



July 9, 2017

Honorable Ryan Zinke, Secretary
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Re: National Monument Review, MS-1530

Mr. Secretary, on behalf of Arizona Sportsmen for Wildlife Conservation (AZSFWC) we appreciate the opportunity to provide comment on the review of our National Monuments.

AZSFWC is a 501c-3 organization dedicated to wildlife conservation, habitat work, youth recruitment and retention, as well as educating sportsmen and women on issues important to their passions. We have 34 member organizations and 7 affiliate members that reach across the spectrum of hunting, angling and outdoor recreation groups and businesses from all across Arizona.

As you know, Arizona has its share of National Monuments, in fact 18 in total and more than any other state in the Union. Hence we have firsthand knowledge and experience with the impact these monuments have on Arizona sportsmen and women, as well as all citizens of the country.

At the outset, we are not opposed to National Monuments, but we believe the intent of the Antiquities Act has morphed into something unintended by President Roosevelt in 1906.

On March 2, 2015, AZSFWC adopted the attached Resolution of Support for the Arizona Game and Fish Commission's position concerning the loss of multiple-use public lands due to special land-use designations. That Resolution was endorsed by 22 of our member organizations.

As we advised you in our March 16, 2017 letter, we believe our Federal public lands should remain under control of the Federal agencies, but we would implore you to inspire those Federal land managers to enhance their efficiency and effectiveness! In the process, we asked you seek ways to insure access to our Federal lands is not only encouraged, but expanded. The past couple decades has seen just the opposite effect across the country, but no more apparent than in Arizona.

As proponents of sustainable multi-use on our Federal lands, we see opportunities that would not only benefit the public, but the land itself, and in some cases that might be in the form of National Monuments. However, special interest groups on the environmental front want "us" off the land, and they have found that managing the land by restrictions in the form of National Monuments is concept that has given them an opportunity to work towards that objective through the Federal land management agencies by Presidential decree.

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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In 2016, Backcountry Hunters and Anglers published a document entitled “*National Monuments: A Sportsmen’s Perspective*”. In that review, they outlined 8 Tenants for new National Monument consideration which included the following:

- The monument proposal must be developed through a public process – one that includes hunters and anglers, as well as appropriate state and local governments.
- The monument proclamation must clearly stipulate that management authority over fish and wildlife populations will be retained by state fish and wildlife agencies.
- Bureau of Land Management and U.S. Forest Service lands must remain under the authority of a multiple-use focused land management agency.
- Reasonable public access must be retained to enable continued hunting and fishing opportunities.
- The input and guidance of hunters and anglers must be included in management plans for national monuments.
- Important fish and wildlife habitat must be protected.
- The proposal must enjoy support from local sportsmen and women.
- Sporting opportunities must be upheld and the historical and cultural significance of hunting and fishing explicitly acknowledged in the monument proclamation.

We believe that if these tenants were considered in the wave of monument designations over the last couple decades, we likely wouldn’t be having this conversation or even need this review!

We also support most of the recommendations as outlined in the Arizona Game & Fish Commission letter to you on this subject dated July 3, 2017.

The Antiquities Act was originally intended to protect discrete areas so as to prevent looting of archaeological and Native American structures and objects. The original intent of the Act did not contemplate expansive designations of public lands, like the almost 2 million acres designated in the last 5 monuments set aside in Arizona by President Clinton at the end of his term. (Grand Canyon-Parashant-1,014,000 acres, Ironwood Forest-128,917 acres, Vermillion Cliffs-279,568 acres, Sonoran Desert-486,149 acres, and the Agua Fria-71,000 acres)

The most glaring example of overreach was with the Grand Canyon-Parashant National Monument. The BLM was originally asked to provide some appropriate boundaries for the monument under consideration. Without any public input, the monument boundary recommendation was suggested at 570,000 acres, and when it was announced, had been designated at 1,014,000 acres. This significant increase strongly suggests the monument did not conform to the “*smallest area compatible with proper care and management of the objects to be protected*” language!

The multiple use policy of the Federal Land Policy and Management Act (FLPMA) prohibits federal land management agencies from affecting the State’s jurisdiction and responsibilities, and managers of public lands are mandated to provide multiple-use recreational opportunities on public lands to both present and future generations. The conversion of public lands to a special use designation like that of a national monument effectively curtails or limits the public’s multi-use capability of that land. It also results in a net loss of wildlife resources and associated recreational and economic benefits. That unilateral action, absent public input, disenfranchises stakeholders and deprives local communities of a voice in the process.

Many national monuments offer world-class hunting and fishing. For that to continue, designations need to be locally driven, transparent, incorporate science-based management, conservation of important fish and wildlife habitat, and uphold hunting and fishing opportunities.

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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History has shown that national monument designations set the stage for future, more restrictive designations and land management, further impeding public access, hunting, and management flexibility. There are several examples in Arizona alone, i.e. Petrified Forest National Monument to a National Park and Designated Wilderness, Saguaro National Monument to a National Park to a Designated Wilderness, Chiricahua National Monument to Designated Wilderness, Grand Canyon National Monument to National Park, etc.

In addition, U.S. Forest Service and BLM multiple-use lands within new monuments can be transferred to the National Park Service, which then allows an even narrower mission and greater restrictions on management and recreational activities. A change in administrative oversight from a National Monument to a National Park is a significant concern for sportsmen and women because it could eliminate hunting in those areas. This conversion has occurred for the majority of national parks in Arizona.

Recreational shooting is recognized as an appropriate and publicly valued activity under federal multiple-use mandates and provides an important opportunity for the next generation to get outdoors and develop the skills necessary for the shooting sports and hunting in an informal and safe environment.

Recreational shooting has been negatively impacted on National Monuments in Arizona. These designated lands have seen significant prohibitions on dispersed recreational shooting. It has been eliminated entirely on the Ironwood Forest and the Agua Fria National Monuments, and become the subject of litigation on the Sonoran Desert National Monument which has resulted in both temporary and permanent restrictions.

Motorized access for hunting and big game retrieval has also been limited following the designation of these Arizona monuments and the completion of new management plans. This has impacted the Arizona Game and Fish Department's (Department) ability to distribute hunting pressure, optimize big game harvest objectives, and meet game management goals.

Route closures on the Sonoran Desert National Monument provide just one example of post-designation access restrictions. In 2008, the BLM closed 88 miles of routes to "protect monument objects". This closure was supposed to be temporary, and lifted in a couple years. However as of June 2017, the routes have not been reopened and a lack of funding is now cited for this decade-long delay.

Wildlife management activities within national monuments require more complex planning and additional compliance hurdles posed by understaffed federal land management agencies. These designations also result in increased legal challenges from segments of the public advocating for 'wilderness-like' management of public lands.

When federal land management agencies are charged with managing land for, or with wilderness-like characteristics, these agency designations effectively restrict multi-use activities on public land by circumventing Congress' sole authority to designate wilderness. The national monument designations provide a vehicle to expand these restrictions.

Wildlife captures/translocations, maintenance/development of water sources, and habitat restoration projects have been delayed or prohibited, impeding the state's ability to meet its public trust responsibilities and diminishing state wildlife management authorities. Based upon its long history of wildlife management in special land use designation areas, including national monuments, the Department has experienced challenges, complications, or obstruction of its ability to implement the following management activities, including but not limited to:

- Motorized retrieval for legally taken and tagged big game

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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- Use of aircraft for animal translocation, monitoring, capture, surveys, and research (including overflights, landings, and drones)
- Research, surveys, scientific sampling, capturing and marking animals, including the use of radio telemetry
- Aquatic species management and monitoring including stocking, stream renovations using pesticides
- Use of electrofishing equipment, and construction and repair of fish barriers
- Construction, redevelopment, and maintenance of wildlife water catchments
- Wildlife water catchment monitoring and water delivery
- Habitat enhancement, creation and/or restoration projects
- Angling, hunting, trapping
- Emergency translocations and/or removal of fish and wildlife
- Fencing to protect wildlife habitats and/or restrict wildlife and fence removal
- Removal and/or control of nonnative animal species
- Introduction, supplementation and/or translocations of native and/or naturalized species
- Predator management
- Access to existing roads and trails to meet harvest objectives and distribute hunters
- Law Enforcement wildlife investigations and response to illegal wildlife activities
- Creation of alternate access routes when existing designated access routes are closed

The following two examples demonstrate specific impacts to the Department's statutory authorities and ability to effectively manage and conserve wildlife populations due to national monument designations:

Sonoran Desert National Monument – The Department and BLM worked cooperatively to develop a programmatic Environmental Assessment (EA) allowing Department maintenance of 16 existing wildlife water catchments within the monument. The Proposed Action would allow for increasing storage capacity, replacement of worn or malfunctioning parts, provide for dependable year-round water, and eliminate regular water hauling trips to wildlife water catchments in an area where access to water can be critical for wildlife. BLM signed the EA, but the decision was appealed by external parties claiming conflicts with protection of monument objects and wilderness characteristics. Over the 4 years awaiting the court's decision on this case, the situation with regard to wildlife on the Monument grew more serious, as an ongoing drought continued. Increased water-hauling as a result of this delay strained the Department's human and financial resources, unnecessarily diverting resources from other important wildlife and habitat management projects.

Vermillion Cliffs National Monument – The Department had been working with the BLM to develop an EA for construction of four wildlife catchments in the Vermillion Cliffs National Monument. Monument designation and inclusion of areas managed for wilderness characteristics have increased the administrative burden on this process, and after 5 years the EA is still not complete. The proposed catchments are in the most appropriate and effective location for wildlife, but the monument designation has led the BLM to analyze less suitable/effective alternative locations.

National monument designations may prevent timely and effective implementation of projects designed to restore ecosystem/watershed health and wildlife habitat, including practices such as mechanical thinning, prescribed fire, streambank renovations, and soil stabilization/erosion control. Forested areas of Arizona are of particular concern. Catastrophic wildfires have already degraded watersheds severely impacting Arizona's wildlife populations. Failure to complete mechanical vegetation thinning and/or prescribed burns in high fire risk areas (including forests), significantly increases the potential for catastrophic wild fires and further degradation of watershed health and wildlife habitat.

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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The Department of the Interior (DOI), has a maintenance backlog of in excess of \$13.5 billion for the land it already manages. These funding deficits lead to reduced public access, environmental degradation, and land mismanagement. While the Antiquities Act does not take more acreage into federal possession, national monument designation places additional administrative burdens on an overstretched DOI.

Funding deficits can be offset by collaboration with state and local governments in the planning of public land use. The parties closest to land use planning issues can more effectively prioritize and solve problems, while properly weighing the needs and desires of local communities. State regulators have the local knowledge and the proper incentives to promote economic growth while protecting the environment. State and local governments have the most to gain from proper management of natural resources and economic activity and the most to lose (including tax revenue) from mismanagement or mishandling of the environment.

Congress should recognize that states, local governments, and private citizens are the best arbiters of how to manage land and limit the President's power by requiring congressional and state approval for any national monument designation. This would prevent the President from unilaterally restricting land use in states, often with arbitrary boundaries and with little or no input from the states and local citizens.

The Agua Fria National Monument was not included in this review because it is less than 100,000 acres, but it too would be candidate for review pursuant to the Executive Order's direction to review designations '*where the Secretary determines that the designation or expansion was made without adequate public outreach and coordination with relevant stakeholders*'.

The Agua Fria National Monument is an example of the overreach of the Antiquities Act. The lack of an open and public process prior to designation, coupled with federal agency perception that monuments must be managed for "wilderness-like characteristics", has resulted in the ban of recreational shooting, significantly reduced public access, and the inability to effectively implement management activities and wildlife related programs and projects.

Finally, we believe the 8 Tenants outlined on page 2 of our letter, should be incorporated with the Arizona Game and Fish Commission's Summary Recommendations that follow, for future National Monument designations:

- Develop and implement policies and guidelines for fish and wildlife management on National Monuments between federal land management agencies and state wildlife agencies to provide consistency and direction. Policies and guidelines can be modeled after a similar agreement regarding wildlife management in designated wilderness [*Policies and Guidelines for Fish and Wildlife Management in National Forest and Bureau of Land Management Wilderness (as amended June, 2006)*].
- Amend the Antiquities Act to require congressional, state, county, and local approval prior to any national monument designation.
- Amend the Antiquities Act to require the mutual agreement of the state wildlife agency and the U.S. Fish and Wildlife Service for all fish and wildlife conservation, protection, and management plans on National Monuments. Amendment may be modeled after similar language requiring state concurrence on Integrated Natural Resource Management Plans as directed by the Sikes Act.
- Require dedicated funding/appropriations for planning and management of National Monuments prior to designation.
- Land and resource management plans must be completed within 5 years of National Monument designation, and all existing wildlife management and related

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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recreational activities may continue until land and resource management plans are finalized.

- Prohibit the overlapping of restrictive special land use designations/allocations (i.e. National Monument designation over a wilderness, wilderness characteristic area, wild and scenic river, primitive area, backcountry, etc.) Overlapping designations and allocations create unnecessary redundancy and restrictions, complicating interpretation of allowable uses on public lands.

We see a Federal bureaucracy that spends millions of taxpayer dollars and takes years of time to make a decision on a myriad of issues; to the detriment of wildlife, habitat, sportsmen and women, and the public in general. Revising the Antiquities Act would go a long way to remedy these issues, but at the same time, preserve the original intent and purpose of the Act.

Thank you for the opportunity to comment on this important issue.

Yours in Conservation,



Jim Unmacht
Executive Director

CC: Governor Doug Ducey
Senator John McCain
Senator Jeff Flake
Congressman Paul Gosar
Congresswoman Martha McSally
Congressman Andy Biggs
Congressman David Schweikert
Congressman Raul Grijalva
Congressman Ruben Gallego
Congressman Tom O'Halleran
Congressman Trent Franks
Congresswoman Kyrsten Sinema
Arizona Game & Fish Commission

AZSFWC comment to Secretary Zinke on the National Monument Review – 7-9-2017

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AZSFWC Member Organizations supporting the aforementioned comments on the assessment of National Monuments

Anglers United
AZ Antelope Foundation
AZ Big Game Super Raffle
AZ Chapter National Wild Turkey Federation
AZ Chapter Safari Club International
AZ Deer Association
AZ Desert Bighorn Sheep Society
AZ Council Trout Unlimited
AZ Elk Society
AZ Houndsmen
AZ Outdoor Adventures
AZ Outdoor Sports
AZ Shooting Sports Education Foundation
Christian Hunters of America
Coconino Sportsmen
Kahuna's Kids
Mohave Sportsman Club
Outdoor Experience 4 All
Southwest Wildlife Foundation
Xtreme Predator Callers
1.2.3.Go...

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A RESOLUTION of the Arizona Sportsmen for Wildlife Conservation, in support of the Arizona Game and Fish Commission position concerning the loss of multiple-use public lands due to special land-use designations

WHEREAS, Arizona's sportsmen understand and appreciate the value of its public lands, and the ability of the public to access and utilize those lands for a variety of recreational uses, and

WHEREAS, only 23 percent of Arizona's lands remain open for public use and free from special land use designations, or in other words, more than 77 percent of Arizona's lands are restricted from public access and recreation through ownership (private, state, and tribal) or through federal special land use designations, and although federal lands make up 42 percent of Arizona, more than 43 percent of those lands have special land use designations which prescribe significant restrictions to recreation and management, and

WHEREAS, the conservation of wildlife resources is the trust responsibility of the Arizona Game and Fish Commission (Commission) and this trust extends to all lands within Arizona, to ensure abundant wildlife resources for current and future generations, and

WHEREAS, with more than 4.5 million acres, Arizona has the fourth highest total designated wilderness acreage in the U.S. This, coupled with an additional 5.8 million acres of special land use designations, which include National Monuments, National Parks, National Wildlife Refuges, National Conservation Areas, Areas of Critical Environmental Concern, Wild and Scenic Rivers, and Wilderness Characteristics Areas, has caused the systematic loss of sportsmen's recreational opportunities and the commensurate erosion of the Arizona Game and Fish Department's (Department) ability to proactively manage wildlife on more than 10.3 million acres, and

WHEREAS, while the Arizona Game and Fish Department has experienced restrictions resulting from special land use designations including project delays, increased costs, increased man-hours, and legal challenges, sportsmen have experienced road closures, blocked access, camping restrictions, shooting prohibitions, and game retrieval problems. This ultimately leads to not only a decreased efficiency in conserving and managing Arizona's wildlife resources, as well as the inability of sportsmen to enjoy historical pursuits, and

WHEREAS, public land managers have a responsibility to the people of Arizona to ensure continued opportunities for multiple-use recreational activities. For example, FLPMA (1976) is the Bureau of Land Management's (BLM) "organic act" that establishes the agency's multiple-use mandate to serve present and future generations. Once federal lands are converted to special use

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lands such as Wilderness and National Monuments, the FLPMA mandate no longer applies and those lands permanently lose multiple-use provisions, and;

WHEREAS, in spite of organic legislation emphasizing multiple-use of public lands, neither the USFS or BLM have established any objectives for acreages of public lands to be maintained in full multiple-use, free from restrictive designations in Arizona, and

WHEREAS, the Multiple-Use Sustained-Yield Act of 1960 and the Federal Land and Policy Management Act of 1976 both legally prohibit the federal land management agencies from affecting the state's jurisdiction and responsibilities.

THEREFORE BE IT RESOLVED that Arizona Sportsmen for Wildlife Conservation does not support the continual conversion of public lands from multiple-use to land use designations that result in the net loss of wildlife resources, wildlife related recreational opportunities, and wildlife dependent economic benefit without expressed concurrence of the state of Arizona and the Commission, and

BE IT FURTHER RESOLVED that any proposed special land use designation analyze the cumulative impacts of further loss of public lands that provide for multiple-use and wildlife related recreational and economic opportunities, and

BE IT FURTHER RESOLVED that any proposed special land use designation on federal lands analyze the impact to the Arizona Game and Fish Department's ability to fulfill its trust responsibility to manage the state's wildlife resources.

Adopted on March 2, 2015

Jim Unmacht

President

Arizona Sportsmen for Wildlife Conservation, representing the following organizations:

AZ Deer Association
AZ Outdoor Sports
AZ Big Game Super Raffle
1.2.3.Go...
AZ Antelope Foundation
AZ Desert Bighorn Sheep Society
Outdoor Experience 4 All
Xtreme Predator Callers
AZ Houndsmen
AZ Flycasters Club
Coconino Sportsmen
AZ Bowhunters Association
South Eastern AZ Sportsmen's Club
Mohave Sportsman Club
AZ State Chapter of National Wild Turkey Federation
AZ Elk Society
AZ Chapter of Safari Club International
AZ BASS Nation
The BASS Federation
SRT Outdoors
Anglers United
AZ Council of Trout Unlimited

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