

Mr. Calvin Joyner, Regional Forester  
Objection Reviewing Officer, Southwestern Region  
USDA Forest Service  
333 Broadway Blvd. SE, Albuquerque, NM 87102

November 9, 2019

Subject: Objection—Tonto National Forest Travel Management Plan (FR3703 closure)

Dear Mr. Joyner,

I commented and objected two times on the closure of FR3703 in letters dated July 13, 2014 and May 13, 2019. I am again objecting to the FR3703 closure decision in the October 4, 2019 Draft Record of Decision (DRD) and FSEIS of the Travel Management Plan.

In the DRD on page 14, Mr. Bosworth wrote that to improve access, the new rules would allow parking within 30 feet of all roads. The recognition of that need for access touches on our request for access and parking for a specific area next to the Superstition Wilderness—FR3703 (aka Ash Creek Bridge Road). See Attachment A.

The October 2019 FSEIS for FR3703 concludes that “Road is in the Superstition Wilderness.” The east half of FR3703 is not in the Wilderness as the survey boundary states that the boundary is on the centerline of the trail (roadway) for 0.68 miles to the former bridge, which leaves about 10 to 15 feet of the roadway outside the Wilderness. Designation of all of FR3703 as Wilderness is an incorrect generalization of the 1984 Wilderness Act boundary survey. See Note 1 for my argument and suggestion. Also, see Attachments B and C.

My goal of this objection letter is to secure safe parking for access to the Superstition Wilderness area at the south end of FR3703. Several possibilities exist for safe parking and I will list them below. See Attachment D for map.

The first choice for safe parking is along FR3703 at a turnaround location on the neck of a ridge where the Wilderness boundary begins. The first 0.21 mile of FR3703 from SR88 is not in the Wilderness. The road is an all weather road suitable for most vehicles. If the southern 0.68 miles of FR3703 needs to be closed, the road at this first choice parking area would be a good place to erect a barrier.

The second choice for safe parking is along the adjoining FR1828, which is slated for Administrative Use in the Draft Record of Decision. The first part of FR1828 provides several flat areas for parking. If needed, the Administrative Use part of the road could be barricaded when that road becomes a single lane where it goes steeply uphill.

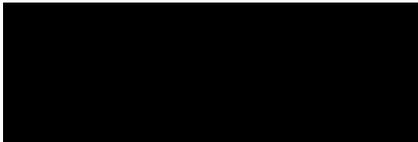
If the DRD and FSEIS closure of the first 0.21 mile of FR3703 from SR88 is linked to the Administrative Use and closure of FR1828, I consider this an unfortunate decision. The public has access to many electric towers along paved SR88 and for the past 100 years there has not been a problem with that public access. I understand that

trying to keep FR1828 completely separate from FR3703 is difficult because they both use the same access from SR88 and they are parallel for a short distance. But, denying access to FR3703 because of the adjacent FR1828 status is not a good solution. If FR1828 needs to be secured for Administrative Use, a fence can be constructed to separate it from FR3703 for the first few hundred yards.

In summary, I think the best solution to protect the integrity of the Wilderness boundary and to provide public access parking is to erect a barrier on FR3703 just beyond my first choice for parking. Then if still needed, erect a barrier on FR1828 where the road becomes one lane at the start of the steep uphill grade.

Sincerely,

Arvid "Jack" Carlson



Note 1. Argument and Suggestion. Since the east half of FR3703 is not in the Wilderness, that 10 to 15 foot eastern corridor could be used as a single lane road. A barrier such as a wire fence would have to be constructed down the center of the existing roadway to keep the public from inadvertently driving across the Wilderness boundary. Technically this is all possible, but not practical. My objective is to secure safe parking away from SR88 and the first and second parking choices are reasonable suggestions to the alternative of keeping one lane of FR3703 open.

Attachment A: Page 14 of October 2019 DRD—parking within 30 feet of roadway.

Attachment B: Page 45 of October FSEIS—Decommissioning of FR3703.

Attachment C: Page 4 of Superstition Wilderness 1984 Act, legal boundaries.

Attachment D: Map of possible parking areas.

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

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

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

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

## Motor Vehicle Parking

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

I have decided to allow vehicle parking up to 30 feet on either side of an open road or motorized trail unless otherwise identified in compliance with Forest Service regulations found at 36 CFR

261. Parking would not be allowed in the instances listed below; however, this list is not exhaustive. State, county, and city law enforcement may cite for additional infractions, especially on state and county roads:

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

*Travel Management on the Tonto National Forest  
Final Supplemental Environmental Impact Statement*

<b>Route Numbers</b>	<b>Issue</b>	<b>District</b>	<b>Designation</b>	<b>Response to Objections and Clarifications</b>
1095A, 1095B	Re-examine designation of these routes in light of asserted resource damage. Coordination w/ district personnel needed	Cave Creek	Decommission	Field inspection of these routes found the intersection/entry to 1095A to be narrow and posed a risk of sliding/rolling off the embankment and the road tread was grown over with brush and heavily bouldered making it unusable to most vehicle classes.
1117, 2034, 2134	Clarify why these roads not designated as motorized	Cave Creek	Motorized trail full size	Erosion issues in tread – also see discussion below
1828 - 3703	Mistaken route ID; Ash Creek Bridge Rd is 3703	Mesa	Decommission	Road is in the Superstition Wilderness – any other designation would be illegal.
2060	Clarify single track or full size; provide rationale	Cave Creek	Motorized single track	Single track
2064	Clarify single track or full size; provide rationale	Cave Creek	Motorized trail full size	Full size
2090	Revisit width designations and provide rationale for changing or keeping as in DROD	Cave Creek	Motorized trail full size – now changed to <60 inches	The southern 0.2 miles is proposed to be decommissioned as the Scottsdale preserve closed the route on their property. At the point of recommended decommission, is a route (U2266) that connects to 513 to make a loop. Regarding width see discussion below.
2097	Clarify designation where 2097 meets 136 <sup>th</sup> street	Cave Creek	Motorized trail full size	There is a full-size motorized trail connection between 2097 and 136 <sup>th</sup> street
2097A, 2097C	Clarify which segments are open, which are closed and provide rationale	Cave Creek	Motorized trail full size and decommission	Only 2097A is proposed to be decommissioned. 2097C is proposed to be a full size motorized trail  2097A hill climb has severe erosion, as the trail is not laid out in sustainable manor. Fall line trails such as this allow water to channel down the tread, creating erosion problems.
2098	Clarify single track or full size; provide rationale	Cave Creek	Motorized trail single track	Single track
3456	Inconsistency in width designation: single track vs. full-size	Mesa	Motorized trail single track	Single track
3713	Specify the rationale for why this route is to be decommissioned	Mesa	Motorized trail full size	Route 3713 starts at 1904 and ends at 252. It allows access to 252 without going through a gate. The change was agreed to in objection resolution meetings and is now corrected in GIS.

Thence, S 88 E on a straight line for approximately 0.26 miles to the intersection with the centerline of a trail;

Thence, southeasterly on the centerline of said trail for approximately 0.68 miles to the intersection with the thread of an unnamed intermittent stream;

Thence, northeasterly, easterly and southeasterly on the thread of said intermittent stream for approximately 3.39 miles to the intersection with the thread of a wash, at an approximate elevation of 2880 feet;

Thence, southeasterly on the thread of said wash for approximately 0.23 miles to a point 33 feet west of the centerline of FDR No. 213;

Thence, southeasterly on the line 33 feet right of and parallel to said centerline for approximately 1.87 miles to a point 33 feet west of the centerline of the westernmost portion of the terminal loop of said FDR No. 213;

Thence, counterclockwise on the line 33 feet right of and parallel to said terminal loop centerline for approximately 1.22 miles to the intersection with the line 33 feet east of and parallel to the centerline of the main portion of said FDR No. 213;

Thence, northwesterly on the line 33 feet right of and parallel to the centerline of said FDR No. 213 for approximately 2.38 miles to a point 200 feet south of the centerline of State Highway No. 88;

Thence, northeasterly on a line 200 feet right of and parallel to said highway centerline for approximately 0.70 miles to a point 200 feet south of the centerline of a power line;

Thence, N 82 1/2 E on a straight line 200 feet right of and parallel to said power line centerline for approximately 0.21 miles to a point 200 feet west of the centerline of said Highway No. 88;

Thence, southerly on a line 200 feet right of and parallel to said highway centerline for approximately 0.75 miles to the intersection with the thread of Fish Creek;

Thence, N 35 E on a straight line for approximately 0.11 miles to the summit of a small knob with a contour elevation of 3000 feet;

Thence, N 34 E on a straight line for approximately 0.07 miles to the summit of a small knob with a contour elevation of 3160 feet;

