

Meeting #35
July 8, 2015
MEETING SUMMARY

Meeting Attendees

Community Working Group members present:

Nancy Vogler – LOST Trail
Rick Cartier – Superior Chamber of Commerce alternate
Pam Bennett – Queen Valley Community Liaison
Roy Chavez - Concerned Citizens and Retired Miners
Bill Vogler – Superior Copper Alliance
Bruce Wittig – Queen Valley Water Board
Cecil Fendley – Queen Valley Water Board
JoAnn Besich – Superior Optimist Club
Pamela Rabago – Superior Chamber of Commerce
Hank Gutierrez - Superior Copper Alliance
Anthony Huerta – Town of Superior
Mark Nipp – Town of Superior
George Martin – JF Ranch
Lynn Martin – JF Ranch
Mark Siegwarth – Boyce Thompson Arboretum
Jeff Bunkelmann – Central Arizona College
Steve Estatico, Superintendent - Superior Unified School District

Community Working Group members not present:

Matt Nelson / Fred Gaudet – Arizona Trail Association
Michael Lira – Central Arizona College
Superior Rotary Club
Evelyn Vargas – Cobre Valley Regional Medical Center

Resolution Copper Company:

Jim Schenk – Manager for Communities & Social Performance

Guest Speakers:

Anne Thomas - Tonto National Forest NEPA Planner/Travel Management Coordinator
Rebecca Hoffman – Tonto National Forest Recreation Specialist
Intern, Tonto National Forest

Facilitators – Godec, Randall & Associates (GRA)

John Godec
Debra Duerr

Public Guests:

Karen Kitcheyan-Jones - San Carlos Apache Tribal member
Larry Brown – San Carlos Apache Tribal member
Tiffany Rowell – Superior resident

Housekeeping

John Godec welcomed everyone to the meeting. It was confirmed that the group will take the month of August off.

A couple of members attended the National Environmental Policy training class that Resolution hosted, and recommended that it be repeated for this group and others who might be interested. They humorously characterized it as “NEPA for Dummies”, and said that they had learned a great deal of useful information. Resolution said they would consider doing this.

Godec welcomed Mr. Steve Estatico, Superintendent of Schools, as a new member. Mr. Estatico said that he would be appointing a representative from the School District to attend the meetings as a replacement for the previous member. Because Mr. Estatico is an elected member of the Superior Town Council, he will not be a CWG member himself since the Operating Policies of the group state that elected representatives will not be invited to be members of the CWG.

Ms. Karin Jones, visiting tonight, was also introduced as a new CWG representative from the San Carlos Apache Community. She clarified that she has not been appointed by the tribe as an official representative, but is an interested member of the community. The group welcomed her and expressed their thanks to her for joining our discussions.

It was reported that there’s an Open House on July 9 by the Arizona Department of Health Services, where people can sign up for lead, blood, and urine testing. The testing will occur on August 7 and 8.

Godec mentioned that the facilitators have prepared a second annual report for the CWG, which is included in the meeting packets.

Update on Exploration Activities in the Superior West Area

Jim Schenck, Resolution

Information on this topic was requested at the last CWG meeting. Jim Schenck explained that there’s an exploration company called Bronco which is interested in doing some exploratory work in the Superior West area; Kennecott (which owns part of Resolution) has an agreement with Bronco whereby they can buy into the exploration effort. He distributed a letter from Vicky Peacey that explains the situation and what is going on in the area. He offered to address further questions if the group has any. He noted that this is a Rio Tinto project, not a Resolution Copper Company project. Questions from the group and accompanying answers follow:

- If a private company looks for minerals, do they then try to sell the rights?
 - A lot of exploration is done by “juniors”. They do a lot of the basic exploration and could sell rights to bigger companies to develop. Kennecott Exploration, part of Rio Tinto, has made an agreement with Bronco in this situation.

- Is there a map of this area?
 - We will get one by the next meeting.
 - Resolution has a claims map that they've used for a long time, which might help. It indicates the types of ore that may be present.
- A member noted that Eurasian Minerals is worldwide, based in Vancouver. They are looking for investors. The Superior West Ore Body goes from Prescott to Bisbee. It's believed that the lands involved here cover the Pinto Valley vicinity, the old Inspiration, and the Copper Springs area. The exploration area is 5,000 hectares. This type of activity is allowable under the 1872 Mining Law. This area likely includes Porphyry copper. A news release from last year was read, indicating that they were advertising partnerships in the project. It is adjacent to a Wilderness Area and to the Resolution project area.

Presentation and Discussion of Tonto National Forest Travel Management Plan

Anne Thomas, Tonto National Forest

Anne Thomas told the group that she did not have a prepared presentation but would respond to the group's interests and questions. She introduced herself, saying that she came from Sequoia National Monument in California, and when she came to the Tonto National Forest she was assigned to travel management. She introduced her colleague Rebecca Hoffman who is a recreation specialist with the Forest.

Thomas explained the concept of travel management as practiced by the Forest Service. The requirement for travel management came from two Executive Orders. In 2007 the final travel management rule was signed by the Chief of the Forest Service, and all National Forests now need to comply. The two major components are to stop unauthorized travel everywhere "cross-country", and to designate routes for certain approved uses. Travel management is specifically focused on where the general public can go.

In 2009-10, the Tonto National Forest started having discussions about what a travel management plan might look like, and prepared environmental studies. The analysis included about 3 million acres, and 5,000 miles of known roads. Because of the magnitude of this endeavor, an Environmental Impact Statement (EIS) was determined to be needed, and this was started in 2013. The proposed action did not involve a great deal of change. About one year ago the Draft EIS was released for public comment, and included four alternatives:

- No action (no driving cross-country in the southern portion of Tonto National Forest, some cross-country travel permitted in the two northern districts)
- Non-motorized preference
- Everything open, including user-created routes
- Preferred Alternative, which includes elements of each (alternative C), developed in cooperation with the Arizona Game and Fish Department

Rebecca Hoffman, a recreation specialist, explained that in preparing the plan, access was evaluated according to how people use motor vehicles on the Forest. Some people travel to get to destinations; others ride vehicles as the recreational activity itself. The plan tries to accommodate both of these types of uses, while maintaining the uses and values of the Tonto

National Forest. There are over 5 million visitors to the Tonto National Forest each year, and most of them have a different opinion about what should be done.

The selection of a Preferred Alternative has been made by the Forest Supervisor (Neil Bosworth), but it was stated that public comment can always be taken. A user map will be prepared after the Supervisor signs the decision. The Forest Service expects that adjustments will need to be made over time.

Thomas noted that she has received questions and comments from people in this area and from Queen Valley, some of whom said they were unaware of the Forest Service's plans. The plan will be reviewed annually, and changes can be made. Hoffman assured the group the Forest Service does listen to the public, but just can't satisfy everyone's desires.

Thomas noted that she had brought maps to leave with the CWG showing the travel management alternatives, which the group is welcome to review. She offered to have further discussions with the group if they have questions or concerns.

There was discussion about how the travel management goals could be accomplished, in a practical sense. The CWG agreed that enforcement will be the biggest issue. They had the following questions and comments:

- How do you propose to enforce road closures?
 - This will be a challenge. If it's designated as decommissioned (no need for road), closure could include scarifying, blocking off with rocks, or similar measures. People need to be given the opportunity to comply; routes without numbers are not supposed to be used.
 - There is a partnership with Tonto Recreation Alliance, a motorized organization who has volunteered to help with monitoring. These partnerships may encourage peer pressure.
- Do you feel you're fixing a problem that exists? Is there a big problem?
 - The Bulldog Area in Mesa is an example of an area that is so over-used that the habitat has been destroyed. Because of this, it has been fenced off, and people need to get approval to go into the area, acknowledging that they will obey the rules. This approach encouraged people to comply, and the habitat is coming back. This type of management can't be employed across the whole forest.
 - Sycamore Creek is another area that receives intense use in a high-quality riparian area.
 - The Forest Service has an obligation to protect its resources, while recognizing the public's right to use public lands.
- Members of the CWG said that they have cattle grazing leases on the Forest. If you look at historical aerial photos you can see the destruction of the environment over the years. Google Earth shows great changes in the last 7 years. There are many rules that cattle grazers need to comply with, so vehicles should also have similar restrictions.
- Likewise, target shooting has caused great damage, particularly to saguaros. Law enforcement is the greatest need, but there is not enough of it. Travel management is greatly needed.
- Several members observed that local people have been using those roads for 50 years, for family recreation. In looking at the travel management map, it looks like many of these will be closed. There are also many roads that people used to be able to get to that are now so damaged that they can't be used.

- The Forest Service recognizes that they won't be able to make everyone happy, and they recognize that they won't get it right for everybody. Many people will lose some of their favorite roads. Thomas invited folks to visit their office and share their knowledge.
- Most modifications will be handled at the District level, rather than Forest-wide.
- Some roads cannot be maintained to engineering design standards, so they may be shifted to a category of 'motorized trails'. Trails can be 'adopted' by groups to assist in maintenance. The Forest Service encourages groups and individuals to adopt roads to support travel management objectives and road maintenance on a voluntary basis.
- Road closures can be either done by decommissioning, or by administrative access only.
- A member said that the biggest roads that have been used historically should stay open. There are just too many proposed closures.
- There was concern that people haven't been listened to.
- Several members observed that the Forest Service doesn't have much enforcement in the field to manage anything. Enforcement is the main need, so that irresponsible users can be ticketed.
 - The Tonto National Forest budget has been cut over 40% in the last 5 years. The law enforcement group, which is separate, has been similarly cut. The recreation group has lost dozens of positions as well.
- When will the plan be finished?
 - Hopefully, a decision will be signed in spring or summer 2016. There are a couple of processes that interface with that, e.g. Endangered Species Act.
- Will there be enough enforcement to enforce that plan?
 - We don't know. It will take about another year to create the forest user map. Signage would then be installed, relying to a large extent on volunteer partners.
- A member who has been doing fire protection in the area for 30 years endorsed that fact that enforcement is the biggest problem. For example, local law enforcement agencies could help, but they do not generally know the federal rules.
 - The County Sheriffs Association has said they will not enforce travel management on National Forests. There is no support from state, local or game and fish agencies for travel management enforcement.
 - Tonto National Forest has agreements with Maricopa and Pinal County for other enforcement actions like wildcat dumping and recreational shooting, but not for travel management.
- Funding is also a big issue. When an ATV is purchased is there a tax that's shared with agencies? A member suggested an impact fee that would accrue to the enforcing agencies. Towns could also contribute funding to assist in enforcement. Of course, this would take legislative action. (It was noted that OHV tags cost \$25, paid to the state.)
- Given the current situation with the mining project, wouldn't the tailings site affect the travel management plan?
 - We'll need to deal with that when the time comes, since the mining EIS is a totally different process.
- A member suggested that the Forest Service create a "Tonto Pass", or something similar, to collect user fees.
- Arizona State Trust Land permits are required to use those lands; why can't the federal government do something similar?
 - The FS has very limited ability to charge fees for anything; one permitted fee is for highly used areas that may include specific fee sites, e.g. for day use, camping, etc. Even changing the fees takes an incredible effort.

Public Questions & Comments

A guest said that there are too many ATVs that cause too much damage.

A visiting member of the San Carlos Tribe explained that as native people, Apaches have used this entire area for many generations to collect plants and perform ceremonies. There have always been many restrictions on them; for example, requiring permits to go deep into the mountains to get red clay, a rare blue rock, to collect acorns (red ocre), etc.

- He wondered what kind of restrictions will be placed on native people who need to use the roads for access?
 - Thomas said she has met with tribal authorities to discuss trespass (people who come off the forest into tribal lands) as well as traditional uses like this that are similar to grazing permits in that special use permits can be granted that would not be available to the general public. Some rules would apply to these permits, e.g. don't drive in streams.

A visitor asked what is meant by adopting a trail. What would be the responsibility of the adopting group?

- It's a pilot program now, so Forest Service is still working it out. There will be training on maintenance. This could include trimming branches, brushing the roads, or notifying Forest Service about lost signs or needed maintenance. Any kind of help you'd be willing to provide would be appreciated.

Future Meeting Planning

Mr. Chavez informed the group that the Arizona Mining Reform Coalition will be presenting an update on Oak Flat and related issues tomorrow night, for the Town Council, at Roosevelt School at 6:30. He invited all to attend.

The CWG will take the month of August off, and the next meeting will be in September.

Next Meeting:

5:30 PM

Wednesday, September 9, 2015

Superior Chamber of Commerce