

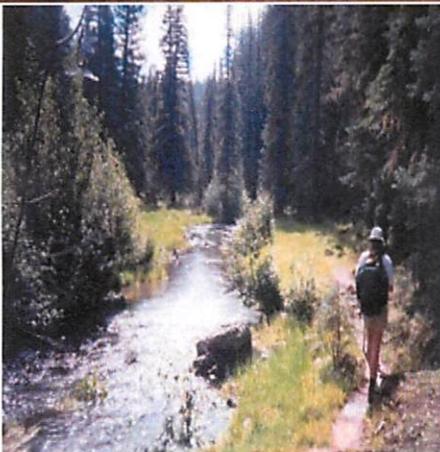


United States Department of Agriculture  
Forest Service

Southwestern Region

# Decision Notice

## Outfitter-Guide Authorization Project Apache-Sitgreaves National Forests



The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TTY). To file a complaint of discrimination, write to USDA, Director of Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

## Location

The analysis area includes all National Forest System Lands within the Apache-Sitgreaves National Forests in the east central portion of Arizona. This includes the Black Mesa, Lakeside, Springerville, Alpine, and Clifton Ranger Districts and totals 2,110,116 acres. The reason we included the entire Forest is the nature of these activities, such as hunting, could occur anywhere on the Forest. However the actual amount of acres experiencing Outfitter and Guide activities at any given time will occur on a very small percentage of the landscape.

## Background and Need

Outfitting and guiding activities have occurred since the inception of the Apache-Sitgreaves National Forests for a number of activities. In this analysis we are considering how best to administratively manage services provided for hunting, fishing, hiking, and horseback riding which account for the majority of Outfitter and Guide activities on the Forest. Of these uses, hunting and horseback riding have provided the highest number of user days, over the last 10 years.

Until the mid-2000s, all National Forests in the state of Arizona were authorized to issue *priority use permits*<sup>1</sup> for outfitted and guided uses. Since the mid-2000s the Apache-Sitgreaves has only been issuing *temporary*<sup>2</sup> and/or *transitional use permits*<sup>3</sup> on an annual basis. The recreation experience across the Forest will be enhanced by being able to use priority, temporary, and transitional use permits in conjunction with each other as they will provide the flexibility to better manage the permitted activities for both the short and the long term. In order to be able to utilize all three types of special use permits a more thorough environmental analysis is needed.

The ASNFs Forest Plan establishes the management direction for the forest and provides guidance for implementing project level decisions. The activities proposed in environmental assessment tier to the Forest Plan and are a priority for accomplishing management direction. Recreational Special Uses management occurs on the forests to provide recreational opportunities to the public. The desired condition is to provide for a high quality recreation experience.

The purpose of this project is to be able to authorize outfitter and guide activities associated with hunting, fishing, horseback riding, and hiking through long term priority permits on the Apache-Sitgreaves National Forests. These in addition to temporary and transitional permits will be issued for a maximum amount of service days per year. There is a need to provide for a consistent high quality recreation experience that is in compliance with 36 CFR 251.54 (policy for special use permits).

---

<sup>1</sup> **Priority Use Permits** – Authorization of use for up to 10 years based on permit holder’s past use and performance and applicable programmatic or project decisions to allocate use.

<sup>2</sup> **Temporary Use Permits** – Short-term, non-renewable outfitting and guiding use that is authorized in increments of 50 service days, up to a maximum of 200 service days in a 180-day period.

<sup>3</sup> **Transitional Use Permits** – Interim re-designation of temporary use as classified under the Forest Service’s June 12, 1995 outfitting and guiding policy (60 FR 30830), for holders that meet all requirements in section 41.53p.

## Alternatives Considered in Detail

### Alternative A – Proposed Action

Special Use Permits will be authorized for up to a maximum allowable *service days*<sup>4</sup> per year across the Apache-Sitgreaves National Forests. If long term permit service days issued under priority permits are below the *maximum allowable service days*<sup>5</sup> in a given year, additional service days could be permitted under temporary and transitional permits for shorter periods of time provided the cumulative number of services days do not exceed the maximum allowable service days. This approach provides a baseline of activities to be permitted over the long term while providing the flexibility to accommodate special events that may occur on a short term basis.

**Table 1 – Proposed Maximum Allowable Service Days per Year by Use for Outfitter-Guide Permits on the Apache-Sitgreaves National Forests**

Outfitted or Guided Use	Maximum Allowable Service Days Per Year
Hunting	2,000
Fishing	100
Horseback Riding	100,000
Hiking	1,000

#### **Cultural Resource Sensitivity Training for Outfitters and Guides**

Based on the importance of cultural issues, the Forest Service, in cooperation with interested tribes will provide a training resource for permitted activities on cultural and archaeological sensitivity including the Native American Graves Protection and Repatriation Act and Archaeological Resources Protection Act. The form of training will be determined in cooperation with interested tribes and include, but will not be limited to brochures, pre-award meetings with permittees, formal trainings, and amendments to permits.

#### **Project Design Features:**

The following project design features are specific to this project. All laws, policies, regulations, and Forest Service manual direction will also be followed along with the following listed below. These features are requirements from the 2015 Forest Plan. Additionally, permit clauses, terms, and conditions that are designed to protect resources will be incorporated to fit on-the-ground conditions (special use permits).

- To minimize conflicts, commercial outfitters and guides will not be authorized to use developed campgrounds so sites remain available for non-commercial forest users.

---

<sup>4</sup> **Service Day** – An allocation of use constituting a day or any part of a day on the National Forest System lands for which an outfitter or guide provides services to a client. The total number of service days is calculated by multiplying each service day by the number of clients on the trip (Forest Service Handbook 2709.11)

<sup>5</sup> **Maximum Allowable Service Days** were determined by reviewing actual service days used and service days authorized by annual special use permits across the ASNFs over the last 10 years. These proposed days per year do not exceed the number of days that have been permitted per year on the ASNFs over the last 10 years.

- To ensure grazing permits are able to be managed by the Forest Service and grazing permittees, commercial outfitters and guides will only be authorized use of range developments when there are no conflicts with allotment management.
- Party size of 12 persons and/or 12 head of stock for hiking and riding groups in Mount Baldy Wilderness shall not be exceeded. A party size of 6 persons for overnight camping shall not be exceeded.
- Party size of 12 persons and/or 15 head of stock for hiking and riding groups in Escudilla and Bear Wallow Wilderness and the Blue Range Primitive Area shall not be exceeded.

## **Decision**

After a thorough review of the effects analysis completed in the EA and consideration of public input through the objection process, I have decided to implement Alternative A. See proposed action as described above.

## **Public Involvement**

The proposal was listed in the National Forest Schedule of Proposed Actions (SOPA) since November 13, 2015. A legal notice for comment period was published in the White Mountain Independent on November 17, 2015. A total of two comment letters were received. Notice of objection eligibility was made to those who provided comment during the official comment period of this project.

### **Response to Comments provided during the comment period**

The comments received on the project were documented in the project record, and response to the issues were provided in the “issues” section of the Environmental Assessment.

## **Tribal Contact and Consultation**

Letters describing the proposed action were provided to Native American Tribes on November 17, 2015. Comments received included the need to protect archaeological resources. Availability of the EA and Draft DN was mailed to Tribal contacts for the official 30-day comment period for objection. Notice of eligibility was made to tribal contacts that provided comment during the life of the project. No objections were received from tribal commenters.

## **Forest Plan Consistency**

This decision is consistent with the 2015 Apache-Sitgreaves National Forests Land Management Plan (Forest Plan). Forest plan components (desired conditions, standards, and guidelines – no objectives were pertinent to this project) are better met through implementation of this decision and are listed in the project record.

## Administrative Review

The analysis for this Decision Notice was completed under the authority of the Objection Process of a pre-decisional review as contained in 36 CFR 218 parts A and B.

The opportunity to object to this project was made available on June 21, 2016 with a letter to those who had standing to object on the project. On June 24, 2016, the legal notice for the objection period was posted in the White Mountain Independent. In this notice, the public was informed that a decision on the EA would be made following the pre-decisional objection process, pursuant to Forest Service Regulations at 36 CFR 218. No objections were filed.

## Implementation Date

Implementation of activities under the selected action will occur based on this Decision Notice. Once this decision is signed, implementation of the project can begin immediately pursuant to regulations at 36 CFR 218.

## Contact

For additional information concerning this decision, contact: Wendy Jo Haskins, Deputy Forest Supervisor, Apache-Sitgreaves National Forests, PO Box 640, Springerville, AZ 85938, (928) 333-6301, or whaskins@fs.fed.us

  
M. Stephen Best  
Forest Supervisor  
Responsible Official  
Apache-Sitgreaves National Forests

AUGUST 25, 2016  
DATE