

July 17, 2023

Kurt Davis, Deputy Forest Supervisor
Coronado National Forest
300 West Congress Street
Tucson, AZ 85701

Re: OBJECTION: Chiricahua Public Access Project

Dear Objection Reviewing Officer Davis:

The Center for Biological Diversity (“the Center”), together with the Chiricahua Regional Council, Natural Allies, Wild Arizona, and Conservation CATalyst, hereby submits these objections to the Forest Service’s Decision Notice (“Decision”) of the **Chiricahua Public Access Project** and its associated Environmental Assessment (“EA”). The deadline to submit objections is Monday, July 17, 2023, because the 45th day from the May 31, 2023, publication in the paper of record is Saturday, July 15, 2023. These objections are timely filed.

Project Objected To:

We object to the following project:

Project: The Chiricahua Public Access Project (“Access Project”) on the Coronado National Forest (“Coronado”) and its associated Environmental Assessment.

Project link: <https://www.fs.usda.gov/project/?project=57856>

Responsible Official: Kurt Davis, Deputy Forest Supervisor, Coronado National Forest, kurt.davis@usda.gov

Kerwin Dewberry, Forest Supervisor, Coronado National Forest, kerwin.dewberry@usda.gov

Michiko Martin, Regional Forester, U.S. Forest Service, Southwest Region, 333 Broadway SE, Albuquerque, NM 87102 michiko.martin@usda.gov

Lead Objector:

As required, the “Lead Objector” is as follows:

Chris Bugbee, Southwest Conservation Advocate
Center for Biological Diversity
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Interests and Participation of the Objectors

The Center for Biological Diversity is a national, nonprofit wildlife conservation and public interest organization with more than 81,000 members dedicated to the protection of endangered species and wild places. Our members are concerned with the management of our federal public lands, including our public lands under U.S. Forest Service (“USFS”) management, especially as that management relates to the recovery and viability of native species and habitats. While we are based in Tucson and maintain a local constituency of staff, members, and supporters within Arizona and the greater Southwest, our national public lands are to be managed for the benefit of all Americans, and this Objection letter therefore speaks for all our members and supporters throughout the United States who value the wild, rugged and healthy native ecosystems of the greater Sky Islands ecoregion.

The Center for Biological Diversity believes that the welfare of human beings is deeply linked to nature — to the existence in our world of a vast diversity of wild animals and plants. Because diversity has intrinsic value, and because its loss impoverishes society, we work to secure a future for all species, great and small, hovering on the brink of extinction. We do so through science, law, and creative media, with a focus on protecting the lands, forests, waters and climate that species need to survive. The Center has and continues to actively advocate for increased protections for species and their habitats in the forests of the American Southwest.

The Lead Objector is a Conservation Advocate with the Center who lives in Tucson, AZ. He regularly studies, surveys, and recreates in the Chiricahua Mountains including directly in the Project Area and in nearby canyons. On several of his camping/hiking trips to the Project Area, he has had made remarkable discoveries of cultural artifacts, experienced unique and incredible wildlife encounters, and has had profound spiritual experiences.

The Chiricahua Regional Council (CRC) is a regional nonprofit conservation organization, based in Portal, Arizona. The primary goal of the CRC is to protect valuable intact habitats in the Chiricahua Ecosystem Management Area in addition to private lands in the Chiricahua, Peloncillo, and Dragoon Mountains, and nearby areas of southeastern Arizona, southwestern New Mexico, and adjacent northern Mexico. To accomplish this, we work with the Forest Service, other governmental agencies, and private entities on issues that impact our unique assemblage of habitats, which together comprise North America’s greatest terrestrial biodiversity.

The Chiricahua Regional Council is the only citizen-based organization in the Chiricahua Mountains with the primary goal of conservation. We promote responsible land use and wise, science-informed stewardship of our unique natural heritage. We represent diverse interests, including ranchers, artists, and scientists, as well as year-round and summer residents, homeowners, and ecotourism businesses.

Natural Allies has advanced conservation and restoration in the Sky Islands for more than three decades. We defend threatened landscapes and work to permanently protect these special areas. Members of Natural Allies participated in the Forest Planning process. Additionally, we occupied one of two Quiet Recreation seats on the Travel Management stakeholder group

convened by the Coronado National Forest, for the purpose of provide guidance to line officers in developing a modern transportation system.

Wild Arizona originally formed in 1979 as the Arizona Wilderness Coalition, an all-volunteer organization instrumental in the passage of two landmark bills, which established the 90 designated Wilderness Areas Arizona boasts today, including the Chiricahua Wilderness Area. Wild Arizona's mission is to protect, unite, and restore wild lands and waters across Arizona and beyond, for the enrichment and health of all generations, and to ensure Arizona's native plants and animals a lasting home in wild nature. We organize and amplify multi-community voices of support for legislation and special designations; advocate for conservation science-based environmental policy and planning; and cultivate stewardship, social/environmental awareness, and well-being through outdoor volunteerism, science, and education.

Wild Arizona has initiated and provided funding for service projects in the Chiricahua Mountains, particularly with trail maintenance and reconstruction.

Conservation CATalyst is a Tucson-based nonprofit organization, founded in 2008, specializing in education, outreach, and conducting scientific research on wild cats in conflict with people. Each year, the Executive Director brings advanced college students from 14 different universities to hike John Long Canyon, which serves as the focal location to teach about the convergence of Rocky Mountain and Madrean species. This quiet and spectacular canyon, where students have seen or found sign of spotted owls, goshawks, black bears and even jaguar, is always the location students remember and are inspired by most. The sense of wilderness obtained from hiking this canyon is incredibly special, unique, important, and irreplaceable. One student described their hike here as “my favorite day of my life. I felt like an explorer 100 years ago when things were still wild.”

According to Conservation CATalyst's Executive Director, “This Canyon is incredibly special to my family and is my favorite day hike to bring my children. My 2- and 4-year-old daughters once spent a day exploring a section of the canyon, frolicking under the tree canopy, only to discover a peaceful family of bears doing the exact same thing. This experience is deeply etched into their memory and has undoubtedly helped shape a lifelong land ethic. Anyone that claims this Canyon is inaccessible needs only to ask my 4-year-old daughter, who has traversed the canyon on multiple occasions. Not only is there no need for a road to access and enjoy this place, but a road would permanently destroy the very reasons we visit this canyon.”

1.1 Introduction and Overview of Our Objections.

The Center, along with the Chiricahua Regional Council, Natural Allies, Wild Arizona, and Conservation CATalyst, submits these comments out of concern that the proposed road construction actions and subsequent activities will result in significant negative impacts to threatened and endangered species including jaguar, Mexican spotted owl, and many more, while providing minimal improvements to public access opportunities in the affected areas. Although USFS acknowledges the road construction may impact these species—and is indeed **likely to**

adversely affect the endangered jaguar—it has nonetheless failed to consider any alternatives to the proposed road construction actions with unabashedly disingenuous motives.

We have additional concerns with the draft decision, which fails to adhere to components of the Coronado National Forest Land and Resource Management Plan, fails to comply with the Travel Management Planning Rule, as well as violations of the Administrative Procedure Act (“APA”).¹

This project is presented as a solution to a non-existent problem. Current road access is already sufficient in the Chiricahua Mountains. Access to the Project Area currently exists. Forest users can drive to the beautiful rim of John Long Canyon and experience its natural wonders on foot. Visitors cannot currently drive down into the densely wooded and fire-prone canyon bottom, and rightly so. Using hard-earned taxpayer funds for this Project will only benefit a very specific, small subset of forest users, mostly hunters and All-Terrain/ Off-road Vehicle (“ATV/ORV”) users, at the direct expense of wildlife, rare flora, and a huge majority of forest users who visit the Coronado National Forest for Quiet Recreation. The lack of vehicular access is precisely what makes the Project Area one of the most delightful day-hiking and birdwatching areas on the Coronado National Forest. John Long Canyon is a natural gem and too important to be sacrificed and degraded, especially in the backdrop of global climate and extinction crises.

New road construction will, without question, foster spread of invasive plants, displace rare and unique wildlife, increase fire risks, and encourage off-road vehicle use in a quiet canyon that is still in recovery from a previous fire. It will displace members of the public who search out areas for Quiet Recreation, which is becoming rarer by the year, despite being an overarching goal of the Coronado’s Forest Plan. This project is unjustified degradation of one of the last natural treasures in the Chiricahua Mountains, **in the heart of the range of the last known wild jaguar living in the United States.**

1.2 Our Objection: The EA Offers a Convoluted Purpose and Need.

Under the guise of public access, this project is clearly catered to a small subset of public land users. **The EA glosses over this most important point of access bias.** If approved, this project would not even provide motorized access to John Long Canyon to the vast majority of public users. Motorized access will only be available to those with sturdy four-wheel drive vehicles and to ATV/ORV users. Significant funding for this project is provided by AZ Game and Fish and this project caters to hunters. When reviewing the Coronado’s own surveys (National Visitor Use Monitoring - Coronado NF Report) we see this user group represents only 5.7% of the total visitors to the forest, with only 3.4% calling it their main activity. Remarkably, 47.9 Coronado users reported hiking/walking as their primary activity on the forest, with the next three primary activities being Viewing Natural Features (12.1%), Viewing Wildlife (7.5%) and Relaxing (7.1%). This is a project for a very small and specific community of forest users, as 95% of forest users would still not be able to access John Long Canyon in a vehicle. While providing benefit to very few, this project will compromise the natural and quiet experience of

¹ 5 U.S.C. §§ 701-706.

those forest users who walk into John Long Canyon on foot. This project will have a net negative effect to the public at large.

For these reasons, we staunchly Object to this Project.

The Coronado concluded that public use of these areas is not expected to be heavy, and conceded that a road maintained at Maintenance Level 2 would not be inviting too many forest visitors. This contradicts other statements on providing access to the public. What the Coronado is actually providing access to is a subset of the hunting community and ATV users. The majority of the public will see no benefit at all from this project. The project would, ultimately, displace users (the Lead Objector for example) looking for non-motorized quiet recreation, which is in higher demand and more limited supply. **Quiet Recreation** is a stated goal of the Coronado National Forest and is prominent in the Forest Plan. Opening currently quiet areas of the forest to vehicular recreation seems counterproductive to achieving that goal. **We Object to the Access Project on these grounds.**

This project does not increase public access. If the Coronado National Forest were serious about access, they would instead focus on upgrading poor roads in high-use areas to Management Level Three, which would allow for passenger cars. This would create far more access than a rough Management Level Two road in a remote area, which only a small percentage of forest users can access with 4-wheeled vehicles. This project caters to a small subset of forest visitors who have vehicles which allow them to already access many more areas than the average forest visitor. **We Object to the Access Project on these grounds.**

We are not suggesting that road access be made to more forest users, as there are already far too many routes already in place. We are suggesting the focus should be on upgrading routes which currently exist in high-use areas if the Coronado is sincere in its stated objective to provide additional access to the national forest. We strongly object to using limited taxpayer dollars for a project that would ‘benefit’ a tiny proportion of users yet displace other users while simultaneously harming a significant number of rare, unique and irreplaceable wildlife and plant species. **We Object to the Access Project on these grounds.**

The Coronado concedes that "*illegal activity on the CNF continue to result in creation of unauthorized roads and trails, extensive trash and debris piles, and impacts public safety.*"² We agree and we see this mostly with groups of irresponsible hunters and ATV/ORV users. The Coronado's time (and taxpayer dollars) would be better spent addressing such illegal activities and closing unauthorized roads before building new roads. When you have proved unable or unwilling to manage the current transportations system, how can you justify adding new routes to the system? Furthermore, we do not understand how opening new areas **to this same group of users** will not result in a continuation/increase of illegal activity, including unauthorized roads and trails, and extensive trash and debris piles, and the subsequent impact on public safety. The EA fails to address the public impact from this small groups of users who have a tremendous negative impact on the landscape, and, on other groups who make up the vast majority of forest users. Once an area becomes popular with the ATV user, other uses tend to stop, pushed out by the noise, accelerated erosion, and reduction in wildlife associated with ATV use areas. We can

² Chiricahua Public Access EA, page 10.

point to several areas on the Coronado National Forest where this has occurred. **We Object to the Access Project on these grounds.**

The Coronado's statement regarding Rural and Urban Development³ is misleading and is not an argument that supports moving forward with this project. Most of the human growth is in the greater Tucson area of Pima County. Also, the county in which these projects are occurring (Cochise County), has lost population over the past decade. Hidalgo County, close by and adjacent to Cochise County, has been losing population over an even longer time frame. Using Forest Service reasoning, if human population is decreasing in and near the Project Area, there should be less of a demand to justify proposed actions such as this. **We Object to the Access Project on these grounds.**

Surprisingly, the EA even suggests that this project is necessary for managerial activities. For example, "*The lack of administrative access also results the (sic) Coronado National Forest being less able to efficiently maintain roads and hiking trails.*" This statement is factually incorrect as access cannot be denied to the Forest Service.

Suggested Remedy:

Justify the project in terms of the ~5% of visitors for which it is clearly catered. Explain, how is this project meaningfully increasing public access? Examine the negative effects of the project and justify them in the context of the benefit to the ~5%. Explain how this project helps the Coronado National Forest meet the important and stated goal of Quiet Recreation which is prominent in the Coronado Forest Plan. Analyze the impacts of popular ATV/ORV routes and the ATV/ORV community, which has a tremendous negative impact on the landscape, and in particular, on other user groups. Be forthcoming about the true motive behind this project and justify the cost vs benefit of executing a project such as this in the backdrop of ever-escalating global climate and wildlife extinction crises.

1.3 Our Objection: The EA Misrepresents Current Status of Public Access.

Despite this Project and its EA being called 'Chiricahua Public Access', public access currently exists in this Project Area. The statement indicating the public does not have legal access to John Long, North Fork of Pinery Canyon, and Horseshoe Canyon areas for recreational and other purposes is incorrect. For example, "*Because of the lack of motorized public access, these areas are not available to visitors for a variety of recreation opportunities including dispersed camping, hunting, and hiking*"⁴ This statement is not only misleading but fundamentally false. AZ Game and Fish has a sign-in kiosk in John Long Canyon, direct evidence of access currently existing for hunting and hiking. Why does the EA continuously equate access with motorized access? Legal access is currently available to all areas discussed in the EA. The Center's staff and members, including the Lead Objector, have hiked in all three

³ *Id.*, page 11.

⁴ Chiricahua Public Access EA at 13.

project areas recently. We can currently drive into Horseshoe Canyon as it is not closed, a fact confirmed by the EA.

In Horseshoe Canyon, this project seeks a solution to a problem that does not exist. **Horseshoe Canyon is already open.** For reasons not adequately explained in the EA, the Forest Service is proposing to build an additional road going to the same location. The Coronado is therefore doubling the impact to private citizens who live between the current and proposed roads. It would have the effect of a road on either side of their houses. In addition, the Douglas Ranger District failed to notify a number of landowners impacted by this project. **We Object to the Access Project on these grounds.**

Suggested Remedy:

Non-factual statements regarding existing access were brought up in Scoping by several interested parties, but this important point appears to have been ignored in the preparation of the EA.⁵ Thus, please provide justification and a meaningful and honest analysis, which shows how a proposed action can logically proceed if a) it is unnecessary in terms of access, b) will reasonably be expected to degrade hunting opportunities with increased human traffic, and c) will degrade hiking and wildlife watching for other forest users, d) is projected to adversely affect multiple endangered species?

1.4 Our Objection: The Forest Service Failed to Analysis the Threat to Public Safety Posed by this Project.

The geography of this canyon is unique in that it is both narrow and goes for several miles into the mountains with high canyon walls on either side. The prevailing winds in this Sulphur Springs Valley mostly blow to the east and northeast. We were lucky during the Horseshoe II Fire, whereby the fire came from above and burned downhill and against the prevailing winds, limiting the damage. If a fire were to ignite lower in the canyon and the prevailing winds were blowing in their normal direction, the topography/geography of the canyon would act in a manner similar to a chimney, with a fast moving fire and extreme heat.

If John Long Canyon was full of campers and a fire began lower in the canyon and burned up-canyon, many people would die. Building a road to access John Long Canyon would increase the number of campers who could become trapped by a fire, while greatly increasing the likelihood of ignitions from vehicles and human activities. The forest service has failed to consider public safety in advancing this project. **We Object to the Access Project on these grounds.**

Suggested Remedy:

Do not build the new access road and keep vehicles out of John Long Canyon. You've been made aware of this threat to public safety. If the USFS chose to ignore this issue, and a fire

⁵ Chiricahua Public Access EA at 4.

ignited that harmed members of the public, the agency's rangers and supervisors could be held legally responsible for any injuries or deaths.

1.5 Our Objection: The EA Fails to Analyze a Range of Reasonable Alternatives.

The EA fails to meet NEPA's mandate federal agencies "rigorously explore and objectively evaluate all reasonable alternatives" to their proposed actions.⁶ An agency's failure to analyze a reasonable alternative, which meets the purpose of the proposed action is a fatal flaw and renders an EA or EIS inadequate.⁷ The range of "reasonable" alternatives is defined by the EA's purpose and need statement.⁸

Here, USFS has defined the project's purpose and need as providing "perpetual legal public and administrative motorized access" to USFS lands in John Long Canyon, North Fork of Pinery Canyon, and Horseshoe Canyon.⁹ By narrowly defining the purpose and need to only include *motorized* access, USFS has fundamentally poisoned the validity of its NEPA analysis in two respects.

First, by focusing only on motorized access, USFS masks the fact there is already legal, nonmotorized access to all three project areas. In so doing, USFS overlooks the viability of the *No Action* alternative, because extensive public access is already being provided under the *status quo*.

Second, even assuming the public could benefit from improved access opportunities, USFS also impermissibly foreclosed the consideration of nonmotorized alternatives, which would have less pronounced impacts to imperiled species and other environmental resources.¹⁰ This constrained approach is also inconsistent with the Coronado Land and Resource Management Plan ("LRMP"), which directs that road or trail realignment actions should be taken in response to access issues.¹¹ **We Object to the Access Project on these grounds.**

Suggested Remedy:

Analyze a No Action Alternative in the context of the Coronado Forest Plan. If done correctly, this will clearly be the logical and rational choice moving forward.

⁶ *Kootenai Tribe of Idaho v. Veneman*, 313 F.3d 1094, 1120 (9th Cir. 2002) (quoting 42 U.S.C. § 4332(2)(E)).

⁷ *Nat. Res. Def. Council v. U.S. Forest Serv.*, 421 F.3d 797, 813 (9th Cir. 2005).

⁸ *City of Carmel-By-The-Sea v. U.S. Dep't of Transp.*, 123 F.3d 1142, 1155 (9th Cir. 1997); see *Muckleshoot Indian Tribe v. U.S. Forest Serv.*, 177 F.3d 800, 813–14 (9th Cir. 1999) (holding an EIS that failed to consider an alternative, which was consistent with applicable regulation violated NEPA).

⁹ Chiricahua Public Access EA, page 3.

¹⁰ The singular focus on these road construction actions is particularly noteworthy given none of the actions have been proposed or considered during prior travel management planning processes. The travel system Motor Vehicle Use Map for the Douglas Ranger District was established following a public process in 2011, and the District approved changes to the Map in 2017. Neither the original version nor 2017 updates include any of the proposed road construction actions.

¹¹ Coronado LMP, page 73.

If the forest service secures permanent legal motorized access in an area, but 90% of the public does not have a vehicle suitable for Management Level 2 roads, is it truly public access? Please also analyze an Alternative which uses funds to upgrade Management Level 2 roads in high-use areas to Management Level Three, which would create far more public access opportunities than a rough Management Level Two road in a remote area. It would much better serve the stated purpose and need of the project.

1.6 Our Objection: The Coronado National Forest is in Violation of the Travel Management Planning Rule.

The Douglas Ranger District has ignored its recent Travel Management decision. Travel Management Planning was a multi-year project with dozens of public meetings. These meetings occurred in towns and cities scattered throughout the Sky Island Region. A stakeholder group, the Collaborative Alternative Team (“CAT”) was convened and worked together over many meetings and many months. The Objector from Natural Allies occupied one of two “Quiet Recreation” seats on the Travel Management Stakeholder group. The Objector attended every meeting (17) including all meetings related to the Douglas Ranger District’s proposed transportation system. This group was tasked with analyzing roads and routes on the forest and making recommendations to the district rangers. Arizona Game and Fish had a seat on the CAT and advocated for adding a road around private land to provide vehicular access to the bottom of John Long Canyon. **The CAT was not amenable to adding a new road for the purpose of opening John Long Canyon to vehicular access, nor was the District Ranger.**

We Object to the Access Project on these grounds.

The CAT did agree with the Douglas Ranger District on adding an unauthorized extension of FR 4250, which connected to another forest road, which then allowed vehicular access to the rim of John Long Canyon. Interestingly, Forest Service documents refer to this as an action that would “*give public access to John Long Canyon.*” The public access to John Long Canyon quoted here is not vehicular access into the canyon but to the rim of the canyon. At the time the Douglas Ranger Travel Management planning process was completed and signed, the Coronado National Forest believed it had provided public access.

The Douglas Ranger District has failed to disclose the results of this collaborative process, which added 47 unauthorized routes to the transportation system, mostly for the purpose of increasing access. This should have been analyzed and discussed under the Need for the project. **We Object to the Access Project on these grounds.**

An Objector to this project from Natural Allies was the telephonic Travel Management Objection resolution meeting between the Coronado National Forest and Arizona Game and Fish (“G&F”). While G&F argued strenuously for motorized access, the Forest Supervisor, Mr. Dewberry, said NO. Game and Fish indicated a desire to purchase an easement through the Dart Ranch but indicated this would not happen if any of the road in John Long Canyon was closed. The Forest Supervisor stood firm and told Game and Fish no deal. What has changed since the above referenced phone call and now, to completely change the Coronado NF’s position on

motorized access in John Long Canyon? What analysis can the district provide, which provides the rationale for such a dramatic change in a short period of time? The EA does not contain this information but it must exist if you have a different decision. In violation of the Administrative Procedure Act¹², which is intended to stop conclusions that are "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law"¹³, the Coronado has failed to offer an "explanation for its decision that runs counter to the evidence." The Forest Service initially proposing this project less than three years after the completion of Travel Management Planning Process, with no analysis or explanation as to what has led to a completely different direction, reasonably fits the definition of 'Arbitrary' and 'Capricious'. We are confident you are aware of the Administrative Procedures Act, which bars decision makers from making arbitrary decisions based on what they want to happen, versus clear documentation that shows such a decision would be in error. **This represents a serious legal violation and we strongly Object to this Project based on these Administrative Procedures Act violations.**

Also troubling is the fact that the Coronado National Forest invested significant resources to the Travel Management process, as did CAT members (more than 50 hours of meetings). CAT members incurred cost driving to multiple meetings towns located across the forest (often four hours round trip), and put in additional hours on homework, reviewing proposals and maps. It was shocking to see a sudden and inexplicable reversal of this decision, as well as the message it sends: the Coronado National Forest does not care about collaborative process or public input and is willing to ignore a collaborative process it set up, in order to push a project through at the behest of another agency. **We Object to the Access Project on these grounds.**

Suggested Remedy:

In order to reopen road sections closed through the Travel Management Process, additional analysis of the impacts from this proposed management decision is needed, as well as justification for completely and suddenly reversing recent actions. These do not exist in the EA or decision document.

Provide additional analysis of the impacts from this proposed management action, as well as justification for adding a route initially requested by Game and Fish and rejected by the Forest Service during the public Travel Management Planning Process. Explain the Need for doing so less than three years after public access was deemed sufficient by the Coronado National Forest, and the Douglas Ranger District's transportation system was finalized. Disclose the results of the collaborative Planning Process. Explain what has dramatically changed that has influenced such a dramatic shift in position.

1.7 Our Objection: The EA Fails to Analyze Effects on All Affected Wildlife.

According to the EA, John Long Canyon has been closed for at least 34 years (other FS project documents say 37 years). This has resulted in an oasis of wildlife that has become

¹² 5 U.S.C. §§ 701-706.

¹³ Administration Procedures Act, 5 U.S. Code § 706(2)(A)

accustomed to a relative lack of human presence, to the point where one of the areas in question is frequented *by the last known Jaguar in the United States*. The EA concedes this project may affect and likely to adversely affect the Jaguar. *"The connected action of open public access to areas where it has not occurred since the Jaguar has resided in the Chiricahua could result in activities that may harm or harass the Jaguar."*¹⁴ **We Object to the Access Project on these grounds.**

Roads and vehicles, including off-road vehicles which travel off road, are known to cause harm to wildlife including avoidance behaviors which in effect limits available habitat, stress from noise and motion, road kill for smaller animals, spread of invasive species, which in turn limits food and cover provided by native vegetation. As such, John Long Canyon has become an ideal scientific control by which to examine the impacts of motorized traffic on nature. **Re-opening the John Long Canyon Road will result in unacceptable harm to wildlife and plants and will destroy a natural laboratory.** We urge you to not open motorized access to John Long Canyon as harm will occur to jaguar, Mexican spotted owls, Peregrine falcon, Apache goshawk, numerous other Sensitive Species found here, and will destroy an wonderful outdoor classroom and ideal scientific case study of a canyon protected from motorized traffic. **We Object to the Access Project on these grounds.**

The John Long Canyon area is also used annually by at least one breeding pair of Mexican Spotted Owls ("MSO"). In addition to spreading invasive plants, this Project will also have negative consequences to MSO's rodent prey base, since the majority of the canyon bottom will be disturbed by roads and a 300' camping buffer along the road.

There are certain components campers look for when selecting a campsite. The geography of John Long Canyon strongly suggests a campsite will be developed at the road's terminus, located at the first and only permanent water source in the canyon. This singular water source is extremely critical to the wildlife, including Threatened and Endangered Species, and especially as reliable and perennial water sources are diminishing rapidly due to drought and climate change. **We Object to the Access Project on these grounds.**

In addition to Threatened and Endangered species, the EA acknowledges a preponderance of Forest Sensitive Species found in John Long Canyon as well. The EA indicates more than 40 Forest Service sensitive species located across the project areas. This is an extremely significant number. We also know a preponderance of these plants are found in John Long Canyon. John Long Canyon is unique and relatively untrammled, **and therefore should be considered a restoration success as is.** This progress should not be undone, especially when access to these areas still exists via hiking trails. **We Object to the Access Project on these grounds.**

The EA acknowledges these are high-value areas for wildlife and wildlife linkages yet appears to be willing to compromise these values for a very small subset of forest users. Under the No Action Alternative, the EA states, *"There would be no new addition of roads to the system on the district, therefore there would continue to be high quality wildlife habitat and*

¹⁴ Chiricahua Public Access EA, page 18.

John Long Canyon and the North Fork of Pinery would continue to serve as a largely undisrupted potential corridor for wildlife."

Here, the Forest Service concedes these are high-value areas for wildlife and wildlife linkages and additional roads would degrade high quality habitat and the undisrupted potential corridor for wildlife. The Coronado is not short of routes and roads; it is short on unfragmented wildlife habitat and corridors. Why has the USFS focused on providing easier access to areas known to be inhabited by breeding Mexican spotted owls and other rare wildlife? Why should the taxpayers fund an unnecessary disruption of the last remaining jaguar in the United States? What is the ultimate cost of this project to taxpayers, both financial and social? In the backdrop of global climate change, increasing drought, and a global extinction crisis, the Coronado should be making management decisions that **protect wildlife and water first and foremost. We Object to the Access Project on these grounds.**

The proposed action also fails to meet specific management direction established for the Chiricahua ecosystem management area ("EMA") within the Coronado LMP. Like other Sky Islands, the Chiricahua EMA "supports a unique combination of vegetation, habitats, and wildlife, thus harboring an amazing amount of biological diversity."¹⁵ In order to help protect this diversity of life, the LMP directs any USFS management activities involving ground disturbance "*should incorporate site-specific design features to benefit for, or mitigate impacts to, rare or unique vertebrate, invertebrate, and plant populations within the Chiricahua EMA,*"¹⁶ including Chiricahua fleabane, Chiricahua gentian, copper mine milk-vetch, Hinkley's Jacob's-ladder, Porslid's starwort, purple-spike coralroot, Rusby's hawkweed, and smooth baby-bonnets. Here, the proposed actions could impact all of these species through direct construction impacts, the 300-foot camping corridor, and overall increased public access and visitation. Nonetheless, the Chiricahua Public Access EA does not provide *any* information regarding impacts to these sensitive species, or specific design features, which will be implemented to mitigate such impacts. Without this analysis, the public is unable to assess the true impact from this project. **We Object to the Access Project on these grounds.**

Table 2 in the EA (Spatial and temporal bounds of cumulative effects considered in the analysis) is incomplete.¹⁷ It does not list Peregrine falcons which nest in the cliffs of John Long Canyon, nor does it address impacts to the Northern goshawk, for which specific management guidelines exist. The EA indicates more than 40 Forest Service sensitive species located across the project areas, yet it does not identify any analysis done on impacts to any of these Sensitive Species found across the project area. **Simply stating 40 Forest Service Sensitive Species exist across the project area does not equate to an analysis of impacts**, and this is an extremely significant number. **We Object to the Access Project on these grounds.**

Currently, the public does not have information needed to fully assess the project. For example, why would you allow a 300-foot camping buffer on either side of the road, creating continuous impacts to sensitive species far beyond the arbitrary 10-year time horizon identified

¹⁵ Coronado LMP, page 5.

¹⁶ Coronado LMP, page 131.

¹⁷ Chiricahua Public Access EA, page 8.

in the EA? There is no analysis found in these NEPA documents explaining why the forest service believes this project would not have unacceptable impacts. **We Object to the Access Project on these grounds.**

Creating new roads through steep and rugged terrain is reasonably expected to cause significant disturbances in the soil, which according to the EA creates favorable conditions for the establishment of invasive plants. There are additional threats in the disturbed areas and adjacent to the road construction itself. The statement indicating the use of best management practices during construction would lower the impacts to acceptable levels is meaningless without being quantified. What is an acceptable level? Is it an increase of invasive species by 10 percent? Is it 30 percent? If there is an acceptable level for an increase in invasive species, the public needs to know what this number is. **We Object to the Access Project on these grounds.**

Suggested Remedy:

Please provide rationale of why public funds are being spent to create access into such an ecologically unique area, when access currently exists. Please provide justification of an unnecessary action in terms of public access, which simultaneously threatens to adversely affect the last remaining jaguar in the country. Please provide justification of an action that is unnecessary in terms of access and threatens to adversely affect breeding Mexican spotted owls. Provide similar justification and in-depth analysis **for each and every** potentially affected plant and animal species listed as Forest or State Sensitive, as well as all Federally listed species.

In subsequent NEPA documents, please identify each species and analyze the proposed action for cumulative negative impacts, including in the context of road construction, soil disturbance and invasive species spread. This should be done by species and for each of the three project areas. Without these being identified it is not possible to determine the true impacts of each of these three projects.

1.8 Our Objection: An Environmental Impact Statement Is Necessary.

Considering the in-depth analysis of this Project legally required to proceed, but currently lacking, an Environmental Impact Statement (“EIS”) is required. **We Object to the Access Project on these grounds.** Although the EA does provide some information regarding impacts to species listed under the Endangered Species Act (“ESA”), this limited information is deficient under NEPA. For example, the EA acknowledges the proposed action is likely to adversely affect (“LAA”) endangered jaguars, but provides no details regarding these impacts or their potential avoidance (this is only one species and there are several more for which this level of analysis is required). Notably, this LAA determination triggers formal consultation under section 7 of the ESA, and the Biological Opinion prepared by the U.S. Fish and Wildlife Service is inadequate as it lacks depth and specificity. Impacts to listed species are also a “trigger” for significance under NEPA, and strongly indicate an EIS should be prepared.

To reiterate an earlier point, to reverse decisions made in the recent Travel Management Plan, this EA requires a higher degree of analysis of the impacts of this management decision.

Please explain what has changed since 2017, which would lead to this sudden reversal of a recent decision, one that included a much more thorough planning process and examined cumulative effects and multiple user needs?

Suggested Remedy:

Project analysis must include thorough discussion of impacts to each and every listed and Forest Sensitive species, including rare plants. Therefore, an Environmental Impact Statement is both more appropriate and legally required. **Each road section should also be analyzed as separate actions.** According to the EA, “*the access locations are in three widely spaced areas.*” The three sites are located at different elevations, have different aspect and slope, with very different habitat/vegetation components. This makes a strong argument for analyzing each of them separately with site specific EA’s, or if done collectively, being done as a more comprehensive Environmental Impact Statement (EIS). We support the initiation of an EIS for all proposed roads. The EIS should include a thorough analysis of cumulative effects and multiple user needs, and examine species impacts in this context.

1.9 Our Objection: The EA Fails to Analyze the Effect of Roads on Wildfire.

The EA does not address the increased risk of wildfire associated with forest roads. The EA admits “Wildfires ... negatively impact recreation by damaging vegetation, roads, and recreation areas”¹⁸ and recent wildfires are responsible for “erosion, sedimentation and the increase for invasive species establishment.”¹⁹ While fire is an essential process in dry forests, many fires started by humans burn outside of the natural fire season and result in harmful consequences, including those cited above. Researchers at WildEarth Guardians recently summarized these effects as follows: “Forest roads can increase the occurrence of human-caused fires, whether by accident or arson, and road access has been correlated with the number of fire ignitions (Syphard et al. 2007, Yang et al., 2007, Narayanaraj and Wimberly 2012, Nagy et al. 2018). A recent study found humans ignited four times as many fires as lightning. This represented 92% of the fires in the eastern United States and 65% of the fire ignitions in the western U.S. (Nagy et al. 2018). Another study reviewed 1.5 million fire records over 20 years and found human-caused fires were responsible for 84% of wildfires and 44% of the total area burned (Balch et al. 2017).

In addition to changes in frequency, human-caused fires change the timing of fire occurring when fuel moisture is significantly higher than lightning-started fires (Nagy et al. 2018.). Forest roads may also limit fire growth acting as a fire break and providing access for suppression (Narayanaraj and Wimberly 2011, Robbinne et al. 2016). The result is a spatial and temporal distribution of fire that differs from historical fire regimes.

¹⁸ Chiricahua Public Access EA, page 14.

¹⁹ *Id.*, page 16.

Roaded areas create a distinct fire fuels profile which may influence ignition risk and burn severity (Narayanaraj and Wimberly 2013). Forest roads create linear gaps with reduced canopy cover, and increased solar radiation, temperature, and wind speed. Invasive weeds and grasses common along roadsides also creates highly combustible fine fuels. These edge effects can change microclimates far into the forest (Narayanaraj and Wimberly 2012, Ricotta et al. 2018). While there is little definitive research on roads and burn severity, an increase in the prevalence of lightning-caused fires in roaded areas may be due to roadside edge effects (Arienti et al 2009, Narayanaraj and Wimberly 2012). Furthermore, heavily roaded watersheds have typically received intensive management in the past leaving forests in a condition of high fire vulnerability (Hessburg and Agee 2003).

Roadless areas are remote and secure from many human impacts such as unintentional fire starts or arson. A forest fire is almost twice as likely to occur in a roaded area than a roadless area (USDA Forest Service 2000). In fact, human-ignited wildfire is almost five times more likely to occur in a roaded area than in a roadless area. (USDA Forest Service 2000). Higher road density correlates with an increased probability of human-caused ignitions. (Syphard et al. 2007).”²⁰

In the closing remarks of this literature review, the authors concluded “the evolving science surrounding roads and wildfire demonstrate a direct link between access and human-caused ignitions, and also suggests land managers must consider how roads affect fire behavior. Minimizing these impacts by reducing road densities could be an effective solution.”

We Object to the Access Project on the grounds the Coronado is doing the exact opposite of what should be done to minimize fire risk and safeguard a natural gem such as John Long Canyon.

John Long Canyon burned in 2011. The effects are still obvious to those who regularly visit the area, such as the Lead Objector. “In 2011, a 222,954-acre wildfire burned, resulting in issues with air quality, vegetation, soils, water, and loss of terrestrial habitat, aquatic habitat degradation, increased erosion and sedimentation, short-term degraded air quality, loss of wildlife, increased risk of introduction or spread of invasive species.”²¹

Motorized access greatly increases the risk of wildfire in a number of ways. One is being a significant spreader of invasive species. The Coronado concedes the spread of invasive species could increase if public visitation increased. This Project will undoubtedly foster and increase the spread of invasive plant species in an already fire-impacted canyon. Invasive species burn more readily than native species, increasing fire risk, which in turn sets in motion a feedback loop for more invasive species. Having a 300-foot camping corridor alongside disturbed areas is counterproductive to controlling invasive species, and to allow a 300-foot camping buffer on

²⁰ WildEarth Guardians. 2020. “The Environmental Consequences of Forest Roads and Achieving a Sustainable Road System.” An update to The Wilderness Society report titled “Transportation Infrastructure and Access on National Forests and Grasslands: A Literature Review. May 2014.” Available online at https://pdf.wildearthguardians.org/support_docs/Roads-Lit-Review-2020.pdf. We have uploaded this report to the project comment portal for addition to the project record and consideration in any subsequent NEPA document.

²¹ EA, page 11.

either side of a road would envelop most of the canyon bottom. This Project represents a direct threat to the 40 Forest Service Sensitive Species found in the Project Area. John Long Canyon needs to heal and recover, not to be exposed to a great fire risk in ATV/ORV use.

There are also increased costs for wildfire suppression, which in turn causes significant harm to habitat from fire suppression activities including bulldozing native vegetation, toxic fire-retardant drops. This is a lot of potential damage to accommodate so few (~5%) forest users. For these reasons, we urge the No Action Alternative due to the background of predicted increases in invasive species and the greatly increased likelihood and severity of wildfire in the southwest.

Suggested Remedy:

The Coronado should revisit the basics of road and fire ecology and provide a pertinent analysis of potential negative impacts in the context of the Forest Plan and of the ~5% of forest users expected to 'benefit' from this project. This analysis should include potential impacts of 300 foot buffers accompanying new road construction. The new EIS requires thorough discussion of fire-related issues. Please justify an action that is so counterproductive to controlling invasive species and protecting Sensitive, Threatened, and Endangered species? The ecological costs associated with this proposed action appear to outweigh the recreational benefits. These concerns must be considered in determining if providing increased vehicle access into the core of the Chiricahua Mountains is consistent with efforts to reduce the incidence of uncharacteristically severe wildfire.

2.1 Our Objection: New Routes Will Cause More Illegal Activity, More Trash and Will Harm Public Safety.

According to the Coronado NF *"illegal activity on the CNF continue to result in creation of unauthorized roads and trails, extensive trash and debris piles, and impacts public safety."* We see this commonly with groups of ORV users. It is therefore reasonable to conclude opening new areas to the same user group will result in continuation of illegal activity, including creation of unauthorized roads and trails, and extensive trash and debris piles, and the subsequent impact on public safety. The EA fails to address the impacts from ORV use and this small group of users specifically, which have a tremendous negative impact on the landscape, wildlife, and in particular, on other user groups. Once an area becomes popular with the ATV user groups, other users tend to stop because it is so unpleasant and sometimes dangerous to be there. This has happened in a number of areas on the Coronado National Forest. **We Object to the Access Project on these grounds.**

Suggested Remedy:

The EA must address the impacts from ORV use and this small group of users specifically, which have a tremendous negative impact on the landscape, wildlife, and in particular, on other user groups. An honest analysis of this Project would lead to the No Action Alternative being chosen as the only viable option moving forward. If USFS continues to move

forward with the proposed action, we request the agency prepare a draft EIS, which considers the no action alternative, and considers a nonmotorized alternative with the purpose of truly increasing public access.

2.2 Conclusions

We believe the extraordinary biological values found in John Long Canyon represent a greater value to the public and the national forest than providing vehicular access to a tiny subset of visitors to such a unique and sensitive canyon in the Chiricahua Mountains. We believe the proposed road construction does very little to improve public access within the Chiricahua EMA. The proposed road will needlessly result in negative impacts to jaguars, and other listed and sensitive wildlife and plant species, as well as increase the occurrence of human fire ignitions in the core of a mountain range that has been damaged by recent fires. We believe the cultural, biological, scientific and educational resources found in both John Long and Horseshoe Canyon have far greater value than the extremely limited public access this project would provide.

We understand funding from Arizona Game and Fish is driving these projects. Projects should not be initiated simply due to funding being provided by another agency. **Projects which ostensibly provide public access should only be initiated when they benefit the public as a whole.** Such projects should not compromise the enjoyment of the larger public and their values, to provide access for a limited subset of the public, in response to special interest money.

Across the Coronado National Forest, we have seen new roads blasted by Border Patrol, new roads illegally cut by the State of Arizona during their makeshift shipping container border wall and now, at the request of AZGFD, a new road is proposed in one of the crown jewels of the Chiricahua Mountains. In all these examples, the Coronado NF just dutifully obliges and seems to support every destructive project with no resistance. Coronado NF management has become obedient to the requests of other agencies, constantly working to appease other agencies with little or no pushback, and readily forgoing their own stated Forest Plan direction and their legal duty to conserve natural resources.

Here, Coronado leadership has an opportunity to cancel an obviously disastrous and unnecessary project. We hope to see strong conservation conviction win over continued complacency.

We greatly appreciate the opportunity to comment on these and any proposed road construction activities in the Chiricahua Mountains and other areas within the Coronado National Forest. The Center, Chiricahua Regional Council, Natural Allies, Wild Arizona, and Conservation CATalyst are interested parties to this action and wish to continue involvement at all stages of the decision-making process. Please send us all subsequent environmental documentation for this project as it becomes available.


Sincerely,



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