

22

AMA REVIEW - POTENTIAL DESIGNATION OF PIGEON CREEK

DESCRIPTION: Pigeon Creek: USFS - The agency has recommended 12.3 miles as recreational and 3.5 miles as wild. The segment begins from the Redontutu to confluence with the Blue River.

ADVERSE ECONOMIC IMPACT:

This creek traverses an area of mostly untested mineral potential eight miles north of the Morenci mine identified in USGS Bulletin 1241-1. Previous exploration data from an EXXOR drilling program in the Pigeon Creek corridor has not yet been acquired. The restriction of vehicular access within the designated river corridors in Greenlee County north of Clifton isolate significant acreage surrounded by the river barriers. This isolation of public land precludes the development of the land by restricting access for utilities and vehicles. This designation would also preclude proceeding with the USFS proposal for a recreational lake which was supported by Phelps Dodge and the County.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci provides 2,100 highly-paid jobs.
2. Public utilities provides power to Morenci operations.
3. Municipalities of Morenci, Clifton, Duncan and Stafford as well as Greenlee and Graham Counties depend upon high wages of mine workers and tax dollars of the mining operation.
4. Cattle grazing, geothermal exploration, water development and mineral prospecting are economically feasible along this river segment.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Designated river corridor north of Clifton isolate land with mineral potential surrounded by the river barriers.
2. The USFS has proposed a recreational lake and dam which better serves the general public and would provide flood control.
3. Existing known to multiple-use land across the river corridor during periods of low river flow. This use will not be allowed if designated.
4. Current USFS land-use plans protect the river.

AMA REVIEW - POTENTIAL DESIGNATION OF PINTO CREEK

DESCRIPTION: Pinto Creek: USFS - Agency has recommended a segment of approximately 8.8 miles beginning north of private property (Layton Ranch) and extending north to the lower end of Pinto Box as scenic.

The USFS designation of an "a scenic perennial stream", is inappropriate. The stream is not perennial at all points nor does it exhibit characteristics that would qualify it for a Wild & Scenic Rivers designation. There are various water right areas in question and approximately 74% of the land belongs to private entities.

ADVERSE ECONOMIC IMPACT:

Designation under WSRA would have a major impact in the area with regard to existing and future mining activities and cattle operations that support the local communities. A premature closure of the Magner-Pinto Valley mining operation and also cattle ranching could easily result in an estimated loss of some 400-500 jobs. Many indirect jobs would additionally be lost in the local communities that support the mining and ranching industries. The 1987 expenditures in Arizona for the Pinto Valley operations alone exceeded \$77 million.

IMPACTED COMPANIES AND GROUPS:

1. Magma Copper Company - Pinto Valley Mining Division. Magma has owned and operated its Pinto Valley mine since acquiring the facilities in 1987. This facility lies approximately 2 miles upgradient from the proposed stream segment. The tailings impoundment is in definite visual proximity to the stream. Planned future expansion of low grade ore stockpiles or tailings impoundments may have even greater visual impacts on the stream segment.

Magma's water rights in the area include six known wells upgradient of the proposed section which pump approximately 1,250 gpm at the present time. The State of Arizona has identified three other water rights in the area that belong to Magma but as of this time are not utilized.

2. Salt River Project (SRP). SRP provides power to Magma and all of the surrounding area. Last year Magma purchased 431,041,981 kilowatts of power from SRP.
3. Proposed Carlotta Mine would employ 200-250 people.
4. Cattle Ranching. There are currently 2 ongoing cattle ranching/grazing operations up or within close proximity of the stream segment.
5. Arizona Gold Prospectors Club. This club frequents Pinto Creek on its outings and controls many mining claims within the proposed segment.

AMA REVIEW - POTENTIAL DESIGNATION OF PINTO CREEK

IMPACTED COMPANIES AND GROUPS: continued

6. The towns of Miami/Globe lie five to ten miles east of the Pinto Valley operations. The municipality would be affected significantly by the loss of mining and ranching jobs.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Extreme adverse economic impacts on the local and regional areas due to the impacts on at least six separate economic activities.
2. Major facilities already in place and operating.
3. Historic instream water rights could result in irreconcilable use conflicts.
4. Seven percent private land.
5. USFS criteria for "perennial" is inappropriate for the entire segment.
6. Contention that this segment does not meet the characteristics of being truly "outstanding remarkable" value.

AMA REVIEW - POTENTIAL DESIGNATION OF UPPER SALT RIVER

DESCRIPTION: Upper Salt River: USFS - Agency has recommended wild for 32 miles and scenic for 15 miles. The segment flows through San Carlos and Fort Apache Reservoirs, two wilderness areas and ends at Highway 288 bridge.

These segments are down stream from Phelps Dodge Mescal River pump station and Show Low Lake transbasin diversion. Waters from these facilities are used in mining, beneficiation, and smelting of copper ores at Cyprus Miami and Phelps Dodge Morenci mining operations and as domestic water supply for the Morenci community.

ADVERSE ECONOMIC IMPACT:

Designation under the WSRA Act would have a major impact in the area due to adverse effects on existing and future mining. More than a dozen base metal mines and prospects occur five to ten miles northwest of the river. Several large mines and numerous prospects containing base metals occur six miles north of the river in the Globe-Miami mining district. The Richmond Main mining district, originally discovered in 1874, is known to contain silver, gold, and copper. Sedimentary iron prospects are known from the Salt River district in the upper reaches of the river segment. The Apache Mine on the river corridor produced several hundred tons of manganese ore from a breccia body which also contains copper. Additionally more than 50 uranium occurrences have been identified northwest of the Salt River segments.

Restrictions on the future operations of the Morenci mine would have significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve sounds, earth movement or visual impairments could be significantly restricted by WSRA designation.

Exploration and development of resources near the river corridor will be prohibited if they impact the river scenic values.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci employs 2,100 workers.
2. Cyprus Miami Mining Corporation employs some 1,000 workers.

AMA REVIEW - POTENTIAL DESIGNATION OF UPPER SAN FRANCISCO RIVER

IMPACTED COMPANIES AND GROUPS, continued

3. Utility companies serving the mining operations.
4. The municipalities of Clifton, Duncan, Nogales, Safford, Globe, and Miami; as well as the affected counties.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Designation would conflict with existing water rights and MOARR site activation.
2. Existing protection by wilderness designation and USFS land use-plans protect 31.9 miles of the river.
3. Segments through Indian lands are managed by the Apache Tribe through a use permit policy that prevents overuse and protects wildlife and natural scenic values.
4. Economic hardship would be created on no less than six municipalities in Rural Arizona.

27

AMA REVIEW - POTENTIAL DESIGNATION OF LOWER SAN FRANCISCO RIVER

DESCRIPTION: Lower San Francisco River: BLM - Agency recommends recreational designation for five miles, and wild for three miles.

This segment is immediately adjacent to and below Phelps Dodge Morenci mine including well fields at Clifton.

ADVERSE ECONOMIC IMPACT:

Designation will physically restrict utility easements and impede expansion of current mining operations at Phelps Dodge Morenci.

The Senate of the State of Arizona, in Memorial No. 1006, passed in March 1980 requested that the Congress of the United States reject, in its final consideration, the inclusion of any portion of the San Francisco River as part of the Wild and Scenic Rivers System if the local citizens are strongly opposed to such designation. Restriction of mineral prospecting, cattle grazing, geothermal exploration, and water development will occur if the designation limits access and development or impedes permitting of these projects.

In 1981 the USFS recommended against designation of the river. The FIS states that lack of local support for the proposal was a reason for not designating the river. Also noted in the FIS were grave concerns for the local economy if exploitation and development of mineral deposits were restricted. The Grassroots Public Lands Committee on March 2, 1983, regarding the proposed Wild and Scenic Rivers, stated they are "opposed to any further restrictions on the water in Greenlee County," and "reaffirm [their] opposition to any actions which will have an adverse impact to the custom, culture, and economy of Greenlee County." Continued consideration of another layer of restrictions being imposed on the Gila Box National Conservation area would be a breach of faith by the United States government. Carefully worked out compromises were reached in a management plan and in the legislation establishing that area to the effect that further restrictions would not be added to that area or nearby areas.

Restrictions on the future operations of the Morenci mine would pose significantly adverse consequences upon the mine and the local economy. In 1981, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve soundings, earth movement or visual impairments could be significantly restricted by WSR designation.

28

AMA REVIEW - POTENTIAL DESIGNATION OF LOWER SAN FRANCISCO RIVER, continued

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci, employer of 2,100 highly-paid workers.
2. Public utilities serving the mining facility and local communities.
3. Residents of rural communities and cattle growers and ranchers.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. The Morenci facilities create significant visual and audible impacts on the river corridor and planned expansion of those facilities will increase that impact.
2. Water is pumped from wells adjacent to the river for use by the town of Clifton and for mining operations. Water from Chase Creek, a tributary of the San Francisco River, is diverted by the mining operations and discharged into the creek above the confluence with the river.
3. Approximately 23% of the entire river is private industrial property.
4. BLM land use plans currently protect 6.2 miles of the river.

29

AMA REVIEW - POTENTIAL DESIGNATION OF SAN FRANCISCO RIVER

DESCRIPTION: San Francisco River: USFS - Agency recommends nine miles as wild, and thirteen miles as recreational.

ADVERSE ECONOMIC IMPACT:

This segment was evaluated by the USFS in 1981 with a recommendation against designation of the river. The FIS states that "current management plans provide for regulation of vehicular use and for wildlife protection during critical reproduction periods." The FIS also states that lack of local support for the proposal was a reason for not designating the river. This included a reference to a State of Arizona petition passed as Memorial No. 1006 which opposes any designation without local support. The FIS also noted grave concerns for the local economy if exploration and development of mineral deposits were restricted. Also included were concerns about foregoing future development of geothermal, and flood control projects.

The restriction of vehicular access within the designated river corridor in Greenlee County north of Clifton isolates significant acreage surrounded by the river barrier. This isolation of public land precludes the development of the land by restricting access for utilities and vehicles. The segment begins three miles north of the Morenci mine facilities and traverses an area of prospective mineralization. The designation may impede expansion of current mining operations.

Restrictions on the future operations of the Morenci mine would pose significantly adverse consequences upon the mine and the local economy. In 1981, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve soundings, earth movement or visual impairments could be significantly restricted by WSR designation.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Morenci mining operations with employment of 2,100 highly skilled, highly-paid workers.
2. Public utilities serving the mining operation and rural communities.
3. Residents of Clifton, Duncan, Safford and Morenci.
4. Ranchers along the river corridor.

30

AMA REVIEW - POTENTIAL DESIGNATION OF SAN FRANCISCO RIVER

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. The river corridor is the location of an alternate state highway route.
2. The designation may impede expansion of current mining operations.
3. The USFS land-use plans protect 19.4 miles of the river. Special road closures protect wildlife and natural scenic values.
4. During periods of low river flow, public lands are accessed through the river corridor.
5. The Arizona Senate passed Memorial No. 1006 in 1980 requesting that the U.S. Congress reject inclusion of any portion of the San Francisco River as part of the Wild and Scenic Rivers System if the local residents are strongly opposed to such designation.
6. The Greenlee Public Lands Committee on March 2, 1993, regarding proposed Wild and Scenic Rivers, states they are "opposed to any further restrictions on the waters in Greenlee County," and "reaffirm [their] opposition to any actions which will have an adverse impact to the custom, culture, and economy of Greenlee County."

AMA REVIEW - POTENTIAL DESIGNATION OF SAN PEDRO RIVER

DESCRIPTION: San Pedro River: BLM - Agency recommends all 44 miles as recreational. The San Pedro River segment extends from the International border with Mexico to the town of St. David.

Existing BLM land-use plans protect 38.3 miles of the river including 39 miles of National Riparian Conservation Area. Two segments of the river are also included in a National Riparian Conservation Area of Critical Environmental Concern. The final southernmost two miles of the river, at the border with Mexico, have potential for industrial development.

ADVERSE ECONOMIC IMPACT:

The San Pedro River proposed segment is already afforded the special management and restricted use protection as a WSCA. This area is 25 miles downstream from Phelps Dodge's Bisbee mining operations on Greenbush Draw. While no impact upon the Bisbee operation or the Apache Molybdenum plant in Benson is anticipated, there is potential for industrial development at the international border with Mexico. WSR designation for the final two miles is undesirable.

IMPACTED COMPANIES AND GROUPS:

1. Potential mining expansion upstream.
2. Potential industrial development at the international border.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Visual impacts of development of mineral resources on adjacent public and private lands are inconsistent with a scenic designation.
2. Expansion of existing mining facilities could be impeded.
3. Potential for industrial development adjacent to the international border with Mexico could be impeded.
4. Water quality from Mexico does not have truly "outstanding" hydrologic quality.
5. Existing BLM land-use plans currently protect 38.3 miles of the river and no further protection is warranted.

AMA REVIEW - POTENTIAL DESIGNATION OF SANTA MARIA RIVER, SEGMENT B

DESCRIPTION: Santa Maria River: BLM - Agency recommends 14 miles as scenic.

Santa Maria River, BLM Segment B, is a fourteen-mile section of the Santa Maria River from the bridge on U.S. Highway 93 upstream to a point about two miles upstream from the bridge on State Highway 96. This segment does not meet the basic criteria for WSR designation, being predominantly private land with only 20% administered by the federal government.

Frequent high magnitude flooding has repeatedly ravaged the boulder stream channel, destroying most of the mature riparian vegetation. A county graded road provides access to some thirty residences along the proposed WSR corridor.

ADVERSE ECONOMIC IMPACT:

Significant potential exists for adverse local economic impacts, primarily to twenty or so property owners along this proposed WSR Segment B. Both the State of Arizona and Cyprus Bagdad Copper Corporation have sand and gravel borrow pits within the corridor that are used periodically for construction and road surfacing.

IMPACTED COMPANIES AND GROUPS:

1. Cyprus Bagdad Copper Corporation employs 430 highly-paid workers in a rural community of 2,000 people.
2. Homeowners on the Santa Maria who are primarily engaged in ranching and cattle growing.
3. State of Arizona has sand and gravel pits along the river corridor used for road construction.

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following reasons:

1. There are no truly "outstandingly remarkable" values along this segment of the Santa Maria River.
2. The Santa Maria is a large intermittent stream.
3. The federal land position is minor, with only 20% being public lands.
4. Designation would cause adverse impacts to local residents, potential loss of resources to the Arizona Department of Transportation and Cyprus Bagdad, as well as diminishing real estate values of State Trust Lands.

AMA REVIEW - POTENTIAL DESIGNATION OF SARDINE CREEK, SEGMENT 1

DESCRIPTION: Sardine Creek: USFS - All 9 miles recommended by agency as scenic.

This area is 4 miles north of Phelps Dodge Moranci mining operation, traversing untested mineral potential striking to the northeast from the mine. The area has several small mineral prospects. Restriction of vehicular access within the designated river corridor in Greenlee County north of Clifton isolate significant acreage surrounded by the river barriers. This isolation of public land precludes the development of the land by restricting access for utilities and vehicles.

ADVERSE ECONOMIC IMPACT:

Restrictions on the future operations of the Moranci mine would pose significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Moranci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve wounds, earth movement or visual impairments could be significantly restricted by WSR designation.

Access to the area for cattle growers and geothermal explorationists would be affected by WSR designation.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Moranci mining operations.
2. Rural communities of Clifton, Duncan, Safford and Moranci would be impacted by loss of jobs or restricted expansion of current operations.

AMA POSITION:

WSR designation of Segment 1, Sardine Creek, is inappropriate for the following reasons:

1. Designation of the river as scenic, within the proximity of the Moranci mine would cause restrictions of mining operations and could cause stoppage of expansion for future operations.
2. Existing access routes to multiple-use land cross the stream corridor; this use would be incompatible with the designation of the river.
3. Approximately 11 percent of the river is private land.
4. The current USFS land-use plans adequately protect the river.

AMA REVIEW - POTENTIAL DESIGNATION OF SYCAMORE CREEK, SEGMENT 1

DESCRIPTION: Sycamore Creek: USFS - All 4 miles recommended by agency as wild.

This segment extends from Parsons Springs to confluence of the Verde River. It includes springs which provide a portion of the water rights at the 139-acre Packard Ranch owned by Phelps Dodge Corporation.

ADVERSE ECONOMIC IMPACT:

The potential development for sale of property will be limited by designation. Existing roads and utilities within the corridor are used for access to a 139-acre ranch which has been zoned for housing.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Corporation; Packard Ranch

AMA POSITION:

This river segment should be removed from the eligibility list for Wild & Scenic Rivers due to the following:

1. Existing USFS land-use plans protect 3.5 miles of the river, including 3 miles of wilderness. No further protection is warranted.
2. Development plans for the privately-owned 139-acre ranch could be severely restricted even though currently zoned for residential use.
3. Existing roads and utilities within the corridor are used for access to the ranch.

15

AMA REVIEW - POTENTIAL DESIGNATION OF UPPER VERDE RIVER

DESCRIPTION: Upper Verde River: USFS - Agency recommends 43 miles as recreational.

The segment in dispute is the lower 25 miles from Grindstone Wash. This area extends above the 139-acre Packard Ranch owned by Phelps Dodge Corporation and would restrict water rights to the property.

ADVERSE ECONOMIC IMPACT:

The potential development for sale of property will be limited by designation. Existing roads and utilities within the corridor are used for access to the property. The development and continued use of the railroad could be impeded by the designation and is integral to future development.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge Corporation; Packard Ranch

AMA POSITION:

1. This segment was evaluated by the USFS in 1981 with a recommendation against designation of the river.
2. The State of Arizona passed Memorial No. 1006 in March, 1980, which opposes any designation without local support.
3. Existing USFS land-use plans protect 29 miles of the river.
4. The land is currently zoned for residential use.

16

AMA REVIEW - POTENTIAL DESIGNATION OF EAST VERDE RIVER, SEGMENTS 2 AND 3

DESCRIPTION: East Verde River segments 2 & 3: USFS - Agency recommends 12.7 miles as scenic and 19.9 miles as recreational.

These segments are down stream from the Blue Ridge addition to the river and the generating plant at the headwaters of the East Verde River. Designation of the river could interfere with continued operation of transbasin water diversions and development.

ADVERSE ECONOMIC IMPACT:

The operation of the Morenci mine depends upon the water credits applied to the Verde River transferred from the East Verde River. Opportunities to modify diversions and improve generating facilities will disappear if the river is designated. The area south of segment 2 of the river has numerous small base metal mines and prospects. The development of these properties will be restricted by the designation of the river.

Restrictions on the future operations of the Morenci mine would pose significantly adverse consequences upon the mine and the local economy. In 1991, Phelps Dodge Morenci, with employment of almost 2,100 workers, contributed over \$300 million directly to the Arizona economy, including \$30 million in state and local taxes, \$80 million in payroll and \$205 million in purchases of goods and services from Arizona suppliers. The communities in rural Greenlee and Graham counties are home to Phelps Dodge employees and many of the local businesses supply the mining operation with materials and services. Current mining operations that involve sound, earth movement or visual impairments could be significantly restricted by MSR designation.

IMPACTED COMPANIES AND GROUPS:

1. Phelps Dodge's Morenci operations employ 2,100 highly-paid, highly-skilled workers.
2. Utility companies serving the mining operation and local communities.
3. Rural communities of Clifton, Safford, Duncan and Morenci.

AMA POSITION:

MSR designation of East Verde River, Segments 2 and 3, is inappropriate for the following reasons:

1. Water flow is augmented by Phelps Dodge Blue Ridge transfer from East Verde Creek.

17

AMA REVIEW - POTENTIAL DESIGNATION OF EAST VERDE RIVER, SEGMENTS 4 AND 5

AMA POSITION:, continued

2. Modification to diversions and improvement to generating facilities will not be permitted if the river is designated.
3. Designation could interfere with interbasin water transfer.
4. The area south of segment 2 has high mineral potential and economic development would be prohibited.
5. Existing wilderness and USFS land-use plans adequately protect 32.8 miles of the river, of which 12.6 miles is wilderness.

18

JUL 25 1994

000045

THE MORENCI WATER AND ELECTRIC COMPANY

P. O. Box 88
MORENCI, ARIZONA 85540

June 27, 1994

Mr. Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P. O. Box 1653
Phoenix, Arizona 85011

Re: Comments on Arizona Statewide Wild & Scenic Rivers Draft
LEIS

Dear Mr. Moreland:

These comments are submitted on behalf of Morenci Water and Electric Co. (MWEC), a subsidiary of Phelps Dodge Morenci, Inc. (PDMI). I appreciate the opportunity to comment on the Draft Arizona Statewide Wild & Scenic Rivers Legislative Environmental Impact Statement (LEIS).

MWEC is the domestic, municipal, and commercial water provider for the towns of Clifton and Morenci, and for the Morenci Mine complex. We have water rights and land holdings on the San Francisco River and Eagle Creek, tributaries to the Gila River. We receive water from both of these sources.

We believe two of the study areas included the alternatives analyses would have significant adverse impacts on MWEC if they are selected for inclusion in the Wild & Scenic River System. These proposed river systems are: 1) Gila Box: Lower San Francisco River, and 2) Gila Box: Gila River. The specific issues of concern are water rights, local property taxes, and CAP water use.

The protection and use of water rights are extremely sensitive and controversial issues when associated with new regulatory programs proposed by the Federal government, such as Wild & Scenic River System designations. Any impact on MWEC's water rights because of a Wild & Scenic River System designation of either of these two study areas, will significantly impact our business assets and activities. Although the Draft LEIS states that water rights associated with existing beneficial uses will not be reduced, it does state that minimum instream flows will be established for river study areas designated as part of the Wild & Scenic River System. Neither of these statements addresses the

UNIT OF PHELPS DODGE MINING COMPANY

370

45-1 fact that water rights claims are currently being adjudicated in Arizona and the fact that existing beneficial uses might be increased under existing water rights. Please explain how existing beneficial use is defined. Also, please explain how, on river systems like the Gila and San Francisco Rivers where all available water has been decreed and is currently being readjudicated, minimum instream flow standards will be established without adversely impacting the ability to expand existing uses which are appurtenant to water rights that are being adjudicated.

45-2 On the subject of property taxes, the Draft LEIS indicates that private land and water rights within river study areas identified as suitable for designation in the Wild & Scenic River System, would be acquired. We share the concern of local community leaders from Greenlee County and other rural counties, which have a very small private land base for which to collect property taxes, that purchase or these private land holdings by the Federal government would further reduce the ability of local governments to provide services. Please explain how local county governments will not be adversely affected by the reduction of private land holdings and the associated property tax base within their boundary, without having to increase the property tax on individuals and businesses.

45-3 Finally, there is the issue of using CAP water in rural areas through water exchanges. Please explain how rural areas such as Clifton and Morenci would participate in the exchange mechanisms envisioned in the CAP system, if we are faced with minimum instream flows that would have a priority right over exchange water.

45-4 In summary, MWEC has significant concerns regarding the designation of the Lower San Francisco River as suitable for inclusion in the Wild & Scenic Rivers System. Such a designation will have an adverse impact on MWEC because our current diversions from this river, above the study area, may be precluded from expansion. An expansion of this diversion could be accomplished within the current water rights of MWEC. Therefore, MWEC supports the No Action Alternative for the Lower San Francisco River.

Regarding the Gila Box: Gila River segment, PDMI worked with the BLM during the development of the Gila Box National Riparian Conservation Area, and supported the agency in obtaining this management designation. In doing so, PDMI maintained its

Response 45 - 1: Please refer to general response # 4 (Federal and State Water Rights).

Response 45 - 2: Please refer to general response # 6 (Land Acquisition).

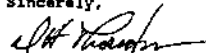
Response 45 - 3: A discussion of the use of Central Arizona Project water is beyond the scope of this document. Please see general response # 4 (Federal and State Water Rights).

Response 45 - 4: Please refer to general response # 1 (Alternatives).

opposition to potential multiple management regulations of this resource. In view of the fact that designating the Gila Box National Riparian Conservation Area as a Wild & Scenic River would provide no benefits in terms of management of the resource, MWEC supports the No Action Alternative for this river study area.

Thank you for the opportunity to be involved in this most important decision process. Please feel free to contact MWEC at any time regarding issues associated with the Draft LEIS or any other issues.

Sincerely,



D. H. Thornton
Vice-President, Morenci Water and
Electric, Co.

c: D. C. Nelson, Executive Vice-President
Arizona Rural Water Association



ASA4WDC

ARIZONA STATE ASSOCIATION OF 4 WHEEL DRIVE CLUBS

P.O. BOX 23904
TEMPE, AZ 85286
(602) 250-4874
FAX: 102 841 8484

000047

JUL 05 1994

June 1994

Wild and Scenic Rivers Project
Arizona State Office
Bureau of Land Management
3707 N. 7th Street
P.O. Box 18563
Phoenix, AZ 85011

RE: WILD and SCENIC RIVERS

ATTENTION: Phillip Moreland

Dear Mr. Moreland:

In response to the *"Wild and Scenic Rivers Study - Issues and Concerns"* I am addressing the following concerns and suggestions.

The Arizona State Association of 4-Wheel Drive Clubs, Inc., (ASA4WDC) does not support an Arizona Wild and Scenic Rivers Bill. The delegates of ASA4WDC urge the members of Arizona Congressional Delegation not to introduce, vote, or pass such a bill.

Our goal is to minimize the river crossings and remote access potentially lost with a Wild and Scenic Rivers proposal by BLM, the Forest Service and Arizona Rivers Coalition.

The Wild and Scenic Rivers Bill, if passed as proposed, will restrict or eliminate many forms of recreation and enjoyment for several major use groups. Some river section proposals will eliminate some older, physically challenged, and small children from enjoying remote access. We are not looking for new roads, but we need a reasonable guarantee existing opportunities will remain.

47-1

The ASA4WDC views a Wild and Scenic Rivers Bill as just more wilderness. Many designated rivers are within existing wilderness boundaries. How much wilderness is enough? It is clear now the Wilderness Movement was started to preserve areas for



373

Response 47 - 1: Comparative information on the management of wild, scenic, and recreational segments of wild and scenic rivers is provided on page 10 of the draft Statewide Legislative Wild and Scenic Rivers Environmental Impact Statement. In addition, please refer to general response # 9 (River Study Area Protection).

future generations to view untouched areas. But a select few, able bodied, mostly younger people in the name of preservation have developed our wildernesses into back country play areas. The designated wildernesses are now over run with users to the point of destroying the very reason they were designated for..... Preservation. By disturbing plant and animal habitat when building elaborate trail systems not natural to a wilderness, it's driving wildlife from the very areas that congress set aside for their protection.

The same thing is in store for our rivers if a bill is passed. More people will be drawn to these areas with a result of more environmental damage. If left alone with no designation their names will not be advertised and less damage may occur.

What's next after the Wild and Scenic Rivers Bill? The Mexican Wolf? People just think the ranchers are paranoid about losing a few cows. That's a minor problem compared to the overall long term effect. The wolves will be released in protected areas like wildernesses and driven out by too many users. Next they will need larger habitat to move around in grazing, mining, and access by the motorized public will need to be reduced. Since they are already an endangered species they receive larger and larger areas to roam with green belt areas to move from one wilderness to another. Some things are better left alone. By introducing wolves, building new trails, reconstructing and grooming old trails in wildernesses for more people is not preservation nor a legacy to our grandchildren.

I would like to make it perfectly clear the ASA4WDC is not opposed to preserving for the future but do not remove opportunities from the majority to benefit a few in the name of preservation. Preserving and protecting areas like wilderness only compounds its usage and destroys its serenity.

Keep in mind that without additional congressional funding and budget cuts of both agencies, management and protection of these restricted areas may be difficult at best.

We strongly urge the Arizona Congressional Delegation to take a "no action" approach to the Wild and Scenic Rivers Bill.

Having said all that and if a Wild and Scenic Rivers Bill is inevitable, then we would like to make some concessions. Myself and Jess Chinn, the Land Use Representatives of the ASA4WDC have had several meetings with Gail Peters and Pam Hyde from Arizona Rivers Coalition over the past several months. The meetings were to reach an agreement on the river or stream segments that have been studied by BLM, the Forest Service, and proposed by Arizona Rivers Coalition for designation as wild, scenic, or recreational rivers. Many concessions and changes were made by both ARC and ASA4WDC. Both organizations have come up with a workable proposal that we both can live with. At this point we have reached agreement on most of the river or stream segments.

Both groups together have looked at all the rivers and all segments proposed by ARC and studied by the Forest Service and BLM. We have discussed segment end points and lengths, classifications, and corridor boundaries. Some rivers and designations ASA4WDC had no position due to lack of time to gather information.

Representing the ASA4WDC and accompanied by other members, I have personally explored and researched the following BLM rivers since the first public involvement meeting in Payson on January 9, 1993:

Virgin River	Gila Creek (Gila Box)
Paria River	Swamp Springs Canyon
Gila River	Hot Springs Canyon
Araucaria Creek	Cienega Creek
Turkey Creek	San Pedro Creek
Bonita Creek	

Other rivers I explored and researched before January 9, 1993 are as follows:

Francis Creek	Burro Creek
Santa Maria River	Hassayampa River
Agua Fria River	

Attached are lists of both BLM and Forest Service studies of river or stream segments on which ASA4WDC and ARC agree on designation and the classification. Some segments we partially or conditionally agree if concessions can be made by either group, and some on which we disagree. Short explanations of the disagreement follow each item. Some segment designations need to be changed or moved to protect the integrity of existing recreational accesses. Working with ARC to agree on these changes should not be viewed as a compromise to ASA4WDC's position on "No Wild and Scenic Rivers Bill".

We need to ask ourselves if a Wild and Scenic Rivers Bill is desired or even needed by the majority of the people of Arizona.

Sincerely,



Gary Keller
Land Use Chairman, ASA4WDC

ASA4WDC and ARC AGREE

NOTE The following was agreed to and signed as noted below but the asterisk noted rivers indicate segments and/or designations to be changed from proposal of ARC, Forest Service, or BLM and are agreed to by ASA4WDC and ARC. Although these rivers were not specifically noted at the time of agreement it was understood by both parties.

Chevelon Canyon
 Willow Springs Canyon/Woods Canyon
 West Fork Little Colorado River
 South Fork Little Colorado River
 East Clear Creek
 Barbershop Canyon
 Leonard Canyon
 Campaign Creek
 Coon Creek
 Oak Creek
 West Fork Oak Creek
 Wet Beaver Creek
 Upper Verde River
 Verde River (lower)
 East Verde
 Blue River
 Chilly Creek
 Eagle Creek
 Cave Creek
 Hassayampa River
 Buehman Creek
 Ash Creek (Pinal/Verde)
 Virgin River
 Paria River
 Bill Williams River
 Middle Gila River
 Aravaipa Creek
 Cienega Creek
 Upper Salt River (Salt River Canyon)
 Lower Salt River

* Santa Maria (including Cottonwood Creek
 through Sycamore Creek)
 * East Fork Little Colorado River
 * West Fork Black River
 * Cherry Creek
 * Pinto Creek
 * Sycamore Creek (river)
 * West Clear Creek
 * Francis Creek
 * Redfield Canyon/Swamp Springs
 * Kanab Creek

Original signed January 27, 1994 by:
 ASA4WDC: Gary Keller
 ARC: Gail Peters

ASA4WDC HAS NO POSITION AT THIS TIME ON ARC PROPOSED SEGMENTS

Pigeon Creek
 San Francisco River

* ASA4WDC will support whatever C.B. Fletcher, of Safford, proposes. ASA4WDC has no knowledge of accesses to these rivers.

ASA4WDC AND ARC PARTIALLY OR CONDITIONALLY AGREE

East Fork Black River
 Black River (mainstem)
 San Pedro River
 Burro Creek
 Tonto Creek

* Segment and designations to be changed by ARC to ASA4WDC proposals or ASA4WDC will not agree. We will not budge on these rivers.

ASA4WDC DISAGREES WITH ARC PROPOSAL

Fish Creek: ASA4WDC opposes any designation.

Lower San Francisco River: ASA4WDC opposes any designation.

Gila Box: ASA4WDC opposes any designation.
 * Leave as is with restricted vehicle recreation allowed.

Bonita Creek: ARC wants a segment from the San Carlos Reservation to Lee Trail Road to be classified as Scenic; ASA4WDC wants the entire length of Bonita Creek from the Reservation to the Gila River to be classified as Recreational.

Salome Creek: ASA4WDC wants to begin designation at Little Turkey Creek; ARC wants to begin at the confluence of Salome and Turkey Creeks.

Agua Fria River: ASA4WDC wants to extend ARC's upper Scenic segment approximately 2 miles further downstream; ASA4WDC also wants approximately 4 miles of the end of ARC's lower Wild segment to be separated out into a new segment to be classified as Recreational.

Bass Canyon/Hot Springs Canyon: ASA4WDC opposes any designation.

* Burro Creek: ASA4WDC wants to change designation of upper Burro Creek from Wild to Scenic so existing vehicle crossings can remain in tact to use for future long distance motorized recreation.

*Original signed January 27, 1994 by:
ASA4WDC by Gary Keller
ARC by Gal Peters*

NOTE: The italicized noted items were not signed to on the original document but were understood and agreed by both parties.

JUL 05 1994



ASA4WDC

000048

ARIZONA STATE ASSOCIATION OF 4 WHEEL DRIVE CLUBS

P.O. BOX 23904
TEMPE, AZ 85286
NSD 233-4874
FAX: 402 841 8484

June 1994

Wild and Scenic Rivers Project
Arizona State Office
Bureau of Land Management
3707 N. 7th Street
P.O. Box 16563
Phoenix, AZ 85011

RE: WILD and SCENIC RIVERS QUESTIONS SURVEY

ATTENTION: Philip Moreland

Dear Mr. Moreland,

48-1

In response to your question survey form, "DO YOU HAVE A QUESTION ABOUT WILD AND SCENIC RIVERS?" the ASA4WDC would like to address several of their concerns.

1. Would existing river crossings open now to off-highway vehicles, be left open when the river is designated wild? Specifically noting the crossings and rivers in question are:

- a. Upper Burro Creek: Crossings in sections 28, 32, and 33 and access points in sections 22, 31, and two places in 30. On quad map, Burro Mesa.
- b. Santa Maria River: Numerous crossings on the wild section proposed by Arizona River Coalition.
- c. Agua Fria River: One crossing and one access in sections 17, 18, 19, 20 and 30 on Joes Hill quad. Not including the Bloody Basin Road.

Access by the rancher is also used in the lower end with an existing road into the wild designated



377

Response 48 - 1: The survey form to which you refer was distributed during the period when the Bureau of Land Management suitability assessment reports were prepared (February - September, 1993). Please refer to general response # 11 (Suitability Determinations).

section in quad sections 13, 12, 1, and 36.

- d Lower San Francisco River, Gila River (Gila Box), and Bonita Creek.
- e Hot Springs Canyon
- f Bass Canyon
- g Cienega Creek
- h Hassayampa River: Section proposed by ARC as wild.

2 Will we have clarification of the definition/identification of 'roads' relative to identification of a Wild and/or Scenic River.

3 Is the Wild and Scenic River process a one-time-only project, or will it be a continuing project?

As stated previously the ASA4WDC does not support an Arizona Wild and Scenic Rivers Bill but they do have concerns and look forward to receiving answers to some of the major issues.

Sincerely,



Gary Keller
ASA4WDC Land Use Chairman

JUL 05 1994



ASA4WDC

ARIZONA STATE ASSOCIATION OF 4 WHEEL DRIVE CLUBS

P.O. BOX 23954
TEMPE, AZ 85285
(602) 258-4874
FAX: 602 641 6464

CONCERNS OF ORGANIZED 4-WHEEL DRIVE CLUBS, RELATIVE TO LAND USE IN GENERAL AND TO "WILD AND SCENIC RIVERS" IN PARTICULAR

Intro: The Arizona State Association of 4-Wheel Drive Clubs, Inc. (aka ASA4WDC) is an association of rough-terrain vehicle (i.e., 4WD) clubs with the following goals: to promote a responsible attitude towards the vehicle use of public lands, to prevent legislation which would impose undue restrictions on recreational 4-wheeling, to institute programs of conservation, education, and safety, and to provide social and recreational activities for its members. The ASA4WDC also assists state and federal land resource management agencies.

- ▶ We are for conservation of, and protection of, the environment.
- ▶ We are for preserving existing wilderness areas on public lands.
- ▶ We are for preserving existing non-wilderness areas on public lands.
- ▶ We are for preserving a reasonable amount of the existing roads on public lands. We do not advocate construction of new roads.
- ▶ We are for responsible use of land, and for environmental education.
- ▶ We support the Tread Lightly program.
- ▶ Our primary recreational activity is 4-wheeling on existing roads on public lands. This usually is accompanied by a variety of secondary recreational activities, such as camping, hiking, bicycling, etc.

Specific Concerns Related to the Wild and Scenic Rivers:

- ▶ Insure that the decision process adequately provides for public input, by widely publicizing, and by allowing ample response time to allow the various user groups to physically visit the river sites and make their assessments and recommendations.
- ▶ Identification of Wild and Scenic Rivers should address all user groups, not just a select group that might be more vocal than the others. To insure equal representation from all major user groups, we suggest setting up a user advisory board to make recommendations to the various land management agencies regarding suitability of the proposed rivers. Suggest two representatives from each major user group: 4-wheelers; hikers and backpackers; mountain bicyclists; equestrians; motor cyclists; ATV riders; miners; ranchers; and the timber industry.
- ▶ The decision process should give weight to the size of the various user groups, rather than to which group is the most vocal.



- ▶ Some type of appeal or request-for-review process should be in place, in case the public's recreational needs change in the future.
- ▶ Need clarification of the definition/identification of "roads" relative to identification of a Wild and/or Scenic River.
- ▶ Is the Wild and Scenic River process a one-time-only project, or will it be a continuing project?

General Concerns of the ASA4WDC:

- ▶ The continually decreasing size of available area for our recreational activities, due primarily to road closures on public lands and to the ever-increasing amount of wilderness designation of public lands.
- ▶ Being overpowered on the above issues by conservation and environmental extremists. Off-highway vehicle users represent a larger segment of the recreational user population, but the conservation extremists are more likely to be heard by legislators because they are more vocal, more heavily financed, better organized, and because the general perception is that they have a more politically correct stance.
- ▶ Obtaining more funding for the public land agencies (F.S. and BLM) to implement maintenance of land for our recreational activities.
- ▶ Land agencies need to listen to a wider variety of recreational user groups rather than a select few, since recreation is fast becoming the largest use of public lands, surpassing timber, grazing, and mining.
- ▶ Increasing road closures on public lands. Land management agencies have difficulty understanding/accepting the rough and rugged nature of the type of roads we want left open. The very nature of our recreational activity is to travel roads too difficult for any other type of vehicle.
- ▶ Obtaining funding and support for The Great Western Trail and the various local trail and road systems that connect with it.

Contacts for ASA4WDC Land Use Committee:

Gary Keller, Chairman
531 N. Los Alamos
Mesa, AZ 85213
Ph: (602) eve 832-1485

Jess Chinn
5520 N. 75th Place
Scottsdale, AZ 85250
Ph: (802) eve 990-3497



SIERRA CLUB

000050

JUL 05 1994

Grand Canyon Chapter - Arizona
RINCON GROUP

June 30, 1994

Mr. Phil Moreland, Chief
Branch of Planning
Environment, Lands, and Recreation
BLM, Arizona State Office
3707 N. 7th St., P.O. Box 16563
Phoenix, Arizona 85014

Dear Mr. Moreland:

We are writing in regard to the recent BLM decision to not recommend Cienega Creek for Wild and Scenic River designation. We ask that your agency reverse this decision because Cienega Creek both merits and needs this recognition. Further, we believe that the main reason given for non-recommendation is based on flawed arguments that it is already well enough protected.

The Sierra Club very much appreciates the BLM's management of Empire-Cienega over the past six years. Your protection of the scenic and ecologic values is praiseworthy. However, we believe the area deserves additional protective status: BLM's argument that the Gila topminnow's endangered species status will provide adequate long-term protection is flawed for these reasons: the endangered species act itself could be modified; the topminnow might either disappear or thrive so well that it would no longer be listed.

Another reason for non-recommendation was that there seemed to be no immediate threats to Cienega Creek. We believe this issue is less relevant to the question of suitability for inclusion in the Wild and Scenic Rivers System than its outstanding scenic values. More important, given the Creek's proximity to a rapidly growing urban and ex-urban population, we disagree with the judgement.

It is not difficult to imagine population pressure in the not-so-distant future drawing down the groundwater and drying up Cienega Creek as has happened to numerous rivers and creeks in southern Arizona. With the appropriate Scenic designation, the creek's flows would be protected and enhanced under the mandate of the Wild and Scenic Rivers Act Section 10(a).

There are several reasons we believe Cienega Creek demands Scenic River designation. (1) It is an outstandingly remarkable environment, one of the last and best remaining marshy riparian ecosystems with the Cottonwood-willow biotic community. The Arizona Statewide Wild and Scenic Rivers LEIS states that the

Printed on 100% Recycled Paper

Response 50 - 1: Please refer to general response # 8 (Cienega recommended alternative).

50-1

380

continued, p. 2

Creek is highly unusual since it has no exotic fish and is home to the largest population of the endangered Gila topminnow. Further, the LEIS lists three additional endangered species and 14 candidates for endangered status, as well as four rare birds. The Empire-Cienega Resource Conservation Area is probably the best and most diverse grassland administered by Arizona BLM. It is recognized as "prime wildlife habitat" in the LEIS. The nearby Audubon Appleton-Whittell Research Ranch Sanctuary lists more than 250 species of birds sighted. The region is particularly rich in butterfly and moth species. All this richness depends on Cienega Creek's vital water.

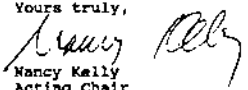
(2) Cienega Creek has outstandingly remarkable scenic values. The juxtaposition of riparian and arid habitats, the variations in altitude, the striking views of mountains beyond a broad expanse of grassland, the scenes of thriving and diverse plant and animal life---are these not rare and valuable?

(3) The Creek's scenic and natural values are of national significance. Cienega ecosystems are practically extinct in the United States. To have such an extraordinary cienega so close to a densely populated city is almost miraculous. Given the impending pressures on the region, we believe that additional steps to preserve Cienega Creek for its scenic qualities are essential. Its outstanding riparian ecosystem should add to its eligibility, as did that of the Big Sandy River.

Your six years of protective management indicate that the Bureau of Land Management values Cienega Creek. We strongly urge that you do everything possible to perpetuate the Creek's ability to thrive in the long distant future. Please add Cienega Creek to the list of Wild and Scenic Rivers which you recommend to Congress.

Thank you for your help.

Yours truly,


Nancy Kelly
Acting Chair

Sierra Club, Rincon Group
738 N. 5th Ave., #214
Tucson, AZ 85705

JUL 8 5 1994



000051

June 30, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

Re: Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement

Dear Mr. Moreland:

American Rivers appreciates the opportunity to comment on the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (LEIS).

American Rivers is the premier national conservation organization dedicated exclusively to the preservation of free-flowing rivers. Since its founding in 1973 as the American Rivers Conservation Council, American Rivers has worked to protect rivers under the Wild and Scenic Rivers Act and has actively assisted states and local groups with their river conservation efforts. American Rivers has worked extensively with federal agencies in planning for the river resources on lands they administer. We have assisted the planning staff of the Bureau of Land Management (BLM) in Washington to clarify administrative direction for consideration of potential wild and scenic rivers in BLM's resource management planning, and have reviewed, commented on, and protested numerous BLM plans.

American Rivers has more than 15,000 members across the country who use and appreciate rivers, including the many rivers and aquatic ecosystems in Arizona managed by the BLM. These rivers and their associated riparian areas have outstanding ecological significance in this state, disproportionate to other areas of the country. Greater than 75% of Arizona's native wildlife species depend on them, including over half of the threatened and endangered species. Cottonwood-willow riparian communities in the southwest provide habitat for more bird species than any other ecosystem in the country, and Arizona is famed worldwide for the diversity of its bird populations. These rivers also provide habitat for some of the last remaining populations of a number of fish species. Of the 31 freshwater fish species originally present in Arizona, 29 live only in western American rivers — no other place in the world, and 26 of the 31 are

SOUTHWEST REGIONAL OFFICE
3601 NORTH SEVENTH AVENUE
SUITE D
PHOENIX, ARIZONA 85013
(602) 264-1823
(602) 264-1775 (FAX)



a member of EarthShare

♻️ Printed on recycled paper

Mr. Phillip Moreland
June 30, 1994
Page 2

officially listed by the U.S. Fish and Wildlife Service as endangered, threatened or candidates for listing. Clearly many Arizona rivers and streams have national — and perhaps international — significance associated with their native fisheries. A significant percentage are managed by the BLM.

Protecting the ecological values of rivers in Arizona means more than just protecting the mainstems of the major rivers in the state. Indeed, the key to ensuring the perpetuation of these values may lie in protecting the headwaters and tributaries within each river system. A protected headwaters region is much like a trust fund that sends proceeds in the form of clean water and nutrients to impoverished, overdeveloped downstream areas. Many of the rivers and streams in Arizona with outstandingly remarkable values that would qualify for wild and scenic protection are in the upper reaches of the watersheds in which they are found, and many are on public land, including BLM land. Wild and scenic protection for qualifying Arizona rivers can therefore go a long ways toward preserving important ecological values.

GENERAL COMMENTS

Section 5(d) of the Wild and Scenic Rivers Act, 16 U.S.C. section 1271 et seq., requires all federal agencies to consider potential national wild, scenic and recreational river areas in all planning for the use and development of water and related land resources. 16 U.S.C. section 1276 (d). The planning responsibility imposed by section 5(d) plainly requires the BLM to assess the values of potential Wild and Scenic Rivers during the preparation of resource management plans pursuant to the FLEMA. BLM Manual Section 8351.33A mandates that where a suitability determination cannot be made by the BLM in the RMP, separate legislative EIS shall be required as part of a separate reporting package (and plan amendment) to make that determination.

To provide further guidance for fulfilling BLM's planning and management responsibilities for potential wild and scenic rivers, BLM Manual Section 8351 was developed. It sets forth requirements for the identification, evaluation, reporting and management of potential and existing wild and scenic rivers under the BLM's administration.

Under the directions established in the Manual Section, evaluation of potential wild and scenic rivers on BLM lands follows a relatively straightforward, three-step procedure. Each BLM resource management plan is to:

- (1) evaluate the eligibility of potential wild and scenic rivers within its planning area for inclusion in the National Wild and Scenic Rivers System in accordance with the criteria set forth in Section 2(b) of the Wild and Scenic Rivers Act (i.e. whether the river is free-flowing and possesses one or more "outstandingly remarkable" values);
- (2) tentatively classify eligible rivers as "wild," "scenic," or "recreational" and institute management measures to ensure interim protection of the values

382

Mr. Phillip Moreland
June 30, 1994
Page 3

supporting eligibility and classification determinations;

- (3) assess the suitability of such rivers for inclusion in the national rivers system, based upon factors including the public values and uses that would be enhanced or foreclosed by such protection, the degree of public, state and local interest in designation, and practical concerns regarding costs and feasibility of administration.

BLM Manual Sections 8351.31 through 8351.33.

I. General Comments on Draft LEIS

American Rivers commends the BLM for its selection of a Proposed Action Alternative which recommends 27 segments in 10 river study areas as suitable for designation into the national rivers system. On the whole, American Rivers is pleased with the Draft LEIS and the Proposed Action Alternative. The BLM has demonstrated a thorough understanding of and commitment to both the 5(d) process of assessing rivers for potential designation and the values of rivers and streams under BLM jurisdiction in Arizona. However, American Rivers questions some of BLM's findings of non-suitability for certain segments and the corresponding exclusion of these segments from recommendation for designation in the Proposed Action Alternative. These segments will be discussed in more detail below.

Given the existence of an alternative in the LEIS labeled "Legislative Protection Alternative" which finds suitable those portions of eligible rivers which are not already protected by wilderness or national conservation status, American Rivers is deeply concerned about the lack of explanation in the LEIS of the relative protections afforded rivers by wilderness status, national conservation status, wild and scenic river status, status as an Area of Critical Environmental Concern (ACEC), and any other special status conferred in a land use plan. This is a significant and glaring omission.

Each type of special status is identified on pages 18 through 21 of the Draft LEIS, but no comparison of the different protections that they provide rivers can be found in the document. The public may not be aware that the laws that established wilderness areas and national conservation areas in Arizona have different purposes, and therefore different protections for rivers, than those provided in the Wild and Scenic Rivers Act. Furthermore, they may not know that all other kinds of special status conferred on an area by the BLM, including ACEC status, are administrative only, and can be revoked by the BLM rather than by act of Congress.

A significant flaw in the Draft LEIS is that the BLM has given the general impression throughout the Draft LEIS that other special status protections — and indeed, even general management under existing land use plans — can substitute

383

51-1

51-2

Response 51 - 1: Please refer to general response # 10 (Comparisons).

Response 51 - 2: Please refer to general response # 9 (River Study Area Protection).

Mr. Phillip Moreland
June 30, 1994
Page 4

for wild and scenic river protection. The BLM is required to make clear the differences in protection provided by each type of special status. NEPA requires decisions based upon law and informed decisions, not speculation. As the Draft LEIS stands now, neither the State Director nor the public has sufficient information to evaluate fully whether the public interest is adequately served by existing protections or whether designation would best serve the public interest in the rivers contained in this LEIS.

51-3

American Rivers believes also that the BLM should include with each individual recommendation of non-suitability the reason or reasons for such a recommendation. Chart 1-1 on pages 12 through 14 of the Draft LEIS provides a suitability assessment summary, but in the 20 individual environmental impact statements contained in the River Appendix, reasons for recommending non-suitability are omitted. In order to provide the public with full information concerning the proposed alternatives for each individual river study area, the BLM should present its reasons for a finding of non-suitability side by side with such a recommendation. The Draft LEIS suggests that individual decisions regarding non-suitability were completely arbitrary.

American Rivers' concern with the presentation of reasons for a recommendation of non-suitability is not merely academic or procedural. The NEPA process, through the environmental impact statement, gives the public an opportunity to comment and make its opinion known on the proposed action. Since one of the factors to consider in the suitability determination is public interest in designation or nondesignation of the river (BLM Manual Section 8351.33A4), public comment on a draft EIS could potentially change a suitability recommendation in the final EIS. Furthermore, the decision not to recommend Wild and Scenic River designation exposes the river to a continued risk of hydroelectric development that may degrade or destroy the river's free-flowing character, and to mineral development that may impair its outstanding natural values.

51-4

The Draft LEIS also contains a pervasive error that may be misleading to the public in its representation that the Gila Box Riparian National Conservation Area Management Plan is final. The management plan for that area was still in draft form as of the date of publication of the Draft LEIS, and if the management plan is not final as of the date of the publication of the final LEIS, the management actions taken from the draft Plan must be identified as draft-only when described in the final LEIS. Throughout the Draft LEIS these proposed management actions are represented as being existing actions that would be ongoing. In actuality, some or all of the proposed management actions may never be implemented, depending on what is contained in the final management plan. Since the draft status of the management plan is not made clear in the Draft LEIS, the public is not getting an accurate assessment of the environmental impacts of designation or nondesignation.

Response 51 - 3: The legislative environmental impact statement analyzes the environmental impacts of the implementation of reasonable alternatives formulated to respond to issues identified in public scoping. The basis, or reason, for determining a river study area suitable or not suitable was identified and discussed in the Bureau of Land Management suitability assessment made available to Congress and the public in September, 1993.

Response 51 - 4: In the foreword, under the section, Other Considerations, the statement is made that for the "purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation will be approved" (p. ii). In the case of the Gila Box Riparian National Conservation Area many management actions are prescribed by P.L. 101-628 (Arizona Desert Wilderness Act).

Mr. Phillip Moreland
June 30, 1994
Page 5

II. Comments on Individual River Study Areas

A. CIENEGA CREEK

American Rivers questions the basis for determining Cienega Creek not suitable and not recommending it for designation. According to the suitability assessment summary in Chart 1-1, "the segments are not nationally significant, there are no threats to free-flowing values or outstandingly remarkable values, and no additional protective management [is] needed for habitat of endangered Gila topminnow. No substantial changes in management would occur if river segments were added to MNSRS." We feel that this assessment is wrong on two counts. First, Cienega Creek is both regionally and nationally significant as a rare cienega-type river and for its native fishery. Second, management under wild and scenic status would include protection and enhancement of the values that caused it to be included in the system, as mandated by Section 10(a) of the Wild and Scenic Rivers Act. This additional management prescription is substantial.

The Final LEIS should reexamine whether Cienega Creek is suitable for inclusion by Congress in the national wild and scenic river system. That decision necessarily requires a weighing of the relative public value of the streams as protected components of the national rivers system against the public values associated with other possible uses of the river. The Wild and Scenic Rivers Act mandates that inquiry and establishes a national policy that "certain selected rivers... be preserved in free-flowing condition, and... protected for the benefit and enjoyment of present and future generations." 16 U.S.C. section 1271 (emphasis added). The Act's policy of preservation of selected rivers balances the established national policy of favoring dam and other development at appropriate sections of our nation's rivers. Id. The fundamental task that the BLM faces with respect to any potential wild and scenic river, therefore, is to balance properly the competing values of the river if preserved or developed.

Cienega Creek is one of the last and best remaining cienega-type rivers in the southwest. Furthermore, it supports native fish populations without the presence of exotic fish species, which is a rare occurrence in the state. These values weigh in in support of finding Cienega Creek suitable. The factors that ordinarily would weigh in against finding a river suitable - (1) large percentage of private land or incompatible uses that would make management difficult, (2) reasonably foreseeable potential uses of the land and related waters that would be foreclosed or curtailed if designated, (3) federal, public, State, tribal, local or other interests in nondesignation of the river, (4) significant cost of acquiring lands, interest in lands, and administering the area if designated, and (5) inability of the agency to manage and/or protect the river area/segment as a wild and scenic river - do not appear to be factors of significance in this case.

The BLM seems to have taken the position that in the absence of any threats to Cienega Creek or its values, recommending it for wild and scenic designation is not justified. However, the presence of threats is not required for a river to be suitable for designation. Once a river is found to be eligible, the policy

Response 51 - 5: Please refer to general response # 8 (Cienega recommended alternative).

Mr. Phillip Moreland
June 30, 1994
Page 6

outlined in the Act suggests that those rivers should be preserved in their free-flowing condition and their immediate environments protected for the benefit and enjoyment of present and future generations. Id. Only if factors brought out in the suitability assessment indicate that it cannot or should not be designated would a river then not be recommended for inclusion in the national wild and scenic river system. What the BLM has done in the Cienega Creek suitability assessment is reverse the default position — not recommending it unless factors indicate a special reason why it must be designated. This approach is incorrect.

In view of Cienega Creek's value as a rare cienega-type river, it is imperative that the free-flowing characteristics that sustain the cienega system are maintained and enhanced. Since there appear to be no substantial impediments to designation, American Rivers believes that the balance swings in favor finding Cienega Creek suitable.

B. BASSAYAMPA RIVER

American Rivers requests that the Final LEIS reevaluate the suitability of the Bassayampa River for inclusion in the national wild and scenic river system. We believe that a weighing of the relative public value of the river as a protected component of the national rivers system against the public values associated with other possible uses of the river demonstrates the need to designate the Bassayampa River.

Periodically, a proposal to build a dam in the Box Canyon on the Bassayampa (located within segment C) is revived. It is widely opposed, as a dam in that site would not so much create a reservoir as a mud flat, given the variability of surface flows. Local residents in the town of Wickenburg, as well as groups such as the Wickenburg Borsemen's Association, oppose the construction of a dam, and must rally to defeat the dam proposal each time it is revisited. Wild and scenic protection for the Bassayampa would close the river to dam construction, and ensure the free-flowing values are maintained and enhanced.

The Draft LEIS cites unmanageability due to a large amount of private land ownership as the main reason for finding the Bassayampa non-suitable. However, a significant percentage of private land ownership is not an automatic bar to a finding of suitability. Many rivers presently in the national wild and scenic rivers system contain sizeable portions of private land. American Rivers suggests that the Final LEIS explore the option of defining a segment that would include the Box Canyon which would be manageable.

C. VIRGIN RIVER

American Rivers is deeply concerned with the recommendation in the Draft LEIS to designate the Virgin River as a Study River rather than to designate it into the national wild and scenic river system. The Virgin River is a highly threatened river system, and would be seriously jeopardized by any further delay in including it in the system.

Response 51 - 6: Please refer to general response # 11 (Suitability Determinations).

Mr. Phillip Moreland
June 30, 1994
Page 7

51-7

The Draft LEIS implies that the reasoning for recommending further study rather than designation is that designation of the entire river - in Utah, Arizona and Nevada - all at once is preferable to designation on a piecemeal basis by state. While American Rivers acknowledges the need to protect river systems (and as our comments indicate the Draft LEIS fails to protect adequately headwaters and significant tributaries of many eligible streams), we believe that the Virgin River requires protective action, not the delay of more and more studies. It is possible to designate the segments of the river in Arizona first and add the segments in Utah and Nevada at a later date. The river supports two fish species that are federally listed (woundfin minnow and Virgin River chub), and a third that has been proposed for listing (Virgin spinedace). The woundfin and chub are in immediate danger of extinction due to habitat loss. Yet, as the Draft LEIS acknowledges, competition for water from the Virgin River is fierce. Management of the river to preserve and enhance free-flowing values is necessary immediately.

American Rivers requests that the Final LEIS recommend designation of the Virgin River into the national wild and scenic river system. If Congress is not prepared to designate the Arizona segments without also designating the Utah and Nevada segments, it can make that political decision on its own.

D. SAN PEDRO RIVER

American Rivers is concerned that the San Pedro River will lack the level of management necessary to preserve its near-natural condition due to an improper classification as "recreational", and requests that the Final LEIS classify the San Pedro River as "scenic".

51-8

Despite three road crossings and a railroad line that parallels the river, the shoreline of the San Pedro is still largely undeveloped. The river is an outstanding example of a desert river in the southwest, and is important wildlife habitat for many species. American Rivers believes that the San Pedro would greatly benefit from the more restrictive management provided by a classification as "scenic", and feels that the river qualifies as "scenic" under the guidelines provided in the Wild and Scenic Rivers Act. Section 2(b) of the Act defines scenic river areas as "those rivers...that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads." BLM Manual Section 8351.32A2 adds the following guidance:

Scenic...means the river segment may contain more development (except for major dams or diversion works) than a wild segment and less development than a recreational segment. For example, roads may cross the river in places, but generally do not run parallel to it. In certain cases, however, if a parallel road is unpaved and well screened from the river by vegetation, it could qualify for scenic river area classification.

The San Pedro River Study Area defined by the BLM is the segment of the

Response 51 - 7: Please refer to general response # 1 (Alternatives).

Response 51 - 8: Please refer to general responses # 1 (Alternatives) and # 11 (Suitability Determinations).

Mr. Phillip Moreland
June 30, 1994
Page 8

river contained in the San Pedro Riparian National Conservation Area. As the EIS acknowledges, "[a]lthough the study area has been used for farming, ranching, mining and recreational activities, it generally retains its natural appearance." San Pedro EIS at p.1. It is free of impoundments, and although the shorelines have seen human influence they are largely undeveloped. In part this is why the area was designated a Riparian National Conservation Area in 1988. It clearly has more development than a wild segment -- there are some buildings and some evidence of the farming, ranching and mining that used to occur -- but it also has less development than a recreational segment. If the road crossings and railroad paralleling the river are what has prevented the BLM from classifying the San Pedro as scenic, the guidelines in the ELM Manual clearly provide the flexibility on this issue to allow a scenic classification for the San Pedro. Roads may cross the river. Railroads are not specifically addressed, but certainly a railroad line that is screened from the river and carries as little or less daily traffic than an unpaved road should not automatically preclude a scenic classification. The BLM has the flexibility in tentatively classifying potential wild and scenic rivers to assign the more restrictive classification in what they consider borderline cases, and the San Pedro, as a Riparian National Conservation Area, is clearly an area where it should do so.

E. FRANCIS CREEK

American Rivers requests that the Final LEIS reexamine whether Francis Creek is suitable for inclusion by Congress in the national wild and scenic river system. We believe that a weighing of the relative public value of the river as a protected component of the national rivers system against the public values associated with other possible uses of the river demonstrates the need to designate Francis Creek.

Francis Creek supports a predominantly native fishery, a feature that is rare in Arizona. Furthermore, it supports at least eight threatened, endangered and candidate species. The town of Bagdad does get 85% of its domestic water supply from Francis Creek, but designation would not negatively impact that water supply or the facilities associated with it. In fact, it is possible that designation could be a benefit to the town in terms of improved water quality and/or quantity. The benefits of designating Francis Creek outweigh any possible benefits associated with alternative uses. Francis Creek should not be left open to risks to its free-flowing characteristics.

F. SANTA MARIA RIVER

American Rivers believes that the values associated with the upstream section of the Santa Maria River support designation, and urges the BLM to re-evaluate in the Final LEIS the suitability of the 21.2 miles found non-suitable in the Draft LEIS.

The perennial watercourse of the Santa Maria River supports many wildlife species that depend wholly or partially on riparian zones for part of their life

Response 51 - 9: Please refer to response # 51 - 7.

Mr. Phillip Moreland
June 30, 1994
Page 9

cycle. The upper section contains an important desert riparian ecosystem that is of regional significance. According to the Draft LEIS, this area could significantly contribute to the recolonization of the Colorado River by bald eagles.

51-10

The decision not to recommend Wild and Scenic River designation for the upper section of the Santa Maria exposes it to a continued risk of mineral development that may impair its outstanding natural values.

G. BONITA CREEK

American Rivers believes that the termination of the upper segment of Bonita Creek at Lee Trail Road is arbitrary, and excludes a portion of Bonita Creek from Lee Trail Road to the northern boundary of the parcel owned by the City of Safford that is suitable for designation into the national wild and scenic river system. We request that the Final LEIS extend the upper segment to include that portion.

Bonita Creek from Lee Trail Road to the City of Safford property boundary contains a significant riparian area with important wildlife habitat. In the Draft Gila Box Riparian National Conservation Area Management Plan, under the Preferred Alternative, the majority of that section of the creek is recommended to be in a Management Zone A, which is the most restrictive management zone. The desired environmental condition for Management Zone A is "essentially a natural environment, largely unmodified by contemporary human activities and structures." Draft Gila Box Riparian National Conservation Area Interdisciplinary Activity Plan/Environmental Assessment at p. 11.

We presume that the segment found suitable, the upper segment, was terminated at Lee Trail Road because the use of a road as a boundary simplifies management for the BLM. We can find no other reason why the segment was not extended to the City of Safford parcel. The reason given for finding the lower segment unsuitable was that private land (mostly City of Safford land) made the segment unmanageable. If there is another reason why the Lee Trail Road-to-City of Safford land segment is not suitable, it was not presented in the Draft LEIS. We must therefore conclude that the downstream endpoint of the suitable segment was arbitrarily designated, and the portion of the river down to the City of Safford parcel was improperly excluded.

51-11

III. Errors in the Draft LEIS

American Rivers has identified a number of errors and omissions in the Draft LEIS which are presented below. We urge the BLM to make the appropriate corrections in the Final LEIS.

We identified a large number of typographic and proofing errors, which will not be enumerated in these comments. The BLM would be well-advised to carefully proof the Final LEIS.

Response 51 - 10: Please refer to response # 51 - 7.

Response 51 - 11: The Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land, the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).

Mr. Phillip Moreland
June 30, 1994
Page 18

51-12

1. In the summary of impacts from implementing the No Action Alternative, a paragraph is included at the end that discusses the impacts from implementing the All Suitable Alternative (p.6). It would appear from the content of that paragraph that "All Suitable" was inadvertently inserted where "No Action" was intended.

51-13

2. In Table 2-AS1 on page 31, the total mileage given for the Middle Gila River (5.7 miles) is less than the sum of the mileage for the three segments identified (26.5 miles).

51-14

3. Text on page 70 identifies five segments with mineral potential and outside of wilderness areas that would be recommended for a Wild classification and withdrawn from mineral entry, but Table 4-PAM2 on page 73 shows six such segments.

51-15

4. The following statement is found on page 120: "It is unlikely that designation would have any impact on instream flow, since any water right resulting from designation would be non-consumptive." This statement does not make sense. The federal reserved water right associated with a wild and scenic designation is essentially an instream flow right, which would be satisfied by leaving water in the stream channel. Since the statement was made in response to an inquiry about whether designation will adjust flow, the statement should make clear the fact that designation would not create additional consumptive rights that would require further diversion of water from the stream channel. However, it should add information about the federal reserved water right.

51-16

5. The map for the All Suitable Alternative on the Agua Fria River (page 10 of the Agua Fria EIS) appears to be the same as the map for the Proposed Action. Since the All Suitable Alternative has only two segments, and the map shows three, the proper All Suitable map seems to be missing.

51-17

6. The Proposed Action for the Bill Williams River adjusts the segments identified in the study area, but the description on page 6 of the Bill Williams EIS fails to identify the endpoints of the adjusted segments.

51-18

7. The Bonita Creek EIS alternatively identifies the San Carlos Apache Tribe (p.3) and the San Carlos Irrigation and Drainage District (p.4) as the protestant on the BLM's instream flow water right application on Bonita Creek.

51-19

8. The Bonita Creek EIS states that no other alternatives were recommended by the public or other agencies (p.17). This is incorrect. The Arizona Rivers Coalition recommended that a segment of Bonita Creek from the San Carlos Reservation to Lee Trail Road be designated as a scenic river, and a segment from Lee Trail Road to the confluence with the Gila River be designated as a recreational river.

51-20

9. The map for the No Action Alternative on the Gila Box: Gila River (page 13 of the Gila Box: Gila River EIS) is included twice instead of providing the map for the All Suitable Alternative.

Response 51 - 12: The corrected information appears in the final document.

Response 51 - 13: The corrected numbers appear in Table 2-AS1 in the final document.

Response 51 - 14: The corrected information appears in the final document.

Response 51 - 15: A revised response appears in the final document.

Response 51 - 16: The corrections appear in the final Agua Fria River maps in the river appendix volume.

Response 51 - 17: The corrected information appears on the map in the final document.

Response 51 - 18: The corrected information appears on the map in the final document.

Response 51 - 19: This alternative suggestion was not given to the Bureau of Land Management. The publication in which it appears was not available to Bureau of Land Management personnel during the preparation of the environmental impact statement.

Response 51 - 20: The corrected information appears in the final document.

Mr. Phillip Moreland
June 30, 1994
Page 11

51-21

10. The Hot Springs Canyon EIS states that no other alternatives were recommended by the public or other agencies (p.10). This is incorrect. The Arizona Rivers Coalition recommended that approximately two miles of Hot Springs Canyon be designated as a wild river.

51-22

11. The Turkey Creek EIS states that no other alternatives were suggested by public or other agency sources (p.10). This is incorrect. The Arizona Rivers Coalition recommended that a segment of Turkey Creek from Oak Grove Canyon to Aravaipa Creek be designated as a recreational river.

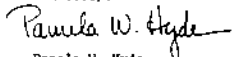
51-23

12. On page 4 of the Virgin River EIS, the Bureau of Reclamation is said to be currently evaluating the feasibility of the Lower Virgin River Project that would divert water from the river for use in southern Nevada. The Bureau of Reclamation is no longer involved in that project, but it continues to be evaluated by the Las Vegas Valley Water District.

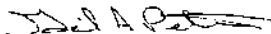
IV. Conclusion

American Rivers reiterates its strong support for the BLM's efforts to recommend potential wild and scenic rivers in Arizona as suitable for designation into the national rivers system. We trust the comments set forth above prove useful in the preparation of the Final LEIS. We look forward to continuing our productive coordination with the Arizona State Office, the District Offices, and the Resource Areas. Please do not hesitate to communicate with us if there are questions concerning any of these comments or other matters related to potential wild and scenic rivers on BLM administered lands in Arizona.

Sincerely,



Pamela W. Hyde
Conservation Associate
Southwest Regional Office



Gail A. Peters
Director
Southwest Regional Office

cc: Sen. Dennis DeConcini
Sen. John McCain
Rep. Sam Coppersmith
Rep. Karan English
Rep. Jim Kolbe
Rep. Jon Kyl
Rep. Ed Pastor
Rep. Bob Stump

Response 51 - 21: See response 51 - 19.

Response 51 - 22: See response 51 - 19.

Response 51 - 23: The corrected information appears in the final document.

000063

July 6, 1994

Dear Phil Moreland:

Admittedly, I have not followed this "Wild and Scenic Rivers" legislation as closely as I could have and do not know the total ramifications of its effect. I do understand that it will reduce our ability to control the river when it needs controlling; to continually divert the water for agricultural use; and to diminish the torrential, damaging effect of flooding.

For the many fool-hardy moves government and activist groups are currently making - the spotted owl hoax, which reduces jobs in the timber industry; the attempts to eliminate trapping, hunting and fishing through Proposition 200; and the attempt to triple the cost of grazing fees for ranchers in one fell swoop, let's not add to this list of asininity this "Wild and Scenic Rivers" idea. The impact down-the-road of such foolishness could ruin hundreds of acres of farmland along the river, wash away wildlife habitat for miles and affect the economic picture in several counties till doomsday.

Please accept these concerns with the alternative of "no action" to this "Wild and Scenic River" legislation.

Sincerely,

Park Romney
PARK ROMNEY
Concerned Citizen and County Director
for The Arizona Trappers Association



000081 JUL 9 7 1994

FRIENDS OF ARIZONA RIVERS

503 East Medlock Drive
Phoenix, Arizona 85012
(602)-265-4325

July 7, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
US Bureau of Land Management
Post Office Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

We write to comment on the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (LEIS), issued April 1994 by the Bureau of Land Management (BLM).

Friends of Arizona Rivers (FAR) is an Arizona based group of about 25 persons interested in preserving the natural features of streams. For the past ten years we have supported efforts to place suitable streams in Arizona into the national Wild and Scenic River (WASR) system.

We realize that the effort to protect free-flowing streams in Arizona is about a century too late in many cases. Many of Arizona's best rivers and segments have been pressed into service for other purposes: hydroelectric power, flood control, water storage, donor sites for sand and gravel, fuelwood harvesting, grazing and overgrazing, and commercial development of the stream banks. A particularly destructive practice in Arizona is the abuse of groundwater pumping to the point of dewatering a stream and its associated fish, wildlife, and vegetation. We as a society have benefitted greatly, but we have not respected our river environment in Arizona.

We pay a price for this negligent and sometimes malicious treatment of our streams. Many of our native fish are threatened, endangered, or even extinct. Whole ecosystems are threatened by our past failures to realize what we were doing to our heritage. Further, we lose the opportunity to recreate and restore our spirits in the God-given surroundings. In the past we failed to act to save what was being lost. Maybe our forefathers did not know better. Maybe they had other priorities. But now it is time to save what remains. Our group believes that it is time to take action and accommodate to the needs of our remaining streams. We look forward to working with the BLM and Congress in setting our priorities straight with regards to river protection.

In general, we think that the Arizona Office of the BLM has done a good job in studying, describing, and proposing streams for recommendation to Congress. In many cases we completely support the BLM Proposed Action as described in the draft LEIS. Of the 14,300,000 acres managed by BLM in Arizona, 103,541 acres (0.7%) were found eligible for further study, and only 72,140 acres (0.5%) were found suitable for recommendation. These data highlight the rarity of these valuable lands. In general, we are pleased with BLM's description of ongoing management for the streams.

The designation of W&SR will offer unique advantages that will complement the management goals of the agencies. There are a number of specific comments addressing specific streams and segments that follow.

1. Agua Fria River

p1, R, para 4: Doesn't the BLM land on segment B (renamed C in the DEIS) extend about one-half mile past Larry Creek? (It is hard to see on the maps.) If so, we recommend that the W&SR boundary extend to the end of the contiguous BLM land.

p6/7 (W&SR Management Actions): We recommend that BLM approach the Arizona Department of Transportation (ADOT) and request that they acquire (through purchase) a water right from a rancher above the W&SR segments. ADOT could allow the water to flow naturally through the W&SR segments A and B and be extracted at the Pumphouse. This win-win scenario would benefit both ADOT and the riparian habitat.

p7/8 (Ongoing): We generally support.

2. Aravaipa Creek

We support the BLM Proposed Action. This is a "no-brainer": Aravaipa Creek is a backpacker's paradise. Visitors come from around the country to visit this pristine jewel. It fits all the criteria for a wild river.

3. Big Sandy River

We support the BLM Proposed Action.

4. Bill Williams River (BWR)

The BWR contains a number of outstandingly remarkable values. These values are threatened by past management practices and some of the current objectives for management of Alamo Lake. PAR supports management of the lake that will result in improved aquatic (including riparian) habitat of the BWR.

Response 81 - 1: The southernmost river segment extends for approximately .25 mile past the confluence of Larry Creek and the Agua Fria River. The corrected information appears in the final document.

81-1

393

81-2

Segment A

For reasons that we give below, FAR does not support the BLM determination that segment A of the BWR is suitable.¹ We believe that there are not enough washes contributing to its flow in this upper reach. Because of these limitations, we do not favor inclusion of Segment A in the national WSR system. Unfortunately, we are 25 years too late in trying to preserve this segment in a free-flowing, natural condition. This segment is now too dependent upon regulated flow and it does not function as a natural river. We also are concerned that WSR designation would set a bad example for the management of other rivers in Arizona: WSR designation is supposed to halt the placement of dams.

Segments B and C

In contrast to the situation in Segment A, the side streams in Segments B and C are able to support essential values and functions of the BWR. Despite some devastating fluctuations in the flows from Alamo Dam over the past few years, there are some moderately healthy stands of willow and cottonwood riparian forests in these segments. Although segments B and C are somewhat dependent upon the regulated releases from Alamo Dam, they also stand on their own to some degree.

Planet Ranch and Havasu RWR

Groundwater pumping at the Planet Ranch has devastated the riparian forests that once lined the river. One can see that the depletion of groundwater has affected the vegetation right up to the edge of the national refuge. For whatever reason, the refuge appears to be in good shape. The vegetation lining the river in the refuge is extremely wild and dense. The washes that feed these downstream areas probably are supplying sufficient water to periodically recharge the groundwater table through the refuge. Although somewhat dependent upon flow from Alamo Dam, the river in the refuge has been able to withstand much stress. FAR finds that the BWR in the refuge is both eligible and suitable for WSR designation. We support a recommendation by the USFWS that it be found suitable for designation. The BLM should work together with USFWS to ensure coordination of management of the suitable

¹ To me this is a gray area, subject to some interpretation. It is my belief that the flow should occur naturally or quasi-naturally. For example, if a dammed river has side streams that allow the main channel to perform all, most, or many of its riverine functions then I would consider the river suitable. These functions include silt deposition and removal, periodic flooding and drought in cycles that are seasonally appropriate, water quality and quantity appropriate for the elevation of the river, native flora and fauna, etc. Where the flow and riverine functions are directly dependent on man-made releases then I do not consider the river to meet the free-flowing criteria and intent.

Response 81 - 2: Please refer to general response # 11 (Suitability Determinations).

segments.

FAR recommends that the entire length of the BWR receive the benefits that are potentially available from the interagency management described on page 3. So far, we are not impressed with the progress. There has been virtually no publicity about any progress in preserving the aquatic habitat and in ensuring that flows from Alamo Dam will sustain the riparian areas. If the situation does not improve then we will look for legislative solutions to ensure proper management.

p14, R (D): FAR would like to emphasize the ecological and hydrological value of the riparian vegetation in the 21-mile segment and in the Navasu NWR downstream. In comparison to the degradation sustained by the Colorado River, the Bill Williams River still maintains much of its ecological value. Perhaps this preservation is due to the relative newness of Alamo Dam, completed only in July 1968.²

81-3

The Bill Williams corridor is a flyway of international significance. FAR recommends that hydrology be added as an outstandingly remarkable value in all segments because of its importance to the downstream NWR.

p18, R, para 2: We recommend that the need for in-stream flow to support non-motorized recreational float trips be of lower priority than the need for water to sustain fish and wildlife values. The recreational trips need only occur at a frequency that would occur with natural events if Alamo Dam were not present. In the management plan, the BLM will have to ensure that fish and wildlife values of the river are not degraded by recreational uses.

5. Bonita Creek

There are outstandingly remarkable values (scenery, fish and wildlife, cultural) on Bonita Creek that extend from the edge of the San Carlos Reservation to the confluence with the Gila River. We recommend that BLM designate an additional portion in the final EIS; this would be called section 2, to be composed of the five miles of river that runs from Lee Trail Road (section 36) to the Gila River. The "All Suitable Alternative" should show this segment. Furthermore, we recommend that BLM reconsider its Proposed Action and that they find the five miles of segment 2 as suitable for W&SR designation.

81-4

6. Burro Creek

There are a high number of visitor user days on this creek (the

² US Army Corps of Engineers, Los Angeles District. ALAMO Lake, Arizona, Reconnaissance Study. P.O. Box 2711, Los Angeles, CA 90053-2325. July 1990.

Response 81 - 3: Please refer to general response # 3 (Eligibility Determinations).

Response 81 - 4: The all suitable alternative includes the entire length of Bonita Creek from the San Carlos Apache Reservation boundary to the Gila River. The area downstream of Lee Trail was not considered due to the operation of the city water system and the presence of four parcels of private land. The stretch of the creek between the upstream end of the city property and Lee Trail is often dry. Please see general response # 1 (Alternatives).

second highest of all streams in the DEIS). We support the BLM Proposed Action.

7. Cienega Creek

81-5

We are puzzled by the BLM proposal that recommends this creek as "non-suitable". It is outstandingly remarkable for three reasons. First, it is one of only a handful of true cienegas still remaining in the southwest. There has been little in the way of downcutting of the soil, so it functions as a benchmark area that can be used as a comparison to other areas. Second, it functions as an important ecological corridor between Mexico and the US. (The San Pedro River is the other important, major corridor.) Third, its riparian vegetation and soils are healthy enough to attenuate flood waters. This is a very notable function important enough to Pima County that it acquired some of the lands.

FAR urges the inclusion of Cienega Creek among the streams that it recommends to Congress as suitable for W&SR designation. We recommend a "scenic" classification.

8. Francis Creek

We have no comment on this stream.

9. Gila Box: Gila River

p1: The EIS should put into perspective the ecological importance of the rivers located in the Gila Box. This perspective is important because the proposed action is so complimentary to the intent of the W&SR Act of 1968. Specifically, the Gila River travels about 400 miles across Arizona. All but about 40 miles of the upper reaches have been diverted, dewatered, developed, dammed, or otherwise affected by regulated flow. If the Congressional intent is to balance the previous policies that allowed such practices, then W&SR designation of the streams feeding the Gila Box makes a great deal of sense. This is one of the major reasons that FAR is so supportive of W&SR designation of the Gila River Complex, including the Gila River in the Gila Box.

p8 (B. PA, para 1): The paragraph does not match the map on page 9. FAR recommends that the paragraph state that segments 1 and 3 are suitable for scenic designation, and segment 2 is suitable for wild designation.

81-6

81-7

p13: Map should be labelled "(All Suitable Alternative)".

81-8

p10. (L, para 3): We believe the sentence should state "Woodcutting would not be allowed." It is very important to build up the organic debris (eg, downed trees) in order to restore the natural functions of the river (eg, trapping sediment, riparian mini-habitat).

Response 81 - 5: Please refer to general response # 8 (Cienega recommended alternative).

Response 81 - 6: The map has been corrected in the final document.

Response 81 - 7: The final document includes the correct maps.

Response 81 - 8: The final document contains the correct wording.

81-9

p10 (R, para 4) and p11 (L, para 1 and 7): We support the ongoing management action to reduce the "roads" in the riparian area to 1.2 miles. Could BLM state the location of these remaining 1.2 miles? What is the reason for leaving 1.2 miles open?

81-10

p26 (L, I.): We question the economics of allowing any grazing in the study area at all. This issue can be addressed apart from any designation of W&SR.

10. Hassayampa River

This small river is the only stream that FAR has recommended in the massive Lower Gila River Basin. The Hassayampa River drains a large area of several thousand square miles.

81-11

Designation of the Hassayampa River as a Wild and Scenic River is very important because of the opportunity for true ecosystem management in the watershed. There are few rivers in the ARC proposal that include federal lands in both the headwaters and in the low lands. The Hassayampa River is an exception in that the USFS manages the range and river at its headwaters. As it tumbles out of the Bradshaw Mountains, the Hassayampa River then falls into BLM jurisdiction.

The draft EIS appears to accurately describe the affected environment. I concur that there are a number of outstandingly remarkable values including: scenic, fish and wildlife, ecological diversity, and (I would add) hydrology and recreation.

Hydrology The reaches of the Hassayampa River above Wickenburg provide significant attenuation of flood waters. This is a remarkable hydrological feature in areas where the river widens past the Box. Management as a W&SR could convey substantial benefits to the town of Wickenburg in terms of flood control without relying upon an expensive dam. Because the preclusion of a dam in the Box would be the major impact of W&SR designation on the Hassayampa River, I believe that the EIS needs to present and discuss this issue in more detail.

Hydrology and an assured surface water supply is of critical importance to several miles of excellent riparian habitat south of Wickenburg, including the world-famous Nature Conservancy preserve, and the heavily visited interpretive

³ On the morning of July 3, 1994 I observed the following wildlife in the Box: the howls of coyotes, a fist-sized frog that jumped onto my pillow at dawn, the hoots of a large owl, two foxes that scampered up the cliff near the flow gauge, six turkey vultures, three Cooper's hawks, and numerous other birds. Not bad for four hours of observation!

Response 81 - 9: The remaining 1.2 miles of road in the riparian area of the Gila Box is in the proposed action of the draft Gila Box Plan. These roads consist of 0.2 miles for public access and 1.0 miles for administrative access.

Response 81 - 10: Grazing decisions for the Gila Box were made in the Upper Gila San Simon Grazing Environmental Impact Statement (1978). These decisions were incorporated by reference into the Safford District Resource Management Plan (1991).

Response 81 - 11: Please refer to general response # 1 (Alternatives).

Rest Stop that has recently opened on Highway 89.

Recreation hikers, horse riders, bird watchers, and also ORVers find the RR a remarkable place to visit. Currently the Box is being loved to death. There is obviously a proliferation of ORV use and abuse in the Box and the streambed upstream of Wickenburg. This was my observation on a trip to Wickenburg and the Box as recently as July 2-3, 1994. ORVs were using the streambed and the riparian area as a vehicular byway for much of the night. Fireworks and firearms were discharged frequently. Beer cans and bottles littered the area the next morning. Nevertheless, other than this recreational use, there were few signs of human development. There is a potential for a dramatic increase in recreational use when the area is "discovered" by the hordes in Phoenix. The growing population of Wickenburg also will contribute to the recreational pressures.

The DEIS accurately describes the adverse environmental consequences of the Proposed Action (BLM has proposed a non suitable recommendation). The DEIS describes that the Proposed Action would have no adverse consequences on mineral development or on the speculative flood control project at Box Canyon. However, neither of these activities appear to have significantly positive impacts to the local environment. There are few active mines in the area; the DEIS fails to describe the importance of current commercial production. There is little justification in the DEIS given for the need for a flood control project, other than to say that the recent floods caused some impacts to Wickenburg.

The DEIS appears to admit that there would be minimal negative environmental, social, or economic consequences if the RR is designated. We believe that BLM should conclude that the Hassayampa River is suitable for designation. At least segments 1 and 2 can be found suitable now, based on the existing data in the DEIS. We urge that the BLM look closer at the minimal negative impact of designation. We believe that when BLM staff have completed further analysis of segment 3, they will conclude that it also should be recommended as suitable in the final EIS.

11. Hot Springs
No comments.

12. Lower San Francisco River

p14, R. E. para 1: The ARC actually proposed two segments, totalling 8 miles. Segment one begins at a point 2.5 miles south of Clifton. This point, and the ARC proposal for the two segments, are accurately depicted on the map shown on page 11.

The BLM has proposed that the upper 1.6 miles of segment 1 be recommended as non-suitable. FAR finds the BLM recommendation

81-12

Response 81 - 12: This alternative suggestion was not given to the Bureau of Land Management.

acceptable. However, we would like to note the historical significance of the silt-covered river bank on river-left (upstream of Section 12). Such past management practices, whatever the motivation, are historically important because they contrast with current approaches to riparian management.

We do not agree with the BLM recommendation that segment 2 be classified as "recreational." Given the lack of development in this segment, a "scenic" classification is more appropriate.

If and when Congress designates W&SRs in the area of the Gila Box, FAR requests that BLM consolidate the streams into one management unit. For example, the unit could be called the Gila Box Wild and Scenic Rivers Complex, comprised of: the Gila River, lower San Francisco River, Bonita Creek, and perhaps Eagle Creek.

13. Middle Gila River

We support the BLM Proposed Action that finds a 7.5 mile segment as suitable for W&SR designation. (However, we can measure only 6.5 miles on the map shown on page 7.) This segment runs from the area of Dripping Springs to a point a couple of miles above Winkelman. The BLM has proposed that this segment have a "recreational" classification, which we also support.

The upper two study segments (labelled segment 1 and 2 on the map on page 9) of the middle Gila contains many important values that we recommend be protected by the BLM and other agencies using management tools other than W&SR designation.

14. Paria River/ Buckskin Gulch

p1: The DEIS refers to a study area of 28 miles from the Arizona-Utah state line to the edge of the Glen Canyon WRA. FAR counts only 21 miles on the map on page 6.

p3: With designation of small amounts of Wilderness in Utah, there is precedence for BLM to include out-of-state areas when it makes sense and it is pertinent to the issue at hand. There has been plenty of notice to residents in southern Utah about the BLM action to study rivers for W&SR designation. They have attended a public meeting and given input. In the interest of ecosystem management and integrity, FAR recommends that BLM include Buckskin Gulch in their current W&SR recommendations.

pages 3 and 6: There is little description of segment 2 in the text, nor a reason why a "scenic" label has been applied. FAR recommends that segment 2 be described as possessing the same general characteristics as described for segment 1. Furthermore, we recommend that segment 2 be labelled as "wild". On page 20 we recommend that BLM add a paragraph on interagency coordination and mention any plans for future interagency coordination should Congress designate the Paria River.

Response 81 - 13: The mileage data are derived from the suitability assessment and eligibility determination in the final Safford District Resource Management Plan (1991).

Response 81 - 14: The mileage data are derived from the suitability assessment and eligibility determination in the final Arizona Strip District Resource Management Plan (1991).

Response 81 - 15: Buckskin Gulch is located in Utah and the Arizona Bureau of Land Management does not have authority to determine eligibility or suitability for this waterway.

Response 81 - 16: The correct map displaying the Paria River Study Area segment is contained in the final document.

81-13

81-14

81-15

81-16

81-17

400

15. San Pedro River

We strongly support the BLM's recommendation for designation as a W&SR. This river has some of the highest ecological value in the country:

- The longest undammed stream in Arizona.
- Has 1/10th of the 530 endangered species in the US.
- Has a 12,000 year-old archeological mammoth kill site.
- Is the best preserved cottonwood-willow forest in Arizona.
- Functions as a critical corridor for wildlife from the tropics and Mexico.
- The heaviest annual visitor days of all the BLM streams.

FAR believes that the "recreational" classification by BLM is not appropriate. For reference we reviewed the criteria specified in the Introduction Volume (page 10). In general, the San Pedro River fits either the "wild" category or the "scenic" category. We recommend that the final EIS recommend a "scenic" classification for both of the BLM recommended segments. The San Pedro River deserves the national recognition as ~~the~~ showpiece of a southwestern desert-river ecosystem.

16. Santa Maria River

We agree with the BLM Proposed Action.

17. Swamp Springs

We have no comment.

18. Turkey Creek

FAR recommends that BLM find it suitable and combine it with Aravaipa Creek for management purposes.

19. Virgin River

The river has many important values: fish and wildlife (T&Es), scenery, and recreation including boating. This is a highly threatened river that will die if it is not given federal protection. We believe that it is important to preserve natural, free flows. Any development that is scheduled for southern Utah ought to accommodate the fact that the Virgin River is of national importance and that it too deserves to retain its vital functions in the area.

We support the classification proposed by BLM. However, we urge that BLM recommend the Virgin for outright designation and not for further study. The BLM already has done a sufficient job in describing the issues in this DEIS.

20. Wright Creek

We believe that the stream is regionally significant because of its fish and avian related values. There are few or no conflicts with other resources in the area. Although designation would not significantly change the way the area is managed, we believe

Response 81 - 17: Please refer to general responses # 1 (Alternatives), and # 11 (Suitability Determinations).

that the stream would make a good addition to the national system. Now is a good time to recommend its suitability, before conflicts arise.

Other comments

Table 3-2 on page 42 lists potential natural vegetation and ecoregions. I am not familiar with the importance or usefulness of this table. I am sure that it is important because it is addressing the issue of the ecological diversity and potential. Could BLM add a paragraph or two that describes how this data can be used in the decision-making process?

Table 3-7, page 49: I am impressed by the number of special status species contained in the eligible rivers. The Proposed Action will offer an additional layer of protection to these species.

Page 115: I commend the BLM for its efforts to inform the public in terms of written material, meetings and hearings.

Page 120, #37: The response is correct, but incomplete. I think a better response would be to say that, in general, using a wild and scenic river for a cattle drive would be discouraged.

We appreciate the opportunity to comment. Thank you for your work.

Sincerely,


Timothy J. Flood



Cyprus Amax Minerals Company
9100 East Mineral Circle
Post Office Box 3299
Englewood, Colorado 80155
303-643-5325
Fax: (303) 643-5988

JUL 08 1994

000082

Lee A. Darling
Director, Environmental ~~MINING~~ STATE OFFICE
BUREAU OF LAND MGMT.

JUL 7 94

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 7 1994	FBI - PHOENIX
RECEIVED	
ENVIRONMENTAL	
STATE OFFICE	
BUREAU OF LAND MGMT.	
PHOENIX	

June 30, 1994

Mr. Philip Moreland, Branch Chief
Planning, Environmental, Land and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Re: Arizona Statewide Wild and Scenic Rivers DEIS

Dear Mr. Moreland:

Transmitted herewith are Cyprus Amax Minerals Company's (Cyprus) comments on the Arizona Statewide Wild and Scenic Rivers' Draft Environmental Impact Statement (DEIS). Our comments consist of this letter, the enclosed Technical Memorandum (dated June 15, 1994) and the five bound reports prepared by SWCA, INC. The bound reports have been previously provided to your office but, we understand, were not provided in time to be considered in the development of the DEIS.

Cyprus has substantial investments in five mining and mineral processing facilities in the State of Arizona and produces a significant portion of our nation's copper supply from these mines. We are continuing to both upgrade and expand these operations with the expectation that we will be recovering the valuable mineral resources at these properties well into the next century. We are very concerned that the BLM's Wild and Scenic River recommendations, if approved, would adversely impact our ability to continue mining and processing the mineral resources which exist near river segments recommended for inclusion in the Wild and Scenic system. We have expressed our concerns throughout BLM's EIS process, including offering comments at scoping sessions and public informational workshops, preparing written comments on draft Resource Management Plans (RMP's), final RMP's, and now in commenting on the DEIS. We have maintained a constructive approach in participating in this process and submit these comments and reports in an effort to continue to be constructive.

Two concerns are of particular importance to Cyprus. First, we request that the BLM re-evaluate its data file and the comments submitted on the DEIS and exclude those reaches of the upper Gila River within Sections 15, 16, and 21 identified as the upstream portion of Segment 1. This portion of the Gila River involves private and state ownership and could be readily excluded without fragmenting the remaining river segment. As the technical memorandum points out, the presently inactive mining operation (our Christmas Mine) and the existing mineral potential of this area is inadequately recognized in the DEIS. The proposed action should not include this segment for the same reasons that other stream reaches along the Gila with existing mineral development and considerable

82-1

Response 82 - 1: Please refer to general response # 1 (Alternatives).

Mr. Phillip Moreland
June 30, 1994
Page 2

mineral resource potential have been excluded.

82-2

Second, although Cyprus strongly supports the BLM's proposed action of not including Burro Creek Segment C in the Wild and Scenic River program, we request that the BLM reconsider the inclusion of Segment B. Segment B is entirely within a designated wilderness area and the DEIS offers no convincing or compelling reasons to suggest that this study segment requires wild or scenic or recreational designation to preserve its values. One of Cyprus' key concerns is that Wild and Scenic designation of this stream segment could impair our ability to exercise valid pre-existing water rights which have been carefully protected by Congress in the prior wilderness area designation.

We appreciate your attention to these concerns and trust that the enclosed technical comments and reports are helpful in completing the final EIS and BLM's recommendations. Please contact me if you have any questions on our comments or concerns.

Sincerely yours,


Lea A. Darling

LAD:amr

cc: The Honorable Fife Symington (w/o att.)
The Honorable John McCain (w/o att.)
The Honorable Jon L. Kyl (w/o att.)
The Honorable Bob Stump (w/o att.)
Mr. Lester K. Rosenkrance (w/o att.)

Response 82 - 2: Please refer to general response # 4 (Federal and State Water Rights). The authority of the Wild and Scenic Rivers Act does not apply to nonfederal land or valid, existing rights.

Central Arizona Paddlers Club
P.O. Box 45344
Phoenix, AZ 85064-5344
602-271-4012

JUL 08 1987

000084

Mr. Phillip Morland
Branch Chief / Planning, Environment, Lands and Recreation
Arizona State Office / Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Dear Mr. Morland

I am writing to you on behalf of myself and of the 200 Arizona river recreationists represented by the Central Arizona Paddlers Club. Our Club, founded in 1986, has been consistently active in the wise use and preservation of Arizona's rivers, streams, and other riparian areas. We have actively participated in the review of management plans on the Salt, Verde, and Gila rivers. We have been involved, on an ongoing basis, in advisory review panels on both the Upper Salt River and the Colorado River / Grand Canyon for the last 5 - 6 years. Our members have been variously involved in the Arizona Wilderness Coalition, the Arizona Rivers Coalition, and Friends of Arizona Rivers.

We have reviewed the BLM Draft LEIS regarding potential Wild and Scenic Rivers designation of Arizona rivers, and commend the BLM for the breadth of its effort. We are very pleased that BLM has recommended protection of 27 segments in 13 river study areas in its Proposed Action Alternative. We have, however, several comments on the LEIS, as well as suggestions regarding alternative classifications on certain river segments.

We feel strongly that protection under the Wild and Scenic Rivers Act is not a duplication of protection provided under other classifications such as Wilderness status, National Conservation status, or any special status conferred under a land use plan. We would, therefore, like to see the added protection afforded by the Wild and Scenic Rivers Act applied to all possible river / stream segments under BLM jurisdiction in Arizona.

We feel that there is insufficient reason given in some cases for findings of non-suitability on certain segments. Regarding specific river segments, our recommendations are as follows:

- Foremost, in light of recent experience, is a recommendation for Wild designation of the section of the Gila River beginning just downstream from Coolidge Dam and extending for approximately 20 miles along the southern border of the BLM's recently designated Needle's Eye Wilderness Area. While we realize that there would be issues to work out with the San Carlos Apache Tribe regarding management of the area, we feel that this segment is so exceptional as to warrant a special effort to resolve any jurisdictional questions which might otherwise interfere with designation.

404

84-1

84-2

Response 84 - 1: Please refer to general response # 9 (River Study Area Protection).

Response 84 - 2: The 5.5-mile segment extending from Coolidge dam to Hook and Line Ranch was determined eligible for a recreational classification. See general response # 3 (Eligibility Determinations).

84-3

- We disagree with the finding of non-suitability of Cienega Creek. There appear to be no substantial reasons for non-designation. If designated, substantial changes in management would need to occur to protect and enhance those qualities which justify designation in the first place, such as its character as a rare cienega-type river and its native fishery with an absence of exotic fish species.

84-4

- We would like to see the Hassayampa River re-evaluated. The criterion of private land ownership on this segment does not automatically disqualify it for designation and protection. At a minimum, BLM should attempt to define a manageable segment which would include the Box Canyon and thereby prevent any future attempts to build a dam in that area. The prospect of a dam here has been consistently opposed by local residents in Wickensburg and by groups such as the Wickensburg Horsemen's Association.

84-5

- The Virgin River segment in Arizona must be designated directly into the Wild and Scenic System, rather than as a Study River. Delaying its protection would jeopardize federally designated endangered fish species which are in immediate danger of extinction due to habitat loss. Any decision to include the Utah and Nevada segments under W & S protection should be left to the next level - the U.S. Congress; it should not be a reason to fail in protecting the Arizona segment to the extent possible.

84-6

- We feel the suitability of Francis Creek should be re-evaluated. It supports several threatened and endangered species, including a predominantly native fishery.

84-7

- The upper 20+ miles of the Santa Maria River must be re-evaluated. This section contains an important desert riparian ecosystem providing habitat capable of supporting the Bald Eagle. According to the Draft LEIS, this area could significantly contribute to the recolonization of the Colorado River by these magnificent birds.

84-8

- Finally, we request extension of the upper segment of Bonita Creek to include the area from Lee Trail Road to the northern boundary of the parcel owned by the City of Safford. This area contains a significant riparian area with important wildlife habitat.

It's hard to overestimate the ecological significance of the remaining rivers, streams, and riparian areas in Arizona. My understanding is that we have remaining today in Arizona only about 1.5% of the riparian areas which existed in the nineteenth century. Surely we should do whatever is in our power to keep those remaining areas from being diminished in any way, whether through diversion of water, unregulated grazing, pollution from mining, groundwater pumping, etc., etc.

Sincerely,

Dave Huizingh
Conservation Coordinator
Central Arizona Paddlers Club
244-4216(W) / 966-3551(H)

Response 84 - 3: Please refer to general response # 8 (Cienega recommended alternative).

Response 84 - 4: Please refer to general response # 1 (Alternatives).

Response 84 - 5: Please see response 84 - 4, above.

Response 84 - 6: Please see response 84 - 4, above.

Response 84 - 7: Please see response 84 - 4, above.

Response 84 - 8: The Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).



Morenci Branch, Morenci, Arizona 85540 • (505) 985-4521

000097 JUL 1 1994

Timothy R. Snider
Manager

July 1, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P. O. Box 16563
Phoenix, Arizona 85011

RE: Arizona Statewide Wild & Scenic Rivers Draft LEIS Comments

Dear Mr. Moreland:

Phelps Dodge Morenci, Inc. (PDMI) appreciates the opportunity to review and provide comments to the BLM for consideration in the evaluation process of the Draft Arizona Statewide Wild & Scenic Rivers Legislative Environmental Impact Statement (LEIS). Comments provided by PDMI are intended to assist the BLM in review of the Draft LEIS and preparation of the Final Wild & Scenic Rivers LEIS. PDMI has remained an active participant throughout the Wild & Scenic Rivers evaluation process in the State of Arizona and trusts the BLM will find our comments constructive and beneficial in evaluation of suitability designation for river study areas addressed through this letter.

Three river study areas included in the alternatives analyses would have significant adverse socioeconomic impacts on PDMI if they are selected for inclusion in the Wild & Scenic River System. These proposed river systems include: 1) Gila Box: Lower San Francisco River; 2) Gila Box: Gila River; and 3) Bonita Creek. In addition, two river study areas addressed in the Draft LEIS alternatives would have similar adverse impacts on communities in Greenlee and Graham Counties that provide support services and an employee base for PDMI's operations if they are incorporated into the Wild & Scenic River System including: 1) Aravaipa Creek; and 2) Turkey Creek.

Comments provided on the Draft LEIS address general issues common to all alternatives, with the exception of the No Action Alternative, and specific comments on individual alternatives and their adverse impacts on PDMI, should they be chosen as the selected alternative in the Final LEIS.

Response 97 - 1: Please refer to general response # 2 (Economic Impacts).

406

97-1

General Comments

- 97-2 1) The BEM indicates in the Draft LEIS that private land and water rights within river study areas identified as suitable for designation in the Wild & Scenic River System would be acquired. Both Greenlee and Graham Counties have a very small private land base for which to collect property taxes, the source of much of the funding for services provided to the residents of each county. Purchase of these private land holdings by the Federal government would further reduce the ability of local governments to provide the level of service desired by the communities in these counties. The formula used by the Federal government to determine the amount of money paid to county governments based on Federal land ownership was developed in 1976. This formula is outdated based on 1994 dollars.

Please explain how local county governments will not be adversely affected by the reduction of private land holdings and the associated property tax base within their boundary without having to increase the property tax level on homeowners, ranchers, farmers, and other land owners.

- 97-3 2) Water rights is an extremely sensitive and controversial issue when associated with new regulatory programs proposed by the Federal government such as Wild & Scenic River designations. Loss of water rights to rivers as a result of Wild & Scenic River System designation will significantly impact industry, agriculture and ranching in Arizona. The Draft LEIS states that water rights will not be taken from existing beneficial uses. However, the Draft LEIS also states that minimum instream flows will be established for river study areas that are designated as part of the Wild & Scenic River System.

Please explain how, on river systems like the Gila and San Francisco Rivers where all available water is adjudicated, minimum instream flow standards will be established without adversely impacting existing water rights.

- 97-4 3) The cumulative impacts of multiple layers of Federal regulatory programs on land and water resources associated with the Draft LEIS should be evaluated. Currently, many of the river study areas are regulated as Wilderness, Nation Conservation Areas, Areas of Critical Environmental Concern, and Critical Habitat Areas. The addition of Wild & Scenic Rivers designation should be evaluated to determine the cumulative impacts placed on local communities as a result of multiple layers of land use regulations.

- 97-5 4) The Draft LEIS does not present a detailed socioeconomic impact assessment for any of the communities or counties in which river study areas are located. Cumulative impacts evaluated on a statewide basis tend to wash out impacts that are significant at the local level. A socioeconomic evaluation on a county basis should be conducted

Response 97 - 2: Please refer to general response # 6 (Land Acquisition).

Response 97 - 3: Please refer to general responses # 4 (Federal and State Water Rights) and # 5 (Instream Flow Water Rights).

Response 97 - 4: Please see response 97 - 1, above.

Response 97 - 5: Please see response 97 - 1, above.

for the affected counties in Arizona.

Specific Comments

There are several contradictions between information presented in tables and the text within the Draft LEIS. Examples of these contradictions include:

- 1) Pages 4 and 5 - The text states that adverse impacts would occur to mineral resource development as a result of the Proposed Action, the All Suitable and the Legislative Protection Alternatives. The Proposed Action identifies a total of 8,200 acres that would be withdrawn from mineral entry within categories of resources classified as moderate-to-high, moderate, and low-to-moderate locatable mineral potential. The All Suitable Alternative would adversely impact 12,200 acres and the Legislative Protection Alternative would impact 10,780 acres. Information in Table 2-G3 summarizes proposed management actions by alternatives and indicates that new mineral entry would be prohibited on 35,002 acres for the Proposed Action, 50,228 acres for the All Suitable Alternative, and 12,430 acres for the Legislative Protection Alternative.

Page 76 - Under the "Cumulative Impacts on minerals development" section the conclusion is made that "The Proposed Action would have a minor adverse cumulative effect on minerals development."

Page 90 - Under the "Impacts on Minerals Development" section the conclusion is made that "The withdrawal of 10,997 acres from mineral entry under the implementation of the All Suitable Alternative would have an adverse impact on minerals development."

Page 104 - Under the "Impacts on Mineral Development" section the conclusion is made that "The implementation of the Legislative Protection Alternative would have a minor adverse impact on minerals development."

Information presented on the pages identified above seem too conflicting to allow for a comprehensive evaluation of the Draft LEIS alternatives. Apparent conflicts with data presented in tables and text should be clarified. Also, conflicts in what is considered to be minor adverse impacts versus adverse impacts should be addressed to assist the reader in understanding how the environmental consequences were determined.

- 2) Chart 1-1 on page 13 addresses the suitability assessment summary. Under the river study area identified as the Gila Box: Lower San Francisco River, the BLM suitability recommendation states that "The lower end of Segment 1 (3.4 miles) and Segment 2 (3.0 miles) are recommended as suitable. The upper end of Segment 1 (1.6 miles) is

Response 97 - 6: The correct figures appear in the final document.

Response 97 - 7: The rationale for the conclusion that the adverse impacts would be minor is discussed in the statewide legislative environmental impact statement under the section, in chapter 4, on cumulative impacts on minerals development.

Response 97 - 8: The difference between Chart 1-1 and Table 2-PA1 is that Chart 1-1 includes all river miles within the study area while Table 2-PA1 only includes Bureau of Land Management administered river miles within the study area. As explained on page 27 of the draft statewide document, in Table 2-PA1 the acreages displayed "are limited to public lands since wild and scenic river management actions apply only to lands under federal management."

97-6

97-7

97-8

recommended as nonsuitable.

Table 2-PA1 on page 27 identifies Segment 1 of the Lower San Francisco River as 2.5 miles suitable for recreation designation and Segment 2 as having 2.9 miles suitable for recreation designation.

Conflicts with the information presented in Chart 1-1 and Table 2-PA1 should be clarified.

- 97-9
- 3) Wild & Scenic River designation for all river system or segments requires a one quarter mile corridor from either bank. Management constraints of this corridor area and lands that border upon or are adjacent to it restrict uses that may affect the protected uses of the corridor including visual impacts and noise resulting from mining activities such as open pit blasting. The Lower San Francisco River study area is immediately adjacent to the tailing impoundment facilities associated with PDM's operations. These tailing impoundments are visible from the river and border the one quarter mile corridor area. On-going and future expansions for the tailing impoundment facilities would be adversely impacted by wild, scenic or recreational designation of the Lower San Francisco River study area under the Wild & Scenic Rivers System. The tailing impoundment facilities are highly visible in the edge of the one quarter mile corridor. These adverse impacts would result from the potential termination of future use of the tailing impoundment facilities to prevent additional visual impacts if the Lower San Francisco River study area becomes designated as a Wild & Scenic River.

The tailing impoundments have been in operation for 54 years. Loss of use of these existing tailing impoundments preventing future expansion of these facilities to their designed capacity would adversely impact the economic viability of the milling operations and mining activities that support the mill, potentially terminating 810 jobs directly associated with PDMI. Other direct impacts would be the potential loss of jobs at smelters owned by Phelps Dodge Mining Company located in New Mexico that process the copper concentrate produced at PDMI. Indirect adverse impacts would potentially terminate 4,050 support oriented jobs in Arizona and 16,200 indirect jobs nationwide.

- 97-10
- The socioeconomic impacts associated with the Lower San Francisco River designation would have a negative impact on the tax base of both Greenlee and Graham Counties due to loss of employment opportunities. However, the Draft LEIS concludes that operation and expansion of the Morenci Mine will not be impacted by any of the action alternatives. This concern needs to be reevaluated in the Final LEIS.

- 4) Designation of Bonita Creek as a Wild & Scenic River would create multiple layers of

Response 97 - 9: Please refer to general response # 12 (Visual Impacts).

Response 97 - 10: Please refer to general responses # 12 (Visual Impacts) and general response # 2 (Economic Impacts).

regulatory controls as a result of the existing designation of the river study area as a National Riparian Conservation Area. The Draft LEIS states that multiple management programs do not create adverse impacts because the regulation with the most stringent management program will take precedence. The example of mineral development is used to demonstrate how the Wild River designation would take precedence over National Riparian Conservation Area status by preventing mineral entry due to the Wild River status, regardless of the conservation area management guidance.

97-11

Phelps Dodge Mining Company is planning the future development of mining operations at its Lone Star copper deposit which potentially would be restricted from full development as a result of designating Bonita Creek under the Wild & Scenic Rivers System. Restriction of the development of the Lone Star copper deposit due to potential visual and noise affects to a Wild & Scenic Rivers System would create a significant adverse economic impact on Phelps Dodge and Graham and Greenlee Counties by eliminating high paying jobs associated with industrial activities and the loss of employment opportunities associated with indirect jobs. It is estimated that the Lone Star operations would provide 800 direct jobs within Graham and Greenlee Counties. An additional 4,000 indirect employment opportunities would be created as a result of the full development of the Lone Star copper deposit in the State of Arizona and an additional 16,000 indirect jobs nationwide.

In summary, PDMI has significant concerns regarding the designation of the Lower San Francisco River as suitable for inclusion in the Wild & Scenic Rivers System. Adverse impacts would occur to the operations at the Morenci Mine if the river study area became designated as a Wild & Scenic River. Therefore, PDMI supports the No Action Alternative for the Lower San Francisco River. Phelps Dodge has similar concerns regarding the designation of Bonita Creek as a Wild & Scenic River and the adverse impacts that would occur to the Lone Star development project. Therefore, PDMI supports the No Action Alternative for Bonita Creek.

PDMI worked with the BLM during the development of the Gila Box National Riparian Conservation Area supporting the agency in obtaining this management designation. However, throughout the conservation area designation, PDMI maintained its opposition to potential multiple management regulations of this resource area. Designation of the Gila Box National Riparian Conservation Area as a Wild & Scenic River provides no benefits in terms of management of the resource. Therefore, PDMI is opposed to the multiple regulatory management of the Gila Box National Riparian Conservation Area and supports the No Action Alternative for this river study area.

Response 97 - 11: Potential development of the Lone Star deposits may be visible from some points of the Bonita Creek and Gila Box segments under consideration in this document. The Wild and Scenic Rivers Act does not grant authority to the Bureau of Land Management to regulate or control activities on nonfederal lands. Please see general responses # 12 (Visual Impacts) and # 6 (Land Acquisition).


Mr. Moreland
Draft LEIS

-6-

July 1, 1994

Thank you for the opportunity to be involved in this most important decision process. Please feel free to contact PDMF at any time regarding issues associated with the Draft LEIS or any other issues.

Very truly yours,


Timothy R. Snider
Manager



JUL 8 1994
000099
Arizona
League of Conservation Voters

P.O. Box 40154
Tucson, Arizona 85717

(602) 622-2819

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

6 July, 1994

Dear Mr. Moreland:

The Arizona League of Conservation Voters values the opportunity to comment on the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (LEIS).

The Arizona League of Conservation Voters (AZLCV) is a statewide grassroots organization with the primary objective of protecting/preserving Arizona's last remaining natural areas. The membership of the AZLCV currently numbers over 3,500 individuals, almost all of whom are Arizona residents. Our membership is composed of citizens who enjoy activities such as: hiking, bird watching, nature study, camping, wildlife photography, backpacking, hunting, fishing, and picnicking in natural undisturbed areas.

Perhaps no other type of natural area is appreciated or prized more in our arid state, than a riparian system. While Arizona once boasted numerous uncontaminated and undeveloped free-flowing creeks, streams and rivers, sadly this is no longer the case. The evidence that Arizona's free-flowing riparian systems have been disappearing or catastrophically degraded is, unfortunately, everywhere we look. One need go no further than the fact that 26 of 31 native Arizona freshwater fish species are recognized by federal or state agencies as endangered, threatened, or candidates for listing. No other subgroup of wildlife in Arizona is more imperilled, or more dramatically points to the urgency with which we need to respond.

While of all types of wildlife native fish indicate most strongly the necessity of immediate steps, most of our native fauna and flora are dependent on riparian systems to maintain viable populations. It is inconceivable that the growth of industries harmful to these areas will cease. Indeed, even without the further growth of these industries, their destructive impacts on Arizona's riparian systems must somehow be mitigated. Therefore, it would seem prudent to act now to protect those few remaining, natural free-flowing riparian systems, which against ever increasing odds, still maintain their original characteristics and biotic communities.

GENERAL COMMENTS - DRAFT LEIS

The AZLCV applauds the BLM for its efforts, culminating in its recommendation (Proposed Alternative) to include 27 segments in 13 river study areas as suitable for designation and protection under the Wild and Scenic Rivers Act. While the AZLCV supports, in general, the "Proposed Alternative" the AZLCV finds cause for concern in the apparent lack of substantive reasons, in its selection process, for not designating some of the river segments as suitable. A detailed consideration of our concerns regarding selected river segments follows below.

99-1

In reading the LEIS document closely, we found the section pp. 18-21 concerning the variety of special status categories particularly confusing and perhaps even misleading. Assuming a member to the public was interested in that status conferring maximum protection to a river; which special status category or combination of categories would offer this protection? Which special status categories are the most "secure," i.e. which are likely to endure and which are subject to administrative discretion?

Throughout the LEIS, the document gives the impression that ongoing management plans are somehow almost equivalent to protection under the Wild and Scenic Rivers Act. Given the relatively fluid nature of such plans, this is not the case, but the general public may perceive it that way lacking clarification.

COMMENTS ON RIVER STUDY AREAS

Cienega Creek

99-2

Of all the study areas recommended as not suitable for designation under the Wild and Scenic Rivers Act, the AZLCV is most concerned about that finding for Cienega Creek. Fully 2,500 AZLCV members live in or around Tucson, within a short drive of this unique and irreplaceable riparian system.

Quoting from the BLM's "Empire-Cienega Resource Conservation Area" brochure, "Opportunities for recreation and nature study are limited only by your capabilities and desires. Hiking, camping, horseback riding, photography, painting, bird watching, bicycling, picnicking, and hunting are a few possibilities." The BLM finding that "Recreation" is not an outstandingly remarkable value for this study area appears to be at odds with the BLM's own assessment via its other communications.

Cienega Creek is one of the last remaining and perhaps best examples of the cienega-river type of riparian system in Arizona. It is by definition an aquatic system. The fact that it is one of only a very few cienega-river type associations remaining in Arizona, should be more than enough to qualify it under the outstandingly remarkable value of "Aquatic."

The outstanding biological community assembled in this unique area includes over 170 species of birds (BLM Brochure on Empire/Cienega RCA), 11 species of bats, 3 native fish species

Response 99 - 1: Please refer to general response # 9 (River Study Area Protection).

Response 99 - 2: Please refer to general response # 8 (Cienega recommended alternative).

page 3

with no exotics, and numerous species of other vertebrate animals. Many species within the above groups have special status.

This assemblage is supported by an equally impressive floral community due to the presence of its perennial stream flow in a high desert basin setting. Giant cottonwoods, Mesquite Bosques, Velvet Ash, Willows, Oaks and junipers complement an unusual association of native tall-grasses and marsh species. The area "supports some of the best examples of native grasslands in Arizona." (BLM Brochure on Empire/Cienega RCA).

Of particular concern for the future of this area is its valuable native fish fauna. Two of the 3 endemic fish species are listed either federally or by the state. It remains one of the very few riparian habitats in Arizona without exotic species. As the largest of 9 extant populations of the federally endangered Gila Topminnow it was found to be critical habitat by the U.S. Fish and Wildlife Service. Due to the endangered Gila Topminnow, Cienega Creek is the top priority for protection by the Desert Fishes Council. Future survival of the Gila Topminnow and ongoing reintroduction efforts in other localities might be compromised in the future without Cienega Creek's inclusion in the wild and scenic rivers system.

The anthropological significance of the Cienega Creek study area was well documented in research by Frank W. Eddy (Masters Thesis, University of Arizona, 1958).

While the endangered status of the Gila Topminnow offers the area some degree of protection, it is arguably only of a temporary nature. The AZLCV finds that the unusual combination of biological, recreational, aquatic, and cultural/historical attributes deserves the more permanent protection afforded by designation under the Wild and Scenic Rivers Act.

The Wild and Scenic Rivers Act was intended to preserve the few remaining, unique and natural riparian systems. The impetus for the Act itself was the wholesale disappearance of such systems due to the destructive modifications wrought over a relatively short period of time under modern human land utilization. Since the presence of threats is not required for a river to be suitable for designation, and since Cienega Creek is certainly eligible, the policy contained in the Act argues that it should be protected. The BLM's suitability assessment, in the Cienega Creek case, seems to suggest that unless there is a reason that it must be designated, then the BLM is under no obligation to do so. This appears to be the reverse of the intent of the policy as outlined in the Wild and Scenic Rivers Act.

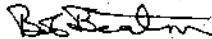
The AZLCV respectfully requests the BLM revise its preliminary finding that Cienega Creek is not suitable for designation. We further request that Cienega Creek be determined suitable with the recommended designation "Scenic."

CONCLUSIONS

The AZLCV, while primarily concerned with the inclusion of Cienega Creek in the wild and scenic river system, nevertheless recognizes that other riparian areas were perhaps too hastily excluded from receiving the "suitable" determination or received a recommended designation less protective than warranted (e.g. "recreational" instead of a more reasonable "scenic" for the San Pedro River). We especially request reconsideration of the BLM determinations for the following river study areas: Hassayampa River, Virgin River, San Pedro River, Santa Maria River, Francis Creek and Bonita Creek.

While the BLM necessarily has a balancing act to perform, the AZLCV believes to achieve a fair balance one would have to begin 150 years ago. In that interim some estimate the loss of our original naturally functioning riparian areas to be as high as 95%. It would appear that the emphasis regarding riparian areas would better be placed on restoration instead of additional loss in the name of achieving a balance. The policy to allow restoration, or at least an end to continued loss, is in place.

Sincerely,



Robert R. Beatson
Executive Director

cc: Sen. Dennis DeConcini
Sen. John McCain
Rep. Sam Coppersmith
Rep. Karan English
Rep. Jim Kolbe
Rep. Jon Kyl
Rep. Ed Pastor
Rep. Bob Stump

99-3

Response 99 - 3: Please refer to general response # 1 (Alternatives).

414

JUL 08 1994

KIMBALL & CURRY, P.C.
ENVIRONMENTAL, NATURAL RESOURCES AND LITIGATION LAW
2800 NORTH CENTRAL AVENUE
SUITE 1600
PHOENIX, ARIZONA 85004

000101

DAVID P. KIMBALL III
J. STANTON CURRY
DAINA L. MOELLENBERG*
JAMES J. MANULA
LAUREN M. JANIS
DAVID L. WALLIS
ROD W. HALLIVON**
JOHN C. GILES
D. LEE DECKER
CAMERON T. CHANDLER**
WALTER S. BUSTON**
MARA G. JINDER
KARLISE S. BAKALIST

*ALSO ADMITTED IN NEW MEXICO
**ALSO ADMITTED IN CALIFORNIA
***ALSO ADMITTED IN UTAH

(602) 222-5920
FAX (602) 222-0909
WRITER'S DIRECT LINE
222-5923

July 8, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

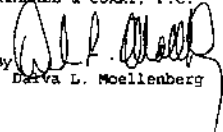
Re: BLM's Draft Arizona Statewide Wild and Scenic
Rivers LEIS

Dear Mr. Moreland:

Enclosed are comments being submitted on behalf of Phelps Dodge Corporation ("Phelps Dodge") on the Bureau of Land Management's ("BLM's") Arizona Statewide Wild and Scenic Rivers ("WSR") Legislative Environmental Impact Statement. The enclosed comments focus on four river study areas of particular concern to Phelps Dodge: Lower San Francisco River, Bonita Creek, Gila Box and San Pedro River. Phelps Dodge supports the No Action alternative for each of these river study areas for the reasons set forth in the attached comments, and urges BLM to reconsider its recommendations for WSR designation for those study areas.

Sincerely,

KIMBALL & CURRY, P.C.

By 
DAINA L. MOELLENBERG

Enclosure
cc: Leo M. Pruett, Esq.

PHELPS DODGE CORPORATION COMMENTS ON THE
BUREAU OF LAND MANAGEMENT'S DRAFT
ARIZONA STATEWIDE WILD AND SCENIC RIVERS
LEGISLATIVE ENVIRONMENTAL IMPACT STATEMENT

Phelps Dodge Corporation ("Phelps Dodge") respectfully submits the following comments on the draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement ("LEIS") prepared by the U.S. Department of the Interior, Bureau of Land Management ("BLM"), dated April, 1994. These comments focus on four river segments proposed for designation under the Wild and Scenic River ("WSR") Act: Lower San Francisco River; Bonita Creek; Gila Box; and San Pedro River. Phelps Dodge supports the No Action Alternative for these four Study Areas.

I. Bonita Creek, Gila Box and San Pedro River

The Bonita Creek, Gila Box and San Pedro River Study Areas are located within Riparian National Conservation Areas (RNCAs) (LEIS at p. 20). As the BLM acknowledges (Bonita Creek Draft EIS at p. 2; Gila Box Draft EIS at p. 8), the purpose of a riparian national conservation area is "to protect, conserve and enhance the riparian and associated areas," including the recreational, cultural, scientific, aquatic, wildlife, archeological, paleontological, educational and scenic values of the area. WSR designation therefore would result in needless duplication of the existing RNCA protections. With respect to the specific river segments proposed for WSR designation:

Bonita Creek:

The Bonita Creek segment recommended for WSR designation as Recreational is located within one mile of future mining operations near Safford, in an area not yet fully tested for its mineral potential. WSR designation may restrict potential expansion of Phelps Dodge mining operations (particularly at the Lone Star copper deposit) and utility easements in the area, and may impose nondegradation standards on operating permits for facilities that may have visual or water quantity or quality effects. In addition, the City of Safford water supply, which is drawn from the collection gallery in Bonita Creek, would be adversely impacted by WSR designation.

Gila River, Gila Box:

The three Gila River, Gila Box river segments recommended for WSR designation (two as Recreational and one as Scenic) are immediately adjacent to and below Phelps Dodge's Morenci Mine in an area suitable for future development. Several utility lines, railways, roadways, and highway bridges are

Response 101 - 1: Please refer to general response # 7 (Multiple Designations).

Response 101 - 2: Please refer to general response # 12 (Visual Impacts).

416 101-1

101-2

- 101-3 visible from much of the river corridor, as are the Morenci mine facilities and tailings dam. Designation of the Gila River, Gila Box segments may restrict the expansion of the Morenci mining operations or impede permitting those operations. The designation also may restrict water additions from other mining operations for transfer to Morenci, and the restrictions on utility easements in the area are onerous. Those restrictions could pose grave adverse economic impacts on the Morenci mine and surrounding community. Finally, the proposed designation is contrary to the position taken by the Greenlee Public Lands Committee opposing any further restrictions on the waters in Greenlee County, especially restrictions which would adversely affect the custom, culture and economy of Greenlee County.
- 101-4

- 101-5 Phelps Dodge worked with the BLM during the development of the Gila Box RNCA, supporting the agency in obtaining the management regulations for the area. The resulting management plan and legislation designating the Gila Box RNCA were derived from carefully worked out compromises establishing that area including an agreement that further restrictions would not be imposed. Designation of the Gila Box RNCA as a Wild and Scenic River provides no real benefits in terms of management of the resource, but will adversely impact future operations of the Morenci mine, as well as the local economy.

San Pedro River:

- 101-6 The two river segments recommended for WSR designation as Recreational are approximately 15 miles downstream from Phelps Dodge's Bisbee mining operations. WSR designation, with the attendant nondegradation standards for visual impairment and water quality and quantity, could adversely impact the Bisbee operation if federal or state permits are required. Moreover, WSR designation could adversely impact industrial development near the international border.

II. Lower San Francisco River

The river of primary concern to Phelps Dodge is the Lower San Francisco River, which has two proposed segments located immediately adjacent to and below Phelps Dodge's Morenci operation. WSR designation of the Lower San Francisco River segments will restrict utility easements and impede expansion of current mining operations at Morenci. More specifically:

Response 101 - 3: Please see response # 101 - 2.

Response 101 - 4: Please see general responses # 4 (Federal and State Water Rights) and # 13 (Water Rights Severance and Transfer).

Response 101 - 5: Discussions of the draft management plan for Gila Box Riparian National Conservation Area are beyond the scope of this document. Management of the riparian national conservation area would continue regardless of wild and scenic designation.

Response 101 - 6: The two San Pedro River segments in the San Pedro Riparian National Conservation Area were created by the Arizona Idaho Conservation Act of 1988 (P.L. 100-696). Wild and scenic river designation would not affect additional water rights or limit operations at the Phelps Dodge Bisbee mine, 15 miles from the river study area.

Phelps Dodge Comments on BLM's Draft
Arizona Statewide Wild and Scenic Rivers LEIS
Page 3

- 101-7 1) The BLM conclusion that operation and expansion of the Morenci mine will not be impacted is not correct since there will be actual impacts of WSR designation on the Morenci mine. Private lands (593 acres) owned by Phelps Dodge make up 24 percent of the study area acreage and are identified for acquisition by the BLM. BLM acknowledges (Lower San Francisco River Draft EIS at p. 1) that the 1.8 miles of the proposed river segments that occur on Phelps Dodge lands "are used as part of the mining operation at Morenci" and "in support of the tailing dams." Indeed, the tailing impoundment facilities are highly visible from the edge of the river corridor. WSR designation could prevent future expansions of these facilities to their designed capacity, thereby adversely impacting the economic viability of the operations and surrounding community. Additionally, the loss of those future expansions arguably may constitute an unconstitutional "taking" because the investment made in reliance on the right to expand the operations could be destroyed. Finally, the river segments should not be considered suitable when major areas are utilized in active, growing, long-term mining operations.
- 101-8 2) The text (Lower San Francisco River Draft EIS at p. 2) indicates correctly that Phelps Dodge owns land in both segments proposed for WSR designation. This is followed by a statement that the parcel in the upper segment has been identified for acquisition by the BLM. In fact, parcels in both segments along the San Francisco River owned by Phelps Dodge have been identified for acquisition by the BLM. However, those parcels are used as part of the mining operation at Morenci which is inconsistent with BLM's expectation of acquiring the parcels from Phelps Dodge. Does the BLM propose that the tailing dams be moved elsewhere? BLM should more adequately and accurately address this issue in the final LEIS.
- 101-9 3) There are several contradictions between the text and the map showing the proposed action for the Lower San Francisco River Segments. For example, the text (Lower San Francisco River Draft EIS at p. 7) indicates that 3.4 miles of Segment 1 and the entire 3 miles of Segment 2, are suitable under a Recreational classification. The map (Lower San Francisco River Draft EIS at p. 8), on the other hand, refers to Segment A (which we believe was incorrectly marked and is equivalent to Segment 1) as Recreational and Segment B (which we believe is equivalent to Segment 2) as Wild. In addition, the legend on the map is confusing because it indicates that private lands are marked as white, but no white sections are shown clearly in the study areas. White sections should be clearly indicated on the map to indicate the 593 acres of private lands (24%) of the total in the study area.

Response 101 - 7: Please refer to general response # 6 (Land Acquisition).

Response 101 - 8: Please see response # 101 - 7, above.

Response 101 - 9: The correct map appears in the final document.

Phelps Dodge Comments on BLM's Draft
Arizona Statewide Wild and Scenic Rivers LEIS
Page 4

- 101-10 4) The text (Lower San Francisco River Draft EIS at p. 6) essentially dismisses impacts from the Greenlee County airport, both present and future, despite future expansion that may include commercial jet aircraft. Flight patterns often may be close to or over the study area.
- 101-11 5) The text (Lower San Francisco River Draft EIS at p. 9) indicates that ongoing management actions already encompass nearly all of the actions that would be taken under WSR designation. Moreover, impacts on outstandingly remarkable values (Lower San Francisco River Draft EIS at p. 15) under the Proposed Action are essentially the same as those under the No Action Alternative. This indicates that WSR designation is largely a needless bureaucratic addition that will hinder efficient management of the area that already is occurring under the No Action Alternative.
- 101-12 6) The BLM proposal states (Lower San Francisco River Draft EIS at p. 22) that "the effects of the use of private lands adjacent to the Study Area for tailing dams at the Phelps Dodge mine at Morenci" were considered. Yet, there is no indication that private lands within the study area used as a part of mining operations were considered. Moreover, the BLM tersely states that any effects that were considered "were not considered significant." A more detailed explanation from BLM should be forthcoming, particularly since the U.S. Forest Service ("USFS") concluded in 1981 that the effects of WSR designation were significant even when they were less intrusive.
- 101-13 7) BLM's identification of eight distinct outstandingly remarkable values (Lower San Francisco River Draft EIS at p. 16) is not supported by factual information and, thus, does not represent an objective evaluation of the Study Area. BLM identifies the following specific outstandingly remarkable values in the Lower San Francisco River Study Area: recreational, scenic, fish, wildlife habitat, cultural resource, geologic, and hydrologic. These "values" are discussed below:
- a) Scenic and Geologic - Worthwhile scenic and geologic values are contained in the Study Area, but they do not qualify as "outstandingly remarkable." It is doubtful that many visitors, current or future, would visit the area primarily for those values when there are better examples in the general area. In addition, the impact by Morenci mine operations on scenic values already is significant and will continue to increase in the future.
 - b) Recreational - These values are worthwhile, but WSR designation would not enhance the values beyond those already provided by ongoing management.

Response 101 - 10: Flight patterns are not a criterion considered in the process of determining wild and scenic river study area eligibility and suitability.

Response 101 - 11: Except for wild and scenic river management actions the no action alternative is similar to the recommended alternative. Please refer to general response # 10 (Comparisons).

Response 101 - 12: The cited reference is from the eligibility evaluation. Please refer to general response # 3 (Eligibility Determinations).

Response 101 - 13: Please refer to general response # 3 (Eligibility Determinations).

- c) Fish - The information on fish (Lower San Francisco River Draft EIS at p. 18) indicates that the river segments contain "few native species, low populations, and a lack of rare species." Based on that factual background, the BLM cannot reasonably find that the Study Area has outstandingly remarkable values for fish.
- d) Wildlife Habitat - The river segment is important as a perennial stream in a semi-arid area, but BLM acknowledges (Lower San Francisco River Draft EIS at p. 18) that it "is not known to regularly support threatened and endangered species or regionally significant wildlife." Moreover, "the poor quality of riparian vegetation limits the diversity and population of breeding birds" in the area. Despite those admissions, BLM identifies a high potential for development of aquatic and riparian habitat, ignoring the main reason for the limited riparian areas: periodic devastating floods on the San Francisco River that remove vegetation, including large trees, from the narrow floodplain terraces. Thus, wildlife habitat values are not outstandingly remarkable and there is limited potential for them to become so.
- e) Cultural and Historic Resources - The occurrence of temporary hunting or gathering camps, historic beaver trappers or transportation routes for others in the general area do not support outstandingly remarkable values. If they did, how would BLM evaluate an area such as Tonto National Monument?
- f) Hydrologic Resources - The mere existence of a perennial stream in a semi-arid area is not outstandingly remarkable. Clifton Hot Springs, just upstream from the proposed segment, contributes 30% to 50% of the salts in the San Francisco River. The result is that while the San Francisco River contributes about the same amount of water as the Gila River, it contributes approximately twice the salt load. This does not support outstandingly remarkable hydrologic values.
- 8) Although the BLM proposal for the Lower San Francisco River includes a handful of references, it ignores the major study completed by the USFS in 1981. That study concluded that the San Francisco River, including the areas addressed in the 1994 BLM proposal, should not be recommended for WSR designation. Why has the BLM ignored the USFS report? And, why did USFS make an opposite conclusion from BLM? Since the 1981 report, mining operations at Morenci have increased significantly, thereby increasing the impacts on scenic and other values in the BLM study area.

101-14

Response 101 - 14: Discussion of the U.S. Forest Service study of the Lower San Francisco River would be unwarranted in this document. The eligibility of the Gila Box: Lower San Francisco River study area for consideration as a wild and scenic river was determined in the final Safford District Resource Management Plan (1991). The resource management plan (page 455) cited a recommendation in the Nationwide Rivers Inventory published in 1982 by the National Park Service that the Gila and San Francisco Rivers should undergo wild and scenic river study. The joint study undertaken by the Forest Service and Bureau of Land Management was referred to in the suitability assessment (Lower San Francisco River, page 1).

The lack of reference to the USFS report and the absence of factual support for a finding of outstandingly remarkable values in the study area indicate that the BLM recommendation for Wild and Scenic River designation on the Lower San Francisco River is largely subjective. An objective evaluation of the values of concern would not support a recommendation for WSR designation and does not justify the significant adverse consequences that would be imposed on the Morenci mine and local economy.

III. General Comments

- 101-15 1) Several contradictions exist between the information presented in the table summaries and the text discussion of the same issue. For example, the text states that under all of the alternatives, except the No Action Alternative, lands with low-to-moderate, moderate, and moderate-to-high mineral potential would be withdrawn from mineral entry. BLM then concludes, without any explanation, that the impacts from the various land withdrawals would constitute either "minor adverse impacts" or simply "adverse impacts." BLM does not indicate the factors used to reach such conclusions, which appear arbitrary in light of the relatively small differences between the alternatives in the amount of land withdrawn. BLM should identify in detail and discuss the factors used in determining whether the adverse impact would be minor or otherwise so that readers can more accurately evaluate the environmental consequences.
- 101-16 2) BLM indicates that private lands and water rights within the various study areas would be acquired, but does not thoroughly analyze the socioeconomic effects that the reduction of private land base would have on the local communities. For example, Greenlee and Graham Counties have a small private land base for the generation of property taxes to provide services. The purchase of private lands in these counties by the federal government would further reduce that taxable land base and would therefore reduce their ability to provide a level of service desired by county residents. BLM should more completely address how the local governments will not be adversely impacted by the reduction of private lands and the corresponding tax base, especially in light of the position taken by the Greenlee Public Lands Committee.

Response 101 - 15: The rationale for the conclusion that the adverse impacts would be minor is discussed in the statewide legislative environmental impact statement under the section, in chapter 4, on cumulative impacts on minerals development.

Response 101 - 16: Please refer to general response # 6 (Land Acquisition).



SOUTHERN UTAH WILDERNESS ALLIANCE

000103

Phillip Moreland, Branch Chief
 Planning, Environment, Lands and Recreation (931)
 Arizona State Office, Bureau of Land Management
 3787 North 7th Street
 P.O. Box 16963
 Phoenix, AZ 85011

July 8, 1994

Dear Mr. Moreland,

I am writing to express my concern about the Bureau of Land Management's wild and scenic river recommendations for the Virgin River. SUWA strongly disagrees with the BLM's conclusion that the designation of the Virgin River as a study river will have no adverse impacts upon the outstandingly remarkable fish, wildlife, and aquatic values of the river. In addition to the protection a river receives prohibiting dams and impoundments, one of the primary benefits afforded under the Wild and Scenic Rivers Act is the creation of a wild and scenic river management plan. A river management plan prepared under the direction of the Wild and Scenic Rivers Act ensures the further degradation of the outstandingly remarkable values present in the river corridor.

Since its recommendation by the National Park Service in 1979 as a potential Wild and Scenic River, the Virgin River has faced a series of damaging impacts to its fragile ecosystem. As you are well aware, the Virgin River chub has been listed as endangered, the desert tortoise has been listed as threatened, and the Virgin River spinadace has been proposed for listing as a threatened species by the US Fish and Wildlife Service. For the second straight year, the conservation group American Rivers has listed the Virgin River as one of the 10 most endangered rivers in North America. In short, not only are the unique ecological values of the Virgin River not being maintained by the BLM, but they are actually being degraded.

The BLM's management of the river in Utah and Arizona has proven that the designation of the Virgin River as a wild and scenic study river will not stop this spiral descent. Only a wild and scenic designation will prevent the continued decline of riparian resources through the creation of a management plan that addresses the impacts to the Virgin River ecosystem. It is obvious that the Arizona office of the BLM is shirking its responsibility to protect the outstandingly remarkable fish, wildlife, aquatic, and riparian values of the Virgin River as set forth in the Wild and Scenic Rivers Act in an attempt to assuage the water development interests in Washington County, Utah.

Headline 107-246-5100 Fax + 1-801-224-4444 + 1-801-224-4444
 Wash. DC 20540 + 1-801-224-4444 + 1-801-224-4444
 Phoenix 602-255-4444 + 1-801-224-4444 + 1-801-224-4444

PRINTED ON RECYCLED PAPER

103-1

422

Response 103 - 1: A wild and scenic river management plan would not be developed until Congress acted to designate the Virgin River into the National Wild and Scenic Rivers System. Until that time continuing management actions identified in the wilderness management plan, resource management plan, and area of critical environmental concern management plan, identified in chapter 2, would be implemented.



000104

516 E. Portland Street
Phoenix, Arizona 85004
602-254-9330
602-258-6533 FAX



SIERRA CLUB SOUTHWEST OFFICE

July 8, 1994

SUPPLEMENT TO SIERRA CLUB COMMENTS ON
BLM WILD & SCENIC RIVERS ASSESSMENT

Submitted by Stacy Clawson-Damp and Dale Turner

Virgin River

104-1

We are deeply concerned with the recommendation to designate the Virgin as a Study River rather than to designate it into the system. The Virgin is a highly threatened river system and deserves the maximum protection available.

Further delays in designation will seriously jeopardize the outstanding values of the area including the scenic quality, fish and wildlife habitat, and aquatic and riparian features.

By waiting to designate the whole river, rather than just the Arizona segment, we risk losing two federally endangered fish species that are in immediate danger of extinction due to habitat loss. Although it is important to designate whole systems, it is possible to designate segments in Arizona first and add Utah and Nevada at a later date. It is imperative that we do what we can NOW to preserve this unique and precious resource by designating it as one of Arizona's Wild and Scenic Rivers. If we wait for Utah and Nevada, it could easily be too late.

Bonita Creek

The entire 15-mile length of Bonita Creek within the Gila Box Riparian National Conservation Area is suitable and should be designated as recreational. The lower 6.9 mile segment contains the same nationally significant fish and wildlife habitat as the upstream 8.1 miles.

104-2

The four parcels of "private" land cited as rendering the downstream reach unmanageable belong to the City of Safford and are held primarily to secure their water right. The four parcels contain only 2.4 river miles total, and only 0.6 of those river

Response 104 - 1: Please refer to general response # 1 (Alternatives).

Response 104 - 2: The Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).

miles would have road access under BLM's preferred management alternative for the region.

Operations of the city water system should not interfere with protection of the river, and protection of the river cannot, by law, interfere with the rights and operations of the city water system.

Hot Springs Creek

Contrary to the BLM assessment, this stream has national significance. It contains native populations of five native fish species and no exotic fish, an extremely rare combination.

Its inclusion within a BLM-designated ACEC does not offer protection comparable with a Congressionally-designated Wild river. Of particular concern, the ACEC is subject to administrative changes within the agency. It does not protect against future mining claims in the canyon and it does not provide a comparable instream flow protection.

Recent geologic studies have indicated that significant quantities of water may be held in the volcanic rock underlying the Galluro Mountains. This makes a tempting target for water developers who could easily drain the water table which supplies Hot Springs and Swamp Springs Canyons.

Swamp Springs Canyon

In 1981, the Arizona Natural Heritage Program identified the Redfield Canyon watershed, including Swamp Springs Canyon, as "one of the most important sites for protection of aquatic and riparian habitats in the nearly 40,000 square miles of Arizona."

This stream contains native populations of four fish species and no exotic fish. Its inclusion within a BLM-designated ACEC does not offer protection comparable with a Congressionally-designated Wild river. Of particular concern, the ACEC is subject to administrative changes within the agency. It does not protect against future mining claims in the canyon and it does not provide a comparable instream flow protection.

Paria River

We strongly support the inclusion of the Paria River in the Wild & Scenic River system, including the 28 miles recommended by the Arizona Strip Resource Management Plan and the additional 7 mile segment managed by the Department of Interior.

104-3

104-4

104-5

425

Response 104 - 3: Please see responses # 104 - 1 and 9 (River Study Area Protection).

Response 104 - 4: Please see response # 104 - 1.

Response 104 - 5: Please refer to general responses # 11 (Suitability Determinations) and # 1 (Alternatives).

We agree with the Arizona Strip District of the BLM that "managing the Paria River as a Wild and Scenic River would go together well with managing for the protection, preservation and public use of wilderness values."

The outstandingly remarkable values are many. Backpacking and equestrian trails are enjoyed year-round. Dramatic scenery invokes the feeling of entering a magical world. Sandstone architecture frames the canyon, as if beckoning to those who visit. And, plant and wildlife abound, including several state and/or federally endangered birds. Anasazi dwellings and petroglyphs, evidence of earlier inhabitants, are still visible.

The Paria River warrants maximum protection and the recommendation for Wild designation is well deserved.

Wright Creek

We strongly disagree with the BLM's proposed action to not list Wright Creek in the Wild & Scenic River System.

Wright Creek is home to a the remains of the unique Cohonina culture, which dates back to 700 A.D. This is the only area where this culture's ancestry is found on BLM lands. We have an obligation to all Arizonans to do whatever is necessary to preserve our prehistoric sites.

Additionally, Wright Creek provides vital habitat for an atypical strain of longfin dace, a native fish.

The proximity of Wright Creek to Kingman offers the residents a well-deserved oasis, a perennial stream bordered by cottonwoods and willows, providing an unusual scenic and riparian area close to town.

Wright Creek deserves protection for its scenic and archeological values. We recommend that you reconsider your decision to exclude Wright Creek from the Wild & Scenic River System in Arizona.

Response 104 - 6: Please see response # 104 - 1.



JUL 12 1994

000105

Faxed to 602-650-0452 on
July 8, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation
Arizona State Office
Bureau of Land Management
3707 North 7th St.
P.O. Box 16563
Phoenix, Az. 85011

Hello Mr. Moreland:

I welcome the opportunity to comment on the BLM Draft Arizona Statewide Wild & Scenic Rivers LEIS. The BLM has within its care some great and beautiful segments of rivers that deserve complete protection.

I have some comments of a general nature with regards to Wild & Scenic Rivers. I also have comments with regards to rivers that I am very familiar with. I would hope that the BLM would act on some of my comments and proposals.

INCREASED DEMAND FOR RECREATIONAL OPPORTUNITIES

In the next ten to twenty years the population of Arizona will increase dramatically. Also, there will be an increase of tourism. These increases will have a corresponding increase in the demand for outdoor recreational opportunities. Water based recreation here in the desert southwest will be the most sought after activity. Camping, hiking and river running will be activities that will be attracted by the streams in Arizona.

As the most highly visited areas reach their use capacity, demand will increase on "lesser" known places having water. Protection of these places for and from recreation use is important for long range planning of all State and Federal agencies.

In light of the historic degradation of streams and riparian areas here in Arizona, any place with running water is unique here in the desert. The wisdom to foresee the demand and see the unique and outstanding values inherent in all the streams nominated should be the attribute or at least the goal of the BLM.

MY PREFERRED ALTERNATIVE

In light of the above scenario, I prefer the ALL SUITABLE ALTERNATIVE. Plus, I should point out to the BLM that another segment of the Gila River should be added to the list. This segment of the Gila River is from Kearney, Az. to the Ashurst-Mayden Diversion Dam. I will discuss this segment later in this letter.

W.E. Inc. • P.O. Box 686 • Flagstaff, Arizona 86002-0686 • (602) 774-6462 or 1-800-2PADDLE

RECREATION 2000

Recently, I commented on the BLM Recreation 2000 directive from the Washington D.C. office of the BLM. I understood the funding cutbacks that the BLM is suffering through and the associated impacts that that would have on the BLM's ability to properly manage it's recreational resources.

Recreation 2000 proposed to have the BLM join with other agencies (Federal, State and Local) and the private sector to manage the recreational resources on and adjoining BLM land. I feel that this is an excellent idea and has potential for being implemented on the Wild & Scenic Rivers identified in this LEIS.

Some segments of rivers were excluded from the Preferred Alternative because not all of the segments were in BLM land area. I question the fact that the BLM has contacted the various parties that hold land area along the segments of river. I imagine that the BLM has just looked at the maps and arbitrarily decided that management of that segment would be turned down by the other parties involved.

Can the BLM provide documentation that contact with the other parties has been made regarding joint management and provide the documentation that the parties have turned down the offer? Before a final LEIS is printed, I would like to see that documentation.

THE UPPER GILA BOX AREA

The San Francisco River has been proposed for inclusion without the upper 1.6 miles as had been proposed by the Arizona Rivers Coalition. Has the BLM contacted the parties that own that 1.6 miles of land along the river and asked them about co-management? I would hope that an attempt has or will be made to try for co-management.

The Gila Box has been designated a National Riparian Conservation Area. But that does not give it the full protection that would occur under the Wild & Scenic Rivers Act. At present a management plan is still in formative stages and might not insure full protection when finally created.

Bonita Creek was added to the list that ARC had proposed. I am happy that the BLM had done this, but I do wish that the BLM would include more mileage from the Lee Trail Road to the confluence with the Gila River. The city of Safford should be approached to co-manage Bonita Creek. It would be of a benefit to Safford that the stream where it's drinking water comes from is fully protected.

105-1

428

105-2

105-3

105-4

Response 105 - 1: This document deals only with the environmental impacts of implementing Wild and Scenic River designation alternatives on land administered by the Bureau of Land Management. The Bureau of Land Management has no authority to regulate, designate or plan activities on nonfederal land. The Bureau of Land Management would encourage public involvement in the development of management plans for rivers designated by Congress.

Response 105 - 2: Please refer to general response # 1 (Alternatives).

Response 105 - 3: Please see response 105 - 2, above.

Response 105 - 4: Please refer to general response # 3 (Eligibility Determinations). Also, the Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).

THE LOWER GILA RIVER

The lower Gila River from Coolidge Dam to Ashurat-Hayden Diversion Dam is the only section of river, other than the Colorado River that provides river running recreation in the State of Arizona during the summer months. The San Carlos Irrigation District releases water from April to October in sufficient quantities for river runners to float and play on. All of Arizona's rivers are basically floated on in the spring when the snow melts and provides sufficient flows.

Therefore, the BLM must consider this whole section of river for possible inclusion into the Wild & Scenic Rivers Bill.

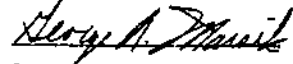
The Needle's Eye section of the Gila River from Coolidge Dam to Dripping Springs Wash should be kept under interim care as a potential candidate for inclusion into the Wild & Scenic River system. At present the San Carlos Apache Tribe is suspicious of any federal action that could impact it's water rights. But that opinion might change in the years to come, if they can be shown that designation would not affect their water rights. The BLM should initiate further dialogue with the San Carlos Apache Tribe.

The Dripping Springs to Winkelman section should extend all of the way into the Town of Winkelman. The BLM should initiate discussion with the Town of Winkelman to possibly co-manage the river in this section.

The section from Kearney to Ashurat-Hayden Dam should be included as a recreational segment for Wild & Scenic status. The Town of Kearney should be contacted by the BLM to see about co-management there also.

I thank the BLM for this opportunity to review my comments and proposals. I would like to speak with you about these issues in the near future. Please call me, so that we may schedule a date and time to meet.

Sincerely,



George A. Marak, President
Worldwide Explorations, Inc.

105-5

429

Response 105 - 5: Please refer to general response # 3 (Eligibility Determinations).



Stone Container Corporation

Forest Products Division

P.O. Drawer 430
Snowflake, Arizona 85937

000108

JUL 11 1994

July 8, 1994

602 536-4314

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3787 North 7th Street
P.O. Box 18563
Phoenix, Arizona 85611

RE: Arizona Statewide Wild and Scenic Rivers Legislation

Dear Mr. Moreland:

Stone Container Corporation wishes to comment on the Draft Environment Impact Statement on the Proposed Action to recommend 14 rivers to Congress as suitable for inclusion in the National Wild and Scenic Rivers System.

After extensive analysis it is Stone's determination that the proper choice for all of the 20 rivers under consideration is the No Action Plan.

Our review of the environmental impact statement does point out that many of the rivers possess one or more highly desirable attributes such as scenic, recreational, geologic, fish and wildlife, cultural, or other similar values. But it is clear that none of these rivers possess "outstandingly remarkable" features as required by the National Wild and Scenic Rivers Act (sec.1(b)) to justify recommendation as suitable for listing.

All twenty of the study areas have stream segments with perennial streamflow. However, eight of the study areas have segments with intermittent streamflow. Two of the study areas have perennial stream flows that as are regulated by upstream dams.

Water quality ranges from poor to unique. Three rivers have poor quality; eight have acceptable water quality; three have good water quality; and only three are designated as unique waters under state law.

Response 108 - 1: Please refer to general response # 3 (Eligibility Determinations).

The reaches of three study areas are located in wilderness areas and protected by federal reserved rights, ten are covered by both federal and State rights, three have only state rights claimed, while the remaining four rivers and many proceeding study areas are designated as or administered under District Resource Management Plans, Resources Conservation Areas, Habitat Management Plans, Areas of Critical Environmental Concern, Riparian National Conservation Areas, Riparian Management Plans and Ecosystem Management Plans.

Following is a breakdown of the twenty river study areas under consideration:

Agua Fria

The Agua Fria River study area is a perennial flow within an intermittent stream. The water flow is minimal with only a fair/good water quality rating. Presently it receives protection under the Black Canyon Habitat Management Plan and the Agua Fria Grasslands Ecosystem. The Arizona game and Fish Department is a partner in coordinating management of this resource.

Aravaipa Creek

Aravaipa Creek is entirely within the Aravaipa Canyon Wilderness. The study area is also encompassed within the Aravaipa Canyon/Turkey Creek Special Recreation Area.

Big Sandy

The southern segment of the Big Sandy passes through the Aravaipa Mountain Wilderness Area. The northern portion has designated as an Area of Critical Environmental Concern administered under the Kingman Resource Management Plan.

Bill Williams

The water flow is regulated by dam releases and the quality of the water is rated as acceptable. A large portion of the study area flows through the Navajo Mountains Wilderness and Swansea Wilderness. Portions are also protected under the Three Rivers Riparian Area of Critical Environmental Concern and the Bill Williams Riparian Management Area.

Bonita Creek

The Arizona Department of Environmental Quality designated Bonita Creek as a Unique Water under Arizona State Law. The Arizona Desert Wilderness Act has designated this portion as a Riparian National Conservation Area reserving a quantity of water sufficient to achieve the stated purposes of the riparian national conservation area. The lower four miles may become critical habitat for the endangered razorback sucker.

Burro Creek

The Arizona Department of Environmental Quality designated Burro Creek as a Unique Water under Arizona State law. The Bureau of Land Management has a Unique Waters compliance monitoring program on Burro Creek. A segment of the study area flows through the Upper Burro Wilderness Area. The other segments are listed as a Cultural Area of Critical Environmental Concern designated in the Kingman Resource Management Plan. Segments of this river are managed by the U.S. Fish and Wildlife Service, U.S. Geological Survey, Prescott National Forest, Arizona State Land Department and the Bureau of Land Management.

Cienega Creek

Stream flow is negligible and water quality is rated as acceptable. The entire area is in the Empire/Cienega Resource Conservation Area managed by the Bureau of Land Management under the Safford District Resource Management Plan.

Francis Creek

The Arizona Department of Environmental Quality designated Burro Creek as a Unique Water under Arizona State law. Francis Creek flows along the northern boundary of the Upper Burro Creek Wilderness Areas. A small portion is in the Burro Creek Riparian and Cultured Area of Critical Environmental Concern. Another segment flows through state lands. The Environmental Impact Statement does not foresee any future negative impacts.

Gila Box

The Gila Box Riparian National Conservation Area reserves over 90% of the stream flow for riparian national conservation purposes. The study area is proposed as Critical Habitat for the endangered razorback sucker.

Kassayampa River

Water quality is poor. Seventy-five percent of the river is managed by the State of Arizona and Bureau of Land Management. A portion is within the Kassayampa River Canyon Wilderness Area. The entire river is within the Black Canyon Habitat Management Plan.

Hot Springs

Water quality is rated high, but the flow is negligible. The study area is within the Hot Springs-Swamp Springs Watershed Area of Critical Environmental Concern. This area is managed under the provisions of the Muleshoe Ecosystem Management Plan. Several natural resource conservation districts, the Soil Conservation Service, Bureau of Land Management, Forest Service, county and city governments, the Nature Conservancy and others have initiated a resource management process.

Lower San Francisco

The water quality is rated as acceptable. The lower portion is within the Gila Box Riparian National Conservation Area. The U.S. Forest Service manages the majority of the upper watershed.

Middle Gila

The water quality is rated as acceptable. Twenty Nine percent of the study area is in the Needles Eye Wilderness. The study area is encompassed by the Christmas Special Recreation Management Area.

Paria

Poor water quality. The entire scenic rivers study area is within the Paria-Vermillion Cliffs Wilderness Area and Paria-Lanab Creek Habitat Management Plan.

San Pedro

The study area is within the San Pedro Riparian National Conservation Area and designated as an Area of Critical Environmental Concern.

Santa Maria

The water quality is rated acceptable. The Kingman Resource Management Plan provides direction for the study areas. Apart of the stream flows through the Arastra Mountain Wilderness and through the Santa Maria Area of Critical Environmental Concern. Wildlife populations and habitats are managed in accordance with the Lower Gila North Habitat Management Plan.

Swamp Springs Canyon

This study area is completely within the Redfield Canyon Wilderness. The area is operated under the provisions of the Muleshoe Ecosystem Management Plan.

Turkey Creek

Water quality is rated acceptable. The Turkey Creek study area is in the Turkey Creek Riparian Area of Critical Environmental Concern and is bordered on the west by the Aravaipa Canyon Wilderness.

Virgin River

The water quality is rated poor. The entire area is within the Virgin Area of Critical Environmental Concern and is partially within the Paiute and Beaver Dam Mountains Wilderness Area.

Wright Creek

Water quality is rated as good. The Wright and Cottonwood Creeks Riparian and Cultural Area of Critical Environmental Concern administered by the Kingman Resource Management Plan.

Under the No Action Alternative current management practices would continue. This includes 38,600 acres in wilderness areas, 21,900 acres managed as riparian national conservation areas, and 21,600 acres administered as areas of critical environmental concern.

Repeatedly the EIS states the No Action Alternative would have no direct adverse impacts on outstandingly remarkable values. Additionally, the EIS recognizes that the remarkable values would be protected by ongoing management actions.

Stone is cognizant of benefits derived from a designation under the Wild and Scenic Rivers Act. However, those benefits are a result of exercising discretion in selecting rivers or river segments. To broaden the designation to include the segments analyzed in the EIS would dilute the significance of the Wild and Scenic Rivers Act.

108-2

Stone is confident that current management actions and area designations are more than sufficient to provide extensive protection for these valued resources. It is therefore Stone's request that the No Action Alternative be selected.

Sincerely,


Jerry M. Drury
Forester

Response 108 - 2: Please refer to general response # 1 (Alternatives).

433



SIERRA CLUB

000114

JUL 15 1984

Grand Canyon Chapter - Arizona Palo Verde Group

Phil Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
P.O. 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

I am writing the Sierra Club, Palo Verde Group, comments for the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement. The following comments are taken from Volumes 1 and 2; they are as follows:

Aravaipa Creek

As the proposed action is the only alternative and the segment considered is in a wilderness area, the proposed action is suitable.

Agua Fria River

Our concerns are that the surface disturbance as described in the archaeological description would also apply to the mineral estate for mining even though surface rights are exempted from mining.

Burro Creek

Please consider C. ALL SUITABLE ALTERNATIVE.

Burro Creek drains a mining area and forms, as do its tributaries, large and deep of water. It begins at 4400' and flows into the Big Sandy River. Burro Creek is a perennial river with large reservoirs of water contained the numerous pools. The surrounding pink-colored granite canyons are some of the most spectacular in Arizona.

Big sandy River

Please consider C. ALL SUITABLE ALTERNATIVE.

This stream is perennial with intermittent stretches. It passes through the Arastra Mountain Wilderness and is part of the Three Rivers Riparian Area of Critical Concern. These three rivers are the Big Sandy, Santa Maria and Bill Williams. This complex is one of the most extensive and significant remaining desert riparian ecosystems in Arizona. The Big Sandy is also home for bald eagles and peregrine falcons and provides water to Alamo Lake.

435

114-1

114-2

Response 114 - 1: Please refer to general response # 1 (Alternatives).

Response 114 - 2: Please see response # 114 - 1.



SIERRA CLUB

Grand Canyon Chapter - Arizona

Bill Williams River

As the proposed action is the only alternative, the proposed action is suitable.

The Bill Williams Riparian Management Area includes the river corridor from Alamo Dam downstream to the eastern boundary of the Havasu National Wildlife Refuge. The recreation potential is high as the river approaches Lake Havasu where watercraft are in use and fishing is major economic benefit. The Bill Williams River drainage contains the fourth highest diversity of raptors in Arizona.

Bonita Creek

Please consider C. ALL SUITABLE ALTERNATIVE.

Bonita Creek is habitat for three federally-listed endangered fish species. Its principal uses are for recreation and water supply for the Town of Safford. This stream has its source in the San Carlos Indian Reservation and so far has an uninterrupted supply of water. It is within the boundaries of the Gila Box Riparian National Conservation Area.

Cienega Creek

Please consider C. ALL SUITABLE ALTERNATIVE.

Cienega Creek supports a large marsh/riparian habitat by a perennial water supply. The endangered Gila Topminnow and native Gila chub and longfin dace are in this stream.

Francis Creek

Please consider C. ALL SUITABLE ALTERNATIVE.

Francis Creek is another one of the beautiful streams that originates in the mining area near Burro Creek. It also flows through pink-colored granite mountains and forms large and deep pools of water. It joins Burro Creek and is an important water supply for the town of Baghdad. Burro Creek, Francis Creek, and Boulder Creek would benefit from wild and scenic river designation as the water quality would potentially be improved. These streams are in contact with abandoned mines and mine tailings that contribute to high concentrations of minerals and acids.

Gila River/Gila Box/San Francisco River (lower)

Please consider C. ALL SUITABLE ALTERNATIVE.

It is to be noted that the inclusion and discussion of the San Francisco River is not in volume two of the Appendices. This river, however, is listed in a tabular form on many pages of the summary volume of the three volume LEIS set. It is hoped that even without a description, the San Francisco is somehow included in the ALL SUITABLE ALTERNATIVE which is our desire.

Response 114 - 3: Please see response # 114 - 1.

Response 114 - 4: Please refer to general response # 8 (Cienega recommended alternative).

Response 114 - 5: Please see response # 114 - 1.

Response 114 - 6: It is possible that there was an omission in the printed copy you received. However, Volume 2 of the draft river appendix included a 35 page section on the Gila Box: Lower San Francisco River. The all suitable alternative was considered along with the proposed action and no action alternatives.



SIERRA CLUB

Grand Canyon Chapter - Arizona

Hassayampa river

Please consider C. ALL SUITABLE ALTERNATIVE.

The box canyon of the Hassayampa is worth wild and scenic designation without any other considerations. High basaltic cliffs rise vertically 600' and stretch for a length of one half mile. The origin is in the Bradshaw Mountains near Prescott at 5000' elevation. The Hassayampa flows through the Hassayampa Wilderness at low elevations and through the Prescott National Forest of Ponderosa Pines at high elevations. The Hassayampa could use any protection it could get as it is rapidly being urbanized from Wickenburg north to Prescott. This river is the water source for the Nature Conservancy's River Preserve.

114-7

San Pedro River

Please consider C. ALL SUITABLE ALTERNATIVE.

The main concern for this river is the ground water draw-down by the City of Sierra Vista. The water to support the San Pedro Riparian National Conservation Area has been publicized in many newspapers. It is the home of the threatened and endangered (T & E) Willow Flycatcher. The need to fence out cattle is important for the survival of the unique riparian habitat. Photographs showing the contrasting fenced/non-fenced vegetation are dramatic. Cattle grazing interests are exceptionally reluctant to give up their water rights. Only two of thirteen native fish remain and are T & E species. The North American Free Trade Agreement should work to increase the supply of water at the headwaters in Mexico. The increase in population at Fort Huachuca resulting from military base reorganization and closure should create a requirement for water development before additional expansion. The riparian forest along the San Pedro River is the most recognizable feature of the area. Implementation of the All Suitable Alternative would prohibit construction of impoundments, diversions, straightening, riprapping and other modification of the water way would protect the outstandingly remarkable scenic values by ensuring the waterway would remain unchanged.

114-8

437

Santa Maria River

Please consider C. ALL SUITABLE ALTERNATIVE.

The added benefit to this 21 mile long segment (A) is that it is in the Arastra Mountain Wilderness area. As with any desert stream or river, adequate water for stream flow is marginal. The Santa Maria River is a perennial stream with intermittent stretches. This river furnishes water to Alamo Lake, a major fishing lake in Arizona. The riparian area is home to nesting bald eagles and the T & E willow flycatcher in addition to long-nosed bats. Designation as Wild and Scenic would improve the water resources.

114-9

Response 114 - 7: Please see response # 114 - 1.

Response 114 - 8: Please see response # 114 - 1.

Response 114 - 9: Please see response # 114 - 1.



SIERRA CLUB

Grand Canyon Chapter · Arizona

114-10

Turkey Creek
It is vital that this segment is given Wild and Scenic designation as it outside (borders) the Aravaipa Canyon Wilderness Area only on the west side.

Thank you

Tom Lezzelle for the Sierra Club, Palo Verde Group

Response 114 - 10: Please see response # 114 - 1.

Letters from individuals

000001

602-742-4450
Monday, March 23, 1994
6056 N. Oracle Jaynes
Tucson, AZ 85741

MAR 31 1994

Phillip Moreland, Branch Chief,
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th St.
PO Box 15563
Phoenix, AZ 85011

In re: Count One (1) vote for ALL SUITABLE

Dear Mr. Moreland,

Thank you for DRAFT Arizona Statewide Wild and Scenic
Rivers Legislative Environmental Impact Statement. As well
as the two (2) additional volumes detailing impacts on twenty
(20) Scenic rivers.

I am one of your approximately 1,000 people on the wild
and scenic river mailing list in the General Public category.
I understand that what remains to be protected among rivers
is
and riparian habitats ~~are~~ less than 10% of all rivers.

I want the all suitable alternative.

I am opposed to grazing on public land. I am opposed to
logging public land. I am opposed to Forest Service "sales"
(at a loss) of public timber. Yes, I am opposed to mining
uranium near the Grand Canyon; even opposed to breaking new
ground for any additional mines.

Please do not choose anything less than ALL SUITABLE,
because you feel you need to compromise. 50/50 is a compromise.
Half of 10% is not a compromise. I want it all for the general
public, for your children and my children and grandchildren.

Thank you,


Mansur Johnson

050694

PHILLIP MORELAND, BRANCH CHIEF
PLANNING, ENVIRONMENT, LANDS AND RECREATION (931)
ARIZONA STATE OFFICE
BUREAU OF LAND MANAGEMENT
3707 NORTH 27TH STREET
P.O. BOX 16563
PHOENIX, ARIZONA 85011

000005 MAY 27 1984

REFERENCE: DRAFT
ARIZONA STATEWIDE WILD AND SCENIC RIVERS
LEGISLATIVE ENVIRONMENT IMPACT STATEMENT
RIVER APPENDIX VOLUME 1 & 2

DEAR CHIEF MORELAND:

AFTER FINISHING THE REVIEW OF THE "RIVERS" DRAFT, GOING BACK AND ELIMINATING THE LINGERING QUESTIONS IN MY MIND, I WOULD LIKE TO OFFER THE FOLLOWING COMMENTS:

THE STUDY WAS INFORMATIVE AND FAR BEYOND WHAT I WOULD EXPECT WAS NEEDED TO MAKE RECOMMENDATIONS, BUT DOES OFFER A BASIS FOR RECORD IN THE AREAS MENTIONED. I RESPECT THE ENVIRONMENT AND OUR LANDS VERY MUCH, AND WANT THESE LANDS TO BE ABLE TO BE USED BY THE PUBLIC IN THE FUTURE, HOWEVER, I AM OPPOSED TO FENCING LANDS, CLOSING PUBLIC LANDS TO PUBLIC ACCESS.

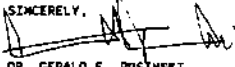
I RECOMMEND THE "NO ACTION" ALTERNATIVE TO RECOMMEND 13 RIVERS TO CONGRESS IN THE NATIONAL AND SCENIC RIVERS SYSTEM FOR THE ABOVE REASONS.

I WOULD ALSO LIKE TO COMMENT THAT I WOULD HOPE FUNDS THAT WOULD BE USED FOR THE 13 RIVERS IN THE NATIONAL WILD AND SCENIC RIVERS SYSTEM BE GIVEN TO USE IN OUR STATE WILD AND SCENIC AREAS TO PROMOTE "MORE OUTDOOR USE AND ACTIVITIES" IN RECREATION FOR THE PUBLIC, AND TO PROVIDE ADDITIONAL FUNDING OF ENFORCEMENT AGAINST VIOLATORS OF THE EXISTING LAWS ON THESE LANDS. THE ADDED RECREATIONAL AND PUBLIC USE OF OUR "PUBLIC LANDS" WOULD HELP REDUCE SOME OF THE PRESSURES OF THE CITY LIFE THE PUBLIC IS FACING AT THIS TIME.

IT MAKES YOU FEEL WHILE READING THESE REPORTS THAT ANYTHING WORTH HAVING HAS TO BE TAKEN AWAY FROM THE PUBLIC AND RESTRICTED FOR STUDY AND PROTECTION FROM THE INTRUSION BY THE GENERAL PUBLIC. THIS MAY WELL BE A VALID ATTITUDE, BUT, THERE MUST BE WAYS TO OPEN ACCESS MORE AND GENERATE A RESPECT FOR OUR LANDS AT THE SAME TIME.

I HOPE I HAVE GIVEN YOU SOME INSIGHT BY MY COMMENTS AND WANT YOU TO KNOW MY WIFE AND I SUPPORT THE ENVIRONMENT, OUR LANDS FOR PRODUCTIVE USE, AND THANK YOU FOR THE OPPORTUNITY TO COMMENT.

SINCERELY,


DR. GERALD F. RUSINSKI
PO BOX 32033
TUCSON, AZ. 85751-2033

5-1

441

Response 5 - 1: Please refer to general response # 1 (Alternatives).

000006

MAY 08 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland,

I wholeheartedly support the All-Suitable Alternative for all of the river and stream segments currently under study for inclusion on the Federal list of Wild and Scenic Waterways.

My reason is simple: less than 10% of Arizona's riparian areas remain relatively unspoiled by human impact. Something must be done!

I see using the teeth of PL 90-542 as the only means for protecting what's left for future generations.

In a day where many citizens are leery of politics and political meddling in local issues, I hope people look with open minds upon your efforts. The Wild and Scenic Rivers Act is good legislation that finds the balance between economic necessities, responsible recreation and riparian protection.

Best Wishes,
Bob Williams
Bob Williams
1185 Middlebrook Rd.
Prescott, AZ 86303

000007

MAY 18 1994

4151 S McPomene Way
Tucson, Az. 85730
May 17, 1994

Phil Moreland
Bureau of Land Management
Arizona State Office
3703 North 7th Street
Phoenix, Az 85014

Dear Mr. Moreland:

Since I will be unable to attend the BLM hearing on Wild and Scenic Rivers designation in Tucson on May 23, 1994 I'll express my comments in this short note.

We must protect our biologically important rivers in Arizona. At the hearing in Tucson you'll hear all the various reasons why these rivers must be protected by the federal Wild and Scenic Rivers Act many times. I am all for it.

7-1

The BLM has done a good job in general in our southern Arizona. The omission of the Cienega Creek from any designation, though, is unforgivable. You'll hear about this at the meeting too. Let us designate Cienega Creek as "Scenic", because that is how it deserves to be rated.

Please record my voice as one in favor of most, if not all, rivers in Arizona being designated for protection by the Wild and Scenic Rivers Act.

Sincerely,



Maurice Schlossberg

Response 7 - 1: Please refer to general response # 8 (Cienega recommended alternative).

MAY 23 1994

000008

Dear Mr. Moulton, May 20, 1994

I will be unable to attend the public hearing for Wild & Scenic Rivers on May 23rd, but I would like to express my feelings on the subject.

I feel that the BLM has done a very good job on choosing areas for Wild & Scenic Rivers status in Southern Arizona. I hope that all of the areas that have been chosen will be recommended to Congress for designation.

8-1 I would also like to ask that Cienega Creek be looked at again for possible Scenic status. I feel that it is very important that this area receive protection, as it is one of the last examples of a relatively intact Cienega, and these areas are of such great importance not only to birds and fish such as the Gila topminnow, but to many other organisms, as well. It is one of the last state streams to be without non-native fish species, and it is important to keep it that way. Thank you for your attention.
(over)

Sincerely,
Carolyn M. Kobe

Carolyn M. Kobe
7057 E. Calle Canis
Tucson, Az. 85710-5422

Response 8 - 1: Please refer to general response # 8 (Cienega recommended alternative).

MAY 23 1994

000009

Please recommend that these
rivers be protected by the Federal Wild
& Scenic Rivers Act:

Virgin R.

Pavia R.

S. W. Williams R.

Aqua Fria R.

Marysua Creek

Hila Box

San Pedro R.

Big Sandy R.

Carr Creek

Santa Maria R.

Middle Hila R.

Bonita Creek

Lower S. Francisco R.

445
9-1

Please also request that the Cienega
Creek be designated as a scenic creek.

Except for the Cienega Creek, you've
done a good job in San Arizona.

Thank you!

Merdy's Ingoldstad
Merdy's Ingoldstad

**Response 9 - 1: Please refer to general response
8 (Cienega recommended alternative).**

446

Mr. Phil Moreland
Branch of Planning
AZ State Office-BLM
Phoenix, Arizona 85014

000012

MAY 25 1984

David L. Wolf
Rt. 4 Box 716
Flagstaff, AZ 86001-9301
(602) 774-8720

Dear Mr. Moreland:

Below are my comments on the Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement.

Aqua Fria- I support the proposed alternative.

Aravaipa- I support the proposed alternative.

Big Sandy- I support the all suitable alternative.

Bill Williams- I support the proposed alternative.

Bonita Creek- I support the all suitable alternative.

Burno Creek- I support the all suitable alternative.

Cienega Creek- I support the all suitable alternative.

Francis Creek- I support the all suitable alternative.

Gila Box- I support the proposed alternative.

Hassayampa- I support the all suitable alternative.

Hot Springs Canyon- I support the all suitable alternative.

San Francisco- I support the proposed alternative.

Middle Gila- I support the proposed alternative.

Paria- I support the proposed alternative.

San Pedro- I support the proposed alternative.

Santa Maria- I support the all suitable alternative.

Page 2- Comments on Wild and Scenic

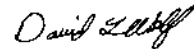
Swamp Springs Canyon- I support the proposed alternative.

Turkey Creek- I support the all suitable alternative.

Virgin River- I support the all suitable alternative.

Wright Creek- I support the all suitable alternative.

Sincerely,



David L. Wolf

MAY 27 1994

Barbara B. Wilson
8645 N. Waycross Rd
Tucson, AZ 85743

000013

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 N. 7th St.
Phoenix, AZ 85014

Dear Mr. Moreland:

I was delighted to learn last week that BLM is drawing up plans to protect parts of six southern Arizona rivers on BLM land from further development. I was dismayed, however, to learn that a 10.3 mile segment of Cienega Creek was excluded from the list. As pointed out in an article in the Tucson Daily Star on May 21, 1994, the Cienega Creek wetland is one of the last and best examples of a relatively intact cienega, particularly as it has not been populated by non-native fish. This is especially important since the Gila Topminnow is an endangered species. Given the short distance of the creek from Tucson, it should be protected for future generations of Tucsonians and others desirous of visiting a pristine wetlands unscathed by development.

Please include the Cienega Creek wetlands on the list of rivers to be protected on the Wild and Scenic Rivers System. Such a beautiful, endangered wetlands should be protected from all future development. Inasmuch as over 90% of the native riparian areas in Arizona have been lost, it is incumbent upon us to save and protect the remaining wetland areas, including Cienega Creek.

Sincerely

Barbara B. Wilson

Barbara B. Wilson

cc. Senator Dennis DeConcini
Representative Jim Kolbe
Representative Sam Coppersmith
Secretary Bruce Babbitt

Response 13 - 1: Please refer to general response # 8 (Cienega recommended alternative).

447

13-1

O'Connell & Kroese, P.C.

000014

MAY 27 1994

ATTORNEYS AT LAW
2195 EAST RIVER, SUITE 105
TUCSON, ARIZONA 85718
(602) 577-7855
FAX 577-7108

Christopher M. O'Connell
Keith W. Kroese

May 24, 1994

Mr. Phil Moreland
BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3703 N. 7th Street
Phoenix, AZ 85014

RE: Cienega Creek

Dear Mr. Moreland:

I am writing with regard to the BLM's designation of wild and scenic rivers in southern Arizona, and specifically with regard to Cienega Creek. I believe that Cienega Creek should be designated as scenic.

I live in southern Arizona and it is sad, to say the least, to see the number of formerly free flowing streams and rivers that are now dry. Cienega Creek continues to run, and it should be protected. We have lost quite enough in southern Arizona already.

Thank you very much for considering this. I hope you will see fit to redesignate Cienega Creek to go along with the other excellent decisions made in southern Arizona.

Sincerely,

O'CONNELL & KROESE, P.C.


Keith W. Kroese

KWK/ag

Response 14 - 1: Please refer to general response # 8 (Cienega recommended alternative).

448

14-1

5132 East Atrium Street
Tucson, Arizona 85712
May 26, 1994 MAY 31 1994

Mr. Phil Moreland
3703 North 7th Street
Phoenix, Arizona 85014

000015

Dear Mr. Moreland:

We certainly believe that Cienega
Creek should be protected as "scenic" because
it is a very good example of an intact
Cienega and there are very few of those left
in Arizona. Also, since Cienega Creek is one of
our last streams with no non-native fish, it
is important for the survival of our native
fish.

Sincerely,
Walter + Dorothy Pelick

**Response 15 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

15-1

449

000018

JUN 07 1994

Daniel K. Nelson
2929 E 6th St.
#133
Tucson, Arizona
85716
June 4, 1994

Phil Moreland
Bureau of Land Management
Arizona State Office
3703 North 7th Street
Phoenix, Arizona 85014

Dear Mr. Moreland:

RE: CIENEGA CREEK

I would like you to designate the Cienega Creek area for "National Wild and Scenic River Designation". Our state is growing at an alarming rate and we need to guarantee protection of our natural resources. Thank you.

Sincerely,

Daniel K. Nelson

Response 18 - 1: Please refer to general response # 8 (Cienega recommended alternative).

18-1

450

PAGE 1 - THE TUCSON WEEKLY - JUNE 7, 1994

EXTRA EXTRA EXTRA EXTRA

Saving Cienega

What's The Best Plan To Preserve One Of The Last Marshes In The Southwest Desert?

By J.E. RELLY

THE BUREAU OF Land Management and state environmental activists agree on one thing: Cienega Creek, one of the last marshes in the Southwest desert, needs protection.

How the 45,000-acre grass and woodland currently is managed isn't what's disputed. But the future of a 10.5-mile creek segment is on the chopping block in a BLM draft study considering if it should be designated as a National Wild and Scenic River.

The agency claims adding such a designation wouldn't change anything because it's already doing a good job protecting the area, and besides, the Endangered Species Act as well as the Clean Water Act also cover Cienega.

However, environmentalists say they fear BLM policy could change, and they note Endangered Species and Clean Water protections may be removed periodically. Environmentalists argue these acts alone create uncertainty and don't protect the entire ecosystem.

The Wild and Scenic designation would mean no new development on the BLM land within a quarter-mile of the river. It would take an act of Congress to kill such an action.

Advocates say state and federal agencies will never be hurt by social pressure and changing management at the Bureau. They say without legislative protection there are no guarantees, leaving the creek with an uncertain future.

"The history of that private project on public lands has been horrendous," says Gail Peters,

director of the Southwest office of American Rivers, a national nonprofit environmental group. "I agree the BLM has acknowledged and seen that the way they have managed the public land, particularly in the Southwest—particularly rivers—has failed, allowing the rivers to be very abused."

Her fear is that this could be a cyclical thing. Right now we have managers on the ground who want to do the right thing for the river and riparian areas, but I'm not convinced that there's not going to be a new generation of managers that again are not

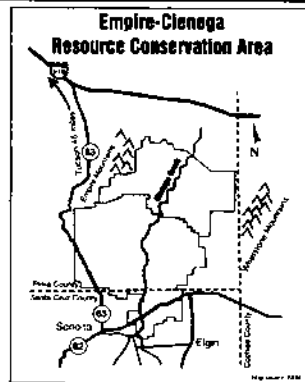
going to see the need for protecting the river and riparian areas of the Southwest.

Environmentalists commend the BLM for its management practices along Cienega Creek since the agency acquired land there in 1986. River segments that once flowed only seasonally are now flowing all

year—an unusual phenomenon in the Southwest these days.

Bob Pearson, executive director of the Arizona League of Conservation Voters, says areas of the creek have regenerated because the BLM worked with the land owner in raising the 1.75-to-1,000 cattle head grazing there, giving native grasses optional opportunity to grow.

It's probable the Bureau's Resource Management Plan for Cienega Creek, which wasn't completed until 1993, will be consistent with its current good management practices. However, resource management plans can be amended at any time, admits Jesse Jansen, area manager with the Tucson BLM. "It's not an option for the Bureau to allow the system to degrade," he says. But "new management has flexibility



with flow through approach grazing and recreation." Defending the Bureau's checks and balances, Jansen says a log of the stream not flowing because water was diverted years ago for agricultural practices. "If we wanted to reconnect the stream in that area, we'd have to contend with the Fish and Wildlife Service lacking at every aspect in

light of endangered species." As a recent public hearing, the creek's possible Wild and Scenic River designation surrounded public use. Jansen says land access is not likely to change if the creek is designated as Wild and Scenic. "The only uncertainty crops up concerning roads needing repair within the quarter-mile stream buffer zone—they may be closed if construction would impede the

river. To preserve the river, automobile and motorcycle riding are already outlawed in the creek bed. Walking and bicycling would continue to be permitted. There are no mining rights on the land and cutting wood, which is now illegal, would continue to be so under the designation."

The BLM will include public comments in its final proposal to Congress for Wild and Scenic River designation. The deadline for such comments is July 8. Send them to: Mr. Phil Moreland, Bureau of Land Management, Arizona State Office, 3703 North 7th Street, Phoenix, Arizona 85014.

000019

JUN 8 1994

2865 E. Alta Vista
Tucson, AZ. 85716
June 3, 1994

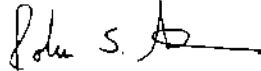
Phil Moreland
Bureau of Land Management
Arizona State Office
3707 North 7th Street
Phoenix, AZ. 85014

Dear Mr. Moreland:

19-1 I received your agency's draft EIS regarding Arizona's Wild and Scenic Rivers designation. While I think that the BLM did an admirable job of including and appropriately categorizing the streams in the southern part of the state with which I am familiar, I was surprised to see that Cienega Creek did not receive any designation. Given the facts that it is one of the few cienegas remaining in this part of the state, that it holds an impressive cottonwood-mesquite-ash gallery forest, and that it is home to a wide diversity of wildlife, I think that it should be protected. I urge you to reconsider your designation of this stream.

Thank you for your attention. I look forward to learning of your final decisions.

Sincerely yours,



John S. Anderson

Response 19 - 1: Please refer to general response # 8 (Cienega recommended alternative).

000020 JUN 08 1994

June 7, 1994

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 North 7th Street
Phoenix, Arizona 85014

Dear Mr. Moreland:

20-1

I am a Tucson resident, concerned about Arizona's environment. I've recently read about the Wild and Scenic Rivers designation and it appears that the BLM has done an excellent job in Southern Arizona with the one glaring exception of Cienega Creek. Cienega Creek needs to be designated as "Scenic", or its wetland community will not be protected.

Please designate Cienega Creek as Scenic!

Thank you for all of your efforts to protect our environment.

Sincerely,

Susan Taunton

Susan Taunton
1109 E. Elm St.
Tucson, AZ 85719
(602) 628-8785

Response 20 - 1: Please refer to general response # 8 (Cienega recommended alternative).

JUN 06 1994

3333 N. Webster Road
Tucson, AZ 85715-2933
June 4, 1994

000021

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3905 N. 7th Street
Phoenix, AZ 85018

Re: Saving Cienega Creek

Dear Mr. Moreland,

I strongly endorse the designation of Cienega Creek
under the "National Wild + Scenic River" protection.

It is imperative to insure that the resource
management of Cienega Creek cannot be commended.
We need to insure the ability of Mother Earth to
produce clean air, pure water and beautiful foods for
now and future generations.

We can begin to stop the worldwide destruction of
the planet by taking care of our own backyard here
in Arizona. It is urgent we do it NOW.

My hope one day is that people will realize
wilderness areas are true National treasures and
more valuable than gold.

Sincerely,
John J. Essig

**Response 21 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

Carol Tepper
250 N. Arcadia
Tucson, AZ.



USA 19

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 North 7th St.
Phoenix, AZ. 85014

000023



Dear Mr. Moreland,

June 1994

There is no time to lose! Arizona's rivers
need protection now! Riparian corridors
on BLM lands are vital for so many
plant and animal species. If we lose them,
we will lose a great biodiversity with them.

As a professional naturalist, I know
that the best place to watch wildlife in
Arizona is by water - a vital source of survival
for them. We humans need the shade, clean
water, and oxygen + beauty they provide as well.

YES! OUR WILD -
SCENIC RIVERS!

Thank you,
Carol Tepper

JUN 13 1994

000024

Phil Moreland
BLM
Arizona State Office
P.O. Box 16563
Phoenix AZ 85711

June 6, 1994

Dear Mr. Moreland,

I was unable to attend your public hearing on May 23 in Tucson and I failed to connect with you by phone that day, but I did want to express my support and appreciation for the proposed inclusion of so many Arizona rivers under the protection of the Wild and Scenic Rivers Act.

24-1

I hope you will consider adding the Cienega Creek under the "scenic" designation. It's one of the few remaining examples of a (relatively) intact cienega. I understand Cienega Creek has received top priority for protection by the Desert Fishes Council, because it is home to the largest known population of the endangered Gila topminnow in the United States. And it's a beautiful place.

Thank you for your consideration.

Katie Nash

Katie Nash
3739 E. Guthrie Mtn. Place
Tucson AZ 85718

Response 24 - 1: Please refer to general response # 8 (Alternatives).

455

JUN 13 1994

000025

June 10, 1994

Mr. Phil Moreland
Bureau of Land Management

Dear Mr. Moreland:

I am writing as a citizen who funds the BLM to say that it is of the utmost priority to preserve Cienega Creek. If this means working for Wild & Scenic Designation - so be it. Thank you

25-1

Leon Byrley
Tucson AZ

Response 25 - 1: Please refer to general response # 8 (Cienega recommended alternative).

P.O. Box
P.O. Box 513
Lakeside, AZ
85929

000026

JUN 22 1994



Phillip Mordland, Branch Chief
Planning, Environment Lands & Rec (958)
AZ State Office, BLM
3707 N. 7th St.
P.O. Box 16563 (H)
Phoenix, AZ 85016

Mr. Mordland -

6-19-94

As a fond observer and user of our wilderness, I urge you to consider my comments regarding the LEIS on Statewide Wild & Scenic Rivers.

26-1

Please include explanations regarding the protections afforded rivers by wilderness, National Conservation Wild & Scenic, ACEC & any other status conferred in a land use plan.

26-2

Also, when the BLM declassifies a river as one of non-suitability, can the reasons be stated as to the recommendation justification.

Rivers are more than just waterways. Thanks for your efforts and work to see that they are maintained as outstanding ecological features! Respectfully, Mr. Dorothy L. Otter

Response 26 - 1: Please refer to general responses # 9 (River Study Area Protection) and 10 (Comparisons).

Response 26 - 2: Please refer to general response # 1 (Alternatives).

000027

JUN 22 1994

June 21, 1994
Doug Hulmes
834 Blue Jay Drive
Prescott Az, 86303

Phillip Mooreland, Branch Chief
Planning, Env., Lands and Recreation
Az. State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Az. 85011

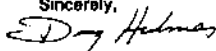
Dear Mr. Mooreland,

I am writing to express my support for the Az. River Coalition recommendations for Wild and Scenic Rivers in Arizona. I have had an opportunity to review the BLM recommendations for the EIS, and generally feel it was well done. I have specifically focussed my attention on the Hassayampa, Santa Maria, and Burro Creek sections. I am including a copy of the report I submitted to the Coalition on the Hassayampa. This report is a summary of my work with references made to previous BLM documentation. I would also like to emphasize my support for all sections of the Santa Maria, Burro Creek, and Francis Creek that fall on BLM lands. I feel that Wild and Scenic Designation is vital for the protection of riparian ecosystems in Arizona. I request that Francis Creek be re-evaluated for suitability due to the high number of threatened and endangered species and water quality of this tributary to Burro Creek. I am also requesting that the upper 21.2 miles of the Santa Maria be re-evaluated for Wild and Scenic. I have hiked much of this section, and feel it definitely qualifies for designation. These riparian corridors are critical to wildlife and migrating species of birds and other animals.

I worked successfully on the designation of Wilderness for the Hassayampa, Black Mountain/ves Peak/Arastra, and Burro Creek Wilderness Areas. Wild and Scenic designation of streams would help to connect these areas with critical habitat higher up the watersheds.

Thank you for your consideration of my comments.

Sincerely,



Doug Hulmes

Response 27 - 1: Please refer to general response # 11 (Suitability Determinations).

457

27-1

Hassayampa River: Wild and Scenic River Proposal

Submitted to: Arizona Rivers Coalition
February, 1991

By: Doug Hulmes
Prescott College
220 Grove Ave
Prescott, Az. 86301

River Name:	Hassayampa River
Mileage:	Approximately 17 miles from 1/2 mile below confluence with Cherry Creek just south of Wagoner to the mouth of the Hassayampa Box.
Counties:	Yavapai
Acres of County Land:	Unknown
Studied/Recommended:	Approximately 30 miles was studied, with 9 miles recommended as Wild from 1/2 mile below Cherry Wash to the SW. boundary of The Hassayampa Wilderness and and additional 8 miles designated as Scenic downstream to the mouth of the Hassayampa Box.
Alt. Recom.	60 miles, Beginning in the Bradshaws; 13 miles Prescott National Forest. 8 miles private. Next 17 miles same as above, with an additional mileage added to within 3 miles of Wickenburg.
Land Ownership and Managing Agencies:	This sections lies within the recommendation by the Arizona Wilderness Coalition, and includes State and BLM. lands.
% of Private Land:	There are a few (3 or 4) mining claims that occur along this section, it is not known if they are all patented. They represent approximately 6% of the land.
Access Points:	There is access at the confluence with Cherry Creek south of Wagoner, and at the SW corner of the Quail Ranch Road NW. of Wickenburg.

Supporting Rationale:

This pristine stretch of desert riparian river is largely included within the boundaries of the Hassayampa River Canyon Wilderness. It also includes approximately 2 miles of state land that was not included in the wilderness because of the moratorium on land exchange between the state and the BLM. The designation of Wild Classification for this stretch will encourage more consistent management between State and Federal Lands, and help protect a significant stretch of a riparian ecosystem that is habitat for 10 special status wildlife species including Gilbert's Skink, spotted bat, great egret, black crowned night heron, zone-tailed hawk, gila monster, golden eagle, and the prairie falcon. Preserving this area would also protect one of the few remaining riparian habitats in western Arizona." 1 p.85.

Description of River and Terrain:

The Hassayampa begins high in the Bradshaw Mountains south of Prescott at an elevation above 7,000 ft. The vegetation is a Canadian/Transition mix with some aspen and maple, with Douglas fir and white fir associations. These give way to ponderosa, aldar, and willow as the river quickly descends to the west and leaves the Prescott National Forest. The riparian vegetation transforms to lush stands of Fremont Cottonwood near Walnut Grove, where the river flows permanently above ground. Large Arizona Ash can be found shading pockets of yellow columbine. Below the confluence of Cherry Creek, south of the abandoned townsite of Wagoner, the river enters a deep canyon of metamorphic rock. Approximately 1 mile below the confluence with Cherry Creek, the river leaves state land and enters BLM land and the newly designated Hassayampa River Canyon Wilderness. Pockets of willow and occasional Fremont Cottonwood shade deep pools of water that catch 3 to 4 foot cascades of water. For the next nine miles the river flows through a relatively pristine canyon that winds through a rugged lower Sonoran desert landscape, providing a dramatic contrast between the lush ribbon of riparian vegetation and rocky slopes covered with saguaro paloverde and ocotillo. This diversity

of vegetation associations along with the availability of water support numerous special status species of plants and animals.

Detrimental Uses/Threats:

The major threats to this stretch of the Hassayampa River are mineral exploration, specifically placer gold exploration, and ORV use that has resulted in visible damage to the riparian vegetation and will continue to threaten this resource. Since most of the section that is being recommended for Wild is already designated as Wilderness, the designation of Wild and Scenic to the Hassayampa will only serve to extend the management philosophy a couple of miles on state lands that occur adjacent to the designated Wilderness. This will allow for State and Federal protection of this fragile riparian environment from being further degraded by ORVs that have been entering the canyon from mining roads that afford access at either end of the canyon.

Support/Opposition:

Designation of Wild and Scenic status for the Hassayampa has wide spread support from conservation groups including: The Arizona Rivers Coalition, the Arizona Wilderness Coalition, The Prescott Area Wilderness Coalition, the Prescott National Forest Friends, the Prescott Audubon, Sierra Club, Wilderness Society, and the Prescott Tri-College Student Environmental Network. Opposition to designation would probably come from miners, ORV users, and proponents of a dam for the Hassayampa Box.

According to the BLM Upper Sonoran Draft Wilderness EIS, "Exploring and developing placer gold deposits along the Hassayampa River would leave lasting impact on the scenic canyon and pristine riparian landscape. The narrowness of much of the gorge would magnify these impacts by requiring the building of most mine support facilities on higher benches or across steep canyon walls out of flash flood zones." The report goes on to say, "portions of the river canyon will continue to be subject to ORV use, which may damage riparian habitats and disrupt wildlife." 2 p.91.

Outstandingly Remarkable Values:

Scenic:

"This remote area contains over 8 miles of some of Arizona's free-flowing ephemeral desert streams. The canyon, long recognized for its scenic quality and rugged primitive recreation value, passes through the eastern and southern portions of the unit in a spectacular gorge nearly 1,000 feet deep. Further more, the sinuous river canyon with its myriad of side canyons, thick upland chaparral vegetation, and ruggedness would continue to provide the visitor with numerous opportunities for solitude."3 p.91.

Recreation:

"Excellent recreation opportunities would continue to be offered the wilderness user including, hiking, backpacking, hunting, horseback riding, mountain climbing, photography, birdwatching, seasonal river running and plant, and animal and geologic sightseeing."4 p.91.

Geologic:

Hassayampa River Canyon is a rugged 1,000 foot deep gorge that winds through colorful metamorphic rock. Large boulders, short water cascades, and beautiful pools of water occur along the river bottom.

Fish, Wildlife, and Vegetation:

Ten Special Status species are believed to exist in the area. These include: Gilbert's Skink, Desert Bighorn Sheep, Spotted Bat, Great Egret, Snowy Egret, Black crowned Night Heron, Zone-Tailed Hawk, Black Hawk,

Gila Monster, Golden Eagle, and Prairie Falcon. Two unusual plants; the flannelbush, which is being proposed as a BLM sensitive species, and a small group of Arizona Cypress occur in the units northern part."5 p. 43. State Listed Species include: Arizona Skink (only known population). Also, the Harris hawk, Yellow-billed Cuckoo, Willow flycatcher, Bell's vireo, Summer tanager, Yellow warbler, Belted kingfisher, Vermillion flycatcher, Yellow-breasted Chat, Common yellow throat, Southwestern Toad, Lowland leopard frog, Longfin dace, Desert tortise, and the Mexican garter snake have been reported in the area.

Ecological:

The riparian vegetation and perennial water that occurs in the Hassayampa is host to 10 special status species of animals. This is the seventh most numerous number of special status species identified out of seventeen areas studied for the Upper Sonoran Wilderness Inventory. It should also be noted that the area has not been carefully studied, and it is my opinion that more special status species could likely occur in the area.

Cultural:

Because of its location, and the likelihood that the Hassayampa River has been used for migration from the highlands to the low deserts, and also considering the guaranteed water supply, the area probably has numerous unidentified cultural sites.

Recommendation:

9 Miles...Wild...from 1/2 mile south of Cherry Creek confluence with the Hassayampa to the Southwest boundary of the Wilderness.

8 Miles...Scenic...from the Southwest boundary of the Wilderness to the mouth of the Hassayampa Box.

Bibliography:

Arizona Wilderness. The Arizona Wilderness Coalition: Arizona, December, 1987. p. 87

Upper Sonoran Draft Wilderness EIS. United States Department of the Interior/Bureau of Land Management: Phoenix, Arizona, September 1982. pp. 43, 47, 90, 91.

000028

JUN 23 1994

Phil Mendola
RLM
Hq, State
Phoenix Az

From
Tom + Maria Mendola

Tom & Maria
Mendola
2343 E. Parkway Ter.
Tucson, Arizona 85719

Please vote for Cienega creek
to become designated as a
"Scenic River" to insure
the cienega as a natural
resource of beauty and
nature!

Sincerely
Tom + Maria
Mendola

**Response 28 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

JUN 27 1994

June 23, 1994

000031

Phillip Moreland, Branch Chief
Bureau of Land Management
Arizona State Office
3707 N. 7th Street
P.O. Box 16963
Phoenix, Arizona 85011

Dear Mr. Moreland,

I am writing this letter to comment on the Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement. I strongly urge you to recommend the All Suitable Alternative.

All Americans must recognize the fact that here in Arizona over 90% of the natural riparian areas in existence prior to intensive settlement have disappeared. This is due to a variety of factors, including overgrazing, intensive groundwater pumping, and the use of waterways for mining activities. We can no longer afford to allow even one area to be further damaged!

We need the All Suitable Alternative to ensure long-term legislative protection under the Wild and Scenic Rivers Act to all 20 eligible river study areas. The BLM, while doing a great job at protecting many of these areas presently, may, with a change in administration and focus, be swayed to allow development and mining in these precious areas.

Specific areas not included in the Proposed Alternative which demand protection under the Wild and Scenic Rivers Act include Turkey Creek and Cienega Creek. Impacts to the outstandingly remarkable scenic values resulting from non-designation of the Turkey Creek study area could arise from minerals development and intensive recreational activities. Without long-term legislative protection, there would be future risk to the fish and wildlife and aquatic habitats of the Cienega Creek areas.

Under the All Suitable Alternative, positive beneficial impacts would result from long-term legislative protection in all the following categories in all the river study areas: impacts on outstandingly remarkable scenic values, recreational values, geologic values, fish and wildlife and aquatic habitat values, cultural, historic, and paleontologic resource values, hydrologic values, and tourism. All other alternatives result in significant negative impacts in many of these categories, in many of the river study areas. Therefore, the only suitable alternative is the All Suitable Alternative!

Sincerely,

Sarah Roberts-Manolakis 867 E. Alturas St.

Sarah Roberts-Manolakis Tucson AZ 85719

31-1

462

Response 31 - 1: Please refer to general response # 1 (Alternatives).

JUN 27 1994

000032

2407 N. Palomino Court
Chandler, Arizona 85224
June 24, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P. O. Box 16563
Phoenix, Arizona 85011

Dear Mr. Moreland:

I am writing with a few comments regarding the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement. The BLM has done a great job overall in its study and assessment of rivers statewide. It is important for the public to understand why the various segments have been recommended for their particular designation and what exactly that particular designation affords in terms of protection. It is also important for the public to understand why various segments have not been recommended for designation or have been found to be non-suitable. The public is becoming increasingly aware of the ecological significance of our desert rivers as well as the importance of protecting the entire watershed and thus should be very well informed about how our rivers and lands are managed.

- 483
- 32-1 Regarding the Gila River--It seems to me that the Middle Gila along the Needles Eye Wilderness Boundary should be recommended for Wild designation.
 - 32-2 Regarding Bonita Creek--It seems to me that the upper segment should be continued to where private land begins at Lee Trail Road.
 - 32-3 Regarding the Virgin River--It seems to me that the Arizona portion of the Virgin River should be recommended for designation without delay since the Virgin is a highly threatened river.

Thank you for your concern for Arizona's rivers.

Sincerely,

Dorothy Lee Riddle

Dorothy Lee Riddle

Response 32 - 1: Please refer to general response # 1 (Alternatives).

Response 32 - 2: Please refer to general response # 11 (Suitability Determinations).

Response 32 - 3: Please refer to general response # 1 (Alternatives).

JUN 27 1984

000033

Dear Mr. Moreland:

Thank you for the opportunity to comment on this extremely important issue of Arizona's rivers and streams.

First, I would like to thank you for the selection of a Proposed Action Alternative which recommends 27 segments in 13 river study areas as suitable for designation, and for BLM's understanding of AWE commitment to both the process of assessing rivers and the values of rivers under BLM jurisdiction in the state, with the qualification that we question some of the individual findings of non-suitability.

I am deeply concerned about the lack of explanation of the relative protections afforded rivers by wilderness status, national conservation status, wild and scenic river status, status as an ACEC, and any other special status conferred in a land use plan, especially in light of the fact that one of the alternatives is a "Legislative Protection" alternative which finds suitable eligible rivers that are not already protected by wilderness or national conservation status.

I also feel that the BLM has a major flaw in its impression that other special status protections, and even general management under existing land use plans, can substitute for wild and scenic river protection.

The BLM should include with each individual recommendation of non-suitability the reason or reasons for such a recommendation.

The public needs to be clear about why BLM is recommending non-suitability in each case, or else BLM will have failed to live up to its responsibility under NEPA. Furthermore, public interest in designation/non designation is a factor considered in suitability.

33-1

464

33-2

Response 33 - 1: Please refer to general response # 9 (River Study Area Protection).

Response 33 - 2: Please refer to general response # 11 (Suitability Determinations).

- ②
- determinations, so an overwhelming show of support for a segment found non-suitable could cause the BLM to reverse itself and find the segment suitable in the Final EIS.
- 33-3 While the Gila Box Riparian Nat'l. Conservation Area Management Plan is still a draft, the BLM represents it as final throughout the Draft LEIS. Some or all of the proposed management actions may never be implemented, depending on what is contained in the final management plan, but the Draft LEIS gives the impression that they are existing or ongoing. Management actions taken from the draft Plan must be identified as draft-only when described in the Final EIS. Now, some comments on individual River Study Areas.
- Cienega Creek - I challenge the finding of non-suitability. Cienega Creek is both regionally and nationally significant as a rare cienega-type river and for its native fishery, as I'm sure you know, it is one of the last and best remaining cienega-type rivers in the Southwest, and it supports native fish populations without the presence of exotic fish species. Contrary to the BLM's assertions, substantial changes in management would occur if the creek were designated, since management under wild and scenic river status would include protection and enhancement of the values that caused it to be included in the system, as mandated by Sec. 10A of the Wild and Scenic Rivers Act.
- 33-4
- 33-5 None of the factors that usually cause a segment to be found non-suitable are factors of significance in this case, so there are no substantial impediments to designation.

Response 33 - 3: In the foreword, under the section, Other Considerations, the statement is made that for the "purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation will be approved" (p. ii). In the case of the Gila Box Riparian National Conservation Area, many management actions are prescribed by P.L. 101-628 (Arizona Desert Wilderness Act).

Response 33 - 4: Please refer to general response # 8 (Cienega recommended alternative).

Response 33 - 5: Please refer to general response # 11 (Suitability Determinations).

33-6

Hassayampa River - I request re-^{evaluation} ~~evaluation~~ of suitability. ^③
The periodic proposals to build a dam in the Box Canyon in segment C which are opposed each time by local residents in the town of Wickenburg and groups like the Wickenburg Horsemen's Assoc. would be stopped permanently by wild and scenic designation.

33-7

The Draft LEIS gives unmanageability due to a large amount of private land ownership as the main reason for finding it non-suitable. Significant percentage of private land ownership is not an automatic bar to non-suitability.

The BLM should explore the option of defining a segment that would include the Box Canyon which would be manageable.

Virgin River -

I am deeply concerned with the recommendation to designate the Virgin as a Study River rather than to designate it into the system. It is a highly threatened river system that would be seriously jeopardized by any further delay in designation.

33-8

While the BLM wants to wait and designate the whole river, the Virgin cannot afford any delay. The river supports two federally endangered fish species that are in immediate danger of extinction due to habitat loss.

Although protecting whole systems is important, for sure, it is possible to designate the segments in AZ. first, and add the ones in Utah and Nevada later. If Congress is not prepared to designate the AZ segments without also designating the Utah and Nevada segments, it can make that political decision on its own.

Response 33 - 6: There currently are no plans for dam construction at the Box Canyon. Any proposed dam project at Box Canyon on federal land would require completion of environmental compliance documents, with public review and comment. Also, see the river appendix volume for the impacts on dam construction from implementation of the Hassayampa River alternatives.

Response 33 - 7: Please refer to general response # 11 (Suitability Determinations).

Response 33 - 8: Please refer to general response # 11 (Suitability Determinations).

④
San Pedro River - I would like to see it reclassified as "scenic" rather than "recreational".

Despite the three road crossings and a railroad line that parallels the river, the shoreline is still largely undeveloped. In part, this is why it was designated RWA. The guidelines in the Act and in the BLM manual give the BLM the ability and flexibility to classify it as scenic. Sec 2(b) of the Act defines scenic river areas as "those rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads." BLM manual Sec. 8351.32A2 adds, "Scenic means the river segment may contain more development (except for major dams or diversion works) than a wild segment and less development than a recreational segment."

I feel the San Pedro would greatly benefit from a more restrictive management provided by a scenic designation.

Francis Creek - I would request reevaluation for suitability. Francis Creek supports a predominantly native fishery. It supports at least 8 threatened, endangered and candidate species. The town of Bagdad gets 85% of its domestic water supply from the creek, but designation would not negatively affect the water supply or facilities, in fact, it could improve water quality and/or quantity.

The benefits of designating Francis Creek outweigh any possible benefits associated with alternative uses.

Response 33 - 9: Please refer to general response # 11 (Suitability Determinations).

33-10

⑤
Santa Maria River - I request re-evaluation of suitability of upper 21.2 mi.
The upper section contains an important desert riparian ecosystem that is of regional significance. According to the Draft LEIS, this area could significantly contribute to the reclassification of the Colorado River by bold examples.

Bonita Creek -

I would request an extension of the upper segment to include ^{the} portion from Lee Trail Road to the northern boundary of the parcel owned by the City of Safford.

33-11

No reason was given as to why the upper segment was terminated at Lee Trail Road. Lower segment was found unsuitable due to the fact that private land made it unmanageable. It would make better sense in that case to continue the upper segment down to where the private land begins. The portion from Lee Trail Road to City of Safford property boundary contains a significant riparian area with important wildlife habitat.

Section 5(d) of the Wild & Scenic Rivers Act requires all federal agencies to consider potential national wild, scenic and recreational river areas in all planning for the use and development of water and related land resources.

Again, thank you for the chance to express my concerns on this critical document.

I hope you will keep these comments in mind as you finalize the Ar. Wild & Scenic Rivers EIS.

Thank you.
Sincerely,
John Dampier

Response 33 - 10: Please refer to general response # 11 (Suitability Determinations).

Response 33 - 11: The Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).

000034 JUN 23 1994

6926 West Wescott
Glendale, Arizona 85308
June 23, 1994

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 North 7th Street
Phoenix, Arizona 85014

Dear Mr. Moreland:

After reading the "Saving Cienega" article in the Tucson Weekly, I feel a need to respond to the issue of whether to designate the Cienega Creek as a National Wild and Scenic River or allow it to remain in it's present state.

34-1

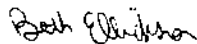
Acquiring a Wild and Scenic designation could help ensure the protection of this unique and important area. Although currently there is an environmentally favorable management, changing administrations in the future may not place the same value to preserve Cienega Creek. In addition, the Endangered Species Act and Clean Water Act, which currently protect the Cienega, will require renewal in the future.

Southeastern Arizona is being "discovered" by an increasing number of people which can only cause further pressure on this area. The Wild and Scenic designation could add strong protection against development.

In the states of Arizona and New Mexico, it has been estimated 85-90% of the riparian areas has been lost. Saving what remains has to be a priority for the preservation of various species. Cienega Creek is home to 170 species of birds, including the rare gray hawk and yellow-billed cuckoo. Three species of native Arizona fish live in the Cienega's waters. Other animals such as pronghorn, whitetail and mule deer, mountain lions and coatimundi rely on this water source. These animals and the scenic beauty of this area provide humans with a place to enjoy.

Please take all possible action to protect the Cienega for future generations.
Thank you for your time.

Sincerely,



Beth Ellickson

Response 34 - 1: Please refer to general response # 8 (Cienega recommended alternative).

JUN 23 1994

DAUGHTON HAWKINS BROCKELMAN 000035
GUINAN & PATTERSON
LAWYERS

June 28, 1994

Philip Moreland
Planning, Environment, Lands and Recreation
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Re: Comments on the April 1994 Draft Arizona Statewide Wild
and Scenic Rivers Legislative Environmental Impact
Statement

Dear Mr. Moreland:

We represent Clayton Jacobson, who owns property through which the Bill Williams River runs. The Bill Williams River is one of the Rivers included in the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (the "LEIS"). Mr. Jacobson owns most of the private land in Segment 2, nearly 600 acres. We have reviewed the Bureau of Land Management's draft LEIS dated April 1994, and offer the following comments. We find the report to be lacking in several important respects.

The draft LEIS does not adequately account for the historic and present uses of the property under consideration, and does not even acknowledge that the property may be put to far different uses in the future. Segment 2 consists primarily of domesticated and fenced private property. This land has been in its present private state for over 70 years. There are several wells with permits. Mr. Jacobson's property is posted and fenced, and the River meanders through it. Public access to the area and the River is plentiful and easy. There are three existing airstrips in use in the area. Another 5,000 foot runway has been cleared and rough graded, and will be paved. One of the existing airstrips and the airstrip to be paved are very close to the River. There are a number of mining claims in the area as well. At least 14 buildings are located along the segments 1 and 2 of the River; a number of those are within one-quarter mile of the River. Mr. Jacobson's land itself has houses and barn-like buildings. Other land in segment 2 has been used for agricultural purposes. Because a significant percentage of segment 2 is in private hands, it cannot be considered a "wild or scenic" public land or waterway.

TWO RENAISSANCE SQUARE • 40 N. CENTRAL AVENUE, SUITE 2100 - PHOENIX, ARIZONA 85004
(602) 271-4400 • FAX (602) 271-4100

470

Mr. Clayton Jacobson
June 28, 1994
Page 2

While Mr. Jacobson has not made final plans, he has considered several options, including a 12 acre lake (not in the immediate River bed), completion of the paved 5,000 foot runway, custom homes and recreational facilities. Mr. Jacobson has commented about these plans several times in letters to the BLM regarding the designation process.

35-1 According to the draft LEIS, Segment 2 would be classified as scenic. Segments 1 and 3, which fall within existing wilderness areas would be classified as wild. Designation of all three segments is inappropriate. As the Draft LEIS and appendix point out, ample protection for the public lands already exists. The three segments in the Bill Williams study area are already covered by management plans through the Wilderness Act, a portion of the Kingman Resource Management Plan, the Three Rivers Riparian Area of Environmental Concern, the Yusa District Resource Management Plan and the Bill Williams Riparian Management Plan. These management plans will govern use of the public lands in segments 1 - 3 regardless of action taken under the Wild and Scenic Rivers Act.

471 Because ample protection for the public lands already exists, and, as explained below, designation under the Wild and Scenic Rivers Act cannot affect private land, designation of segment 2 is inappropriate because segment 2 consists primarily of private land. In fact, 3.6 miles, or more than 60%, of segment 2 is private. As explained below, designation under the Wild and Scenic Rivers Act has no effect on private lands. Thus, at least two-thirds of segment 2 will be unaffected by this designation. Under these circumstances, designation serves no purpose.

35-2 We think it clear that the designation under the Wild and Scenic Rivers Act cannot affect private lands. Guidelines published by the Departments of the Interior and Agriculture regarding study and management of rivers to be named as Wild and Scenic that note "[m]anagement principles may apply to private lands only to the extent required by other laws such as local zoning and air and water pollution regulations." 47 Fed. Reg. 39,454. The BLM's regulations restrict only uses of land and water administered by the BLM, and not private lands. 43 C.F.R. § 8351.2-1(a). If the BLM disagrees with this interpretation of the regulations, it should say so in the final document. Finally, the inclusion of such a significant portion of land that

Response 35 - 1: Please refer to general response # 7 (Multiple Designations).

Response 35 - 2: The draft and final documents clearly state that the Bureau of Land Management has no authority to regulate or zone private lands and would not seek authority to do so (see the discussion of property rights in the scoping section of chapter I of the Bill Williams River legislative environmental impact statement.

Mr. Clayton Jacobson
June 28, 1994
Page 3

will not be affected in the study areas should also be justified.

The LEIS states that some 80 miles of the all of the rivers included in the LEIS run through private land. However, the LEIS fails to address the affect, if any, of designation on private lands, except in the Consultation and Coordination section, in response to questions from the public. This 80 miles constitutes a significant portion of the rivers studied. The fact that designation will have no effect on private lands should be stated earlier and more clearly. While the draft LEIS does state that designation under the Wild and Scenic Rivers Act should not affect existing uses of land, it does not acknowledge that there may be future uses of the land far different from those today.

Mr. Jacobson's plans will provide jobs and tax revenue to La Paz County, which badly needs such developments. Governmental authorities already own well over 90% of the land in La Paz County, foreclosing many opportunities for growth. Property such as Mr. Jacobson's is one of the few sources of tax revenue for La Paz County. Further restrictions on the use of the River or private land along it will be too burdensome for the residents of County. Such restrictions will reduce economic development opportunities in La Paz County, an area which needs to preserve and enhance every economic development opportunity it has.

While the BLM has pointed out that the federal government makes payments in lieu of taxes to La Paz County, it does not distinguish between the effect of economic development by private persons, which adds to the tax base, and the transfer of taxes paid to the federal government to the county government. Clearly, the former has a more beneficial impact on the economy. This point should be addressed in the LEIS. In addition, the final LEIS should remedy the failure of the draft LEIS adequately to account for any adverse effect on La Paz County as a result of designation. The report admits that designation under the Wild and Scenic Rivers Act may lead to a minimal increase in tourism, but fails to analyze the effect of any restrictions on development.

Nowhere in the draft LEIS or the appendix is consideration given to the effect of the adding yet another layer to the existing layers of management of the Bill Williams River. While the LEIS and Appendix state that dual status is not a problem because only the more stringent regulations are applied, there is no analysis of whether the Wild and Scenic Rivers Act provides

Mr. Clayton Jacobson
June 28, 1994
Page 4

more stringent regulation than does the existing regulations. This failure to analyze the effect of designation under the Wild and Scenic Rivers Act in connection with existing regulations should be remedied.

35-3

The draft LEIS notes that the federal government may attempt to acquire the private property along the Bill Williams River on a willing buyer-willing seller basis. The effects of this action should be considered, as the government's purchase of the property will take it out of private commerce. Given the substantial acreage in La Paz County already owned by the government, this action seems unwise. Furthermore, in light of the BLM's admission that designation of the Bill Williams River as wild and scenic is unlikely to cause more than a minimal increase in tourism, purchase of the private property seems to be an unwise expenditure of scarce resources.

Thank you for considering these comments.

Sincerely yours,

Leslie Ryan Cooper
Leslie Ryan Cooper

LXC:nrh

cc: Clay Jacobson

Writer's Direct Dial:
(602) 271-7459

**Response 35 - 3: Please refer to general
response # 6 (Land Acquisition).**

Richard E. Genser

000037

JUL 01 1994

June 30, 1994

Sir,

Cienega Creek should be recommended for the Wild and Scenic River System.

37-1

The Cienega Creek ecosystem is an extremely valuable riparian ecosystem, providing significant habitat for birds, endangered species and other wildlife.

Very truly yours,


R. Genser

3408 E. Fairmount

(602)321-9399

Tucson, AZ 85716

Response 37 - 1: Please refer to general response # 8 (Cienega recommended alternative).

000038

JUL 01 1994

PO # 345

Baraboo, WI.

53913

June 28, 1994

Dear BLM River Planning,

Thank you for a job well done. I have reviewed the Arizona Ditch and Irrigation Rivers Statement. In general, I am very concerned about western water practices on the health of waterways. Many rivers have been heavily channelized and diverted, thus destroying much habitat and its accompanying wildlife. Population growth in Arizona will continue to increase demands for water, and likely destroy more natural rivers. It is imperative that the modest number of remaining natural waterways be protected. Because of these aforementioned reasons, I support not only the "Proposed Action Alternative" but believe that the "All Suitable Alternative" is preferable.

Again, I strongly support protecting all river sections under your Proposed Action Alternative. Many of the reasons you cited for excluding certain rivers for inclusion seem inappropriate. Some rivers or segments were excluded merely due to a lack of threat to their integrity; the lack of a threat is never a reason to exclude a river from protection. Rivers with other sorts

Response 38 - 1: Please refer to general response # 1 (Alternatives).

of designations were often excluded from Wild & Scenic designation. Such an exclusion seems unjustifiable. The classification of a waterway under more than one designation would offer better protection for the resource. Many river segments with mixed ownership patterns were excluded from Wild & Scenic designation; this exclusion could be overcome through land transfers and similar strategies. I don't support excluding for any of the three prior mentioned reasons.

Again, thanks for a job well done. I support strong protection for all rivers listed in the Bratt study. Their protection will remove only a very small total acreage from resource extraction activities, and yet offer protection for very vital resources and natural communities. Thank you.

Sincerely,

Mark A. Bruns

000039 JUL 8 1994

June 30, 1994

Mr. Phil Moreland
Chief, Branch of Planning
Environment, Lands & Recreation
BLM Arizona State Office
3707 N. 7th St.
P.O. Box 16563
Phoenix, AZ 85014

Dear Mr. Moreland,

39-1

Your agency has recently come out with a list of rivers suitable for designation as "wild and scenic." You agency didn't list Cienega Creek, an oversight which I hope that you will correct.

Cienega Creek is one of the few remaining waterways in Arizona that only contains native species. As you know, most waterways now contain exotic species. In addition to the Gila topminnow, Cienega Creek is home to three other endangered species and fourteen species that are candidates for the endangered species list. It is a significant habitat for many species of birds, fish, and other wildlife.

Cienega Creek is indeed an outstandingly remarkable waterway. It deserves to be included on this list.

Sincerely,



Sue Wallace Cahn
8780 E. Piedad Bolivar
Tucson, AZ 85715

Response 39 - 1: Please refer to general response # 8 (Cienega recommended alternative).

6533 N. Central Parkway
Tucson, AZ 85715
July 2, 1994

JUL 05 1994

000042

Mr. Phil Moreland
Chief, Branch of Planning, Environment,
History and Recreation
BHM, Arizona State Office
3707 N. 7th Street
P.O. Box 16523
Phoenix, Arizona 85021

RECEIVED
SUN ARIZONA OFFICE
JUL 5 94
5:00 AM
PHOENIX, ARIZONA

Dear Mr. Moreland:

At the Tucson hearing on the suitability of Cienega Creek for inclusion in the Wild and Scenic River System and in the LEIS two basic reasons were given for recommending the proposed 0.5 mile segment of Cienega Creek as not suitable. These are that there are no threats to the free flowing value of the creek and that the area is currently managed as a conservation area and that even without Scenic River designation protective measures will have to be taken to safeguard the population of the endangered Gk. topminnow.

The existence or non-existence of an immediate threat is not relevant. A wilderness river could be considered suitable. Furthermore, in the longer term, Cienega Creek is threatened by inevitable population growth in the area and rapacious human water use, the same fate that has destroyed almost every other cienega riparian habitat and left Cienega Creek as the last, best cienega in the Southwest.

As such it is of great significance scenically and ecologically. The LEIS does recognize that the "entire area is prime wildlife habitat." (LEIS, Appendix, Vol. 1, Cienega, p. 13) Three endangered species are identified along with 13 species which are candidates for endangered status and 4 birds termed rare. Furthermore, the area

Response 42 - 1: Please refer to general response # 8 (Cienega recommended alternative).

42-1

is rich in life not yet on the endangered list. This is said to be the best, most diverse grassland administered by the Arizona BLM. The nearby Audubon Avifauna-Whittell Research Ranch Sanctuary has sighted more than 245 species of birds. Of 700 butterfly-moth species in the United States, 250 live in Southern Arizona. All depends on the area's water. Cienega Creek is critical to this rich biodiversity.

In defining the Gila topminnow as the only "outstandingly remarkable" value of Cienega Creek, the BLM is taking an inappropriately narrow position. If Cienega Creek were to be recommended for its "extremely valuable riparian ecosystem, providing habitat for birds, fish, endangered species and other wildlife" as was the Big Sandy River, scenic river designation would be appropriate. As mandated by Section 4(b) of the Wild & Scenic Rivers Act, wild and scenic status includes protection and enhancement of the values that caused the waterway to be included in the system. This would protect the ecosystem. Depending on the Gila topminnow is dangerously narrow. The Endangered Species Act is up for Congressional review. The Gila topminnow would no longer provide any protection if it either died out of Cienega Creek or became numerous enough statewide to be removed from the endangered list.

This unique scenic + biologically diverse Cienega waterway deserves the broadest possible protection. Cienega Creek should be included in the Wild and Scenic Rivers System.

Sincerely,
 Deborah Cassidy
 & Robert Cassidy

000043

JUL 05 1994

RECEIVED July 1, 1994
BLM AZ STATE OFFICE

JUL 5 1994

9:09 A.M.
PHOENIX, ARIZONA

Mr. Phil Moreland
 Chief, Branch of Planning
 Environment, Lands & Recreation
 BLM Arizona State Office
 3707 N. 7th St.
 P.O. Box 16563
 Phoenix, AZ 85014

Dear Mr. Moreland,

43-1

The Citizen's Coalition for Arizona Rivers has proposed that forty rivers in Arizona be designated as "wild and scenic". This proposal is sound and reflects the large amount of work that they have expended while studying this issue. I hope that you will agree with their finding that all of these waterways do deserve this designation.

Sincerely,



Sue Wallace Cabin
 8780 E. Placita Bolivar
 Tucson, AZ 85715

Response 43 - 1: The Citizen's Coalition for Arizona Rivers proposal was considered during the period when the Bureau of Land Management suitability assessment reports were prepared (February - September, 1993).

000046

JUL 05 1994

Sarah Palmer
2521 East 7th Street
Tucson, Arizona 85716
June 17, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

Dear Mr. Moreland:

I am writing regarding the Arizona Statewide Wild and Scenic Rivers LEIS. As you are aware Arizona's watersheds are critical habitats for numerous species including many that are endangered or threatened. Over 85% of Arizona's wildlife depends on our states' watersheds for survival. The increase in Arizona's population coinciding with the increased popularity of outdoor recreation necessitates establishing methods to protect our critical riparian habitats.

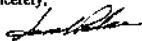
I urge you to reexamine the non-suitability status of Cienega Creek. This unique river provides numerous ecosystem services as well as habitat to several species of native fish. The residents of Arizona would suffer a great loss if Cienega Creek remains unprotected. If designated, changes in the management of Cienega Creek have the potential to occur, because Section 10(a) of the Wild and Scenic Rivers Act includes the protection and enhancement of the values that cause the river to be designated in the first place.

I also encourage you to re-evaluate the suitability of the Hassayampa River. This river supports one of the rarest forest types remaining in the United States - the cottonwood-willow forest. The risk of damming Box Canyon would be eliminated if the BLM designated a segment of the Hassayampa that includes Box Canyon.

Finally I urge you to take the initiative in designating at least the Arizona portion of the Virgin River as Wild and Scenic rather than as a study area. The Virgin River supports two federally endangered species of fish and without immediate action the habitat necessary to support these fish may be lost. Wild and Scenic designations by Utah and Nevada may shortly follow Arizona's designation.

Thank you for your time in considering these critical and essential changes in the Arizona BLM's management of our states priceless natural resources.

Sincerely,



Response 46 - 1: Please refer to general response # 8 (Cienega recommended alternative).

46-1

479

JUL 05 1994

000052

Mr. Moreland,

I wish to support the proposed "wild and scenic" designations for the 27 sections of 13 Arizona Rivers. Especially important are the San Pedro and Gila River proposals. I was surprised the Hassayampa River above Nickenburg was not chosen to be included.

In the 15 years I've lived in Arizona I have fished and rafted many of our streams and rivers. The importance of every riparian ecosystem cannot be overstated. These waterways must be protected.

Thank you for your attention and service.

Tom Ridgels
Tom Ridgels
4134 E. DOVER ST.
MESA, 85205

52-1

Response 52 - 1: Please refer to general response # 1 (Alternatives).

000053

JUL 8 8 1994
U.S. ARIZONA

RECEIVED
SILVER STATE OFFICE

JUL 6 '94

Lainie Levick
12120 E. Snyder Road
Tucson, AZ 85749
749-2960

July 4, 1994

Mr. Phil Moreland
Chief, Branch of Planning, Environment, Lands and Recreation
Arizona State Office, Bureau of Land Management
3707 N. 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

9:00 A.M.
PHOENIX, ARIZONA

Dear Mr. Moreland:

Thank you for the opportunity to comment on the Draft LEIS for the BLM's Statewide Wild and Scenic Rivers proposal. First I want to say that I am pleased that the BLM has recommended so many river segments for designation. Arizona rivers are extremely important to the ecology in the state, and deserve to be recognized and protected.

I am deeply disappointed that for several of the segments found unsuitable, it was noted that existing on-going management actions or other special status was sufficient for protection. This cannot be assumed since those management policies can be changed, leaving the river with no long-lasting legislative protection.

Cienega Creek is an example of a river that deserves and desperately needs the protection afforded by Wild and Scenic designation. It is one of the last remaining intact cienegas in the Southwest and contains several types of native fish, some of which are endangered. One of the justifications in the LEIS for non-designation is that the Creek is protected under the Endangered Species Act as critical habitat. This may be true; however, the Endangered Species Act is currently being reviewed by Congress and is also being heavily attacked by the so-called "wise-use" people. If any of their attempts to weaken the Act are successful, Cienega Creek will lose most of its protection.

Cienega Creek meets all of the criteria for suitability as a Wild or Scenic River. It has numerous outstandingly remarkable values, including its striking beauty, rich native fish population, lack of exotic fish species, and significant habitat for birds, and other wildlife. It is not only an extremely valuable riparian ecosystem to the region, it is also nationally significant as a rare cienega-type river.

In addition, none of the land ownership problems exist that would preclude effective management as a Wild and scenic river. Your assumption that Cienega Creek's free flowing character is not threatened is not guaranteed in the long term. That area is growing rapidly and ground water pumping is increasing. This, along with accompanying increased land use from ranching and mining, will impact and degrade inflow to Cienega Creek. Wild and Scenic River status is the only type of legislative

Response 53 - 1: Please refer to general response # 8 (Cienega recommended alternative).

53-2

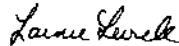
protection that can guarantee the preservation of the quality and quantity of the water in the Creek. It is for all of these reasons that I believe Cienega Creek should have been included in the BLM's recommendations for suitability as a Wild and Scenic River.

Another decision that I disagree with is the designation of the San Pedro River as a recreational river. This river should have been designated a scenic river. Current development along the river banks is minimal, and classification as recreation will probably allow the kinds of development that will result in the degradation of the shoreline and the river.

I hope that your decisions regarding these two rivers were not a result of pressure from mining or ranching interests. The only negative impact from including both as Scenic rivers would be to those two industries. The beneficial impacts, on the other hand, would be the long term legislative protection of unique public land for fish and wildlife habitat. This is significant, especially since over 90% of our state's riparian areas have already disappeared. Leaving protection to "ongoing management actions" is not good enough. These places are rare and special in their beauty.

I hope the BLM will reconsider these two decisions. The health of Southern Arizona may depend on it. Thank you for your work so far in protecting these areas.

Sincerely,



Lainie Levick

cc: Congressman Jim Kolbe
Congressman Ed Pastor
Senator Dennis DeConcini
Senator John McCain
Mr. Bruce Babbitt

**Response 53 - 2: Please refer to general
response # 11 (Suitability Determinations).**

54-1

Dear Mr. Moreland,

000059

E. 01/1984

I am writing w/ regard to the Draft Environmental Impact statement for the Arizona Wild and Scenic Rivers Proposal. As a concerned citizen of Arizona, committed to preserving the natural heritage that makes our state so beautiful and diverse, I would like to applaud the efforts of the Bureau of Land Management in compiling the list of rivers to be protected under the Wild & Scenic Rivers Act.

However, I am disappointed that Cienega Creek has been deemed unsuitable. No real explanation was given; the decision seems to rest on a lack of "outstandingly remarkable values" supporting suitability.

I visited Cienega Creek recently and picked up a ^{BLM} brochure on the Empire-Cienega Resource Conservation Area. It touts the intrinsic recreational value of the area; yet, inexplicably, the BLM did not count recreation among the "outstandingly remarkable values" on the chart in the EIS.

I believe Cienega Creek offers plenty of reasons to support suitability. It is a rare remnant of the "Cienega" phenomenon, once fairly widespread in Arizona. These spring-fed streams are remarkably unique in the Southwestern desert; Cienega Creek is an oasis of cottonwood-willow wetland hidden away in the dry ~~open~~ landscape. It provides a habitat for three species of native fish two of which are threatened or endangered. Especially remarkable is the lack of exotic species in the stream - very unusual in a state where exotics have helped destroy several native species and endanger many more.

The BLM maintains that Cienega Creek is not threatened in any way, so designation would not provide any additional protection or change in management plan. It is true that Cienega Creek seems to be recovering, under BLM management, from past depletions. The area has suffered from overgrazing in the past (as has most of

-1-

Arizona's riparian habitat), and at one point the land was owned by a mining company. There is no way to predict with certainty what future threats may arise. It seems to me the whole point of the Wild & Scenic Rivers Act is not so much to address existing threats or crises, but rather to protect remarkable areas from potential future threats.

All things considered, I would suggest a designation of "Scenic" for the Gueyga Creek area. Its status as a Gueyga alone should be sufficient for suitability. Adding in the recreational and biodiversity aspects of the debate, a strong case exists for protecting Gueyga Creek for future generations. I would urge the BLM to take such appropriate action.

Sincerely,

Randy

Randy Swygla

Response 54 - 1: Please refer to general response # 8 (Cienega recommended alternative).

-2-

483

000055

01 06 1994

RECEIVED
BLM, AZ STATE OFFICE

JUN 6 '94

Dear Mr. Morehead:

This letter is in regards to your draft Arizona
Statewide Wild and Scenic Rivers Legislative Environmental
Impact Statement.

I have looked over the LEIS and, on the whole,
agree with it. I do, however, have one problem:
the classification of Cienega Creek as "unsuitable
for designation". I disagree with the assignment of
only one outstandingly remarkable value - fish and
wildlife habitat - to Cienega Creek. In a brochure
put out by the BLM, the Cienega Creek area is
described as a nature lover's paradise: lush six foot
tall grass, the largest Emery Oak in the United States,
one of the most significant Riparian zones in South
west Arizona, rich historical evidence left by Native
Americans over 5000 years ago, and not to mention
unlimited recreational opportunities. I would think
these qualities might earn Cienega Creek some outstand-
ingly remarkable value besides "Fish and Wildlife Habitat".
I visit Cienega Creek occasionally, and I hope
that you will keep it in its near-pristine
condition for me and my children and grandchildren.

Sincerely,
Hoyt Herndon

**Response 55 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

55-1

484

RECEIVED
AZ STATE OFFICE

JUL 6 '94

9:00 A.M.
PHOENIX, ARIZONA

000058

July 4, 1994

1025 Clubhouse Dr.
Prescott, AZ 86303

Mr. Phil Moreland, Chief
Planning, Environment, Lands and Recreation Branch
Arizona State Office
Bureau of Land Management
1707 N. 7th St., P.O. Box 16563
Phoenix, AZ 85014

Dear Mr. Moreland,

58-1

I would like to comment on the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement, dated April 1994. In particular I would like to express support for including the analyzed stretches of the Hassayampa River in the Wild and Scenic Designation.

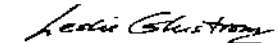
As pointed out in the May 10, 1993 Draft Amendment to the Phoenix resource Management Plan, the Hassayampa meets "the criteria that a river segment must be 'free flowing' and must possess at least one river-related value considered to be 'outstandingly remarkable.'" As the Draft Amendment states, "Both the Agua Fria and the Hassayampa Rivers are representatives of desert riverine ecosystems having outstanding ecological or other values." (p. 5, Draft Amendment)

This assessment of the uniqueness of the Hassayampa River is repeated in the Draft EIS for the Hassayampa River on p. 2 where it states, "The river is free-flowing and has outstandingly remarkable scenic, and fish and wildlife habitat values." These statements as well as my own experiences in the Hassayampa confirm the remarkable characteristics of the Hassayampa River. While the River has been badly damaged by inappropriate mining and livestock grazing practices, it is still a remarkably beautiful and biologically rich area. I urge the BLM to focus on the 72% of the river that it does own and give this river the management attention it deserves. While it is true that the BLM does not have full control of the land along the Hassayampa, that does not mean that it should abdicate the responsibility to manage this truly remarkable river in accordance with the Wild and Scenic Rivers Act.

In general I support the Proposed Action Alternative, particularly the inclusion of the Agua Fria, the Big Sandy, the Bill Williams, Burro Creek and the Santa Maria Rivers. I am less familiar with the rivers of southern Arizona, but I am glad to see the proposed action alternative including the rivers mentioned above. Now, all that is needed is to include the Hassayampa River! (NOTE--I believe the Forest Service inappropriately excluded the Hassayampa from its eligibility study and I am presently working to get it reinstated. The upper Hassayampa is also remarkable and I believe the Forest Service was using erroneous requirements related to perennial flow when it excluded its segment of the Hassayampa.)

Thank-you for this opportunity to comment.

Sincerely,



Leslie Glustrom

Response 58 - 1: Please refer to general response # 1 (Alternatives).

RECEIVED
BLM AZ STATE OFFICE

00005U

JUL 6 '94

9:00 A.M.
PHOENIX, ARIZONA

Mr. Phil Moreland
Bureau of Land Management
3703 N. 7th St.
Phoenix, AZ 85014

730 N. Perry Ave.
Tucson, AZ 85705

Dear Mr. Moreland:

I am writing this letter in support of including Cienega Creek in the BLM proposal for Wild and Scenic Rivers designation — under the "Scenic" category. It is an outstanding area with regard to preservation of Arizona's biological heritage, and deserves long range protection from the increasing development in the area.

John Hopkins
John Hopkins

Response 59 - 1: Please refer to general response # 8 (Cienega recommended alternative).

00006U

6-1934

RECEIVED
BLM AZ STATE OFFICE

JUL 6 '94

9:00 A.M.
PHOENIX, ARIZONA

July 22, 1993

BLM
3707 N. 7th Street
PO Box 16563
Phoenix, AZ 85011

Mr. Herman L. Kast
Deputy State Director
Lands and Renewable Resources

Dear Herman,

Reviewing your letter of July 9 requesting comments about the draft Amendment and Environmental Assessment of Section C of the Bill Williams River, I am strongly in favor of the classification that would best protect it from any and all development.

Most information I have seen says that only ten percent of the rivers and riparian areas are left in Arizona. Whatever the percentage may be, I favor protecting rivers from all future mining, dams, logging, grazing or any type of development that causes further loss of disappearing wetlands.

*all
Rivers*

The line must be drawn now, too much has already been lost. I encourage you to do everything possible to keep these rivers "wild."

Respectfully

William W. Sowle
William W. Sowle
803 W. Marshall Ave.
Phoenix, AZ 85013-1732

433-9541 h.

C. *Mr. Phil Moreland* 7-5-94

59-1

486

JUL 08 1994

000061

RECEIVED
BLM AZ STATE OFFICE
JULY 1994

Dear Mr. Moreland, July 6 '94

I am writing in response to the Draft Environmental Impact Statement for the Wild and Scenic Rivers legislation.

I have read the statement and overall I found that the BLM did a good job. I did notice that Cienega Creek was omitted from designation. According to the chart for Outstandingly Remarkable Values, Fish and Wildlife Habitat is the only category marked. There are two other categories that I believe should be marked. First is Aquatic. Cienegas are very unique aquatic environments. They are also fragile and heavily influenced by grazing, mining, or anything else that clears the uplands around them or the area right around the water. Secondly, Recreation was not marked. Last time I visited the Empire-Cienega Resource Conservation Area I picked up a brochure written by the

61-1

Response 61 - 1: Please refer to general response # 8 (Cienega recommended alternative).

BLM stating: "opportunities for recreation and nature study are limited only by your capabilities and desires. Hiking, camping, horseback riding, photography, painting, bird watching, bicycling, picnicking and hunting are a few possibilities".

Cienega Creek is the home of three species of native fish with no exotic species to eat them up. The Gila Gopmennow, which is federally endangered, the Gila Chub is state threatened and federally a candidate for endangered. We should be preserving their environment, not ignoring it.

I enjoy visiting Cienega Creek very much and find the wildlife both beautiful and fascinating. I would like to continue to see the animal and plant life for years to come. I would like others to be able to enjoy the area. I believe Cienega Creek should be designated as scenic under the

Wild and Scenic Rivers proposal.

Sincerely,

Paula J. Arquist
PAULA ARQUIST

Summary 000062

62-1

Cienega Creek - Not Recommended for
Designation as a Wild and Scenic River
by the Bureau of Land Management

1. "The segments [studied] are not nationally significant, there are no threats to free flowing values or outstandingly remarkable values, and no additional protective management needed for habitat of endangered Gila topminnow."
2. "No substantial changes in management would occur if river segments were added to NWSRS."

(U.S. Department of the Interior, Bureau of Land Management,
Draft Arizona Statewide Wild and Scenic Rivers Environmental
Impact Statement, p. 13) (LEIS)

Summary of views of hydrologists, biologists and
conservationists consulted:

1. As one of the last + best Cienega Creeks remaining in the Southwest, it is of outstanding scenic value.
2. As one of the last creeks in Arizona with only native fish and no exotic fish, it is of outstanding value.
3. As an essential part of a very complex and rich ecosystem, juxtaposing a marshy creek with one of the most diverse remaining stands of semi-desert grasses, it is of outstanding value.
4. Current BLM management is friendly to conserving the scenic and ecological values of the Creek. However, after 6 years of jurisdiction over the area, still no comprehensive management plan has been written to extend or refine, or make policies

Response 62 - 1: Please refer to general response # 8 (Cienega recommended alternative).

Summary 2

more longlasting. Nor has the BLM decided to designate Cienega Creek as an "Area of Critical Environmental Concern (ACEC)" which would offer additional protection.

5. Scenic River designation would add protection, change management policies, and institutionalize protection for an important scenic and ecological resource of "outstandingly remarkable" value (in the words of the L&S).

Comments from the public are welcomed until July 7, 1991.
Letters or fax to:

Mr. Phil Moreland
Chief, Branch of Planning
Environment, Lands and Recreation,
Arizona State Office, BLM
3707 N 7th Street
PO Box 16563
Phoenix, AZ 85014
Fax: 602-650-0452

Cienega Creek

Recommended "Not Suitable" for Wild and Scenic River Designation by the Bureau of Land Management.

Cienega Creek drains much of the Santa Rita and Whetstone Mountains and eventually enters Pantano Wash. Two segments of the creek have been studied by the Bureau of Land Management (BLM) in the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement (LEIS) for potential designation as a Wild and Scenic River. The study area contains 8.5 miles along Cienega Creek, one mile on Matto Canyon and one mile along Empire Gulch for a total of 10.5 miles + encompassing 3,250 acres. Ten of these miles are currently administered by the BLM, one half mile by the State of Arizona.

The only aspect of Cienega Creek the BLM judged "outstandingly remarkable" was its habitat for the endangered Gila topminnow, *Pseudopsis occidentalis*. The BLM maintains that no substantial changes in management practices would occur if Cienega Creek were to be designated a Scenic River. If feels that BLM management and any action necessary to protect the Gila topminnow will preserve the creek in the future.

Cienega Creek is one of the last and best cienega waterways in the Southwest. As such, its scenic value is outstanding with riparian and cienega vegetation juxtaposed to a remarkably diverse stand of semi-desert grasses. Huge Fremont cottonwoods, *Artemisia tridentata*, velvet ash and Arizona walnut.

cuttings, + rushes hug the creek while stands of big sycamore and other perennial grass species stretch out toward the surrounding mountains.

The biodiversity of the area is not in dispute. In addition to its recognition of the endangered Gila top minnow and other native fish in a creek free of exotic species, the LEIS lists 3 other endangered and 14 candidates for endangered species among the fish, birds, mammals, + amphibians of Cienega Creek. Four other birds are termed rare. Moreover, the locality abounds with life not yet on the threatened lists. This is said to be the best, the most diverse grassland administered by the Arizona BLM. The Creek is one of the few Arizona waterways with only native fish. The nearby Audubon/Appleton-Whitall Research Ranch Sanctuary has a list of more than 250 species of birds sighted. The region is rich in butterfly + moth species. All depend on the creek's water.

Although the LEIS states that the "entire area is prime wildlife habitat (LEIS, Appendix, Vol. 1, p. 13), the BLM is not recognizing the value of Cienega Creek's crucial role in the biodiversity of the area. By not recommending the proposed segments of Cienega Creek for Scenic River status, the BLM is taking a passive stance. Because the LEIS so narrowly defined the Creek's "outstandingly remarkable" value as only the existence of the Creek's large population of the endangered Gila top minnow, the BLM contends that the top minnow will be adequately protected by the Endangered Species Act. The BLM also contends that management to protect

3

the Gila top minnow will effectively protect the entire Cienega ecosystem. Moreover, the BLM maintains that management practices would not change substantially if Cienega Creek was designated a Scenic River.

There are problems with this position. The general agreement among the hydrologists, biologists, and conservationist consulted was that Scenic River status, although not a guarantee of preservation, would provide important additional protection for the habitat.

First, Wild + Scenic status includes protection + enhancement of values that caused the waterway to be included in the system, as mandated by Section 10(a) of the Wild + Scenic Rivers Act. If Cienega Creek were to be recommended for its "extremely valuable riparian ecosystem, providing habitat for birds, fish, endangered species and other wildlife" as, for instance, the Big Sandy river is to be recommended, the Scenic River designation could offer broader protection for this ^{the} remnant of Arizona's Cienega ecosystems. (LEIS, p. 12)

Furthermore, the LEIS states that as a Scenic River "downstream flow would be quantified, ARI assessment would be completed to secure instream flows to protect outstandingly remarkable values" (LEIS, Appendix, Vol. 1, p. 10) This is not being done currently by the BLM. It is widely agreed that future threat to Cienega Creek comes from potential drawdowns due to water rights development in the area.

Since the acquisition of the Empire/Alameda Ranch in 1988, the BLM's goal has been the management to protect scenic and ecologic values. In the initial acquisition agreement, mining activities were prohibited. There is some potential for gravel extraction, but that seems remote to the BLM. Grazing has continued and would continue with Scenic River designation, but the management has been conscious of the goal of protecting the ecosystem. Some resurgence of young cottonwoods and willow has been noted.

Despite current positive BLM: , some question why no overall management plan has been developed over the 6 years of BLM tenure. Reorganization and budget problems have interfered, to be sure, but no plan suggests a low priority for a comprehensive plan. Again, with water rights so crucial, the question has been raised as to why the BLM is only now, after 6 years, filing a water claim.

Scenic River designation could institutionalize protections that under BLM management depend on the enlightened policies of particular administrators.

A drawback to Scenic River designation could be increased human use. As the BLM projects a 20% increase from the current >2500 visitors per year (LIEIS, p 92-3) The BLM does not seek to encourage increased use of Scenic Rivers, but publicity accompanying such status tends to more visitors. No time frame is indicated for the increase.

Response 62 - 2: Assumption 3, in chapter 4 of the statewide volume, identifies a 20-year life for the analysis of impacts. Thus, the 20 percent increase would occur over this period.

Comments from the public are welcomed
until July 7, 1994

Send letters or fax to:

Mr Phil Moreland
Chief, Branch of Planning, Environment, ^{Recreation} Lands &
BLM, Arizona State Office
3707 N 7th Street
PO Box 16563
Phoenix, AZ 85014
Fax: 602-650-0452

There is an "Arizona Highways" article on the
Empire Ranch, April, 1994 pp 52-55

000066

JUL 07 1994

July 7, 1994

Because of the effect it would have on me personally I vote for NO ACTION on all Wild & Scenic Rivers studies.



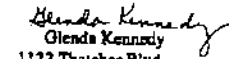
James L. Kennedy
1122 Thatcher Blvd.
Safford, AZ 85546

000066

JUL 07 1994

July 7, 1994

I vote for NO ACTION all of the Wild and Scenic Rivers studies.
The effect it would have on me personally, is why I vote NO ACTION.



Glenda Kennedy
1122 Thatcher Blvd.
Safford, AZ 85546

00006a

JUL 07 1994

July 6, 1994

Mr. Phil Moreland, Chief
Branch of Planning
Arizona State Office
P.O. Box 14563
Phoenix, Arizona 85014

Re: Draft - Wild and Scenic Rivers Legislative Environmental
Impact Statement

Dear Mr. Moreland:

Thank you for the opportunity to respond to the Wild and Scenic Rivers
Legislative Environmental Impact Statement. I will limit my response
to those rivers and streams located in my area. These rivers are as
follows:

Lower San Francisco River
Gila River (Gila Box)
Benita Creek
Aravaipa Creek
Turkey Creek

68-1 My decision to support the No Action Alternative is based on the
fact that all of the areas being designated are currently under
adequate management as Wilderness, BLMCA, or ACEC. Further management
would only bring conflicts in management practices and require
additional studies to determine the implementation of the rules of
management. In the interim of determining these rules, the potential
for conflict in use exists.

By implementing the No Action Alternative (leaving things as they
are now) as stated in the Document conclusions, there would be no
direct adverse impacts on:

- 1) Outstandingly remarkable scenic values (page 109)
- 2) Outstandingly remarkable recreational values (page 110)
- 3) Outstandingly remarkable geologic values (page 110)
- 4) Outstandingly remarkable fish and wildlife habitat and
aquatic habitat values (page 112)
- 5) Outstandingly remarkable cultural and historical values
(page 112)
- 6) Outstandingly remarkable hydrologic values (page 112)
- 7) Minerals development (page 113)

68-2 Likewise by implementing the Proposed Action Alternative the (3)
outstandingly remarkable geologic values (page 110), the (4)
outstandingly remarkable fish and wildlife habitat and aquatic habitat
values (page 112), the (5) cultural and historical values (page 112),
and the (6) hydrologic values (page 112), would receive no greater
protection by this legislative action than currently exists under the
No Action alternative.

68-3 In the Proposed Action Alternative, however, there would be an
effect on the minerals development in Graham and Greenlee counties.
Thirty two percent of our economy currently depends on the mineral
industry. That translates to \$ 59 billion annually. There are plans

**Response 68 - 1: Please refer to general
response # 7 (Multiple Designations).**

**Response 68 - 2: Please refer to general
response # 9 (River Study Area Protection).**

**Response 68 - 3: Please refer to general
response # 12 (Visual Impacts).**

currently being made to develop two new mines in the general area of the proposed designated areas. We feel that these new mines will be affected by the "intent" of this proposed action which says that there will be no "visual impairment" to the outstanding attributes. Obviously mining has a visual impact on scenic values. Even a mine two miles from the river will be visible from the designated corridor. We feel that the proposed action may prevent the development of these mines which will mean the loss of at least 1000 direct jobs and an additional 4000 indirect jobs and an annual payroll and taxes of \$ 98 million to our community. This could be devastating in the future as population increases and the other jobs decrease.

68-4

In addition to the above impacts, the implementation of the Proposed Action will also affect agriculture in our area which provides 30 percent of the Graham county annual economy and \$ 21 million per year. We feel that the intent of the Action will be to protect water flows so that habitat and scenic values are not decreased. The Act says that "every wild, scenic or recreational river in its free-flowing condition, or upon restoration to this condition, shall be considered eligible for inclusion." We feel that this could mean that diversion dams upstream from the designated area may be at risk or if they are damaged by floods, could not be repaired in order to allow the river to be within the law of free-flowing. Without irrigation, agriculture as we know it today would be lost.

Response 68 - 4: Please refer to general response # 2 (Economic Impacts).

68-5

Agriculture would also be threatened by the Proposed Action to protect fish habitat which must also depend on water flows. The Proposed Action would seek to "eliminate exotic fish" in the rivers which would mean that native fish species would be encouraged. No one knows exactly which species are truly native and providing a habitat for such species may require more available water than currently exists because of our current agricultural industry. By eliminating the catfish and bass which are exotic species, the tourist fishermen to our rivers would be greatly affected by the Proposed Action.

Response 68 - 5: The exotic fish elimination effort is an ongoing activity that would occur regardless of wild and scenic river designation.

68-6

The Proposed Action would have a significant effect on the City of Safford's water supply. The predominate source of water comes from Bonita Creek from collection systems which have been in place for 50 years. The Proposed Action would prevent these facilities from being repaired if damaged by flooding. Legislative action would be required to allow the city to develop a new reliable water source and could take as much as 25 years to resolve and costs millions of dollars.

Response 68 - 6: The recommended alternative reflects your concerns over the Safford domestic water supply in its recommendation that the wild and scenic river segment terminate at Lee Trail upstream of the city water facility.

In reviewing the No Action alternative for each of the above listed areas, it is clear that they can be properly managed under present BLM management without additional federal expense and with no impact on our economy and traditional land and water use.

Thank you for your consideration .

Respectfully,
Charles S. Eady
Charles S. Eady

496

JUL 07 1994

10914 Palmeras Drive
Sun City, AZ 85375
July 5, 1994

000069

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, BLM
3707 North 7th St.
P. O. Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

Re: Comments on BLM Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement

The Sun City Hiking Club is concerned about the preservation of certain Arizona river environments because we hike there, derive renewal and pleasure from the opportunities to experience natural settings, and want to protect the natural heritage of Arizona from the anticipated huge future population growth.

Positive comments on the LEIS:

1. We commend the study for pointing out the outstanding ecological significance of the rivers of Arizona and
2. The importance of protecting headwaters and tributaries.

Concerns about the LEIS:

1. We trust you will give proper emphasis to Section 5(d) of the Wild and Scenic Rivers Act which requires all federal agencies to consider potential national wild and scenic and recreational river areas in all planning for the use and development of water and related land resources.
2. We question some of the individual findings on non-suitability, though we have general praise for the selection of a Proposed Action Alternative which recommends 27 segments in 13 river study areas as suitable for designation.
3. We are deeply concerned about the lack of explanation of the relative protections afforded rivers by wilderness status, national conservation status, wild and scenic river status, status as an ACEC, and other special status. This is a major flaw.
4. BLM should include with each individual recommendation of non-suitability the reason for such a recommendation, or you are not living up to the responsibility under NEPA.

Specific river comments:

69-1

1. HASSAYAMPA RIVER: Request re-evaluation of suitability to stop proposals to build a dam in Box Canyon, strongly opposed by local residents. Private land ownership along the river is not an automatic bar to finding of suitability. BLM should explore defining a segment that would include Box Canyon.

69-2

2. SAN PEDRO RIVER: We request it be classified as "scenic", instead of "recreational". The shoreline is still largely undeveloped. Please refer to Section 2(b) and Section 8351.32A2, which allow this.

69-3

69-4

5. VIRGIN RIVER: Disapprove "Study River" designation. Designate AZ's part now.

Ray Prendergast, Conservation Chair *Ray Prendergast*

Response 69 - 1: Please refer to general response # 9 (River Study Area Protection).

Response 69 - 2: There currently are no plans for dam construction at the Box Canyon. Any proposed dam project at Box Canyon on federal land would require completion of environmental compliance documents, with public review and comment. Also, see the river appendix volume for the impacts on dam construction from implementation of the Hassayampa River alternatives.

Response 69 - 3: Please refer to general response # 11 (Suitability Determinations).

Response 69 - 4: Please refer to general response # 1 (Alternatives).

JUL 07 1994

000070

Mr. Phillip Moreland
BLM, ARIZONA STATE OFFICE
Phoenix AZ 85014

July 1, 1994

Dear Mr. Moreland,

I am writing to urge you and the BLM to consider including Cienega Creek under in the Wild and Scenic River proposal. First, this home to two endangered fish species native to Arizona: the Longfin Dace and the Gila Topminnow. Secondly, it is an outstanding example of how damaging cattle grazing can be to riparian areas and, when left alone, how natural processes can be utilized to restore such areas to full health. The BLM is currently doing an outstanding job working with local ranchers in allowing the creek to undo the damage of the last 100 years. This must be allowed to continue. Thank you for your time and consideration.

Don Z. Sell

DAVID GUNDLACH
AZLCCV

Response 70 - 1: Please refer to general response # 8 (Cienega recommended alternative).

70-1

498

JUL 07 1994

000071

Mr. Robert G. Kahl, MBA, CPA
6161 E. Grant Road, #14104
Tucson, AZ 85712
(602) 886-5624

July 4, 1994

Mr. Phillip Moreland
Branch Chief
Bureau of Land Management
P.O. Box 16563
Phoenix, AZ 85011

Re: Draft Statewide Wild and Scenic Rivers Legislative
Environmental Impact Statement

Dear Mr. Moreland:

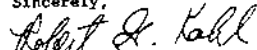
71-1

I would like to encourage you to include Cienega Creek as a designated "wild and scenic" river. The BLM apparently left it out as a designated river because it does not appear to be in imminent danger.

I believe that Cienega Creek should be designated as "wild and scenic" given its unusual nature, especially here in southern Arizona. Several friends of mine have made positive comments about the area. I intend to go for a day hike there myself after the weather gets a little cooler.

I hope that you will consider the status of Cienega Creek in your Environmental Impact Statement.

Sincerely,



Robert G. Kahl

cc: Sen. Dennis DeConcini
Sen. John McCain
Rep. Jim Kolbe

**Response 71 - 1: Please refer to general
response # 8 (Cienega recommended alternative).**

JUL 07 1994

000072

Mr. Phil Moreland, Chief
Branch of Planning, Environment, Lands and Recreation
Arizona State Office
3707 N 7th Street
P.O. Box 16563
Phoenix, AZ 85014

Dear Sir:

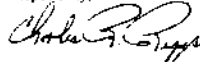
I am a member of the Tucson Rough Riders and the Arizona State Association of 4 Wheel Drive Clubs and I attended the public hearing held in Tucson on the Wild and Scenic Rivers. I feel that we have enough wilderness area in the United States and particularly in Arizona. This Wild and scenic Rivers proposal is just another step in the making of all public lands into wilderness, and I strongly disagree. The BLM and the Forest Service are unable to afford the parks and wilderness areas we already have.

More people are moving into Arizona everyday and the need for recreational areas is increasing. Closing more of the public lands is not going to solve the needs of these people for recreational areas it, will only increase the use in the remaining smaller areas resulting in more damage from excessive use.

Only the non-handicapped, elite with lots of time will be able to see these areas. There have been recent federal laws enacted (Americans with Disabilities Act) to enforce the easy access of public areas for the handicapped. Increasing the areas that can only be accessed on foot will limit the access in these areas to only the non-handicapped. There are heavy penalties when business establishments do not conform to the ADA laws and limiting access to public lands for only the healthy seems to be in direct violation.

I urge you to take the no-action alternative on this issue and allow all Americans the chance to see these areas if they so choose.

Respectfully,



Charles R. Riggs
5330 W. Paseo del Barranto
Tucson, AZ 85745

Response 72 - 1: The Bureau of Land Management would fully comply with the Americans with Disabilities Act. Specific details of this compliance would be addressed in appropriate management plans developed for rivers selected for designation by Congress.

000

72-1

JUL 07 1994

000073

Dear Phil,

July 5, 1994

re: Wild and Scenic Rivers

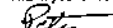
I feel very good about the suitability findings the BLM has made for various Arizona rivers so these rivers may be protected by the federal Wild and Scenic Rivers Act.

73-1

However I noted one exception, Cienega Creek. I strongly urge you to include Cienega Creek for scenic designation. This would guarantee permanent protection of the values found on the creek today.

I'm sure you're aware Cienega Creek is one of the last and best examples of a wetland community, it remains a relatively intact cienega. Additionally Cienega Creek is home to the largest known population of Gila topminnow in the U.S., a federal endangered and state threatened fish species.

Thank you for considering this request.



Peter Ianchiou 802.570.2513

626 E. 6th Street
Tucson, AZ 85705

Response 73 - 1: Please refer to general response # 8 (Cienega recommended alternative).

JUL 07 1994

000074

Bright and Joel Rea
2350 Tyler Street
Eugene, Oregon
97405
July 4, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 N. 7th St.
P.O. Box 16563
Phoenix, Arizona
85011

Mr. Moreland and Arizona BLM:

Rivers in Arizona truly are the lifeblood of Arizona. As riparian corridors they support large-scale flora and fauna biodiversity, while continuing to change and form the arid landscape Arizona is famous for. We are now at a point in history where we have to make some hard decisions. Either we designate and support wild and scenic rivers for the people of Arizona, or we turn away from what is legislatively, biologically and morally correct and allow modernization, development and improper land-use activities to continue degradation of the natural environment for the monetary enrichment of the minority intensive land-use industries. These natural lands have no boundaries, only designations sprawled-out on maps. As public lands they must be managed for the entire public with the interest of protecting wildness. As a civilization we are connected to nature as beasts - not masters.

Don't think that the input of Bright and Joel Rea is insignificant. We have both been residents of Arizona and we plan on making Arizona our future permanent residence. We have both helped the Arizona Rivers Coalition in their quest for an Arizona Wild and Scenic Rivers Bill. Bright spent several months as a volunteer for the Arizona State Fish and Wildlife Department in the Bald Eagle Watch program, during which time she was on a remote section of the Tonto River helping to restore the endangered bald eagle. Joel spent a week and a half with a group from Prescott College in the rugged Tonto River canyon between Gisela and Hell's Gate and he also surveyed Wright Creek, Big Sandy River and Bill Williams River for the Arizona Rivers Coalition. We have both lived on the Blue River and we have extensively hiked the Black River, the Gila River, Leonard Canyon, Oak Creek, West Fork of Oak Creek, Sycamore Creek, West Clear Creek and Wet Beaver Creek. We have both witnessed and cursed the vandalization of archaeological sites and streambank degradation from cattle grazing and improper visitor use of our rivers. We are saddened by

the tremendous forces threatening our natural resources, but hopeful that a wild and scenic river bill would create a landmark opportunity for river preservation. Bright and I plan on returning to Arizona in a few years and we would like to see our rivers protected with an extensive Arizona Wild and Scenic Rivers Act.

We would like to make some comments concerning the BLM Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement.

1. The Wild and Scenic Rivers Act section 5(d) requires all federal agencies to consider potential national wild, scenic and recreational river areas in all planning for the use and development of water and related land resources.

2. Procedure is to: Evaluate the eligibility of potential wild and scenic rivers, classify eligible rivers as wild, scenic or recreational and institute plans for interim protection, and most importantly assess the suitability of eligible rivers for inclusion.

74-1

3. In the BLM Draft Arizona Statewide Wild and Scenic Rivers LEIS one of the alternatives is for "Legislative Protection". This is not a suitable designation for rivers not already protected by wilderness or national conservation status - There can be no substitution for wild and scenic river protection, so do not grant suitable eligible rivers with "Legislative Protection."

74-2

4. For each river that the BLM recommends as "non-suitable" the reasons must be given for such a recommendation. The public needs to be informed of such decisions and it is the responsibility of the BLM, under NEPA, to insure the publicity of these reasons. Also, if there were to be overwhelming public opposition to a BLM decision there should be a reverse decision in the Final EIS.

74-3

5. The Gila Box Riparian National Conservation Area Management plan is not final, as thoroughly stated in the Draft LEIS. Management actions taken from the draft plan must be identified as draft-only when described in the final LEIS.

We have several concerns about individual river study areas and by the time a final LEIS is submitted to the Secretary of the Interior we hope that the BLM will have seriously re-evaluated our concerns.

74-4

CIENEGA CREEK: Cienega creek is a rare cienega-type river with native fish, the last in the Southwest without the presence of exotic fishes. For this reason alone Cienega Creek should be regionally and nationally recognized with Wild and Scenic River designation. Under designation Cienega Creek would have its natural attributes protected as mandated

Response 74 - 1: Please refer to general responses # 1 (Alternatives) and # 9 (River Study Area Protection).

Response 74 - 2: The legislative environmental impact statement analyzes the environmental impacts of the implementation of reasonable alternatives formulated to respond to issues identified in public scoping. The basis, or reason, for determining a river study area suitable or not suitable was identified and discussed in the Bureau of Land Management suitability assessment made available to Congress and the public in September, 1993.

Response 74 - 3: In the foreword, under the section, Other Considerations, the statement is made that for the "purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation will be approved" (p. ii). In the case of the Gila Box Riparian National Conservation Area many management actions are prescribed by P.L. 101-628 (Arizona Desert Wilderness Act).

Response 74 - 4: Please refer to general response # 8 (Cienega recommended alternative).

by Section 10(a) of the Wild and Scenic Rivers Act. Management under the act would require changes to protect and enhance the values that caused it to be included in the system.

74-5 HASSAYAMPA RIVER: Please re-evaluate suitability. The large amount of private land ownership is not a reason for finding the Hassayampa River unsuitable. We would also request that the BLM explore the option of defining a segment that would include the Box Canyon.

74-6 VIRGIN RIVER: The BLM has proposed that the Virgin River become a Study River. Why? There is nothing more to study! Let's protect two endangered fish species and beat Utah and Nevada to the punch with Wild and Scenic River designation.

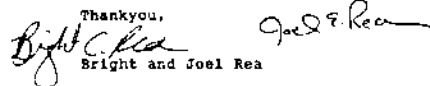
74-7 SAN PEDRO RIVER: We would like to see its classification upgraded from "recreational" to "scenic". Despite three road crossings and a parallel railroad line, the shoreline is still largely undeveloped.

74-8 FRANCIS CREEK: Francis Creek supports at least eight threatened, endangered and candidate species and a predominantly native fishery. The town of Bagdad receives 85% of its domestic water supply from Francis Creek. For the last reason alone this is enough of a reason to re-consider the suitability of Francis Creek. If we can't protect rivers for the sake of endangered species, than protect rivers for the sake of allowing humans to have unspoiled drinking water!

74-9 SANTA MARIA RIVER: Due to the importance of an important desert riparian ecosystem of regional significance, the upper 21.2 miles should have a re-evaluation of suitability. This area can contribute to the recolonization of the Colorado River by bald eagles.

74-10 BONITA CREEK: We would like to request that the boundaries of the upper segment be extended to the private land, and not arbitrarily terminated at Lee Trail Road. This section, from Lee Trail Road to the City of Safford, contains significant riparian areas with important wildlife habitat.

We look forward to a successful Arizona Wild and Scenic Rivers Bill. With your help and wise decisions we can have a significant natural heritage permanently protected; one that can be enjoyed and appreciated by all Americans - Arizona residents and visitors alike.

Thankyou,

 Bright and Joel Rea

CC: Arizona Rivers Coalition

Response 74 - 5: Please refer to general responses # 1 (Alternatives) and # 11 (Suitability Determinations).

Response 74 - 6: Please refer to general response # 1 (Alternatives).

Response 74 - 7: Please refer to general response # 11 (Suitability Determinations).

Response 74 - 8: Please refer to general response # 1 (Alternatives).

Response 74 - 9: Please refer to general response # 11 (Suitability Determinations).

Response 74 - 10: The Bureau of Land Management suitability assessment study concluded that because of the operation of the city water system and the presence of four parcels of private land the area downstream from Lee Trail was not suitable for designation. See general response # 11 (Suitability Determinations).

87-87-84 18:38 FROM EUREKA SPRINGS RANCH 10 1 882 828 2387 P. 1

Mr. Phil Moreland
Arizona State Office
3707 North 7th Street
Phoenix, Arizona 85014

000075

July 28th, 1994

JUL 27 1994

I am a rancher in Graham County and know firsthand what will happen to our growing Gila Valley community if this Wild and Scenic River proposal passes.

The Gila River and all other proposed rivers and creeks mentioned in the NW Wild and Scenic River EIS are all lifelines of a well developed and growing county. If these rivers are taken by the Federal Government the people and industries who depend the water for their livelihoods will be forced off the lands and left unemployed. The chain reaction of such a move as passing this Wild and Scenic River act would be totally devastating!

For well over 100 years the Gila Valley and Graham County has depended on its rivers. Do you think they are precious enough to be classified as Wild and Scenic? We all know how beautiful our rivers are...afterall, we're the ones who make a living off our rivers, and we're the ones who have preserved them in to this precious state they exist in today! Do you really believe we who depend on the rivers are out to destroy it? Why would we do that?

I strongly support a NO ACTION ALTERNATIVE! We the users and caretakers of these rivers (and taxpayers) do not feel we need any more added restrictions or management guidelines placed on us. We surely do not need any more Government control, or people from back east telling us to take care of the rivers we have so well taken care of to this point!

I strongly believe if the Federal Government wants to do something to benefit America's rivers and waterways, they need to put their time and energy into the heavily polluted rivers they have created back east in their own back yards!

Its been said by millions of people how beautiful the American West truly is. Its also a known fact that the American West has more renewable resources than back east. With these facts in mind, ask yourself who has kept the American West in the shape it is in today.....the FEDERAL GOVERNMENT or the people of the west who depend on it for their very lives? Hey, lets be honest: now.

The folks in the west who have so well preserved this part of the United States for over 100 years deserve a big hand! Shame on the Federal Folks from back east for trying to take it from us!

We're doing just fine without socialism, Thank You!

Sincerely:

Kim Leckner

copies to:
jim kolbe
bruce babbitt
various bim agencies
bill clinton

EUREKA SPRINGS RANCH
3707 North 7th Street
Phoenix, Arizona 85014

Response 75 - 1: Please refer to general response # 1 (Alternatives).

75-1

504

JUL 07 1994

000076

July 28th, 1994

Mr. Phil Moreland, Chief
Arizona State Office
3707 North 7th Street
Phoenix, Arizona 85014

Dear Mr. Moreland:

In regards to Wild and Scenic Rivers Legislative Environmental Impact Statement, I am writing my comments to stress that NO ACTION be taken. There are simply no other alternatives that are acceptable.

Time and time again the Federal Government has tried to choke the American West by seizing her waters. The American West relies on her water supply to live. The ranching, farming, mining and recreational industries all depend on the rivers we (these industries) have so well preserved for over 100 years.

Secretary Babbitt, the BIA and other Federal Government agencies need to stop and look at the Gila River, Lower San Francisco, Gila Box, Bonita Creek and Aravaipa creek and see how well they have been taken care of by the people who depend on them for their livelihoods and enjoyment and ask yourselves a very important question....
DO WE DESER REMOVE THESE CARETAKERS FROM OUR AMERICAN WEST RIVERS?

Take this as an example: When I was growing up in the Klondyke area we utilized the Aravaipa Creek tributaries for ranching that benefited both livestock and wildlife in many ways. We took enjoyment in the Aravaipa Creek itself because of its beauty. We (the ranchers) loved this area and took care of it. We removed ugly and damaging debris after the floods, we planted beautiful bermuda pastures along the banks in order to graze cattle and bring the wildlife in that we all so much enjoyed seeing. All the homes along the Aravaipa Creek were well attended and cared for. It was indeed a beautiful place for ALL people to see. Then, the Defenders Of Wildlife and Nature Conservancy took over. At the dedication of the Aravaipa Canyon it was said that "THE ARAVAIPA CANYON WAS ONE OF THE LAST REMAINING TRULY PRISTINE AREAS IN SOUTHEASTERN ARIZONA." This is where you ask yourselves, "who kept it this way?" The answer to this is, THE RANCHERS who loved and depended on it for their livelihoods. I ask you now, take time to view the Aravaipa Creek Wilderness area and see for yourselves what it has become. It takes the ranching community SICK to see what the environmentalist have done to our once beautiful creek. So very often we have people say that it isn't what it used to be. Its a pitiful unkept mess! No longer can ALL people enjoy it, only those healthy enough to "hike" in. That leaves a lot of would-be visitors out! What a shame!

Please, leave us all alone! Leave our rivers as they are! Stop trying to take total control of our American West! Stop trying to take our lives and livelihoods away! This is America, a country governed BY THE PEOPLE, FOR THE PEOPLE. If we the American people wanted to live in GOVERNMENT CONTROLLED lands we would move to Russia!

LEAVE OUR RIVERS AND WATERWAYS ALONE! I CHALLENGE YOU ALL TO TAKE A TRIP TO THE ARAVAIPA CANYON WILDERNESS AREA AND SEE WHAT HAPPENS TO AN AREA WHEN ITS TAKEN FROM THE TRUE CARETAKERS, THOSE OF US WHO DEPEND ON IT!

Sincerely,

Don Fackner

EUREKA SPRINGS RANCH
3707 North 7th St
Phoenix, Arizona 85014

Response 76 - 1: Please refer to general response # 1 (Alternatives).

505

76-1

000077

JUL 07 1964

Frank E. Keske
 582 W 200 North
 NBU 9 Pima, Ar 85543
 7 July 64

Phil Moreland, Chief, Branch of Planning,
 Environment, Lands and Recreation,
 B & M Arizona State Office 3707 N. 7th St.
 P.O. Box 16583,
 Phoenix, Ar 85014

Mr. Phil Moreland:

There are people who can see nothing wrong with giving over some of the best, productive land in Arizona for the Phoenix metro area or the Tucson area, but think that it is terrible to let the Gila and its tributaries be used for productive human activities. Mining for copper is terrible but give us electrical and electronic appliances that is good.

I live here in Pima as a matter of choice. I believe that the wild and scenic rivers designation would be a mistake because of its questionable value to the majority of the people of our state. I do believe that the land should be used productively, but with care so that it will be productive for future generations.

Frank E. Keske

77-1

Response 77 - 1: Please refer to general response # 1 (Alternatives).

000080

JUL 07 1994

HEAROLD ELMER
3088 West 8th Street
Thatcher, Arizona 85552
16021 428-0828

July 07, 1994

Mr. Phil Moreland
The Bureau of Land Management
Arizona State Office
3707 North 7th Street
P. O. Box 10563
Phoenix, Arizona 85014

Gentlemen:

The lateness of this letter is in no way a reflection of my lack of concern about our Gila River, Bonita Creek and Aravaipa Creek. The local people have managed these waterways for many years and have plans for them in our future growth pattern. Any restriction to their use as they are now being utilized would be detrimental to our growth and expansion.

I have used these areas for recreation for many years, and any restriction put on travel would affect my method of getting around. I can no longer ride horses, or walk any distance. The only method I have to get in and out of these fishing and picnic areas is a sand rail. Our utilization of these areas hasn't harmed them in anyway. I am 100% disabled and the only method for me and my grandchildren have for transportation in and out of these areas is a sand rail.

Hundreds of thousands of tax dollars have been spent on office buildings to accommodate the less fortunate of us. So why try to fix something where nothing is wrong.

I recommend that the status quo be maintained the way we have it now.

Sincerely,

Hearold Elmer
Hearold Elmer

CC: Graham County Supervisors.
Safford Chamber of Commerce.

Response 80 - 1: Please refer to general comment # 1 (Alternatives).

507

80-1

PHILIP MORELAND, BRANCH CHIEF
PLANNING, ENVIRONMENT, LANDS AND RECREATION (931)
ARIZONA STATE OFFICE, BUREAU OF LAND MANAGEMENT
3707 NORTH 7TH ST
P.O. BOX 16563
PHOENIX, ARIZONA 85011

000085 JUL 08 1994

6 JULY, 1994

DEAR MR. MORELAND;

I AM WRITING YOU IN REGARDS TO THE DRAFT ARIZONA
STATEWIDE WILD AND SCENIC RIVER LEGISLATIVE ENVIRONMENTAL IMPACT
STATEMENT.

I AM QUITE PLEASED WITH THE STATEMENT OVERALL, HOWEVER
I AM TOTALLY SURPRISED THAT CIENEGA CREEK WAS OMITTED AS A "PROPOSED/
ALTERNATIVE". MAINLY BECAUSE I NEVER DESCRIBED AS TO WHY CIENEGA CREEK
WAS NOT A "PROPOSED/ALTERNATIVE". THIS AREA IS ONE OF THE MOST QUALIFIED
IN THE STATE. BEGIDES WITH CIENEGA'S DRR VIRTUALLY NON-EXISTENT
IN THE SOUTH WEST. THE BIOLOGICAL-REPORT COSTS FOR LOSING THIS
AREA WOULD BE ENORMOUS TO THE STATE.

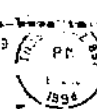
AS A FIFTH GENERATION ARIZONA NATIVE. I HOPE
THAT THE AEC WILL BE ABLE TO SHOW MY WISDOM AND CHAIRMAN.
ASSURE TO DO THIS WOULD BE BY RECONSIDERING CIENEGA CREEK AS AT LEAST
SUITABLE FOR DESIGNATION AS "SCENIC". I URGE THE BLM TO INCLUDE
THE CIENEGA CREEK AS PART OF THE FINAL LEGISLATIVE EIS.

*Sincerely,
Steven
Bochner*

Steven Bochner
7777 E. MIAMI #362
SCOTTSDALE AZ 85251

Response 85 - 1: Please refer to general
response # 8 (Cienega recommended alternative).

Hal Williams
2249 E. 2nd St. Tucson, AZ 85719



000088

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 N. 7th St.
Phoenix, AZ 85014

Postnet barcode

July 6, 1994

Dear Mr. Moreland:

Please include these comments as part of the public
comments on the draft EIS on Wild & Scenic Rivers in AZ.

I strongly support recommending to Congress that you
designate as Wild & Scenic Rivers in Arizona those rivers
recommended by the Arizona Rivers Coalition and American
Rivers, INCLUDING CIENEGA CREEK.

Cienega Creek is a top priority area and is especially
important to us in Tucson. It should certainly be
designated as "Scenic".

Thank you.

Sincerely,
Hal Williams

Hal Williams
2249 E. 2nd St., Tucson, AZ 85710

Response 88 - 1: Please refer to general
response # 8 (Cienega recommended alternative).

85-1

808

88-1

JUL 18 1984

000089

Mr. Phil Moreland
Chief, Branch of Planning
Environment, Lands and Recreation
Bureau of Land Management

Dear Sir,

89-1

I am writing to comment on the BLM's planning process for recommending Wild and Scenic Rivers designations in the state of Arizona. I urge you to seriously consider including Cienega Creek in your recommendations.

Cienega Creek is an extremely valuable riparian ecosystem and deserves additional protection. This significant habitat is rare and outstandingly remarkable and should be preserved for posterity and scientific study. This is one of the few ecosystems in the state that is relatively free of exotic species.

I commend the BLM on its capable and sensitive management of Cienega Creek within the constraints of its current classification. Please recommend the designation of Wild and Scenic that Cienega Creek deserves. Thank You.

Sincerely,


Robert W. McCracken

Response 89 - 1: Please refer to general response # 8 (Cienega recommended alternative).

000090 JUL 08 1987

TO: PHIL MORBLAND
BUREAU OF LAND MANAGEMENT, ARIZONA OFFICE
3703 N 7TH ST
PHOENIX, AZ 85014

DEAR MR. MORBLAND:

I AM WRITING TO ASK THAT YOU DESIGNATE CIENEGA CREEK, IN SOUTHEASTERN ARIZONA, A "WILD" OR "SCENIC" RIVER UNDER THE CONGRESSIONAL ACT OF 1968. THERE ARE A NUMBER OF REASONS WHY.


FIRST, CIENEGA CREEK IS ONE OF THE VERY LAST SURVIVING "CIENEGAS" IN THE DESERT SOUTHWEST. IT IS A NATURAL OASIS IN AN ARID CLIMATE, AND IT HAS MUCH TO TEACH US AND FUTURE GENERATIONS ABOUT WATER CONSERVATION AND DESERT HABITATS. MOST PEOPLE, EVEN IN ARIZONA, WOULD PROBABLY BE QUITE SURPRISED TO FIND A LUSH SWAMP IN THIS PART OF THE WORLD. ON THIS FACT ALONE, IT IS A NATIONAL TREASURE.

THE RIVER IS ALSO THE HOME OF THE ENDANGERED GILA TOMMINNOW. WE NEED TO PROVIDE THIS SPECIES WITH A SECURE HABITAT THAT CAN BE A STARTING POINT FOR FUTURE RECOVERY; ONLY FISH SPECIES IN ARIZONA HAVE ALREADY GONE THE WAY OF THE SAUTISAUKEE, MASTODON, AND B-TRACK TAPES. BIODIVERSITY IS CRITICAL TO A HEALTHY ECOSYSTEM, ESPECIALLY IN ARIZONA, AND CIENEGA CREEK IS NO EXCEPTION.

^{SOME} OF THE RIVER'S AREA HAS ALREADY BEEN RAVAGED BY CATTLE RANCHING. HOWEVER, THE SECTIONS THAT WE HAVE SEEN RECOVER PROVIDE AN EXAMPLE OF RIPARIAN RESILIENCY. REMOVING COWS AND FENCES IS ONE THING, THOUGH, AND REMOVING GOLF COURSES AND CONDOMINIUMS ANOTHER. IF CIENEGA CREEK IS LEFT OPEN FOR COMMERCIAL OR OTHER

DEVELOPMENT, IT WOULD HAVE A DEVASTATING EFFECT ON THE WATER SUPPLY. THE SPRINGS THAT FEED THIS OASIS WOULD PROBABLY NOT LONG SURVIVE ANY EXTENSIVE DISRUPTION CAUSED BY HUMAN ENGINEERING. CIENEGA CREEK REQUIRES FEDERAL PROTECTION NOW. FAR FROM BEING "UNAVOIDABLE" FOR INCLUSION ON THE LIST, THE RIVER IS IN FACT A VITAL NATURAL ASSET THAT DESERVES RECOGNITION FOR ITS UNIQUE QUALITIES, ITS SPECIES (ALL THE FISH ARE NATIVE), AND ITS ECOLOGICAL HISTORY.

SINCERELY,



THOMAS A. ZEILMAN
732 E. CALA MARINA
TUCSON, AZ 85718

Response 90 - 1: Please refer to general response # 8 (Cienega recommended alternative).

90-1

510

JUL 8 1994

000092

6601 West Cortez
Glendale AZ 85304

July 6, 1994

Phillip Moreland, Branch Chief
Ping, Env. Lands and Recr.
USBLM, Arizona Office
PO Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

I am familiar with many of the streams that the BLM has proposed as suitable for the national Wild and Scenic River system. I hike and camp on many of these rivers. I value the scenic beauty and wildlife that they possess.

In general I support the designation of the 13 streams listed in the proposed action alternative.

I would like to mention the importance of recommending the streams in the Gila Box, including the Gila River, San Francisco, and Bonita Creek. These streams have very important natural values that will benefit from the protection offered by designation as Wild and Scenic.

Three other streams that are very valuable additions are the Agua Fria River, Santa Maria River, and the Haasayampa River. These streams are located in a part of the state that needs protection of the free-flowing character of the remaining streams.

I appreciate the work that your agency has put forth in preparing the DEIS that will protect many of Arizona's best remaining streams. Thank you for the opportunity to comment.

Sincerely,

Jody
Jody Balust

Response 92 - 1: Please refer to general response # 1 (Alternatives).

511

92-1

U. S. GOVERNMENT
PRINTING OFFICE
ST. GEORGE, UT. 84702

000093

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office
Bureau of Land Management
3707 North 7th Street
P.B. Box 16563
Phoenix, Arizona 85011

70 JUN 1981

Dear Mr. Moreland,

Thank you for the opportunity of attending the public hearing in St. George, Utah on the draft of the Arizona Statewide Wild and Scenic River Legislature Environmental Impact Statement.

As a United States citizen and Utah resident for 60 years, as a St. George resident for 7 years, and as a father and grandfather I would like to comment on the draft.

The draft impresses me as a well done river inventory of the 20 eligible river study areas.

After reviewing the 20 EIS recommendations, my personal recommendation would be to adopt the "All Suitable Alternative". But the "Proposed Action Alternative" would certainly be acceptable.

In regard to the study areas I am somewhat familiar with, I would add further comment.

The Paria River area would seem to be such a "natural" choice for an "eligible river", both in Arizona and in Utah, that there should be little disagreement with such a designation.

As to the Virgin River area, I would push hard for the "All Suitable" designation. Hopefully my recommendation will help counteract the Washington County Water Conservancy District's "coalition" that dominated the remarks at the St. George hearing. How could anyone who has every driven from St. George to Mesquite, Nevada in the daylight argue that this river area does not have outstandingly remarkable scenic values, as well as recreational, and fish and wildlife values? Or, how could anyone with good conscience challenge the river as not being "free-flowing" because of some minor adjustments due to the freeway construction?

I do hope that I will still be around to appreciate the actual river designations. If not, my posterity surely will be.

Thanks again for the BLM's efforts and for the opportunity for me to comment.

Respectfully,

G. Scott Hansen
G. Scott Hansen

93-1

512

Response 93 - 1: Please refer to general response # 1 (Alternatives).

2821 E. Linden St.
Tucson, Arizona 85716

JUL 9 8 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 North 7th St.
PO Box 16563
Phoenix, Arizona 85011

000094

July 4, 1994

Dear Mr. Moreland,

This is in regards to the Draft Arizona Statewide Wild and Scenic Rivers Legislative Environmental Impact Statement.

Generally I find that I support the decisions by the BLM on river segments considered suitable for protection. However I disagree with the decision to omit Cienega Creek. It appears that the criteria for designation, wild, scenic and recreational values were not examined seriously enough. The Cienega Creek area has provided my family and I with experiences such as birding and other natural history studies, exploring and artistic inspiration. It is also a place to just relax, unencumbered by mining or commercial development, or even national park type "improvements" (paved roads, camping facilities, etc).

On a more technical level, it seems that the BLM has chosen not to include it due to the fact that "there are [currently] no threats to free-flowing values or outstandingly remarkable values." As I understand it the presence of threats is not required for a river to be suitable for designation. And there are no factors of significance that counter Cienega Creek's suitability such as "a large percentage of private land or incompatible uses that would make management difficult, or significant cost of acquiring lands, interest in lands, and administering the area and others."

The rarity of this type of habitat, a perennial stream/wetland, in our state, with its attendant biodiversity is enough of a reason by itself to include Cienega Creek in the designation. To me it has both state and national significance - especially when the endangered Gila topminnow is taken into consideration.

Therefore I strongly recommend that the BLM change their designation so that Cienega Creek is listed as suitable on the final Legislative

EES.

Sincerely,
April L. Baisan
April L. Baisan

Response 94 - 1: Please refer to general response # 8 (Cienega recommended alternative).

94-1

513

000095 JUL 28 1984

Kristine Wilson
2239 East El Moro
Mesa, AZ 85204

July 5, 1984

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (831)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85001

Dear Mr. Moreland:

SUBJECT: Designation of Cienega Creek as Wild and Scenic.

95-1

I request reconsideration of the BLM's finding of non-suitability of Cienega Creek. It is regionally and nationally significant as a rare cienega-type river. It is one of the few remaining in the southwest and supports native fish populations without the presence of exotic fish species.

Section 5(d) of the Wild And Scenic Rivers Act requires federal agencies to consider potential national wild, scenic and recreational river areas in all planning for the use and development of water and related land resources. The procedure is to evaluate the eligibility of potential wild and scenic rivers, tentatively classify eligible rivers as wild, scenic or recreational, institute management measures to ensure interim protection and to assess the suitability of eligible rivers for inclusion.

None of the factors that usually cause a segment to be found non-suitable are factors of significance in this case, therefore Cienega Creek should be protected under the Wild and Scenic Rivers Act. Management of Cienega Creek under wild and scenic status would include protection and enhancement of the values that caused it to be included in the system and as mandated by Section 10(a) of the Wild and Scenic Rivers Act.

Sincerely,

Kristine Wilson

Kristine Wilson

Response 95 - 1: Please refer to general response # 8 (Cienega recommended alternative).

000096

John Kevin
P. O. Box 2187
Apache Junction, AZ. 85217-2187
(602)882-1737
7/7/94

Mr. Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (831)
Arizona State Office, Bureau of Land Management
3707 North 7th Street
P. O. Box 18583
Phoenix, AZ. 85011

Mr. Moreland:

Enclosed are my comments regarding the Draft Arizona Wild and Scenic Rivers Legislative Environmental Impact Statements. I am requesting my comments be included in the final environmental statement.

I would also like to thank the Bureau of Land Management for submitting copies of the Draft Arizona Wild and Scenic Rivers Legislative Environmental Impact Statements for my review.

Comments in General

96-1

1. Limited or no explanation regarding the definitions of terms such as, already wilderness, national conservation area, national conservation status, ACEC and their relationship to Wild, Scenic and Recreational Designations? Where does one designation offer more protection than the other? What are the different management guidelines, operations, and plans for each of these designations in comparison to Wild, Scenic and Recreational Designations?

96-2

2. How does general management (in existing and future land management plans) and legislative protection, protect a proposed segment and substitute for Wild, Scenic and Recreational Designation. If general management plans can offer more protection than Wild, Scenic and Recreational Designation, what about future general management plans, can they offer continuity?

96-3

3. Findings of unmanageability due to portions of a proposed segment being located on private land, another federal land manager or Arizona State Trust Lands (which those folks consider or are treated as private land), this should not be a reason for exclusion from Wild, Scenic and Recreational Designations. With great vigor, the BLM

Response 96 - 1: Please refer to general responses # 9 (River Study Area Protection) and # 7 (Multiple Designations).

Response 96 - 2: Please refer to general response # 10 (Comparisons).

Response 96 - 3: Please refer to general responses # 3 (Eligibility Determinations) and # 11 (Suitability Determinations).

515

Mr. Moreland
 Re: Comments, Draft LEIS Arizona Wild and Scenic Rivers Page 2 of 12

rows about existing cooperation agreements and land management plans where there is more than one land manager, and or the land manager is another federal land manager, and or the land manager is the state of Arizona, or a private land owner. Why can't the BLM continue this cooperation when it comes to proposed Wild, Scenic and Recreational Designation ?

96-4

4. It is my understanding as of this date (7/7/84) The Gila Box Riparian National Conservation Area Management Plan is still a proposal and a draft proposal at that. Though the Draft BLM LEIS Arizona Wild and Scenic Rivers refers and or infers this plan is final, therefore your conclusions regarding your findings of suitability as to Wild, Scenic and Recreational Designation, needs to be evaluated.

96-5

5. Further explanation as to why segments were found to be unsuitable for Wild, Scenic and Recreational Designation.

96-6

6. Table of Contents, where one can readily look up a proposed segment. Likewise a glossary. If and when you do the final or a similar document, target your audience not all of us work for the BLM.

Specific Comments on Individual Proposed Segments

96-7

7. Agua Fria River: I support the Proposed Action.

8. Aravaipa Creek: I support the Proposed Action, but amended to the recommendations of the Arizona Rivers Coalition which also includes Turkey Creek. See Appendix A.

9. Big Sandy River: I support the All Suitable Alternative.

10. Bill Williams River: I support the Proposed Action.

11. Bonita Creek: I support the All Suitable Alternative.

12. Burro Creek: I support the All Suitable Alternative.

96-8

13. Cienega Creek: I vehemently disagree with the findings by the BLM and the recommended proposed action. I cannot understand how the BLM staff that worked on this believe that existing land management policies would offer the best protection for Cienega Creek. And as for non-suitability, Cienega Creek is one of the best if not last examples of a cienega marsh communities. It is also the only segment in the long

Response 96 - 4: In the foreword, under the section, **Other Considerations**, the statement is made that for the "purposes of analysis an assumption also was made that by the time any alternative in this document is implemented, all plans mentioned in this document that are now in preparation will be approved" (p. ii). In the case of the **Gila Box Riparian National Conservation Area** many management actions are prescribed by P.L. 101-628 (**Arizona Desert Wilderness Act**).

Response 96 - 5: Please refer to general response # 11 (**Suitability Determinations**).

Response 96 - 6: The final document contains a table of contents for the river appendix.

Response 96 - 7: This alternative suggestion was not given to the Bureau of Land Management for consideration in the suitability assessments or the draft legislative environmental impact statement. The publication in which it appears was not available to Bureau of Land Management personnel during the preparation of the environmental impact statement. Please see general response # 3 (**Eligibility Determinations**).

Response 96 - 8: Please refer to general response # 8 (**Cienega recommended alternative**).

Mr. Moreland
 Re: Comments, Draft LEIS Arizona Wild and Scenic Rivers Page 3 of 12

dead Santa Cruz River Basin, at one time a very important river of life in the Southwest. It could very easily be said, The Wild and Scenic Rivers Act was created with Claretta Creek in mind, it deserves our long overdue and appropriate management as defined by the Wild and Scenic Rivers Act. I strongly encourage the BLM to reevaluate their findings for proposed action of non-suitability, and in its place recommend suitability, scenic designation.

14. Francis Creek According to the BLM Draft LEIS, No adverse impacts were noted in the all suitable alternative, I support the All Suitable Alternative.

96-9

16. Gila Box, Gila River I support the Proposed Action but amended to the recommendations of the Arizona Rivers Coalition. See Appendix B.

16. Hessayampa River I support the All Suitable Alternative.

96-10

17. Hot Springs Canyon Please review item three in this report. I support the All Suitable Alternative, but amended to the recommendations of the Arizona Rivers Coalition regarding Bass Canyon-Hot Springs Canyon, Redfield Canyon-Swamp Springs. See Appendix C.

18. Gila Box: Lower San Francisco River

I support the All Suitable Alternative.

19. Middle Gila I support the All Suitable Alternative.

20. Paria River I support the Proposed Action.

21. San Pedro I support the All Suitable Alternative, but amended to be designated Scenic.

22. Santa Maria I support the Proposed Action.

23. Swamp Springs See item 17.

24. Turkey Creek See item 8.

Response 96 - 9: See response 96 - 3, above.

Response 96 - 10: See response 96 - 7, above.

Mr. Moreland
Re. Comments, Draft LEIS Arizona Wild and Scenic Rivers Page 4 of 12

96-11

25. Virgin River I support the All Suitable Alternative but amended to the recommendations of the Arizona Rivers Coalition. See Appendix D.

26. Wright Creek I support the All Suitable Alternative.

Respectfully submitted;

John Kevin

cc:

Senator Dennis DeConcini
Senator John McCain
Representative Sam Coppersmith
Representative Karan English
Representative Jim Kolbe
Representative Jon Kyl
Representative Ed Pastor
Representative Bob Stump

Response 96 - 11: See response 96 - 7, above.

518

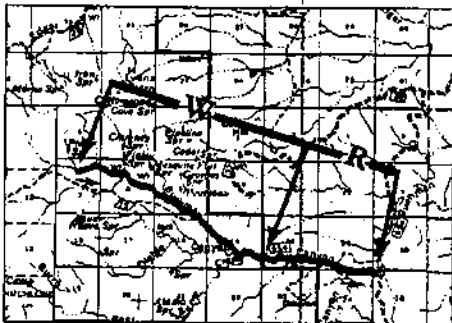
aided by Arizona Game and Fish as Category I habitat, which means it is a more critical riparian habitat and a significant one in the San Pedro River Valley. Gila copperhead and desert pupfish, both endangered species, have been introduced into the creek over recent years.

Geology: Another noteworthy feature of Bushman Canyon is the limestone formations and caves, rarely found along a Sonoran Desert stream. Limestone typically is found further west and east of the Colorado. Caves provide essential habitats for bat colonies and it is likely that these caves have maternity colonies of Sanborn's long-eared bat, a federal and state listed endangered species known to be in the area.

OTHER CONSIDERATIONS

One of the interesting aspects of Bushman Creek is its "unspoiled" character despite being so close to Tucson. This is a consequence of difficult access. One cannot reach the top trail leading to the canyon without a four-wheel drive vehicle. Possible mining exploration could put new roads into this area which could lead to exploitation and destruction of a valuable southern Arizona riparian area.

The lower portions of Bushman Creek are dominated by a potential open-pit copper mine with sulfuric acid leach leaching on slopes above the canyon bottom. Although the mining activity would occur more than 1/4 mile away, it is nevertheless in the drainage and could destroy this riparian habitat from the dumping activities into the canyon bottom and the introduction of its chemicals into the ecosystem. It is well documented that creek dis-



Map 24 - Bushman Creek

charges of mining developments are often devoid of aquatic life. The exploratory work done, completed in 1990, crossed streams of road over on the area shown above Bushman Creek as shown on section.

APPENDIX A
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 5 of 12

Aravaipa and Turkey Creek

This is one of the most popular destinations for recreationists from Arizona's two largest cities, being only 60 miles from Tucson and 90 miles from Phoenix. Aravaipa Canyon has spectacular scenery with 1000 foot cliffs towering over the gentle stream, lush riparian vegetation and accompanying birds and wildlife.

ARC RECOMMENDATIONS

Turkey Creek from Oak Grove Canyon to Aravaipa Recreational

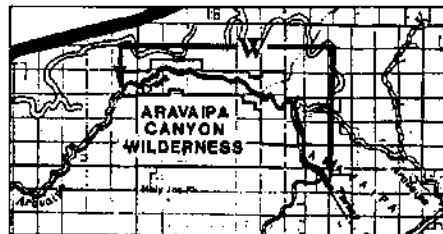
Aravaipa Creek through Aravaipa Canyon Wilderness Wild

Managing Agency: Bureau of Land Management

Private Land: None

Fish and Wildlife: Aravaipa Creek is home to seven native fishes, the most in any creek in Arizona. Species include loach minnow, splinedfin, roundtail chub, longfin dace, Sonoran sucker, spottail dace and desert trout/minnow sucker. The riparian system also supports gambel, willow flycatcher, purple Finch, lowland leopard frog, seep, western marsh-tit and yellow-billed cuckoo.

Turkey Creek also supports substantial wildlife with the condensation area and lower reach of Turkey Creek contributing to the habitat of the seven native fishes mentioned above. There is a nesting pair of common black hawk along the creek, a snow bunting sparrow, Aravaipa and Turkey Creeks are important areas for wildlife studies and research.



Map 25 - Aravaipa and Turkey Creek

APPENDIX A, cont.
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 5 of 12

Gila River, (Gila Box)

The Gila (pronounced Moo'la) River originates in the mountains of New Mexico and enters Arizona near Duncan. As it traverses central Arizona, the Gila links with the Salt River near Phoenix and eventually merges with the Colorado River north of Yuma. The arid nature of this region combined with intensive agricultural diversions of both ground and surface water have combined to reduce the Gila to a dry wash in virtually all of its lower desert segments. The Gila Box segment of the upper Gila river remains in a free-flowing and near natural condition, an exception on a river which has been dramatically altered by the presence of man. The riparian growth found along the river is of significant value. Of the 400 miles of Gila River in Arizona, only the upper 40 miles remain free flowing and unaffected by dams.

The Gila Box segment is located southwest of Clifton, Arizona and includes 26 miles of the upper Gila River, 15 miles of Dennis Creek and 8 miles of the San Francisco River above its confluence with the Gila. This segment has been named by the Bureau of Land Management (BLM) as being the "last free-flowing reach of the Gila River in Arizona". Congress has already designated parts of the Gila Box as a National Riparian Conservation Area. The Gila Box segment has been identified as eligible for study as a potential wild, scenic or recreational river in the 1982 National Rivers Inventory conducted by the National Park Service.

ARE RECOMMENDATIONS

26 miles of the Gila River from public land boundary downstream of US 666 to Spring Creek, 15 miles of Dennis Creek and 8 miles of the San Francisco River from public land boundary 2.5 miles north of Clifton to confluence with the Gila River as follows:

Public land boundary below US 666 to west boundary of Section 28 private land: Scenic

Section 28 land to Duncan Canyon: Wild

Duncan Canyon to Spring Canyon: Scenic

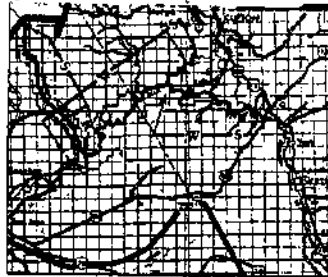
San Francisco River - 2.8 miles north of Clifton to south boundary of Section 14 private land: Recreational

San Francisco River - Section 14 land to confluence with Gila River: Wild

Dennis Creek - 8 mi Dennis Reservation to Leo Trail Road: Scenic

Leo Trail Road - Leo Trail Road to confluence with Gila River: Recreational

APPENDIX B, cont.
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 7 of 12



Map 17 - Gila Box Segment

Managing Agency: Bureau of Land Management, Safford District

Private Land: 3.0 river miles, plus City of Safford.

OUTSTANDINGLY REMARKABLE VALUES

Scenic: The Gila Box gets its name from the steep cliffs which rise abruptly downstream from where the Gila River passes under Highway 666. The 1000 foot walls of the canyon possess highly eroded volcanic and conglomerate formations which impart an exceptional beauty to the gorge. The San Francisco River is a tributary which merges into the Gila Box from the north and possesses geologic features similar to that found along the Gila River proper. Dennis Creek flows through a deep canyon joining the Gila River near the end of the proposed segment. Four major vegetation types are found along the river including riparian, riparian shrub, desert shrub, and grassland. The desert surrounding the Gila Box contains an overlap of both Sonoran and Chihuahuan desert vegetation.

Recreational: The natural qualities of the river, its riparian habitat, and its geologic features have made it an area of steadily increasing popularity. The Gila Box is used extensively for rafting and canoeing, hiking, picnicking, and fishing.

Geologic: The walls of the river canyon are cut from volcanic and sedimentary rocks. Geothermal activity is present at Giffard Hot Springs located within 0.5 miles of the river.

Fish and Wildlife: The river's riparian vegetation, uncommon in the southwest, creates a rich diversity and diversity of terrestrial wildlife such as quail, dove, wild turkey, and Rocky Mountain bighorn sheep. The enhanced wildlife habitat combined with the steep 1000 foot walls of the gorge provides habitat for one of the most diverse avian communities in the Southwest. Pinyon finches and a nesting population of bald eagles are two federally listed endangered species in

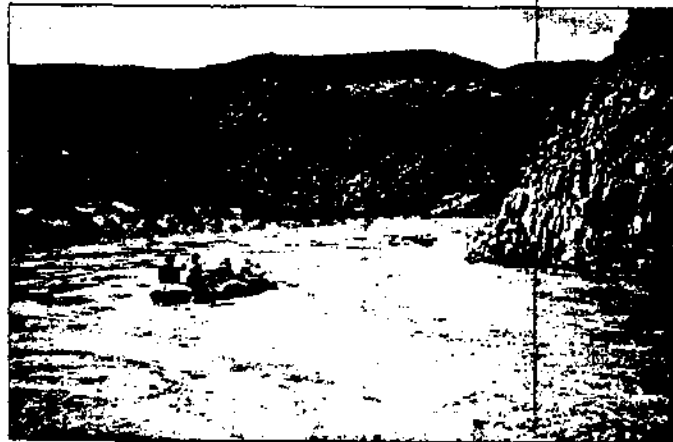
the area. Other near listed endangered species include the black bellied whistling duck, black neck stilt, snowy plover, great egret, and black crowned night heron. Endangered species of fish include the federally listed razorback sucker and a number of other native fish, as well as a diverse assemblage of non-native fishes. The Gila Box is recognized as one of the prime potential recovery areas for a number of native fishes.

OTHER CONSIDERATIONS

This segment has been recognized as the last truly free-flowing reach of the Gila River in Arizona. Extensive low water housing opportunities are present along this segment. Wild and scenic design

ation would enhance management of the area and produce this remarkable stretch of river from ever being inundated by a reservoir or otherwise developed.

Dennis Creek flows through land owned by the City of Safford, which depends on Dennis Creek for much of its city water supply. Recreational degradation of this portion of the creek is compatible with the use of the creek, and management of the entire creek from the Reservation as Wild and Scenic will help ensure the healthy, free-flowing water that the city depends on.



GILA RIVER, GILA BOX SEGMENT (Photo: Jerry Van Coon)

APPENDIX B
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 8 of 12

Bass Canyon - Hot Sp.

These two spring-fed streams cut through some of the most scenic landscape in southern Arizona. Bass Canyon begins in the southern portion of the Galiuro Mountains and flows south to join Hot Springs Canyon at the Mulefoot Ranch Preserve. The upper reaches of Bass Canyon flow through a mid-elevation riparian community of alder, sycamore, and ash broadening into a wide canyon bottom with a well developed cottonwood-willow riparian forest. Hot Springs Canyon has several thermal spring feeding in as it cuts a narrow channel through unique and colorful eroded rock formations and eventually flows into the San Pedro River near Casabel. These isolated streams support a crucial native fishery with a new assemblage of species now found in only a few places.

AHC RECOMMENDATION

2x miles of Bass and Hot Springs Canyon Wild

Managing Agencies: Cooperative management agreement between The Nature Conservancy, Coronado National Forest, and Bureau of Land Management.

Private Land: 10% of river miles by The Nature Conservancy.

OUTSTANDINGLY REMARKABLE VALUES

Scenic: The view from The Nature Conservancy's Mulefoot Ranch Preserve is magnificent with pink and beige eroded hillside contrasting with the lush green riparian vegetation of Bass Canyon and adjacent streams. Hot Springs Canyon contains fine riparian growth, but the scenic rock formations and colors, the narrow rocky canyons, and many slot side tributaries make this isolated area well worth visiting.

Recreation: The entire area is very isolated and has received little visitation. Motor roads require high clearance vehicles to negotiate. Both canyons are just beginning to attract the interest of hikers and nature lovers. Hot Springs Canyon contains several perennial pools that are popular for wading and fishing. Because of the highly scenic geologic formations, the fine assemblage of fish and diverse wildlife species present, and the pristine location, Bass and Hot Springs Canyons offer a fascinating hiking opportunity.

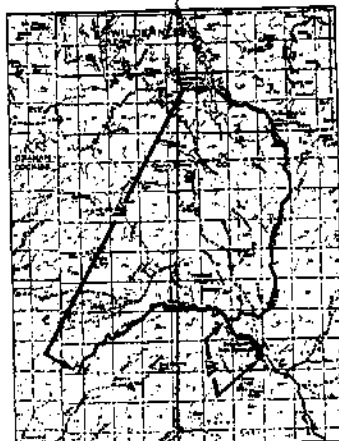
Fish and Wildlife: These perennial streams support five native fish species, the largest dace, Sonoran sucker, desert sucker, Gila chub and spotted dace, making this area one of the states best undisturbed native fisheries. The excellent riparian forests and perennial streams also support many species of wildlife including some rare species such as snow-capped hawk and gray hawk. Federally listed species found in the area include the peregrine falcon and Sanborn's long eared bat. State listed species include the common black hawk and the Gila chub, which was once widespread throughout the Gila watershed and is now present in fewer than 20 sites. There are also healthy populations of javelina, mule deer, cottontail, desert cottontail, and mountain lion. **Biological:** Bass Canyon and Hot Springs Canyon provide perennial

APPENDIX C
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 9 of 12

flowing water along their entire lengths and support lush riparian forests in a very arid, hot environment, enabling many wildlife species to thrive. This undisturbed, stream channel area provides crucial habitat for the region's typical wildlife as well as for many rare and sensitive species. These canyons contribute to the flows in the San Pedro River system. These canyons contribute to the flows in the San Pedro River system. These canyons contribute to the flows in the San Pedro River system. The extensive mesquite bosque in the lower San Pedro watershed. The unusual assemblage of five native fish species is an important part of the Mulefoot's preservation plans. There are no introduced fish species present, making these streams an extraordinary key resource in the preservation of the state's native fishery, but invasion of exotic fish species is always a constant threat.

OTHER CONSIDERATIONS

The Mulefoot Ranch Preserve is a unique location in Arizona. The Nature Conservancy acquired a critical portion of the reach and then successfully negotiated a multi-agency cooperative management agreement with the Coronado National Forest, Bureau of Land Management for over 36,000 acres of adjacent land. Wild and Scenic river designations would be an affirmation of the undeveloped and pristine character of these streams.

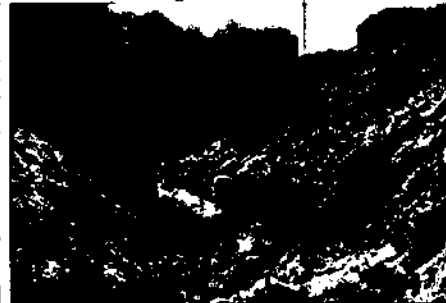


Map 22 - Bass Canyon - Hot Springs Canyon

Redfield Canyon - S1

APPENDIX C, cont.
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 10 of 12

The deep, rugged walls of Redfield Canyon conceal a perennial stream which harbors native fish and an exceptional riparian habitat. It drains much of the wild, remote Galiuro Wilderness Area of the Coronado National Forest. Only primitive, unmaintained roads approach the canyon, helping preserve its isolation. The highly eroded rock formations, deep eroded pools and lush riparian vegetation are a photographer's paradise. The area's isolation and rich wildlife habitat make it a likely place to observe many species of wildlife.



REDFIELD CANYON (Photo: The Nature Conservancy)

AHC RECOMMENDATION

17 river miles of Redfield Canyon and Swamp Springs Wild

Managing Agencies: Coronado National Forest, Bureau of Land Management and Arizona State Land Department.

Private Land: 20% of proposed river miles owned by The Nature Conservancy.

OUTSTANDINGLY REMARKABLE VALUES

Scenic: The area is characterized by a network of canyons with spectacular cliffs and rugged divides. The topography varies from the broad, flat bottomland of lower Redfield Canyon to the deeply incised and powerfully challenging Jackson and Sycamore Canyons. Redfield Canyon is a very steep, deep, narrow canyon with a perennially flowing stream and an extensive riparian forest. It is reputed by some to be more impressive than the well known Arapeen Canyon.

Recreation: Access to this area is extremely rugged and requires a four wheel drive vehicle. The isolation and ruggedness provide an outstanding wilderness experience for hikers and horseback riders. It is considered one of Arizona's most isolated wilderness areas.

Geologic: The highly eroded canyon walls and bottom consist of diorite, basalt, and ash flow tuffs. The layered volcanic rocks include white ledge-forming tuffs, fractured andesites, and the high differential red lava. Distinct land shapes erode from the differential volcanic units.

Fish and Wildlife: The perennial streams provide important habitat for four native fish species, including the rare large Gila chub. The excellent riparian forests provide nesting habitat for common black hawk and so-called hawk. Desert toads, bighorn sheep and mountain lion frequent the rugged canyon.

Recreation: This important riparian ecosystem with a spring-fed

stream that flows year round is lush in riparian growth dominated by sycamore, cottonwood, ash, and willow. Grasslands invaded by agave intersperse in mesquite, oak and juniper woodlands. The canyon is well known for its great abundance and variety of native birds and large mammals, including mountain lion and black bear. The canyon contains one of the few streams that is free of introduced fish species providing a safe refuge for four native fish species.

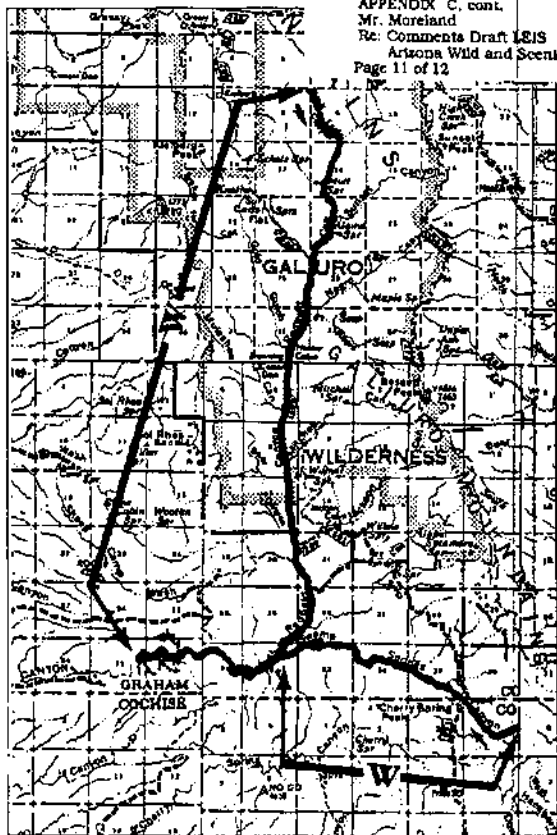
Historic: A number of Native American sites have been identified in the area. There are a number of historical cabins in the area contributing to the historical importance of the canyon.

OTHER CONSIDERATIONS

This area along with Bass Canyon and Hot Springs Canyon make up the cooperatively managed refuge of over 56,000 acres known as the Mulefoot Ranch Preserve, managed by The Nature Conservancy in conjunction with the Coronado National Forest, Bureau of Land Management, and Arizona State Land Department. All involved parties recognize the unique value of these desert streams and the importance which they fill in the Southwest. The status of this unique cooperative management agreement is testimony to the area's special significance.

The Redfield Canyon/Swamp Springs Canyon complex represents an area which clearly justifies designation as a wild river. Its combination of spectacular scenery, rugged remoteness and exceptional wildlife value associated with its perennial streamflow are this area apart as a truly special place. A wild river designation offers a level of long-term protection, which unlike other designations, focuses specifically on the riparian resource. Non-designation will leave these segments of streams vulnerable to activities that could seriously diminish or destroy these exceptional values outlined above.

APPENDIX C, cont.
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 11 of 12



Map 22 - Redfield Canyon - Swamp Springs

Virgin River

The Virgin River flows through three states, originating north and east of Zion National Park in the high mountains of southern Utah, flowing through the deep redrock canyons of the Colorado plateau, and further on down through the eastern Mojave desert before emptying into Lake Mead in Nevada. In Arizona, the river cuts through an area of extreme geologic folding and folding, exposing numerous layers of the earth and providing spectacular scenery, particularly in the Virgin River Gorge. This is one of the few remaining wild tributaries of the Colorado River.

AND RECOMMENDATIONS

35 miles from Utah-Arizona state line to Arizona-Nevada state line as follows:

8 miles from the Utah-Arizona state line down to the first 1-18 bridge: Wild

6 miles from 1-18 bridge to the Virgin River Confluence: Scenic

7 miles from confluence to the Virgin River Gorge: Recreational

16 miles from Virgin River Gorge to Nevada state line: Scenic

Managing Agency: Bureau of Land Management

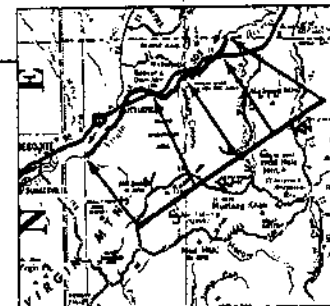
Private Land: No river lands

OUTSTANDINGLY REMARKABLE VALUES

Scenic: The river cuts through a rugged canyon with walls from 500 to 900 feet high. This is a uniquely beautiful river where one can see Joshua trees from the banks. On the southern section, scenic views are possible only by foot, horseback, or floating the river down from Utah.

Geologic: The Virgin River flows through a portion of the Hurricane CLIFFS, which form the western edge of the Colorado Plateau. The relatively flat plateau lies to the east, while the Basin and Range Province with its black mountains and alluvium-filled valleys lies to the west. The river cuts a scenic gorge several hundred feet deep along the faulted and uplifted Virgin Mountains. Rocks in the canyon walls include the Pennsylvanian Calville Limestone and the Cambrian Tacon Group. The river is actively eroding its bed in this unstable environment, occasionally subject to earthquakes.

Fish and Wildlife: The Virgin River is home for wounded minnow and Virgin darters, both federally listed as endangered, and the state listed Virgin splittail. The river also provides habitat for peregrine falcon, California junco, sparrow hawk and common nighthawk. The Virgin provides a unique riparian corridor through an otherwise arid region and is an important water source for a variety of wildlife, including the desert bighorn sheep.



Map 30 - Virgin River

Ecological: This area is very important ecologically as the ancient headwaters of the Colorado River before the Grand Canyon was carved. The BLM is studying all 120 miles of the Virgin River to determine in-stream flow needs for fish and riparian values.

OTHER CONSIDERATIONS

The Virgin River was identified in the original National River Inventory as having outstandingly remarkable scenic, geologic, and fish and wildlife values. The Arizona Strip BLM has found the scenic, geologic, aquatic and riparian values of the river to be outstandingly remarkable and the entire river within Arizona is eligible for Wild & Scenic designation.

The BLM-Arizona Strip District has recommended study of the Virgin River for inclusion in the Wild and Scenic River System. Nearby construction, through canal and proposed diversion, threaten the very existence of the Arizona segment of the Virgin River. As the lifeblood of the adjacent Beaver Dam Mountain and Palouse Wilderness Areas, and as the principal creative force of Zion National Park, the Virgin should retain its historical right to flow freely and not be designated a dry-run. Wild and Scenic River designation will help to ensure this right.

APPENDIX D
Mr. Moreland
Re: Comments Draft LEIS
Arizona Wild and Scenic Rivers
Page 12 of 12

000100 JUL 08 1994

July 7, 1994

Mr. Phil Moreland
Chief
Branch of Planning, Environment, Lands and Recreation
Phoenix, Arizona
FAX (602) 650-0452

Dear Mr. Moreland;

First I would like to express my great disappointment on not being able to provide verbal comment at the May 24 hearing in Thatcher. The hearing was advertised as ending at 10 PM, however I arrived at 9:13 PM to find the hearing had been adjourned at 8:50 PM. My two hour round trip expressly for the purpose of speaking at the hearing was wasted. It is my sincere hope that in the future, hearing officials stay for the entire advertised time frame.

I strongly recommend the "No Action" alternative for all 20 Arizona river areas and particular those in Graham and Greenlee counties. Any of the other alternatives would have a very detrimental effect on the socio-economic structure of the nearby communities. Listed below are these detrimental effects:

1. The most productive copper mines in North America operate adjacent to two of the river segments. In proximity to North Creek is the largest undeveloped copper deposit in North America. The potential for future major copper discoveries is staggering. Current and future employment opportunities could suffer as well as the nation losing a source of a strategic metal.

2. Proposed government purchases of private land further erodes an already limited tax base for local education and governments.

3. Reduction of grazing allotments would hurt local employment and the value of adjacent private land.

4. Overlapping of designations with WAB being placed on top of NCA or critical habitat for T&E species is wasteful and confusing.

5. Requirements for minimum inflow stream levels adversely affects downstream water users which provide employment, food and fiber.

523

100-1

100-2

100-3

100-4

100-5

100-6

Response 100 - 1: As the transcript record indicates, the hearing was adjourned at 8:45pm. Prior to the adjournment there had been an extended recess to wait for late arrivals.

When you arrived you were encouraged by the Bureau of Land Management officials, who had remained in the auditorium, to mail your review comments to the Bureau of Land Management State office.

Response 100 - 2: Please refer to general response # 2 (Economic Impacts).

Response 100 - 3: Please refer to general response # 6 (Land Acquisition).

Response 100 - 4: Grazing decisions for the Gila Box and Bonita Creek were made in the Upper Gila San Simon Grazing Environmental Impact Statement (1978). These decisions were incorporated by reference into the Safford District Resource Management Plan (1991).

Response 100 - 5: Please refer to general response # 7 (Multiple Designations).

Response 100 - 6: Please refer to general response # 5 (Instream Flow Water Rights).

100-7

In general, I feel the so called "protection" offered by a Wild and Scenic designation is grossly overstated. Natural rain runoff events are far more destructive than even the most destructive human being or the most serious overgrazing. On three of the segments in my area I have personally witnessed the before and after affects of the January 1993 Flood. Low bar stream banks formerly covered with grass and small willows and cottonwoods are now boulder fields with washed out five feet in diameter cottonwoods laying in them. High bar stream banks covered with mesquite are now minus six to thirty feet of their outer edge. These same areas had not recovered to their pre-1993 condition.

In conclusion, I strongly request the "No Action" alternative.

Richard C. Travis

Richard C. Travis
Greenlee Co. FW
Box 1181
Morenci, AZ 85540

Response 100 - 7: Please refer to general response # 9 (River Study Area Protection).

000102

July 6, 1994

Phillip Moreland, Branch Chief
 Planning, Environment, Lands and Recreation (931)
 Arizona State Office, S.L. M.
 3701 North 7th Street
 P.O. Box 16563
 Phoenix, Arizona 85011

Re: Comments on Draft Wild and Scenic Rivers Study -
 Legislative Environmental Impact Statement

102-1

I would recommend and support no action alternative. First and foremost, I do not believe the Virgin River qualifies for Wild and Scenic designation. Until the City of St. George moved its waste water treatment plant below Bloomington 9 years ago, the river water never reached through the virgin river gorge after the spring run-off, except during a thunder storm. In fact, all the virgin river water is diverted into the Washington field canal in the spring every year. There is a small amount of recharge to the river below this diversion dam, but until the waste water treatment plant was moved, this recharge did not even reach the mouth of the gorge up stream from the Arizona State line in the summer months. This same thing will occur as soon as the city pumps this waste water back up to reuse it, which they are planning to do in the very near future. This includes all the wild and scenic segments of the river in Arizona.

The Arizona segment of the Virgin River is partially within the Paiute and Beaver Dam Wilderness areas. It is also within the Virgin River Area of Critical Environmental Concern. Management prescriptions are in place to offer ample protection for the river without Wild and Scenic designation.

It is stated that if the S.L.M. Resource Management plan determines that there are no significant adverse impact, the river area is determined to be eligible and tentatively classified as wild, scenic, or recreational. The Virgin River should never have passed this R.M.P. planning system test, because there would be highly significant impacts. Were these impacts identified and addressed?

102-2

The draft states that designation as Wild Scenic or Recreational on the Virgin River would not affect existing, valid water rights. Are unperfected rights considered to be valid or existing? All present and future water rights need to be met before instream flows should even be considered. How can Washington County's water rights be protected if no dams could be built? As stated in this draft: "The existing and future demands far exceed the rivers supply."

Response 102 - 1: Please refer to general response # 11 (Suitability Determinations).

Response 102 - 2: Under Utah law the state engineer recognizes two types of rights that apply to waters in Utah: perfected and unperfected.

"Perfected rights" have been applied for, developed, put to beneficial use, and a certificate of right issued by the state engineer. Any rights reserved to the federal government under a wild and scenic river designation would have priority as of the date of designation, and would not affect "perfected" or certificated water rights in Utah.

"Unperfected rights" are those that have not been developed, put to beneficial use, or certificated by the state water engineer. These have a priority based on date of application. A federal reserved right resulting from wild and scenic river designation would presumably have a priority based on the date of designation. It is unknown whether "unperfected rights" would be affected. Presumably, any consequences would be determined through either the state water engineer's administrative hearing process or through litigation.

Page 2

The Virgin River is Washington County's only long term solution to a growing water problem. From 1980 to 1990 the population of the county increased from 26,125 to 43,500, or 85%. Projected increases through 2010 varies from 64% by the five county association of governments, to 109% by the State of Utah, to 166% by the Washington County water conservancy district. These needs can only be met by storing winter and spring run-off waters in reservoirs for summer use. The river designation would not allow for this.

Did the R.M.P.-E.I.S. describe the public concern and support for the designation? The state, local or Federal interest in the designation?

In keeping with the requirements of N.E.P.A., the socio-economic impacts of this action must be thoroughly explored and addressed.

102-3

On page 18 of question and answers under Range Management, (Q) what is the affect of designation on grazing? The answer is somewhat contradictory in stating "generally agricultural and grazing activities present at the time of designation would not be affected". Yet under agriculture practices, e.g., it states livestock grazing and related structures may continue along adjacent lands outside the quarter mile designated corridor provided they do not cause erosion, and protect water quality, scenic and wildlife values. What about inside the quarter mile corridor? This statement could and probably would eliminate livestock grazing where the river is the source of water for the livestock.

The B.L.M. now has the authority to protect and manage these river segments, for multiple use, without the added restrictions that designation would impose.

102-4

Another concern I have is that after the "Area Manager" determines if a river or segment of a river is eligible, interim measures (as needed) shall be taken immediately to protect and manage the river and surrounding area in a fashion comparable to rivers already included in the Wild and Scenic Rivers system. This is much the same as designating wilderness that we are now experimenting with our V.S.A.'s. How many years will this process take? As many as some of our wilderness designations?

Clearly the negative impacts of the designation of the Virgin River and its tributaries, must be thoroughly researched and identified, with public participation, before they are determined to be suitable for inclusion in the National Wild and Scenic Rivers system.

I feel this protective management, before eligibility and suitability is determined, is unfair. It could serve no purpose.

Response 102 - 3: The question and answer material to which you refer was prepared for and distributed during the scoping meetings. As such, it is not part of the environmental document. However, even under a wild river designation, according to the Bureau of Land Management *Manual Section 8351, Wild and Scenic Rivers - Policy and Program Direction for Identification, Evaluation, and Management*, livestock grazing would be allowed "to the extent practiced before designation" (MS 8351.51A2e).

Response 102 - 4: The issue of protective management is associated with the management of eligible rivers. The statement is made in chapter 3 (Affected Environment) that "the resources [in this document] are described as they would be managed without protective management." This legislative environmental impact statement evaluates the impacts of implementing various alternatives, and provides recommendations to Congress regarding wild and scenic river suitability.

JUL 8 '94 10:42

CONNELLY, J. HANSEN

FROM 8216281071

P. 4

Page 3

but to lock up the virgin river from any type of development and many other uses, for years to come, not only in Arizona but in Utah as well.

Respectfully,

Duane Blake
1239 E. Lixia Lane
St. George, Utah 84770

DB/mad

JUL-08-94 FRI 23:16 DON STEUTER

958 5057

JUL 08 1994 P. 01

000106

Philip Moreland
Planning, Environment, Lands and Recreation (931)
Arizona State Office, Bureau of Land Management
3707 N. 7th St.
P.O. Box 16563
Phoenix, AZ. 85011

July 8, 1994

Dear Mr. Moreland,

PO BOX	7871	Date	7-9-94
To	Philip Moreland	From	Don Steuter
On		Ch	
Phone		Phone	956-5057
Fax	650-0452	Fax	

I wish to thank you for your excellent Legislative Environmental Impact Statement and your proposed Action Alternative to designate 27 segments in 13 river study areas as suitable for inclusion in the Wild and Scenic Rivers Act. I am particularly proud that portions of the Agua Fria River are included in your proposal, it is my little Grand Canyon and I very much enjoy hiking in that area.

I am disappointed, however, that Cienega Creek and the Haseyayapa River are not included in your proposed alternative. Both of these areas to me have unique qualities that qualify them for designation. Cienega Creek may not now be threatened by dams or diversions but the creek should simply be judged on its own merits, not on the absence or presence of threats. The Haseyayapa may be complicated to administer due to the amount of private land, but the Box Canyon area has high recreational values that could be enhanced by W-S designation.

Thanks for the opportunity to comment.

Yours,

Don Steuter
2508 E. Heatherbrae
Phx., Az. 85016

Response 106 - 1: Please refer to general response # 8 (Cienega recommended alternative).

106-1

527

JUL 11 1994

000107

Barbara B. Wilson
8845 N. Waycross Rd
Tucson, AZ 85743

Mr. Phil Moreland
Bureau of Land Management
Arizona State Office
3703 N. 7th St.
Phoenix, AZ 85014

RECEIVED
JUL 11 1994
BLM

Dear Mr. Moreland:

I was delighted to learn last week that BLM is drawing up plans to protect parts of six southern Arizona rivers on BLM land from further development. I was dismayed, however, to learn that a 10.3 mile segment of Cienega Creek was excluded from the list. As pointed out in an article in the Tucson Daily Star on May 21, 1994, the Cienega Creek wetland is one of the last and best examples of a relatively intact cienega, particularly as it has not been populated by non-native fish. This is especially important since the Billa Topminnow is an endangered species. Given the short distance of the creek from Tucson, it should be protected for future generations of Tucsonians and others desirous of visiting a pristine wetlands un sullied by development.

Please include the Cienega Creek wetlands on the list of rivers to be protected on the Wild and Scenic Rivers System. Such a beautiful, endangered wetlands should be protected from all future development. Inasmuch as over 90% of the native riparian areas in Arizona have been lost, it is incumbent upon us to save and protect the remaining wetland areas, including Cienega Creek.

Sincerely

Barbara B. Wilson

Barbara B. Wilson

cc. Senator Dennis DeConcini
Representative Jim Kolbe
Representative Sam Coppersmith
Secretary Bruce Babbitt

107-1

528

Response 107 - 1: Please refer to general response # 8 (Cienega recommended alternative).

JUL 11 1994

000109

July 6, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Arizona State Office, B.L.M.
3707 North 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

Re: Comments on Draft Wild and Scenic Rivers Study -
Legislative Environmental Impact Statement

I would recommend and support no action alternative. First and foremost, I do not believe the Virgin River qualifies for Wild and Scenic designation. Until the City of St. George moved its waste water treatment plant below Bloomington 3 years ago, the river water never reached through the virgin river gorge after the spring run-off, except during a thunder storm. In fact, all the virgin river water is diverted into the washington fields canal in the spring every year. There is a small amount of recharge to the river below this diversion dam, but until the waste water treatment plant was moved, this recharge did not even reach the mouth of the gorge up stream from the Arizona State line in the summer months. This same thing will occur as soon as the city pumps this waste water back up to reuse it, which they are planning to do in the very near future. This includes all the wild and scenic segments of the river in Arizona.

The Arizona segment of the Virgin River is partially within the Paiute and Beaver Dam Wilderness areas. It is also within the Virgin River Area of Critical Environmental Concern. Management prescriptions are in place to offer ample protection for the river without Wild and Scenic designation.

It is stated that if the B.L.M. Resource Management plan determines that there are no significant adverse impact, the river area is determined to be eligible and tentatively classified as wild, scenic, or recreational. The Virgin River should never have passed this R.M.P. planning system test, because there would be highly significant impacts. Were these impacts identified and addressed?

The draft states that designation as Wild Scenic or Recreational on the Virgin River would not affect existing, valid water rights. Are unperfected rights considered to be valid or existing? All present and future water rights need to be met before instream flows should even be considered. How can Washington County's water rights be protected if no dams could be built? As stated in this draft "The existing and future demands far exceed the rivers supply."

109-1

529

Response 109 - 1: Please see responses to letter
102

Page 2

The Virgin River is Washington County's only long term solution to a growing water problem. From 1980 to 1990 the population of the county increased from 26,123 to 45,500, or 86%. Projected increases through 2010 varies from 66% by the five county association of governments, to 109% by the State of Utah, to 186% by the Washington County water conservancy district. These needs can only be met by storing winter and spring run-off waters in reservoirs for summer use. The river designation would not allow for this.

Did the R.M.P.-E.I.S. describe the public concern and support for the designation? The state, local or federal interest in the designation?

In keeping with the requirements of N.E.P.A., the socio-economic impacts of this action must be thoroughly explored and addressed.

On page 18 of question and answers under Range Management. (Q) what is the effect of designation on grazing? The answer is somewhat contradictory in stating "generally agricultural and grazing activities present at the time of designation would not be effected", yet under agriculture practices, e.g., it states livestock grazing and related structures may continue along adjacent lands outside the quarter mile designated corridor provided they do not cause erosion, and protect water quality, scenic and wildlife values. What about inside the quarter mile corridor? This statement could and probably would eliminate livestock grazing where the river is the source of water for the livestock.

The B.L.M. now has the authority to protect and manage these river segments, for multiple use, without the added restrictions that designation would impose.

Another concern I have is that after the "Area Manager" determines if a river or segment of a river is eligible, interim measures (as needed) shall be taken immediately to protect and manage the river and surrounding area in a fashion comparable to rivers already included in the Wild and Scenic Rivers system. This is much the same as defacto wilderness that we are now experiencing with our W.S.A.'s. How many years will this process take? As many as some of our wilderness designations?

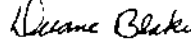
Clearly the negative impacts of the designation of the Virgin River and its tributaries, must be thoroughly researched and identified, with public participation, before they are determined to be suitable for inclusion in the National Wild and Scenic Rivers system.

I feel this protective management, before eligibility and suitability is determined, is unfair. It could serve no purpose

Page 3

but to lock up the virgin river from any type of development and many other uses, for years to come, not only in Arizona but in Utah as well.

Respectfully,



Duane Blake
1239 E. Lizzie Lane
St. George, Utah 84770

DB/mad

RECEIVED
S. W. ASST. DIR. OF ENV.

JUL 11 '94

July 6, 1994

ATTN: Bureau of Land Management
PHOENIX, ARIZONA

I am writing this letter in support of preserving our rivers. I understand that there is currently legislation in progress to destroy the rivers by opening more dams or cutting off the water supply. I strongly support the survival of our precious, natural rivers with all their beauty and life. If there is any other way that I can show my support, please contact me. Thank you.

Sincerely,

Cheryl D. Belfuss

Cheryl D. Belfuss

000110
3135 West Kings Avenue
Phoenix, Arizona 85023

JUL 11 1994

000111

JUL 17 1994

Paul W. Huddy
1455 S. Third St.
Tucson, AZ 85716-4229
July 1, 1994

Phillip Moreland, Branch Chief
Planning, Environment, Lands and Recreation (931)
Bureau of Land Management
P. O. Box 16563
Phoenix, AZ 85011

Dear Mr. Moreland:

Thank you for your information on the BLM's Draft Wild and Scenic Rivers EIS. This is a process that I have followed for many years and I regret that time constraints will severely limit my response.

First, I would ask the BLM and other decision makers to rise above the detail of this necessarily detailed process and try to understand and appreciate how important and special each of these rivers are in an arid state like ours. Human impact has so badly deteriorated riparian environments in Arizona that probably less than 5% of it still survives intact. One way or another, we must work hard to successfully protect what is left: their value and every further loss is magnified by how small and fragile is the remaining resource.

111-1 What is most striking about this EIS is the continual use of "segments" as a framework for evaluation and discussion. This suggests a focus on ownership and management rather than the resource itself. A river is not a segment.

111-2 Time after time the recommendations throw out one "segment" after another because it would be "impractical" or too "difficult" to manage. As this study documents, the future of many of these rivers is very dependent on these eleventh hour decisions. Failure to manage these difficulties may mean losing those rivers.

We can no longer afford the luxury of waiving away the "impractical" and the "difficult" into oblivion. These rivers are important ecological foundations of our world - the one we ourselves depend on for survival.

A healthy river and riparian system must be considered and protected as an ecological whole. It looks like what is really needed here is a process that involves all owners, agencies and managers to examine how to best care for each of these rivers and basins along their entire length.

Let's reassess our situation and recognize how important this work is to the future of our state. Let's renew our commitment and determination to preserve and protect what little is left of Arizona's rivers. Let's find new ways to overcome the "difficult" and "impractical" and save these rivers: the opportunity may not

Response 111 - 1: The word segment is frequently used in the Wild and Scenic Rivers Act.

Response 111 - 2: Please refer to general response # 1 (Alternatives).

532

come again.

Briefly, this EIS is significantly flawed in a number of other respects:

Its organization, by various categories and issues, further fragments and disrupts consideration of the rivers as whole.

There are many passing allusions to other considerations that are not fully explained.

111-3

The reasons for unsuitability are, likewise, not fully explained. Alternative management actions are enumerated, but it is not clear how they differ from Wild and Scenic designation or how they would accomplish the same purposes, if indeed they do.

111-4

The BLM's Cienega Creek finding of unsuitability on the basis of "not nationally significant" is very disturbing and should be reconsidered. What other rare cienega-typa creeks or rivers are included in the National Wild and Scenic River System?

I am glad to see Aravaipa Cr. included and appreciate the BLM's work in managing the Wilderness Area. Although existing management options may suffice to protect Turkey Creek, it is not clear from the draft EIS why it was found unsuitable.

111-5

The Nassayampa River should be evaluated anew for the reasons I discussed above. Private ownership is not necessarily a barrier to Wild and Scenic protection, which would help resolve recurrent threats to this special river. The long-term public interest should prevail over short-term private interests.

533

111-6

I am also glad to see the San Pedro included, but again it is not clear why the decision was made to split it into two segments and omit the two-mile section adjacent to private land. I also disagree with the determination that it be classified "Recreational" rather than "Scenic." Your own report states that it has "outstandingly remarkable scenic ... values" [Appendix, v 2, San Pedro, p 15, III.A., first sentence]. It seems to me that "Scenic" designation is more appropriate and better for the resource.

111-7

The report is correct in recognizing the high value of the Virgin River and its suitability for the Wild and Scenic River System, but very wrong in suggesting delay and further study. If the BLM can deal with segments of other rivers, why can it not do so in this case? Given the Utah BLM's notorious regard for local special interests, such coordinated study would probably amount to de facto inaction in this case, contrary to the public interest in preserving this outstanding resource.

Twenty-six years have passed since enactment of the National Wild and Scenic Rivers Act. Action on protecting remaining Arizona rivers is long overdue. Thank you for contributing to that important work. Please send a copy of your final EIS.

Sincerely yours,

David W. Hardy

Response 111 - 3: Please see general response # 3 (Eligibility Determinations). The Bureau of Land Management has no authority to study river segments over which it does not have administrative responsibilities.

Response 111 - 4: Please refer to general response # 8 (Cienega recommended alternative).

Response 111 - 5: Please see response # 11 (Suitability Determinations).

Response 111 - 6: Please refer to general response # 11 (Suitability Determinations).

Response 111 - 7: The proposed action/ recommended alternative for the Virgin River was originally defined in the Arizona Strip District Resource Management Plan (1991). Until a Congressional decision on designation is made, management actions for the river will be identified in the wilderness management plan, resource management plan, and area of critical environmental concern management plan, identified in chapter 2, would be implemented.

000112

JUL 11 1994

Dos Cebazas Route
Box 6309
Willcox, AZ 85643

July 4, 1994

Phillip Moreland, Branch Chief
Bureau Of Land Management
3707 North 7th Street
P.O. Box 16563
Phoenix, AZ 85011

Re: National Wild and Scenic Rivers System

Dear Mr. Moreland:

Many Southwestern rivers have long been ignored and are finally being recognized because of their diverse and remarkable resource values. In addition to precious surface water, river values include recreational, scenic, geologic, fish and wildlife, historic and cultural sites.

Some rivers in the Southwest, even though ephemeral, are also unique and maintain a subsurface flow so vital to many life forms. Recent biological studies have indicated the loss of approximately 90 per cent of the riparian areas in the state, while approximately 80 per cent of faunal species are directly associated with these areas. With this in mind, we cannot afford or allow those streams that remain undesignated to be regulated through less stringent standards when they are eligible for greater protection provided through this current review process.

As the inevitable development of this state continues, it becomes crucial to have maximum protection beyond local current management levels to safeguard these unique areas. Just maintaining small isolated or selected riparian "vacuums" will not sustain a rich biological diversity or insure wild rivers for those that follow.

I have had the opportunity to explore, visit and enjoy portions of almost all of the study areas included in the BLM Draft. I, therefore, support your review process and recommend and encourage your actions to extend and expand so as to include the All Suitable Alternatives that pertain to the 20 respective rivers, especially those not currently protected by some sort of direct Congressional designation.

The beauty, solitude and relatively undisturbed character of these rivers deserve as much protection as possible. The recognition of these resources as "National Treasures" in the form of federal protection through Congressional action becomes increasingly more important as our society grows and expands.

Respectfully



Dan Fischer

Response 112 - 1: Please refer to general response # 1 (Alternatives).

534

112-1

Letters received after the close of the comment period



State of Utah
DEPARTMENT OF NATURAL RESOURCES

Michael G. Lewis
Governor
Ted Stevens
Executive Director

1636 West North Temple, Suite 218
Salt Lake City, Utah 84119-3132
801-538-7000
801-508-7915 (Fax)

SEARCHED
SERIALIZED
INDEXED
FILED

JUL 26 1994

TSA
TSS
TST
TSC
TSD
TSE
TTF
TTH
TTI
TTJ
TTK
TTL
TTO
TTP
TTQ
TTR
TTS
TTT
TTU
TTV
TTW
TTX
TTY
TTZ

July 26, 1994

Mr. Roger G. Taylor, District Manager
Bureau of Land Management
Arizona Strip District Office
390 North 3050 East
St. George, Utah 84770

Dear Mr. Taylor:

The Utah Department of Natural Resources (DNR) is providing the following comments on BLM's Draft Arizona Statewide Wild and Scenic River Legislative Environmental Impact Statement (Draft LEIS):

In general, the DNR supports justifiable wild and scenic rivers designation. We, however, are concerned with the extent to which the Wild and Scenic Rivers Act allows designation of intermittent and non-perennial streams, designation of streams that are not free-flowing but are included under a liberal definition of free-flowing and designation of stream segments that are judged to have wild or scenic outstandingly remarkable values (ORV) but tends to actually act as a de facto wilderness declaration that sidesteps the process of wilderness designation.

We are also very concerned with the lack of response and clarification of requests made to BLM concerning the effect designations would have on water resources/water rights above the designated segments. For example, will the statement that wild and scenic rivers are established to maintain the "existing conditions" be used to prevent any increased use of water (i.e., development of existing but undeveloped water rights) above the designated segment?

The inclusion of the Virgin River segments seems to be a prime example of a designation that raises concerns with your determination that it is free-flowing and that it meets the test of ORV, given the degree the construction of 1-15 through the narrows has altered the river channel.

We, however, are also concerned about the unanswered question as to what effect the designation of wild and scenic rivers status for the Virgin River, Kanab Creek and Paria River segments will have on Utah's ability to manage and develop its water rights and water resources.

Mr. Roger G. Taylor
July 26, 1994
Page 2

We, therefore, respectfully request the Kanab Creek and Virgin River segments not be included in the wild and scenic rivers inventory until our questions concerning the effect of designation have been answered and the responses have been given appropriate consideration.

Sincerely,

Ted Stewart

Ted Stewart

Larry & Dana Clark
112 Overhill Road
Moroni, AZ 85546



Mr. Phil Moreland, Chief
Bd. of Planning
AZ. State Office
P.O. Box 16563
Phoenix, AZ 85014

Dear Sir:

7-26-94
FOL 23-1004
RE: Wild & Scenic River legislation -

We do NOT want it and we
don't need it!!

Neither do we want or need a
National Biological Survey! No Way!!!
Leave things alone!!
No Bills!

Sincerely,
Mr & Mrs. Larry Clark
Moroni, AZ

Bureau of Land Management, 1994

GLOSSARY

Bureau of Land Management, 1994

GLOSSARY

ACTIVITY PLAN: A detailed, specific plan necessary to implement the more general resource management plan decisions for a single resource program or plan element.

ALLOTMENT: An area of land assigned to one or more livestock operators for grazing livestock.

ALTERNATIVES: Different ways of addressing the environmental issues and management activities considered in the environmental impact statement. These serve to provide the decision maker and the public a clear basis for choices among options.

ANIMAL UNIT MONTH: The amount of forage necessary for the sustenance of one cow or five sheep for one month.

AQUATIC HABITAT: Habitat that is inundated by water with a frequency sufficient to support a prevalent form of aquatic life.

ARCHAEOLOGICAL DISTRICT: An area that provides a concentration of cultural properties in a discrete, definable location.

AREA OF CRITICAL ENVIRONMENTAL CONCERN: An area within the public lands where special management attention is required to protect important historic, cultural, or scenic values, fish and wildlife or natural systems or processes, or to protect life and safety from natural hazards.

BASE FLOW: The amount of stream flow that is maintained by groundwater inflow to the stream and is therefore relatively constant, even during dry periods.

BIOLOGICAL COMMUNITY: A group of plants and animals living together in a common area and having close interactions.

CLASSIFICATION: The process whereby designated rivers are segmented according to the criteria and classes (wild, scenic, and/or recreational river areas) established in Section 2(b) of the Wild and Scenic Rivers Act.

CRITICAL WILDLIFE HABITAT: The area of land, water and airspace required for the normal needs and survival of a species.

CRUCIAL WILDLIFE HABITAT: Sensitive use areas that are necessary to the existence, perpetuation, or introduction of one or more species during critical periods of their life cycles.

CULTURAL RESOURCES: Those fragile and nonrenewable remains of human activities, occupations, and endeavors as reflected in sites, buildings, structures, or objects. Cultural resources are commonly discussed as prehistoric or historic values.

DESIGNATION: The process whereby additional components are added to the National Wild and Scenic Rivers System under Section 2(a) of the Act. Inclusion of a river area into the National Wild and Scenic Rivers System (NWSRS) either by Act of Congress under section 2(a)(i) or by administrative action of the Secretary of the Interior with regard to State designated rivers under section 2(a)(ii).

GLOSSARY

ECONOMIC IMPACT: The change, positive or negative, in economic conditions that directly or indirectly result from an activity, project or program.

ECOSYSTEM: A complex self-sustaining natural system which includes living and nonliving components of the environment and the circulation of matter and energy between organisms and their environment.

ELIGIBILITY: Qualification of a river for inclusion into the National Wild and Scenic Rivers System through determination that it is free-flowing and with its adjacent land area possesses at least one river-related value considered to be outstandingly remarkable.

ENDANGERED SPECIES ACT OF 1973 (as amended): Federal law to ensure that no federal action will jeopardize federally listed or proposed threatened or endangered species of plants or animals.

EXISTING RIGHT-OF-WAY CORRIDOR: A parcel of land, with fixed limits or boundaries, that is being used as the location for one or more rights-of-way.

FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976: Public Law 94-579, which gives the BLM legal authority to establish public land policy, to establish guidelines for administering such policy and to provide for the management, protection, development and enhancement of the public land.

FLOODPLAIN: The nearly level alluvial plain that borders a stream or river and is subject to inundation during high water periods; that relatively flat area or lowland adjoining a body of standing or flowing water which has been or might be covered by floodwaters.

FREE-FLOWING: Existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. (Section 15(b) of the Wild and Scenic Rivers Act).

HABITAT MANAGEMENT PLAN: A written and officially approved plan for specific geographic area which identifies wildlife habitat and related objectives, establishes the sequence of actions for achieving objectives and outlines procedures for evaluating accomplishments.

LEASABLE MINERALS: Minerals such as coal, oil and gas, sodium, and all other minerals that may be acquired under the Mineral Leasing Act of 1920, as amended.

LOCATABLE MINERALS: Any valuable mineral that is not saleable or leasable, including gold, silver, copper, tungsten, uranium, etc.

MANAGEMENT FRAMEWORK PLAN: A planning decision document prepared before the effective date of the regulations implementing the land use planning provisions of the Federal Land Policy and Management Act.

MINERAL ENTRY: The location of mining claims by an individual to protect his right to a valuable mineral.

MINERAL MATERIAL DISPOSALS: Disposal of sand, building and decorative stone, gravel, pumice, clay and other mineral materials and petrified wood through permit or contract for sale or free use.

GLOSSARY

MINERAL WITHDRAWAL: Closure of land to mining laws, including sales, leasing, and location, subject to valid existing rights.

MINING PLAN OF OPERATION: See Plan of Operations.

MITIGATING MEASURES: Methods used to reduce the significance of or eliminate an anticipated environmental impact.

MITIGATION: The lessening of a potential adverse effect by applying appropriate protection measures.

MOTORIZED TRAVEL: Travel in any motorized vehicle for recreation purposes; includes driving or riding in off-highway areas.

MULTIPLE-USE MANAGEMENT: Management of public lands and their resources so that they are used in the combination best meeting the present and future needs of the American people.

NATIONAL REGISTER OF HISTORIC PLACES: A list of districts, sites, structures, and objects significant in American history and culture maintained by the Secretary of the Interior.

NATIONAL WILD AND SCENIC RIVERS SYSTEM: Established by the Wild and Scenic Rivers Act of 1968 to protect rivers and their immediate environments that have outstanding scenic, recreational, geologic, fish and wildlife, historic, cultural, and other similar values and are preserved in free-flowing conditions.

NATIONAL WILDERNESS PRESERVATION SYSTEM: Established by the Wilderness Act of 1964 the system is composed of federally owned areas designated by Congress as wilderness areas.

OUTSTANDINGLY REMARKABLE VALUES: Values among those listed in Section 1(b) of the Wild and Scenic Rivers Act: "scenic, recreational, geological, fish and wildlife, historical, cultural, or other similar values . . ." Other similar values which may be considered include ecological, biological or botanical, paleontological, hydrological, scientific, or research values.

PATENT: A government instrument (or deed) that conveys legal title for public land to an individual or another government entity.

PLACER MINING: That form of mining in which the surface soil is washed for gold or other valuable minerals.

PLAN OF OPERATIONS: A plan for mining exploration and development that an operator must submit to BLM for approval when more than 5 acres a year will be disturbed or when an operator plans to work in an area of critical environmental concern, or wilderness area. A Mining Plan of Operation must document in detail all actions the operator plans to take from exploration through reclamation.

PREFERRED ALTERNATIVE: That alternative, in the environmental impact statement, which management has initially selected as offering the most acceptable resolution for the issues and concerns.

GLOSSARY

RESOURCE MANAGEMENT PLAN: A written land use plan that outlines BLM's decisions and strategies for management of the resources in a particular area. The Resource Management Plan replaces the Management Framework Plan in BLM's planning system.

RIGHT-OF-WAY: The legal right for use, occupancy, or access across land or water areas for a specified purpose or purposes. Also the lands covered by such a right.

RIPARIAN NATIONAL CONSERVATION AREA: An area of outstanding riparian, and other resource values, designated by Congress for the protection and enhancement of these values.

RIPARIAN HABITAT: Areas of land directly influenced by permanent water and having visible characteristics, such as a vegetation type which reflects the presence of permanent surface or subsurface water.

RIVER: A flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes. (Section 16(a) of the Wild and Scenic Rivers Act).

RIVER AREA: That portion of a river (segment or corridor) authorized either by Congress or an agency for study and its immediate environment comprising a minimum area extending at least 1/4 mile (1/2 mile to 2 miles in Alaska) from each river bank. For designated rivers, the river and adjacent land within the authorized boundaries.

SALEABLE MINERALS: See Mineral Material Disposals.

SCENIC CORRIDOR: The area encompassing the foreground-midground zone along roadways.

SCOPING PROCESS: An early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.

SPECIAL STATUS SPECIES: Wildlife and plant species either federally listed or proposed for listing as endangered or threatened, state-listed or BLM-determined priority species.

STIPULATION: A requirement, usually dealing with protection of the environment, that is made a part of a lease, grant, or other authorizing document.

UNIQUE WATERS: The state sets water quality standards for unique waters. Streams are designated as unique waters on the basis of good water quality and at least one of the following criteria: exceptional recreational or ecological significance, or the provision of critical habitat for threatened or endangered species.

WETLANDS: Lands including swamps, marshes, bogs, and similar areas such as wet meadows, river overflows, mud flats, and natural ponds.

WILD AND SCENIC STUDY RIVER: Rivers identified in Section 5 of the Wild and Scenic Rivers Act for study as potential additions to the National Wild and Scenic Rivers System. The rivers shall be studied under the provisions of Section 4 of the Wild and Scenic Rivers Act.

REFERENCES

REFERENCES

Arizona Department of Economic Security

1993 Arizona Projections for 1993-2040 by Place, Research Administration, Population Statistics Unit, May, 1993

Arizona Rivers Coalition

1991 Arizona Rivers: Lifeblood of the Desert; A Citizens' Proposal for the Designation of Rivers in Arizona, Phoenix.

Public Laws

1973 P.L. 100-478, Endangered Species Act of 1973, as amended.

1976 P.L. 94-579, Federal Land Policy and Management Act of 1976.

1969 P.L. 91-190, National Environmental Policy Act of 1969.

1968 P.L. 90-542, Wild and Scenic Rivers Act of 1968.

U.S. Bureau of Land Management

1993 Draft Amendment to Phoenix Resource Management Plan and Lower Gila North Management Framework Plan (Environmental Assessment No. AZA-024-93-026). Phoenix Resource Area, Phoenix District Office.

1993 Kingman Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement. Kingman Resource Area, Phoenix District Office.

1993 Safford Resource Management Plan Amendment, Safford, Arizona.

1993 Gila Box Riparian National Conservation Area Interdisciplinary Activity Plan and Environmental Assessment (in preparation), Safford, Arizona.

1993 San Pedro River Wild and Scenic River Suitability Assessment, Tucson, Arizona.

1992 Safford District Resource Management Plan and Environmental Impact Statement, Safford, Arizona.

1992 Potential Wild and Scenic Rivers, Arizona State Office, Phoenix, Arizona.

1990 Arizona Strip District Proposed Resource Management Plan/Final Environmental Impact Statement, St. George, Utah.

1989 San Pedro River Riparian Management Plan, Tucson, Arizona.

ND Analysis of Water Resources and Water-Dependent Resources in Support of Instream Flow Water Rights, San Pedro River, Arizona, Fairbank, Arizona, San Pedro Project Office, .

ND Assessment of Water Conditions and Management Opportunities in Support of Riparian Values, Denver Service Center, Denver, Colorado.

U.S. Department of Commerce

Population Estimates (1988) and Per Capita Income (1987) for Counties, Incorporated Places and Selected Towns and Townships: Arizona, U.S. Census, February 1, 1990.

U.S. Geological Survey

1992 Geomorphic Evolution of the San Pedro River Channel Since 1900 in the San Pedro Riparian National Conservation Area.

Bureau of Land Management, 1994

INDEX

Air quality:	p.69
All suitable alternative:	p.31
Arizona Strip district rivers:	p.11
Assumptions:	p.69
Consultation and coordination:	p.11
Counties:	p.18
Cultural resources:	p.59
Cumulative effects:	p.90
Decision document:	p.1
Eligibility and suitability process:	p.1, p.20, Figure 1-1
Fish and wildlife:	p.55
Impacts from the recommended alternative:	p.70
Impacts from the all suitable alternative:	p.94
Impacts from the legislative protection alternative:	p.112
Impacts from the no action alternative:	p.132
Legislative protection alternative:	p.36
Livestock grazing:	p.63
Management areas:	p.13
Methodology:	p.69
Minerals development and potential:	p.49
No action alternative:	p.41
Phoenix district rivers:	p.11
Population and local economy:	p.65
Public scoping:	p.146
Public participation:	p.148, 156
Public open house meeting:	p.21
Public Involvement:	p.21, 143
Purpose and need:	p.1
Recommended alternative:	p.27
Recreation:	p.53
Recreational rivers:	p.6
Riparian vegetation:	p.57
Safford district rivers:	p.12
Scenic rivers:	p.6
Scoping:	p.21
Scoping issues:	p.21
Short term uses of the environment versus long-term productivity:	p.93
Travel and tourism:	p.66
Unavoidable adverse effects:	p.93
Water resources:	p.61
Wild rivers:	p.6
Yuma district rivers:	p.13

Bureau of Land Management, 1994

APPENDIX 1



UNITED STATES
DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
ARIZONA ECOLOGICAL SERVICES STATE OFFICE
3616 West Thomas Road, Suite 6
Phoenix, Arizona 85019



Telephone: (602) 379-4720 FAX: (602) 379-6629

2-21-94-I-082

January 4, 1994

MEMORANDUM:

TO: State Director, Bureau of Land Management, Phoenix, Arizona

FROM: State Supervisor

SUBJECT: Section 7 Consultation

This letter is in response to your December 1, 1993, request for information on listed or proposed threatened or endangered species and candidate species that may occur in the 20 eligible Wild and Scenic River Study Areas outlined in your memorandum.

Our data indicate the following listed and candidate species may occur in the following study areas:

Agua Fria River (Yavapai County)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
Bald eagle (*Haliaeetus leucocephalus*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
California leaf-nosed bat (*Macrotus californicus*)
Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
Loggerhead shrike (*Lanius ludovicianus*)
Ferruginous hawk (*Buteo regalis*)
Chuckwalla (*Sauromalus obesus*)
Desert tortoise (Sonoran population) (*Gopherus agassizii*)
Mexican garter snake (*Thamnophis eques*)
Arizona toad (*Bufo microscaphus microscaphus*)
Lowland leopard frog (*Rana yavapaiensis*)
Desert sucker (*Catostomus clarki*)
Hohokam agave (*Agave murpheyi*)

Aravaipa Creek (Graham & Pinal Counties)

Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*)
American peregrine falcon (*Falco peregrinus anatum*)
Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Threatened

Loach minnow (*Tiaroga cobitis*)

Spikedace (*Meda fulgida*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)

Loggerhead shrike (*Lanius ludovicianus*)

Lowland leopard frog (*Rana yavapaiensis*)

Desert sucker (*Catostomus clarki*)

Sonora sucker (*Catostomus insignis*)

Roundtail chub (*Gila robusta*)

Aravaipa sage (*Salvia amissa*)

Big Sandy River (Mohave County)Endangered

American peregrine falcon (*Falco peregrinus anatum*)

Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)

California leaf-nosed bat (*Macrotus californicus*)

Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)

Hualapai southern pocket gopher (*Thomomys umbrinus hualapaiensis*)

Ferruginous hawk (*Buteo regalis*) (wintering only)

Loggerhead shrike (*Lanius ludovicianus*)

Desert tortoise (Sonoran population) (*Gopherus agassizii*)

Chuckwalla (*Sauromalus obesus*)

Rosy boa (*Lichanura trivirgata*)

Arizona toad (*Bufo microscaphus microscaphus*)

Lowland leopard frog (*Rana yavapaiensis*)

Sonora sucker (*Catostomus insignis*)

Bill Williams River (Mohave & La Paz Counties)Endangered

American peregrine falcon (*Falco peregrinus anatum*)

Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
 California leaf-nosed bat (*Macrotus californicus*)
 Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
 Hualapai southern pocket gopher (*Thomomys umbrinus hualpaiensis*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Loggerhead shrike (*Lanius ludovicianus*)
 Rosy boa (*Lichanura trivirgata*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Roundtail chub (*Gila robusta*)
 Sonora sucker (*Catostomus insignis*)

Bonita Creek (Graham County)Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)
 Razorback sucker (*Xyrauchen texanus*) with proposed critical habitat

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Greater western mastiff-bat (*Eumops perotis californicus*)
 Northern gray hawk (*Buteo nitidus maximus*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Lowland leopard frog (*Rana yavapaiensis*)
 Gila chub (*Gila intermedia*)
 Desert sucker (*Catostomus clarki*)
 Sonora sucker (*Catostomus insignis*)
 Roundtail chub (*Gila robusta*)

Burro Creek & Francis Creek (Mohave & Yavapai Counties)Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)
 Arizona cliffrose (*Purshia subintegra*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
 California leaf-nosed bat (*Macrotus californicus*)
 Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
 Hualapai southern pocket gopher (*Thomomys umbrinus hualpaiensis*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Loggerhead shrike (*Lanius ludovicianus*)

Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Chuckwalla (*Sauromalus obesus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Rosy boa (*Lichanura trivirgata*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Sonora sucker (*Catostomus insignis*)
 Desert sucker (*Catostomus clarki*)
 Roundtail chub (*Gila robusta*)

Cienega Creek (Pima County)

Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Gila topminnow (*Poeciliopsis occidentalis occidentalis*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 1

Huachuca water umbel (*Lilaeopsis schaffneriana* ssp. *recurva*)

Candidate Category 2

Yellow-nosed cotton rat (*Sigmodon ochrognathus*)
 California leaf-nosed bat (*Macrotus californicus*)
 Mexican long-tongued bat (*Choeronycteris mexicana*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Mexican garter snake (*Thamnophis eques*)
 Canyon (giant) spotted whiptail (*Cnemidophorus burti*)
 Chiricahua leopard frog (*Rana chiricahuensis*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*)
 Gila chub (*Gila intermedia*)

Gila River (Gila Box) (Graham & Greenlee Counties)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)
 Razorback sucker (*Xyrauchen texanus*) with proposed critical habitat

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Threatened

Loach minnow (*Tiaroga cobitis*)
 Spikedace (*Meda fulgida*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Greater western mastiff-bat (*Eumops perotis californicus*)
 Northern gray hawk (*Buteo nitidus maximus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Narrow-headed garter snake (*Thamnophis rufipunctatus*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Chiricahua leopard frog (*Rana chiricahuensis*)
 Roundtail chub (*Gila robusta*)
 Sonora sucker (*Catostomus insignis*)
 Desert sucker (*Catostomus clarki*)
 Maricopa tiger beetle (*Cicindela oregona maricopa*)

Hassayampa River (Maricopa & Yavapai Counties)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
 California leaf-nosed bat (*Macrotus californicus*)
 Greater western mastiff-bat (*Eumops perotis californicus*)
 Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Loggerhead shrike (*Lanius ludovicianus*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Chuckwalla (*Sauromalus obesus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Rosy boa (*Lichanura trivirgata*)
 Lowland leopard frog (*Rana yavapaiensis*)

Hot Springs Canyon (Cochise County)

Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Mexican long-tongued bat (*Choeronycteris mexicana*)
 Chiricahua western harvest mouse (*Reithrodontomys megalotis arizonensis*)
 Yellow-nosed cotton rat (*Sigmodon ochrognathus*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)

Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Canyon (giant) spotted whiptail (*Cnemidophorus burti*)
 Lowland leopard frog (*Rana yavapaiensis*)

Middle Gila River (Gila & Pinal Counties)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Threatened

Spikedace (*Meda fulgida*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Chuckwalla (*Sauromalus obesus*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Desert sucker (*Catostomus clarki*)
 Sonora sucker (*Catostomus insignis*)

Paria River (Coconino County)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)
 Humpback chub (*Gila cypha*)
 Razorback sucker (*Xyrauchen texanus*) with proposed critical habitat at
 confluence

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Marble Canyon kangaroo rat (*Dipodomys microps leucotis*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*)
 Chuckwalla (*Sauromalus obesus*)
 Flannelmouth sucker (*Catostomus latipinnis*)

San Pedro River (Cochise County)

Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 1

Huachuca water umbel (*Lilaeopsis schaffneriana* ssp. *recurva*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Mexican long-tongued bat (*Choeronycteris mexicana*)
 Southwestern cave bat (*Myotis velifer brevis*)
 Chiricahua western harvest mouse (*Reithrodontomys megalotis arizonensis*)
 Yellow-nosed cotton rat (*Sigmodon ochrognathus*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Northern gray hawk (*Buteo nitidus maximus*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Texas horned lizard (*Phrynosoma cornatum*)
 Canyon (giant) spotted whiptail (*Cnemidophorus burti*)
 Mexican garter snake (*Thamnophis eques*)
 Desert sucker (*Catostomus clarki*)

Santa Maria River (Mohave, La Paz, Yavapai Counties)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
 California leaf-nosed bat (*Macrotus californicus*)
 Hualapai southern pocket gopher (*Thomomys umbrinus hualpaiensis*)
 Yavapai Arizona pocket mouse (*Perognathus amplus amplus*)
 Ferruginous hawk (*Buteo regalis*) (wintering only)
 Loggerhead shrike (*Lanius ludovicianus*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Chuckwalla (*Sauromalus obesus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Rosy boa (*Lichanura trivirgata*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Sonora sucker (*Catostomus insignis*)
 Desert sucker (*Catostomus clarki*)
 Roundtail chub (*Gila robusta*)

Swamp Springs Canyon (Graham County)Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Mexican long-tongued bat (*Ghoeronycteris mexicana*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Apache northern goshawk (*Accipiter gentilis apache*)
 Desert tortoise (Sonoran population) (*Gopherus agassizii*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Gila chub (*Gila intermedia*)
 Sonora sucker (*Catostomus insignis*)
 Desert sucker (*Catostomus clarki*)

Turkey Creek (Graham County)Endangered

Lesser long-nosed bat (*Leptonycteris curasoae yerbabuenae*)
 American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Threatened

Loach minnow (*Tiaroga cobitis*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Candidate Category 1

Cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Roundtail chub (*Gila robusta*)
 Desert sucker (*Catostomus clarki*)
 Sonora sucker (*Catostomus insignis*)

Virgin River (Mohave County)Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Woundfin (*Plagopterus argentissimus*)
 Virgin River chub (*Gila seminuda*)

Threatened

Desert tortoise (Mojave population) (*Gopherus agassizii*)

Candidate Category 2

Spotted bat (*Euderma maculatum*)
 California leaf-nosed bat (*Macrotus californicus*)
 Ferruginous hawk (*Buteo regalis*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Chuckwalla (*Sauromalus obesus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Roundtail chub (*Gila robusta*)
 Flannelmouth sucker (*Gatostomus latipinnis*)
 Desert sucker (*Catostomus clarki*)
 Virgin spinedace (*Lepidomeda mollispinis mollispinis*)
 Virgin thistle (*Girsium virginensis*)

Wright Creek (Mohave County)

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Candidate Category 2

Hualapai southern pocket gopher (*Thomomys umbrinus hualpaiensis*)
 Northern goshawk (*Accipiter gentilis*)
 Loggerhead shrike (*Lanius ludovicianus*)
 Ferruginous hawk (*Buteo regalis*)
 Chuckwalla (*Sauromalus obesus*)

Lower San Francisco River (Greenlee County)

Note: A map for this area was not enclosed. This list is for the river within the following area: Townships 2,3,4,5 South, Ranges 29, 30, 31, 32 East.

Endangered

American peregrine falcon (*Falco peregrinus anatum*)
 Bald eagle (*Haliaeetus leucocephalus*)

Proposed Endangered

Southwestern willow flycatcher (*Empidonax traillii extimus*)

Threatened

Loach minnow (*Tiaroga cobitis*)

Candidate Category 2

California leaf-nosed bat (*Macrotus californicus*)
 Apache northern goshawk (*Accipiter gentilis apache*)
 Loggerhead shrike (*Lanius ludovicianus*)
 California leaf-nosed bat (*Macrotus californicus*)
 Arizona toad (*Bufo microscaphus microscaphus*)
 Chiricahua leopard frog (*Rana chiricahuensis*)
 Lowland leopard frog (*Rana yavapaiensis*)
 Sonora sucker (*Catostomus insignis*)
 Desert sucker (*Catostomus clarki*)

Endangered and threatened species are protected by Federal law and must be considered prior to project development. Candidate species are those which the Fish and Wildlife Service (Service) is considering adding to the threatened or endangered species list. Category 1 candidates are those for which the Service has enough information to support a proposal to list. Category 2 species are those for which the Service presently has insufficient information to support a proposal to list. Although candidate species have no legal protection under the Endangered Species Act, they should be considered in the planning process in the event they become listed or proposed for listing prior to project completion.

The State of Arizona protects some species not protected by Federal law. We suggest you contact the Arizona Game and Fish Department and the Arizona Department of Agriculture for state-listed or sensitive species in these areas.

In future communications on this project, please refer to consultation number 2-21-94-I-082. If we may be of further assistance, please contact Brenda Andrews or Tom Gatz.

Sincerely,



Sam F. Spiller
State Supervisor

cc: Director, Arizona Game and Fish Department, Phoenix, Arizona
Plant Program Manager, Arizona Department of Agriculture, Phoenix,
Arizona