ATTACHMENT "A"

United States Department of Agriculture | Forest Service | Tonto National Forest | Cave Creek Ranger District
40202 No. Cave Creek Rd.
Scottsdale, AZ 85262

File Code: 1950

Date: 27 February 2003

Mr. Eddie Johnson
Johnson Ranch Partnership
1132 W. McLellan
Mesa, AZ 85201

Dear Eddie,

This letter responds to a letter from your attorney, Dennis Parker, dated February 21, 2003. I would also like to bring you up to date on recent meetings the Forest Service has conducted regarding future management of the Sears-Club/Chalk Mountain Allotment.

We have tried to involve you to solicit information that only you or your ranch manager could provide in discussions regarding alternatives and effects of implementation on livestock management on the Sears-Club/Chalk Mountain Allotment. I have no doubt that better decisions are reached when there is input and active participation from the grazing permittee. We are continuing at this time with publication of a final Environmental Assessment, and selection of an alternative that best addresses issues on the allotment.

We held a meeting on January 31, with Cave Creek Ranger District and Forest Supervisor's Office personnel, Glen Knowles from Fish & Wildlife Service, and Deb Finch from Rocky Mountain Research Station in Albuquerque. The purpose of the meeting was to determine which alternatives in the E.A. were still viable, and what research/monitoring would be necessary to determine effects of the action.

At this time, formal consultation with Fish & Wildlife Service will continue, shifting to Alternative D as evaluated in the most recent E.A. mailed to you on December 3, 2000. Regional Grazing Guidance Criteria and the most recent draft of the Southwestern Willow Flycatcher Recovery Plan provided guidance in selection of this alternative. The Recovery Plan states that if grazing were an ongoing activity when new flycatcher nests became established, it should be allowed to continue, with monitoring. Lower Chalk has not been grazed since 1998, while the Davenport Pasture has been grazed every winter since then. Both pastures allow access to new nesting territories. Therefore, according to the Recovery Plan, grazing should not be reinitiated in the Lower Chalk Pasture, and it can be allowed to continue in the Davenport Pasture. In addition, as Dennis Parker discusses in his letter, Horseshoe lakebed does indeed contain occupied, suitable unoccupied, and potential (developing) habitat for the flycatcher.

The Regional Grazing Guidance Criteria states that an action may be categorized as "May Affect, Not Likely to Adversely Affect" if grazing will not occur within 2 miles of occupied habitat during the breeding season and an approved cowbird research program is in place.

Since Alternative D calls for grazing in the Davenport Pasture through the month of April, and much of the pasture is within 5 miles of the flycatcher territory Dennis Parker found at Mesquite Campground, we have solicited a research proposal from Rocky Mountain Research Branch to monitor flycatcher nests for cowbird parasitism and other possible effects. Naturally, there will be a cost associated with this research/monitoring. A number of possible sources for funding were discussed briefly at the meeting in October that Dale and Dennis attended.

We would certainly welcome any information you can provide on feasibility, environmental effects, and effects to your livestock operation of Alternative D. We would also appreciate any ideas you have for funding sources for the study that will be needed for implementation of this alternative.

I understand from Mr. Parker's letter that SRP has no inclination at this time to spend funds on mitigation of impacts to flycatchers by their operation of Horseshoe Dam by developing habitat on the Johnson Ranch private property. This does not preclude our need to initiate research on effects of grazing management.

Please respond by March 15 if you would like to provide input for this upcoming research proposal and management decision.

Sincerely,

DELVIN R. LOPEZ
District Ranger

Cc: S.O.