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March 16, 2018

The Honorable Congressman Paul Gosar  
2057 Rayburn HOB  
Washington, DC 20515

The Honorable Sonny Perdue, Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Ave., S.W.  
Washington, DC 20250

RE: Public motorized access critical to local communities, County, State and  
Federal governments  
Forest Roads 203 and 487, Tonto National Forest, Arizona  
Sierra Ancha Wild Area and Sierra Ancha Wilderness discrepancies

Dear Congressman Gosar and Secretary Perdue:

We are seeking your help to remedy inaccuracies and omissions in officially recognized documents that affect the social and economic stability of several rural communities, as well as local government administration, specific to public motorized access on established roads across the Tonto National Forest, Arizona. The proposed decommissioning of portions of Forest Roads 203 and 487 would negatively impact State, County, and local governments and social and economic community stability. It would also impact the mandated land and wildlife management obligations of the U.S. Forest Service and Arizona Game and Fish Department.

Specifically, a 10.05-mile section of Forest Road 203 is slated to be decommissioned through the present Travel Management Planning (TMP) process because it meanders in and out of the *currently recognized boundary of the Sierra Ancha Wilderness (SAW)*, along the east side. *Important research regarding the boundary follows.* The 203 Road, also known as the Cherry Creek road, has been managed and maintained as an open

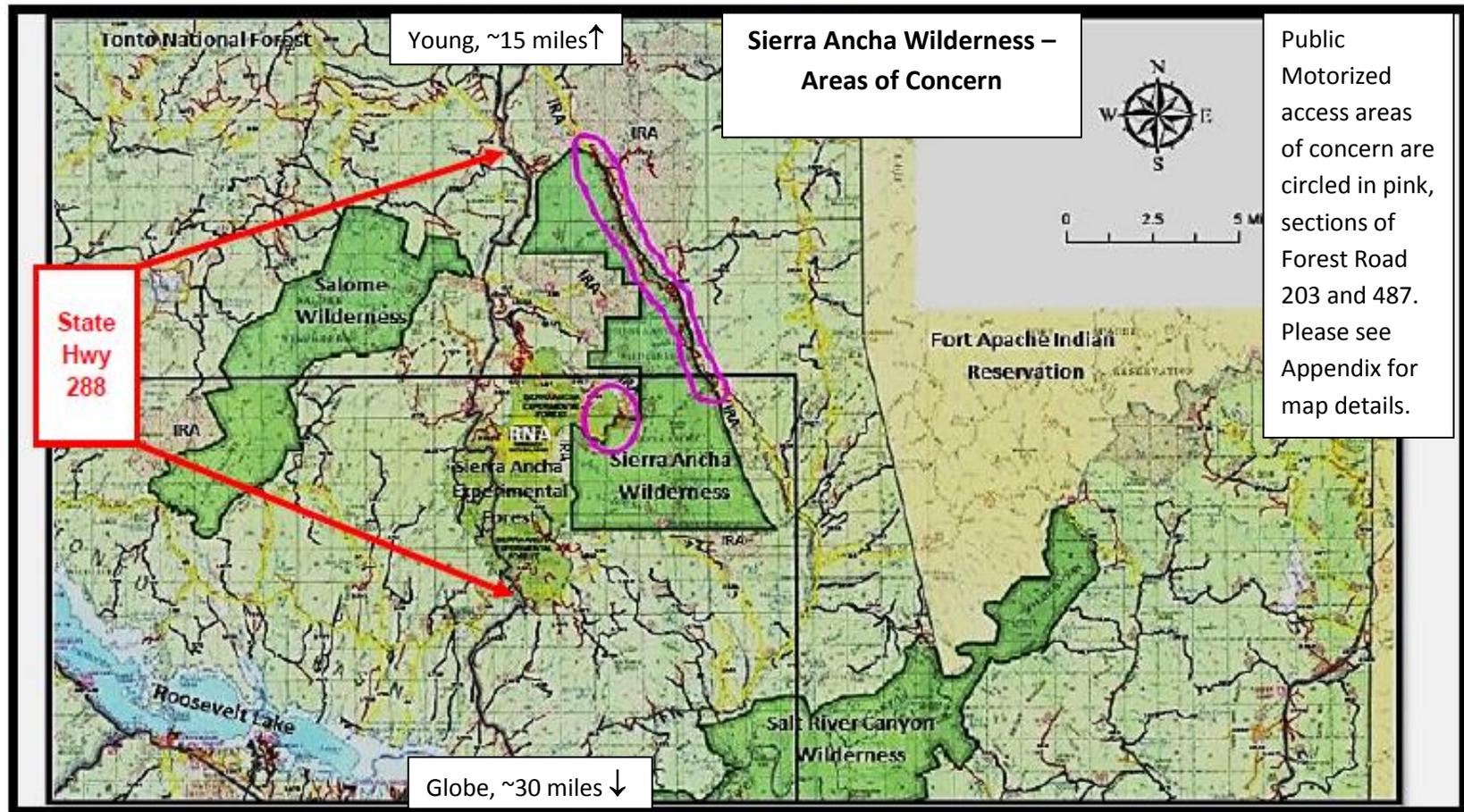
motorized road with continuous use since at least the 1950s. Further, the road was improved and maintained in the 1950s by the Atomic Energy Commission (AEC) during the uranium boom. In addition to the 203 Road, approx. ½ mile of Forest Road 487, also known as Workman Creek road, is slated for closure to the public. Importantly, maps dating as far back as 1937 display established travel routes along Cherry Creek in the same area as the 203 Road and in the location of concern for the 487 Road.

Based on the official 1951 “Wild” area map, the currently recognized boundary of the 1965 Sierra Ancha “Wilderness” map has many errors. In addition, the legal description submitted at the same time in 1965 to the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, has many flaws. The map and legal description provided in 1965 were required following the passage of the Wilderness Act in 1964, because “Wild” areas by default were to become Wilderness.

The Tonto National Forest recognizes the importance of these roads staying open for motorized public travel, but still have not completed a full analysis or “hard look” into the records and issues specific to these two roads, based on what they have provided for review.

The 487 and 203 Roads provide the only motorized roadway access to several historic privately owned occupied homesteads. Closure of the ~ ½ mile section of the 487 Road and 10.05-mile section of the 203 Road would remove access for public motorized travel for the thousands of visitors seeking to explore the upper Sierra Ancha mountain range and the east side of the Sierra Ancha Wilderness and the surrounding National Forest, as well as law enforcement; search and rescue operations; permitted livestock grazing operations and management of the Center Mountain, Flying V, Flying H, Cherry Creek, Dagger, and A-Cross Allotments; Arizona Game and Fish Department Wildlife Managers; youth groups; hunters; hikers; researchers; Off-road vehicle enthusiasts; miners; Forest Management personnel, Wildland firefighters; various permitted uses; and families who live in Young, Globe, and nearby communities.

It is vital the entire length of the 203 and 487 Road remain open and maintained for the safety and access of people who are a part of the day to day activities, the permitted uses, and recreational uses of the Sierra Ancha Wilderness and surrounding areas.



Public Motorized access areas of concern are circled in pink, sections of Forest Road 203 and 487. Please see Appendix for map details.

**The Sierra Ancha Wilderness (SAW) relative to surrounding federally managed lands less than ~10-miles away as the crow flies.** Please note there are several parcels of private land inholdings and rural communities in this area. The portion of the 203 Road slated for closure (10.05 miles) (east side of wilderness boundary) and the ~ ½ mile of the 487 Road on the west side are circled in pink. Fort Apache Indian Reservation is to the east, Salome Wilderness to the west, Sierra Ancha Experimental Forest adjoins the SAW, and less than 7 miles south of the SAW is the Salt River Canyon Wilderness. This is tens-of-thousands of acres with limited to no public motorized access. The community of Young is approx. 15 miles north, the town of Globe is approx. 30 miles south of the SAW. Public Road access between communities is very limited, including limited alternate routes for emergencies. The black colored road stringers are primarily two-track dirt roads on the Forest that traverse remote rugged areas, but use is limited to mostly OHV's, and many are not maintained. *IRA*: Inventoried Roadless Areas (established in the 1970s-1980s). *RNA*: proposed Research Natural Area. (base image from TNF TMP web file).

## **Official 1951 Sierra Ancha “Wild” area map, its use and flawed interpretations in later maps:**

In resolving the issue of bringing the historic 1951 Wild area map into a Global Information Systems (GIS) layer or other advanced mapping, it is critical one understands that historical maps were typically made for communicating, not necessarily for serving as a basemap/source data such as for a modern GIS. All maps and GIS data have a fuzziness of inaccuracy. Disparate map datasets never match up perfectly and are typically off by around 300-400 feet. Regarding positional accuracy, features are often moved slightly for clarity such as displaying roads, rivers, boundaries, or other features, and there is often scale distortion. Similarly, one needs to place maps in their proper spatial, cultural, and chronological contexts to fully appreciate their meaning. Historic maps are an image of a place at a particular point in time, with its contents focused on particular items. (See Harvard Geospatial Library and D. Stephens Making Sense of Evidence series on *History Matters: The U.S. Survey on the Web*, located at <http://historymatters.gmu.edu>)

Cartographic features of the 1951 map focus on what is to be communicated by the map specific to boundaries, travel routes, private lands, place names, steepness of terrain, drainages, corrals, and the experimental forest boundary (heavy black dashed line with dots). There are no topographic lines to be able to display exact locations of features or boundaries. As was common, the map-maker purposefully placed map features as close as possible to their locations and to demonstrate relative position, such as the placement of roads relative to boundaries or drainages. The intent of the cartographer in historic maps such as this, is critical for future interpretation of the map and its features.

### **The importance of the 1951 map:**

- The 1951 map clearly displays the east side Wild area boundary to be west of the travel route now referred to as Cherry Creek Road/203 Road (note the brown colored boundary and the final blue colored boundary further west). This is important to demonstrate the map-maker’s intent to keep the Wild area boundary away from the travel route. The boundary could not be precisely drawn without a more detailed map. With reduced details there is cartographic generalization. However, the intent of the map-maker remains clear with the boundary and travel routes being primary features on the map – the Wild area boundary is placed away from the travel routes where the 203 and 487 roads occur.
- There are no topographic lines (commonly in 40 ft. intervals) on this map for the map-maker to draw precisely on-the-ground routes of roads, the precise location of steep slopes, Cherry Creek or other drainages, or the precise location of the boundary or private lands. Again, the map reader can get a sense of the spatial pattern because of the relative placement of the features - the Wild area boundary away from primary travel routes, the relative location of private lands, etc.
- The map legend clearly displays the intent of the map-maker: shows the former boundary (brown), the new official boundary as amended 2/15/51 (Blue), road developments (orange), and area eliminated (red cross lines).
- The map has no scale, so we must be careful about assumptions concerning distance.
- No projection is given, so the amount or type of distortion is difficult to assess.
- The source of the data is not known.
- Further, the 1951 map (and the 1949 map) in the southwest boundary of the Wild area clearly shows the intent to communicate or display that the Wild area boundary was placed to avoid inclusion of the travel route (now 487 Road) to the private land in the area (e.g. Murphy Ranch and the Peterson place).

(see map details in appendix)

## **Official 1965 Sierra Ancha “Wilderness” area map, its use and inconsistent boundary in various maps:**

*In 1965*, the Forest Service employee assigned to write the legal description and draw the map of the Sierra Ancha Wilderness to reflect that of the official 1951 Wild area map (as required by the Wilderness Act):

- Failed to carry forward critical features (e.g. the entire length of the established travel route between the eastern boundary and Cherry Creek, referred to now as the 203 Road).
- Failed to carry forward the developed road features for the 487 Road.
- Changed the image scale, this can be seen by comparison with the 1951 Wild area map. However, the map has no scale, so we must be careful about assumptions concerning distance.
- As found in the legal description he failed to use meaningful coordinates (e.g., “along a not to well defined topographic rim” -for several miles and there are many instances of ¼ corners not fully described);
- No projection is given, so the amount or type of distortion is difficult to assess.
- Failed to best define the intent and vital information displayed in the 1951 Wild area map.

***The result is a misaligned and misrepresented map. (see map details in appendix)***

Because of these flaws, there are several Wilderness maps in the public realm that are inconsistent in boundaries and features.

## **Chief Tooke’s reply to Senator Flake, critical concerns:**

We are in receipt of Chief Tooke’s February 9, 2018 reply to Senator Flake’s letter regarding the 203 and 487 Roads. Senator Flake requested Chief Tooke review the many errors found in the 1965 map and legal description and consider an administrative correction until such time legislation can be accomplished to fully address these errors.

We have several critical questions and concerns. As reiterated in Chief Tooke’s letter, we also understand the Wilderness Act prohibits permanent roads in wilderness (Section 4(c)). However, the following issues are *not* discounted by that section of the Wilderness Act.

The concerns listed below are specific to Chief Tooke’s reply to Senator Flakes letter. **Selected contents from Chief Tooke’s letter are highlighted in yellow prior to items in our list of concerns or questions below.** We respectfully request the following:

- 1) Please review the supporting maps and notes provided in this letter. This is critical because the 1951 “Wild” area map for which the Wilderness Act states should have become the “Wilderness Area” by default, does not mirror the currently recognized map and boundary. And, as pointed out in Senator Flakes Dec. 11, 2017 letter to Chief Tooke, the legal description of the wilderness area submitted to Congress in 1965 does not match the map boundary also submitted at that time.
- 2) **Tooke statement: “The Sierra Ancha Wilderness was designated in 1964 and the enabling legislation does not except or recognize Forest Roads 203 or 487.”**

- a. Please provide a copy of textual descriptions used when creating the legal description and map drawn in 1965 that was submitted to Congress and supposed to represent the existing Wild area map from 1951.
  - b. Please provide a copy of the Congressional record submitted during the time Congress met to discuss the issues surrounding the passing of the 1964 Wilderness Act that supports anything different than what is shown in the 1951 Wild area map (images provided in this letter). If this does not exist, please state so.
  - c. Specifically, we ask this regarding the routes of the 203 and 487 Roads. And, we request clarification relative to other similarly established roads recognized by other wilderness areas and not written as “excepted” or “recognized” in the enabling legislation, that may be open for use.
- 3) **Tooke statement:** Forest Service authority to correct errors in wilderness boundaries is provided in Section 3(a)(1) of the Wilderness Act and is limited to "clerical and typographical errors."
- a. Please provide the USDA Forest Service legal description or clarification of the intent of Congress in defining what could be a “Clerical or typographical error.”
  - b. According to current legal thought as found in public records, a clerical error includes a mistake made in a document that changes its meaning, including the unintentional addition or omission of a word, phrase, or figure. Because it is an oversight, mistakenly not purposefully done, it should readily be remedied without objection.
- 4) **Tooke statements:** Given the extent to which portions of Forest Roads 203 and 487 lie within the Sierra Ancha Wilderness official boundary, the Forest Service does not have administrative authority to adjust the current Sierra Ancha Wilderness boundary. Changing the original boundary line on the 1965 map approved by Congress will result in a significant reduction in Wilderness Area acreage.
- a. These two statements are flawed.
  - b. Please clarify at what “*extent*” administrative authority is relinquished and how this is determined by the Forest Service.
  - c. Based on the language in the Wilderness Act, the extent of something is not mentioned as factor that might limit the authority to correct errors. Considering the clear intent of the 1951 Wild area map, which pulled the boundary away from the established routes now referred to as the Cherry Creek/203 Road and Workman Creek/487 Road, please clarify the rationale for the statement about the “*extent*” of the roads being “inside” the boundary, as a supported legal rationale to ignore the issue.
  - d. No matter the measured feet of a portion of road, if the wilderness boundary is in error, are not the distances of the portions of road a moot point?
  - e. Based on the 1951 Wild area map, the routes drawn on that map for the 203 and 487 Roads are not inside the Wild area boundary. Also, in the erred Wilderness Area map submitted in 1965 (it does not mirror the official Wild area map), the “*extent*” of the 487 and 203 Roads that meander into and out of the boundary are a small percentage of the **20,850 acres** of wilderness and their entire long-established routes.
  - f. The **relative length** of the sections of road on the 487 and 203 Roads that meander into and out of the *currently applied wilderness boundary* are a small percentage of the wilderness area. Also, they are part of much longer well established public motorized routes. Using the google earth polygon measuring application the following estimates provide clarification for the current applied map:

- The 203 Road meanders into and out of the eastern edge of the currently applied wilderness boundary for approx. 10.05 miles. Within those miles the road creates eight relatively small polygons ranging in size of acres (0.13, 0.24, 3.17, 13, 15.8, 37.9, 105, and 304 acres) totaling approx. 479.24 acres of separate polygons of wilderness. **This is only 2.3 % of the 20,850-acre wilderness and is along the eastern edge. In addition, within the 10.05 miles slated for decommissioning, there are also seven polygons created by the road that are outside the wilderness that total approx. 70.12 acres.**

This is another example of the many errors that plague this wilderness designation, maps and legal description.

- g. Please provide a response regarding the parameters of “administrative authority” as applied to the Wilderness Act (Act of September 3, 1964 (P.L. 88-577, 78 Stat. 890 as amended; 16 U.S.C. 1131(note), 1131-1136), including those laws as stated in Section 4 of the Wilderness Act (such as):

*Sec. 4. (a) The purposes of this Act are hereby declared to be within and supplemental to the purposes for which National Forests and units of the national park and national wildlife refuge systems are established and administered and*

*(1) Nothing in this Act shall be deemed to be in interference with the purpose for which National Forests are established as set forth in the Act of June 4, 1897 (30 Stat. 11), and the Multiple-Use Sustained Yield Act of June 12, 1960 (74 Stat. 215).*

*(2) Nothing in this Act shall modify the restrictions and provisions of the Shipstead-Nolan Act (Public Law 539, Seventy-first Congress, July 10, 1930; 46 Stat. 1020), the Thye-Blatnick Act (Public Law 733, Eightieth Congress, June 22, 1948; 62 Stat. 568), and the Humphrey-Thye-Blatnick-Andresen Act (Public Law 607, Eighty-fourth Congress, June 22, 1956; 70 Stat. 326), as applying to the Superior National Forest or the regulations of the Secretary of Agriculture.*

- 5) **Tooke Statement:** The final Sierra Ancha Wilderness boundary map and description was submitted to and accepted by Congress in 1965.
- This statement is flawed, as the map and legal description were submitted to the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives and based on our understanding the Congressional Research Service has been unable to locate any record of Congressional approval or committee approval.
  - Please provide a copy of the Congressional record documents that “approved” the 1965 map that was submitted by the Forest Service.
  - If #5 is found to be so, please provide a response to the clear need to correct the 1965 map and legal description submitted so that it mirrors the 1951 Wild area official map, as is required by the Wilderness Act.
- 6) **Tooke Statement:** Forest roads do not follow the boundary in a manner that indicates Congress intended for either of the roads to serve as the Wilderness boundary.
- This statement is flawed based on the 1951 Wild area map.

- b. Please provide a copy of the Congressional record demonstrating the acceptance of the “official boundary” to be that submitted in 1965.
- c. We believe based on the official 1951 “Wild” area map and several other historical maps, the statement above in Chief Tooke’s letter is flawed and arbitrary, considering the fact that Congress did not draw the map to be able to have intent, rather an employee of the Forest Service drew the map and submitted it to Congress the year after the 1964 Wilderness Act was passed.

Further, a close look at the areas the 487 Road meanders into and out of the boundary as is defined in the currently applied Sierra Ancha Wilderness boundary (there are many maps that are inconsistent in the boundary), will reveal the boundary near the 487 Road follows a similar curved line as the road creates. This is apparent since the small area created by the meander is only approx. 49 acres. Also, a close look at the official 1951 Wild area map displays the blue colored boundary does parallel the historic travel route now referred to as the Cherry Creek/203 Road.

- 7) **Tooke Statement:** These roads do not qualify as "temporary roads" under Section 4(c) of the Wilderness Act due to their continued use for- non-emergency access.
  - a. Please clarify the legal definition and explanation of a “temporary road” as defined by Congress.

**We believe, based on legal precedent and established Federal Agency decisions over many years, the administrative authority provided in the Wilderness Act to correct errors exists and is not as limited as Chief Tooke states.** This includes the intent of laws stated in Section 4 of the Wilderness Act as well as the discussion of clerical and typographical errors. As mentioned, the legal definition of a “clerical error” includes a mistake made in a document that changes its meaning or the unintentional omission of a word, phrase, or figure. Such a mistake should be readily remedied without objection. Using the 1951 Wild area map as a reference document, if the errors in the 1965 map and legal description were errors they should be corrected without objection. However, if they were purposeful, then that become a more serious legal matter and should be addressed in a court of law. The information in public records including maps and written Congressional records, surely provides the documentation necessary to correct the errors.

Based on the record, we believe there are genuine issues of material fact, and that all evidence and reasonable inferences should be viewed. Please consider the Forest Service agency action to submit documentation to Congress that did not disclose all the facts, may be arbitrary, capricious and an abuse of discretion, or otherwise not in accordance with law. Also, that action may be inconsistent with a statutory mandate or frustrate the congressional policy underlying a statute, or the intent of Congress. It is our understanding that where Congress has left a gap in a statute to be filled by a particular agency, the agency’s interpretations of the statute having the force of law entitled to Chevron deference. **However, the agency must provide a satisfactory explanation for its actions based on relevant data** (Niobrara River Ranch, L.L.C. v. Huber, 373 F.3d 881, 884 (8th Cir. 2004). This requires an analysis of whether the decision was “based upon consideration of the relevant factors and whether there has been a clear error of judgment.” (Citizens to Preserve Overton Park, Inc. v. Volpe, 401 U.S. 402, 416 (1971).

It is our understanding that a decision by the Forest Service (such as the 1965 action regarding the Sierra Ancha Wilderness boundary), is considered arbitrary and capricious if:

- the agency relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, are without foundation, offered an explanation for its decision that runs

contrary to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise. (Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 43 (1983), Dombeck, 164 F.3d at 1130).

**We respectfully request you take a hard look at the data, documentation, and maps relied upon by the Forest Service as submitted to Congress in 1965 and consider if they are unreliable or inadequately explained, making them arbitrary and capricious, which therefore makes any reliance upon the information unreasonable.**

Trustworthiness of the information submitted to Congress for the Sierra Ancha Wilderness boundary designation must be established. For this to be accomplished:

- a representative map of what is actually on the ground should have been provided,
- the person(s) writing the legal description and drawing the map should have been experts (based on the legal description this is not the case).

**We believe Chief Tooke's recent conclusions in his letter are unsupported by the record.** Please see the 1951 and 1965 maps displayed side by side in the appendix, included in this letter.

Also, the Forest Service should have considered the potential impact the deficiencies in the 1965 map and legal description might have on trustworthiness of their documentation and to the social and economic stability of our communities affected by their conclusions.

We respectfully request an opportunity to meet with both of you, if convenient in Arizona so that we may show you the area of concern, which includes the surrounding communities. Or, please let us know at your earliest convenience if you are available to meet with us. Thank you kindly for your willingness to address these critical issues.

Sincerely,



**Carolyn and Larry Eppler**



**Jim Unmacht**

Cc: Senator Jeff Flake, U.S. Senate  
James Mago, State Executive Director, Arizona Farm Service Agency  
Arizona Game and Fish Department: Jay Cook Region IV Supervisor, Ed Sanchez Legislative Liaison, and  
David Fernandez Legislative Specialist  
Arizona Cattle Growers Association  
Adam Shepherd, Gila County Sheriff  
Tim Humphrey, District 2 Gila County Supervisor  
Woody Cline, District 3 Gila County Supervisor  
Gila County Cattle Growers Association

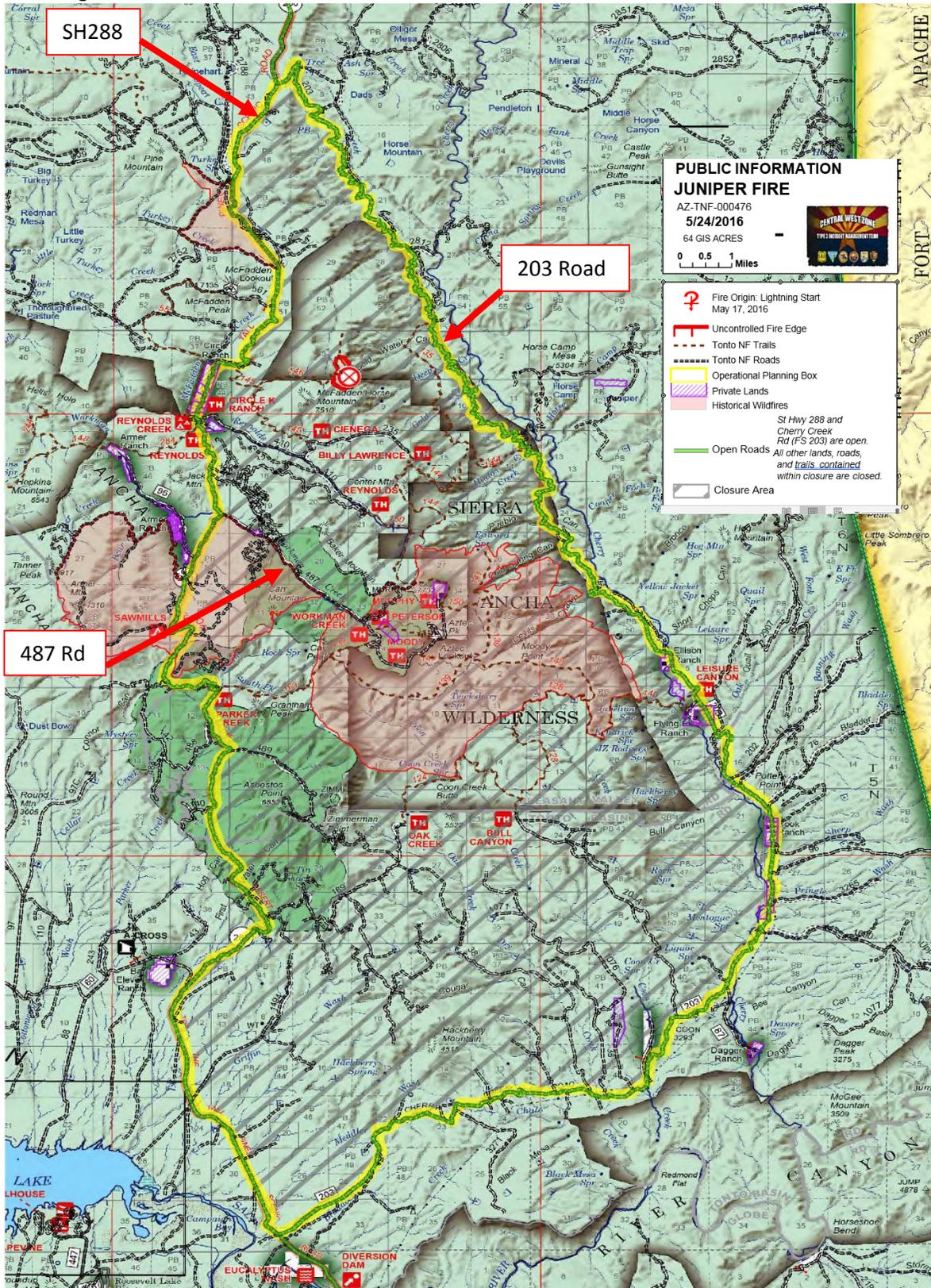
## APPENDIX

The following pages include images of the 1949 and 1951 maps of the Sierra Ancha “Wild” area, and the 1965 map submitted to represent the new “Wilderness” area. Also, for reference the 2016 Juniper Fire map is included, as it clearly displays the location and length of the Cherry Creek/203 Road and the Workman Creek/487 Road.

- The 1951 Sierra Ancha Wild area map was drawn on a base map printed in 1941, administratively designated.
- The 1949 map was superseded by the 1951 map, however, for clarity we have included the Workman Creek area of the map.
- It is important to note the details and clear intent of the Forest Service employee who drew the 1951 map and compare the boundaries and details, such as the routes where the Cherry Creek/203 Road and the Workman Creek/487 Road occur to the same area in the 1965 map.
- Please compare all of the 1951 Wild area map to the map submitted to the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives in 1965 by the Forest Service Southwest Region 3. The 1965 map was supposed to represent the “Sierra Ancha Wild Area,” which would then by default of the language in the 1964 Wilderness Act, become Wilderness.
- In addition, the *legal description* submitted also in 1965 is not consistent with the 1951 map *nor* the map submitted in 1965 (Please see letter submitted by Senator Flake Dec. 11, 2017 to Forest Service Chief Tony Tooke; and letter submitted by Regional Forester Cal Joyner Feb. 2, 2017 (that includes the 1965 map and the legal description) to Senator Flake in reply to his January 18, 2017 letter)).
- The 1965 map *does not display the features on the Wild area map that include public motorized roads 487 and 203*. These are motorized routes critical to the area for many significant reasons.
  - \* ***Based on several maps of earlier years, the 1965 map does not fully represent material fact, which is of sufficient importance, that by its submission would have affected the judgement of Congress (influence by this incomplete information), and for which they would have relied upon, which can be proved.***
  - \* ***This map does not mirror the 1951 “Wild” area map, which by default should have become the wilderness, according to the 1964 Wilderness Act.***

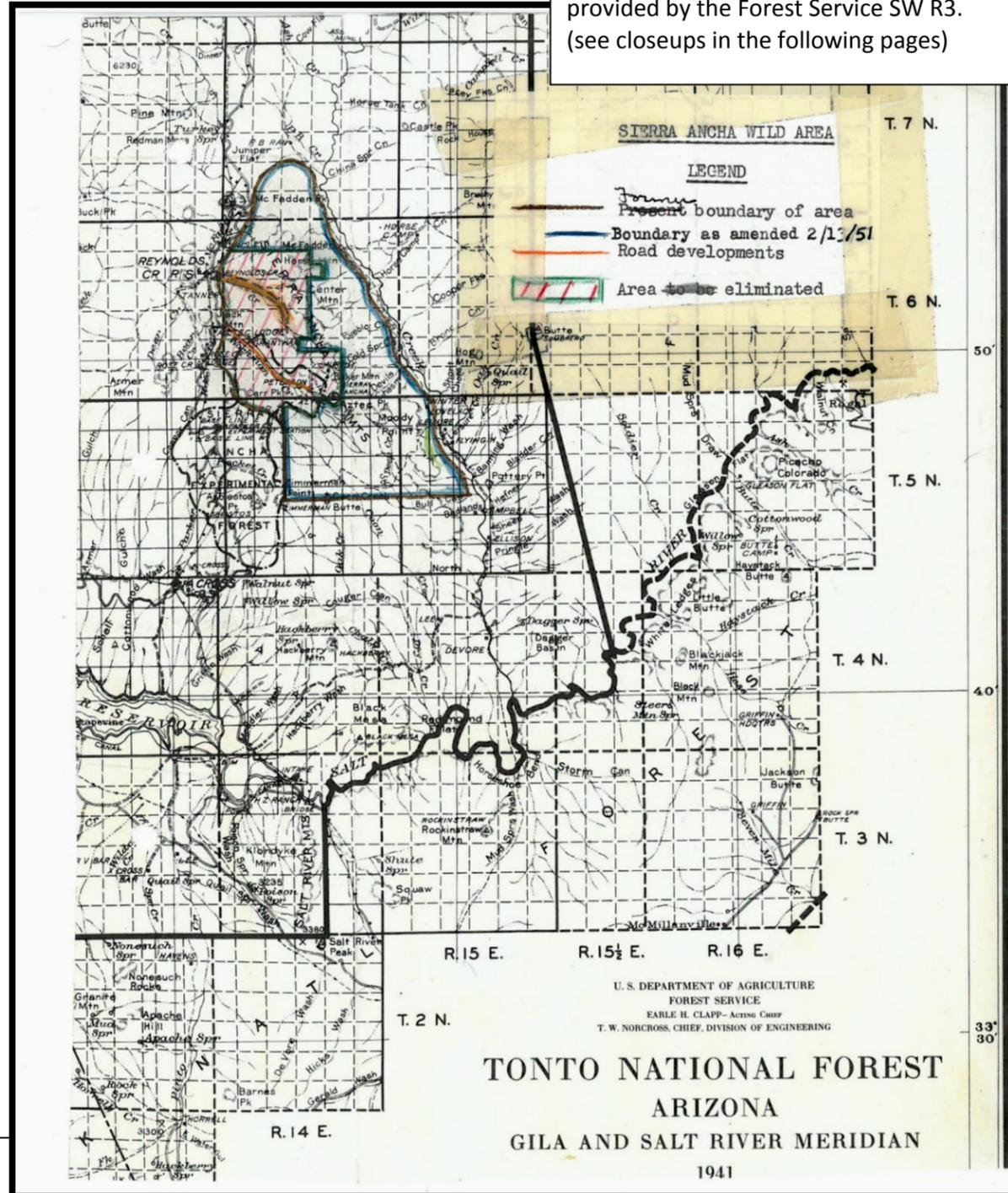
***Therefore, we respectfully ask, was this an act of fraud or innocent misrepresentation to Congress? Or, were there other intentions the Forest Service has not yet disclosed? We seek these answers to help the thousands of citizens whose social and economic stability are negatively affected by these significant errors in the US Forest Service records.***

This map was created for the 2016 Juniper Fire. Included here as one of the few recent publicly available digitized maps that display the entire 203 Road (east side) and the rural State Route 288 (west side) as they travel on either side of the Sierra Ancha Wilderness. Also displayed is the entire length of the Workman Creek/487 Road.



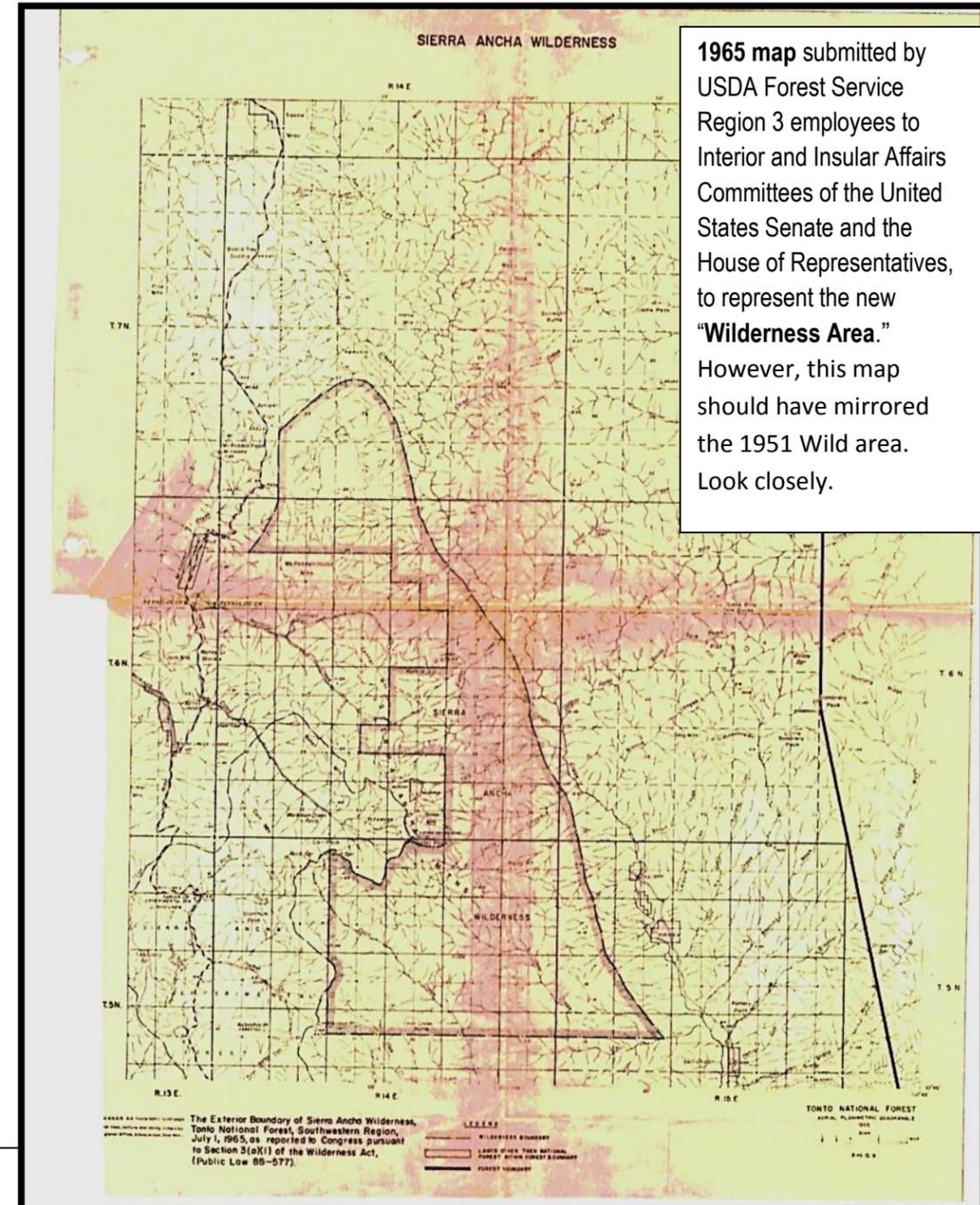
Copy of 1951 map of the "Sierra Ancha Wild Area." This map was provided to us by Region 3 Forest Service staff when we asked for a copy of the official "Wild" area map. It is critical to look closely at the boundary relative to the Cherry Creek/203 Road where it follows the eastern boundary, and the Workman Creek/487 Road on the west boundary. Closeups of these areas follow. Recall, in the Wilderness Act that a Wild area is to become wilderness (no map changes).

1951 official Sierra Ancha Wild Area map provided by the Forest Service SW R3. (see closeups in the following pages)

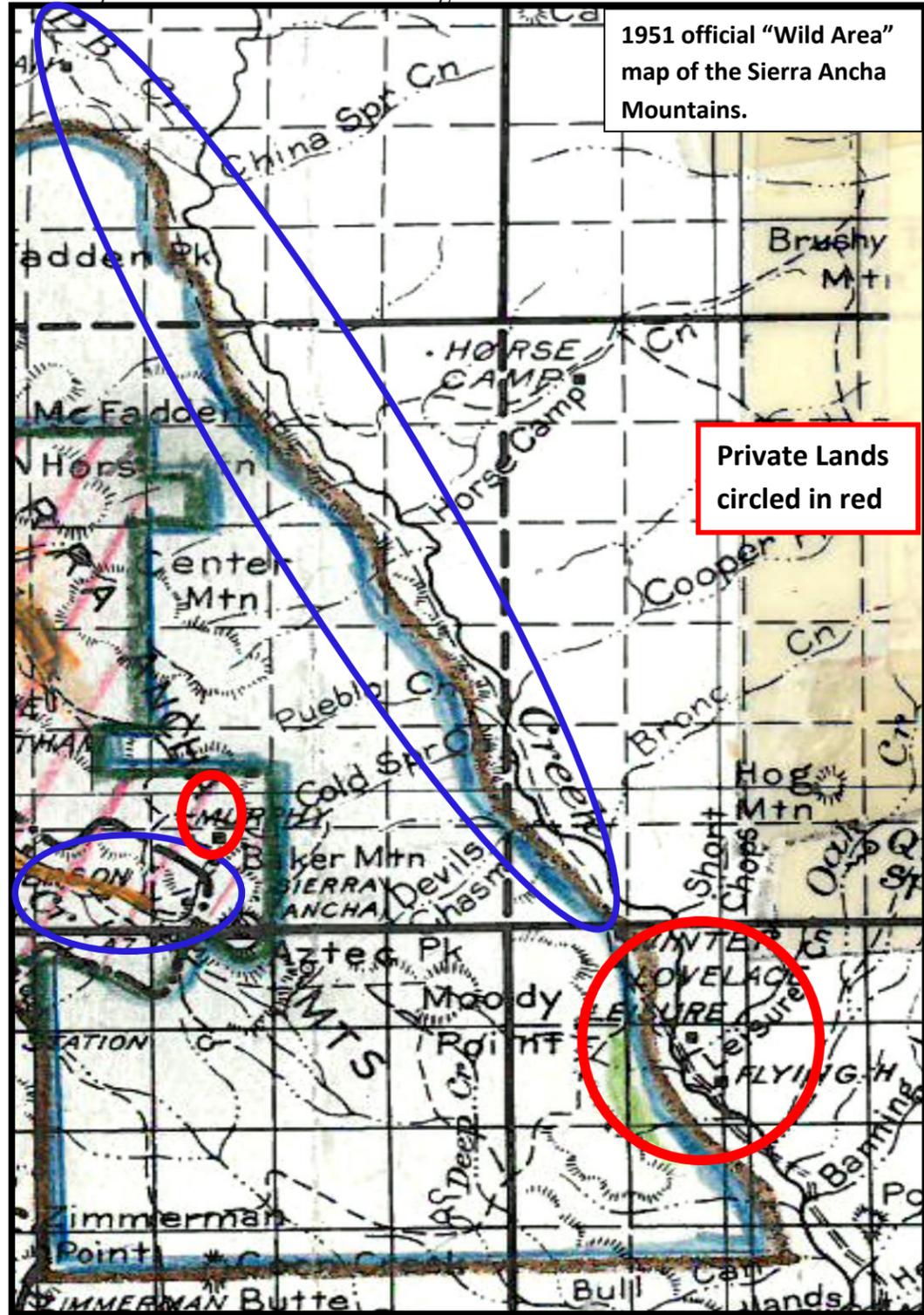


According to a recent letter submitted by the Region 3 Forest Supervisor, this is a copy of the map submitted in 1965. This map does not mirror the 1951 "Wild" area map, which by default of the Wilderness Act was supposed to be the mapped area that became wilderness. We believe this flaw is a failure to disclose the facts and established record. The area had been administratively determined as a Wild area prior to the 1964 Wilderness Act. Please see Section 3 (a) in the Wilderness Act.

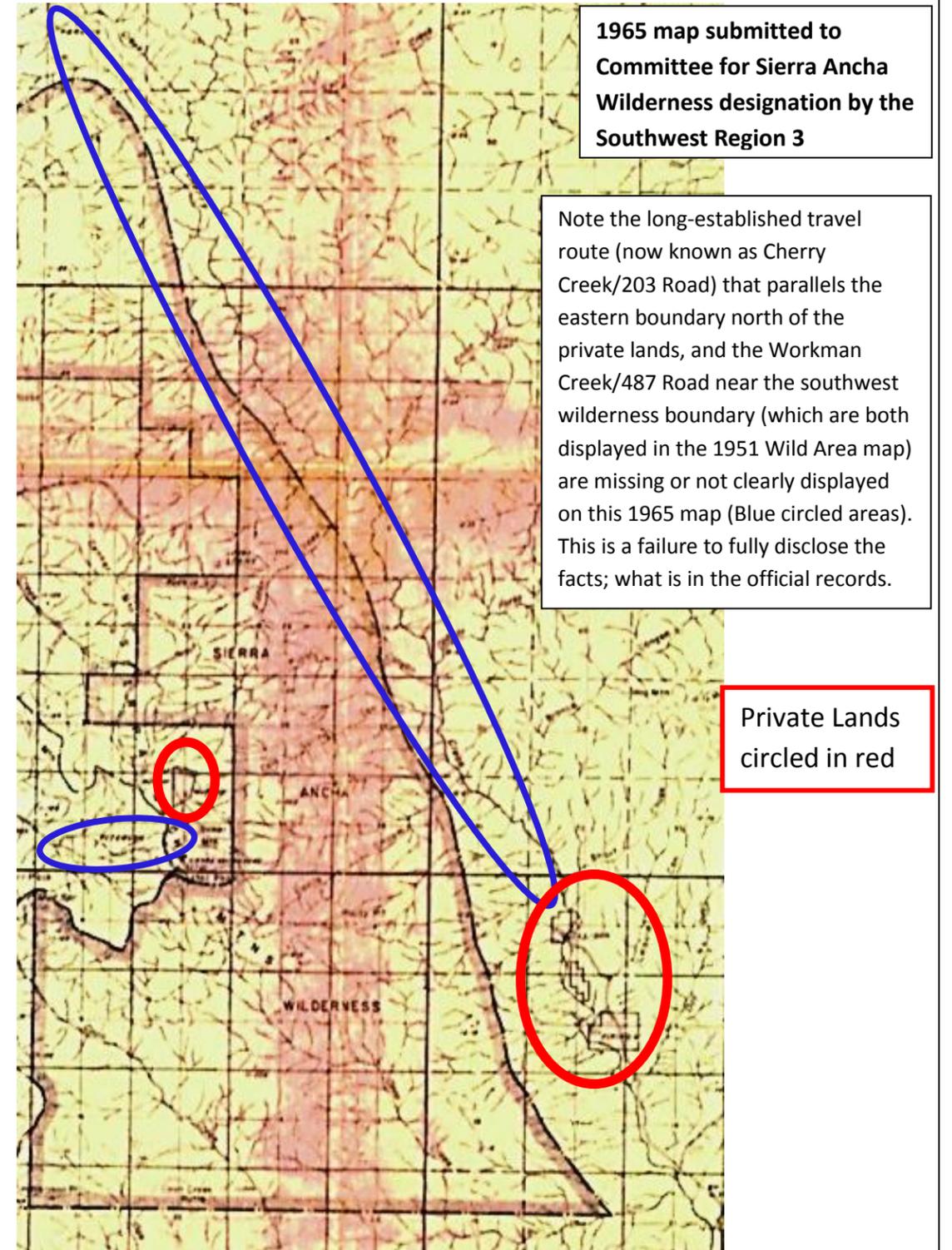
1965 map submitted by USDA Forest Service Region 3 employees to Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, to represent the new "Wilderness Area." However, this map should have mirrored the 1951 Wild area. Look closely.



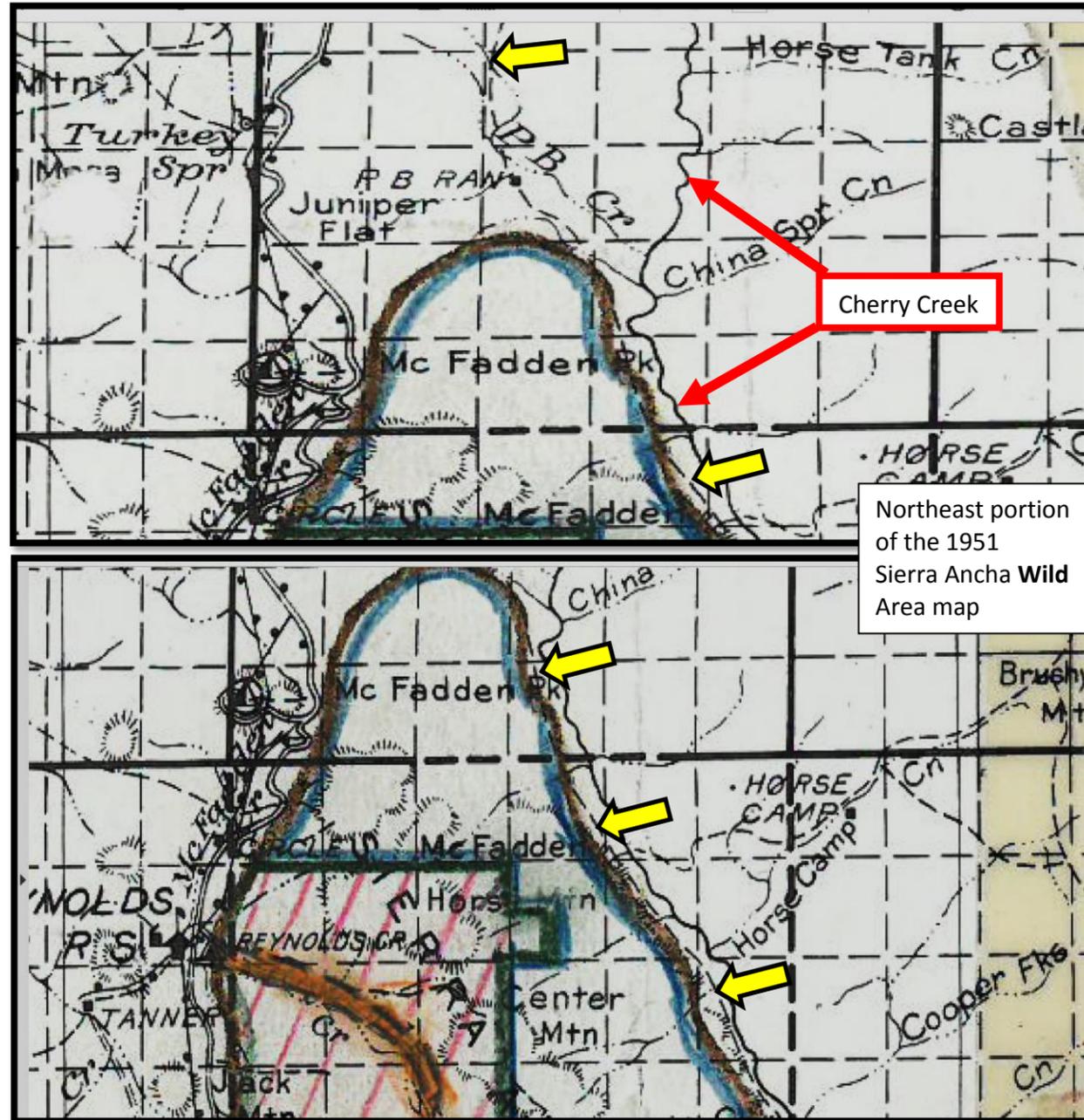
Closeup of primarily the east side of the Sierra Ancha **Wild** area, Tonto National Forest, Arizona. This displays the established travel route (now 203 Road) that follows the eastern boundary, present prior to the 1965 map for many miles north of the private lands. It also displays the Workman Creek/487 Road. Please see following maps for details. Note travel route between Cherry Creek and the Wild area boundary, dashed line.



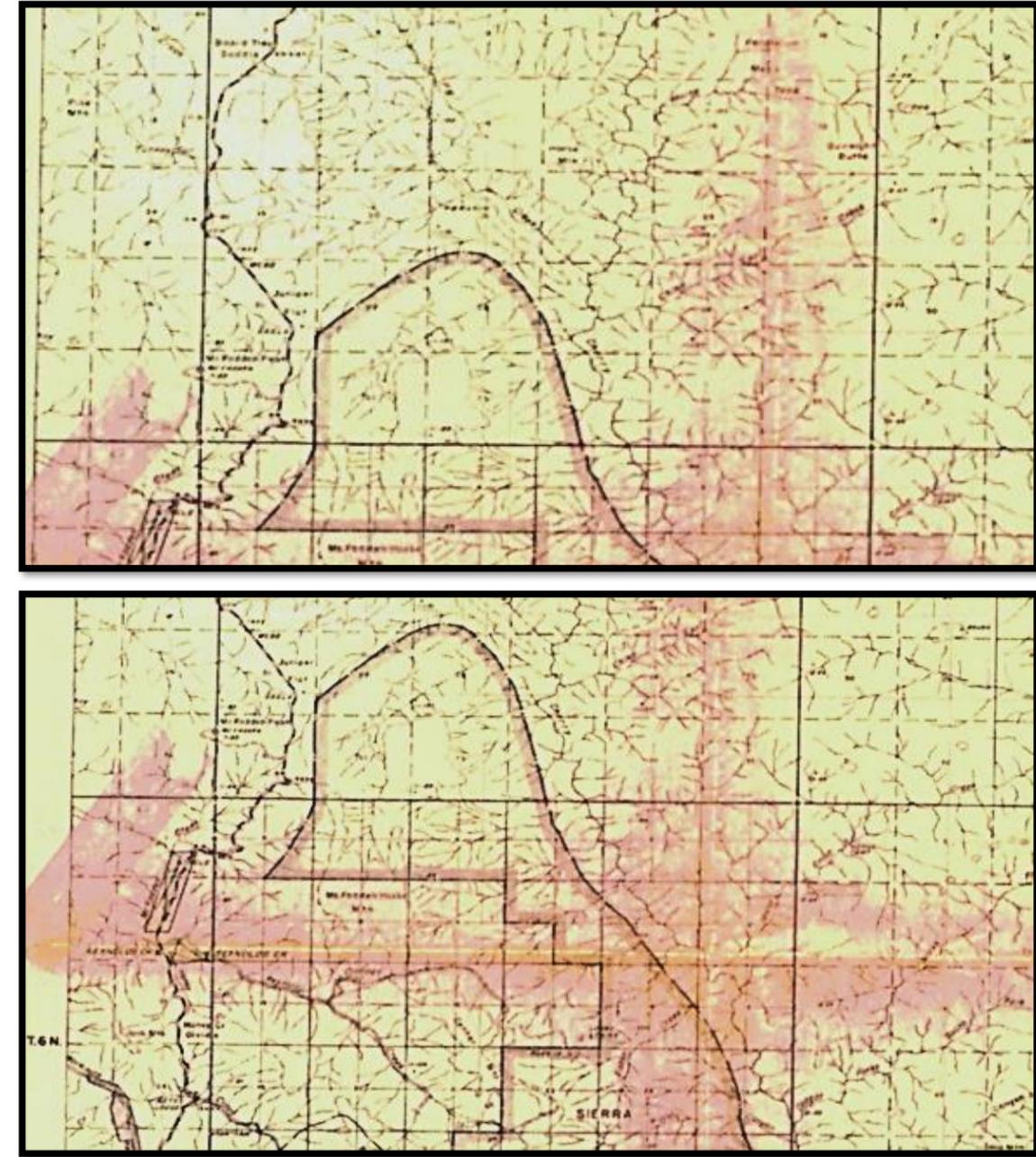
Closeup of primarily the east side of the Sierra Ancha **Wilderness**, Tonto National Forest, Arizona displaying the fact that the established Cherry Creek/203 Road is *inaccurately missing on the map* for many miles north of the private lands. It also shows the Workman Creek/487 Road is not fully displayed. Please see following maps for details.



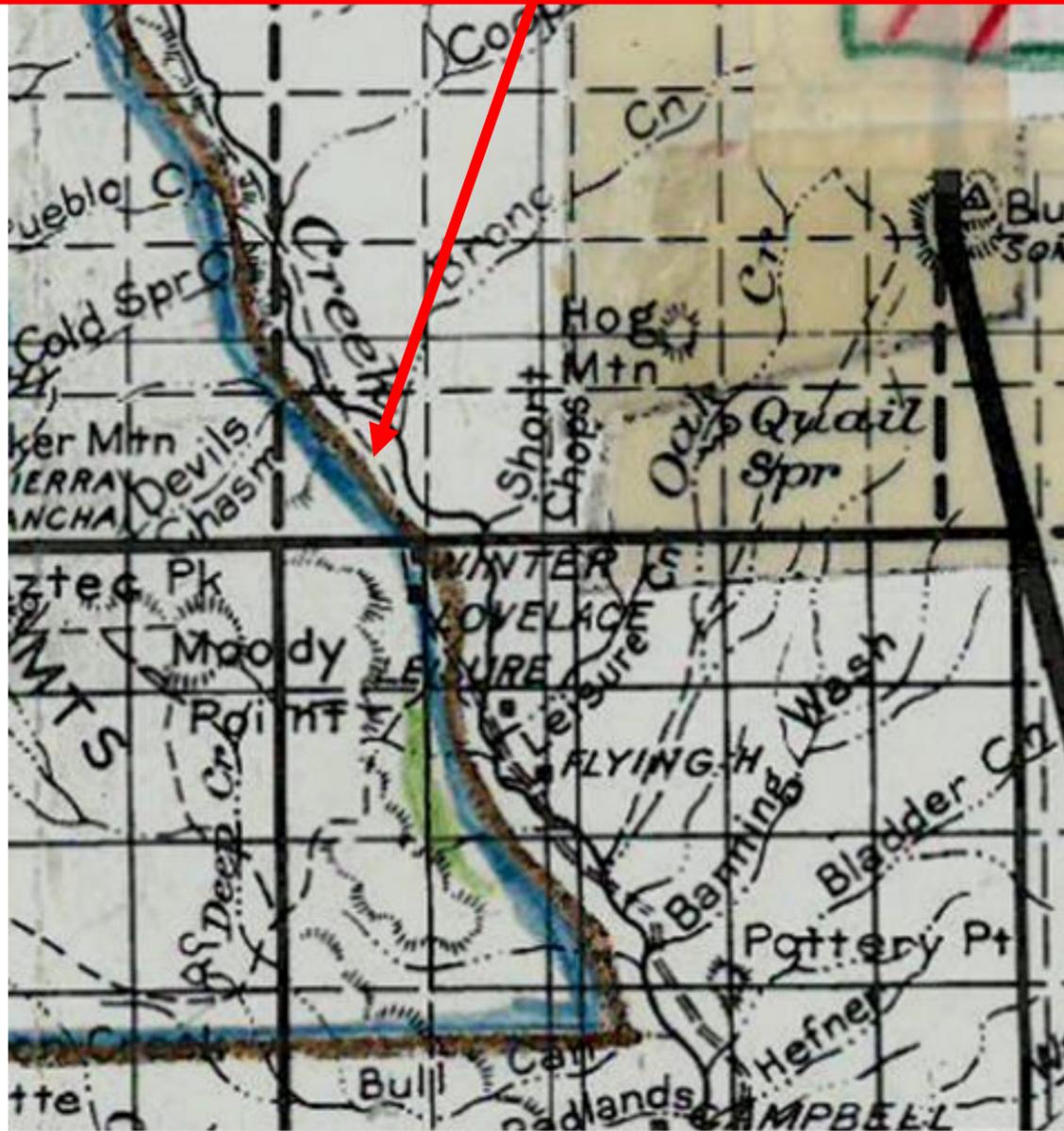
The dashed line east of the Sierra Ancha **Wild** area eastern boundary and west of Cherry Creek is the travel route as drawn in 1951 in the area of the Cherry Creek/203 Road (see yellow arrows). The travel route is clearly outside of the final Wild area boundary drawn in Blue. Even at the location just below the "P" in McFadden Pk on the map, it is clear the intent of the Blue new boundary line is west of the travel route. Please note the travel route continues north of the Wild area boundary and above PB Ranch (see below). Again, recall in the **1965 map submitted to Congress (provided in this letter) these details were not disclosed**. Just as in the Rule of Law and the Intent of Congress, we believe the intent of the Forest Service employee drawing this map was clearly to pull the "Wild" area boundary away from Cherry Creek and away from the 203 Road and 487 Road travel routes.



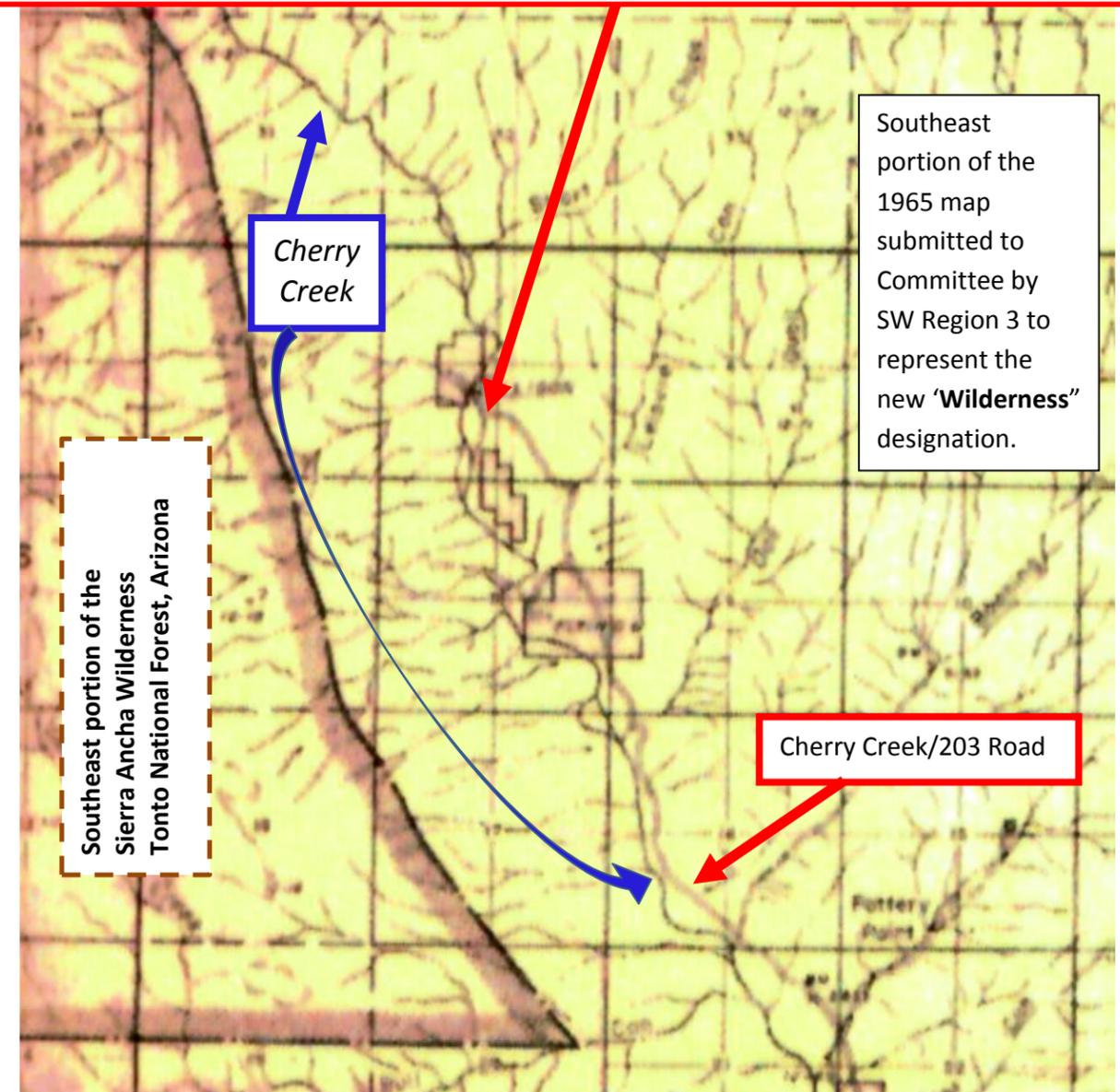
Northern portion of the 1965 map submitted to represent the new "Wilderness" area following the 1964 Wilderness act passage. Note, the long-established Cherry Creek/203 Road that travels along the east side of the wilderness and continues north to Board Tree Saddle is not printed on this map. This is a significant error and does not mirror the "Wild" area map.



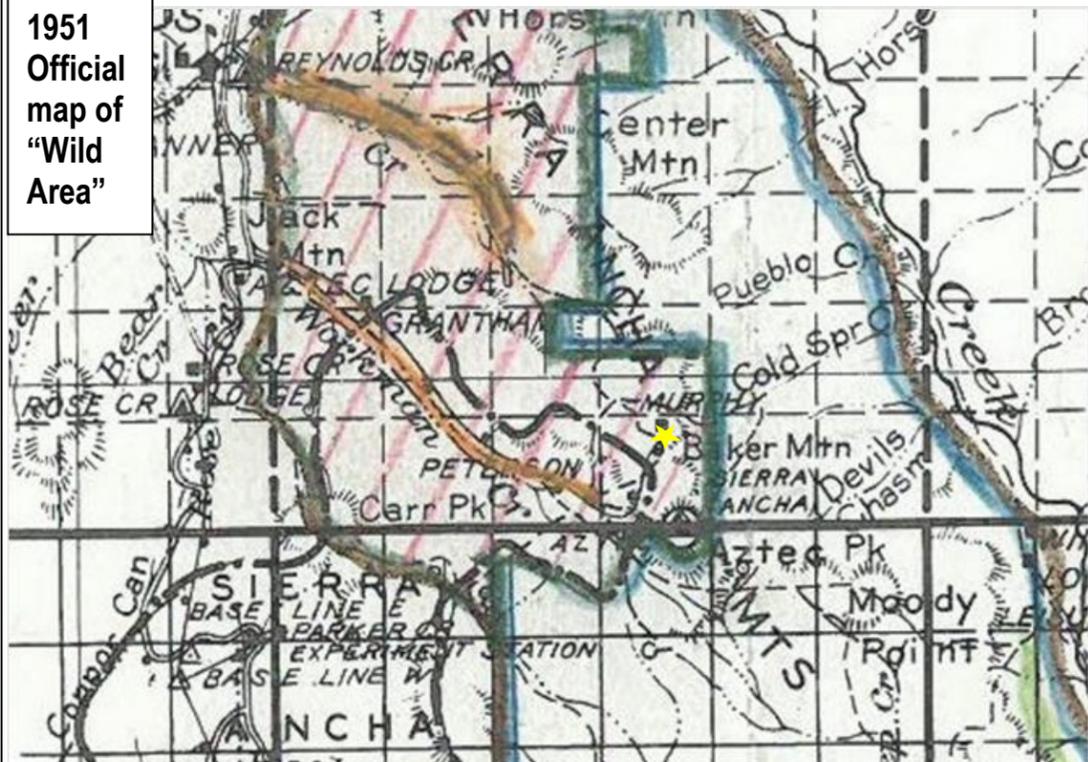
**Southeast portion of the 1951 Sierra Ancha "Wild Area" map.** This map displays the travel route on the east side of the Wild Area boundary traveling north above the private lands labeled as Winter, Lovelace, Leisure, and Flying H on this map. It is clear the map maker purposefully drew the final Blue boundary away from the travel route now known as the Cherry Creek / 203 Road. In later years the AEC and Tonto National Forest improved the 203 Road and in places where it crossed Cherry Creek, it was moved on the west side between the Wild Area boundary and the creek. The key, the route was established and should have been displayed in its entirety in the 1965 map at right. It is important to note this map does not have topographic lines to be able to display detail. Key: the intent of what the map-maker was communicating.



Closeup of the poor-quality map submitted to Committee in 1965 for the Wilderness Act designation, displays the Cherry Creek/203 Road traveling up from the south and ending here at the private land (on this map). This is a critical mapping error. **The fact is the 203 Road does not end here.** It continues north for many miles along the east side of the wilderness and beyond, up to the area known as Board Tree Saddle. The 203 Road existed on this northerly route for many years before the 1964 Wilderness Act and after, even today. It is the only motorized through route along the east side of the wilderness that connects directly to the rural State Route 288 north and south of the wilderness. Approx. 5 miles to the east lies the White Mountain Apache Tribal lands. In between lies thousands of acres of multiple use Tonto National Forest lands with very limited access. More reason the 203 Road should be maintained as a public motorized road.

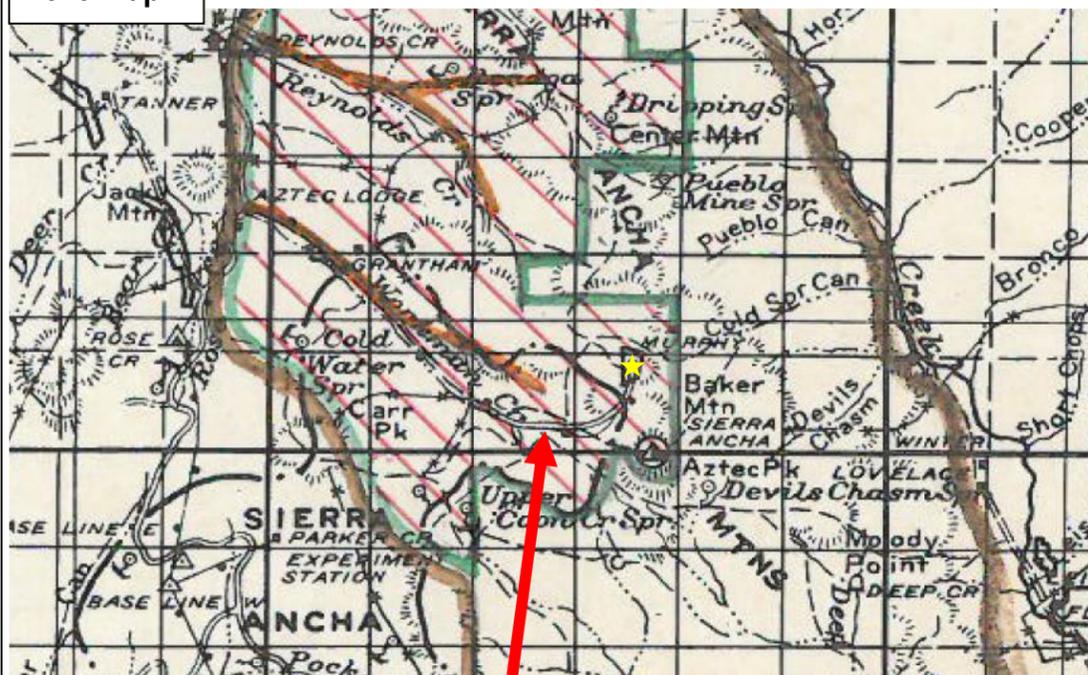


1951  
Official  
map of  
"Wild  
Area"



Note: This Wild Area map was drawn on a base lawyer map printed in 1941.

1949 map



Workman Creek/487 Road

The 1951 "Wild" Area map at left, provided by the SW Region 3 as the official map, shows the former boundary in Brown, the official boundary in Blue (note purposefully moved further away from the travel route and Cherry Creek on the east side), orange was colored on planned development or improvement of the 487 Road and the road in Reynolds Creek, red diagonal lines are drawn to show the former primitive area that was removed.

Note, the boundary does not cross the 487 Road as represented in the 1949 and 1951 maps.

These maps, though older, are of better quality than the map submitted in 1965 at right.

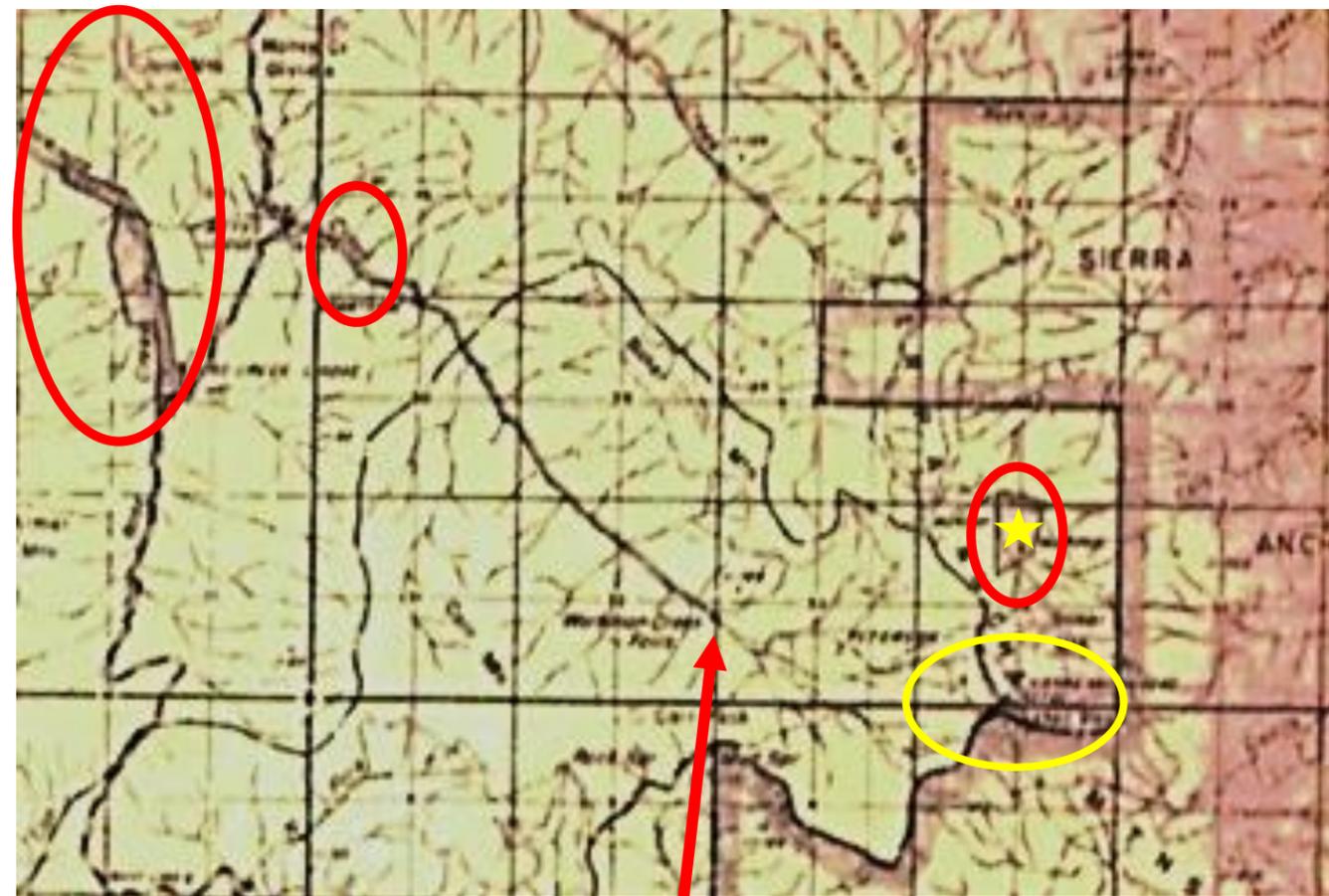
Note the boundary differences in all three maps.

It is clear the intent of the official Blue boundary - avoid travel routes.

**1965 "Wilderness Area" map**

Southwest portion of the 1965 flawed poor-quality map submitted to Interior and Insular Affairs Committees of the United States Senate and the House of Representatives by USDA Forest Service SW Region 3 staff to represent the "Wilderness Area" (Map does not provide full disclosure of established features, such as public motorized routes, and it does not mirror the 1951 "Wild" area map).

Errors on the map include the full length of the established Workman Creek/487 Road is not clearly displayed (The 487 Road travels up to the private land Murphy Ranch [yellow star], and near what was once the Peterson place). Also, this Wilderness boundary is not consistent with prior maps. Again, this map does not mirror the 1951 Wild area map. This is important as the area became "Wilderness" by default based on the prior Wild area. Further, the legal description submitted with this map is also flawed (1/4 corner section descriptions are incomplete and there are several instances of the description "along a not to well defined topographic rim" – for several miles. On this portion of the map, that language was used to explain the boundary in the area of concern on this side of the wilderness – circled in Yellow). Please see close-up map on next page.



Private lands circled in red.

On this base map the developed 487 Road is shown to end at this point. This is inconsistent with the established road and earlier maps, which provide a clearer image of the route to the Murphy Ranch.

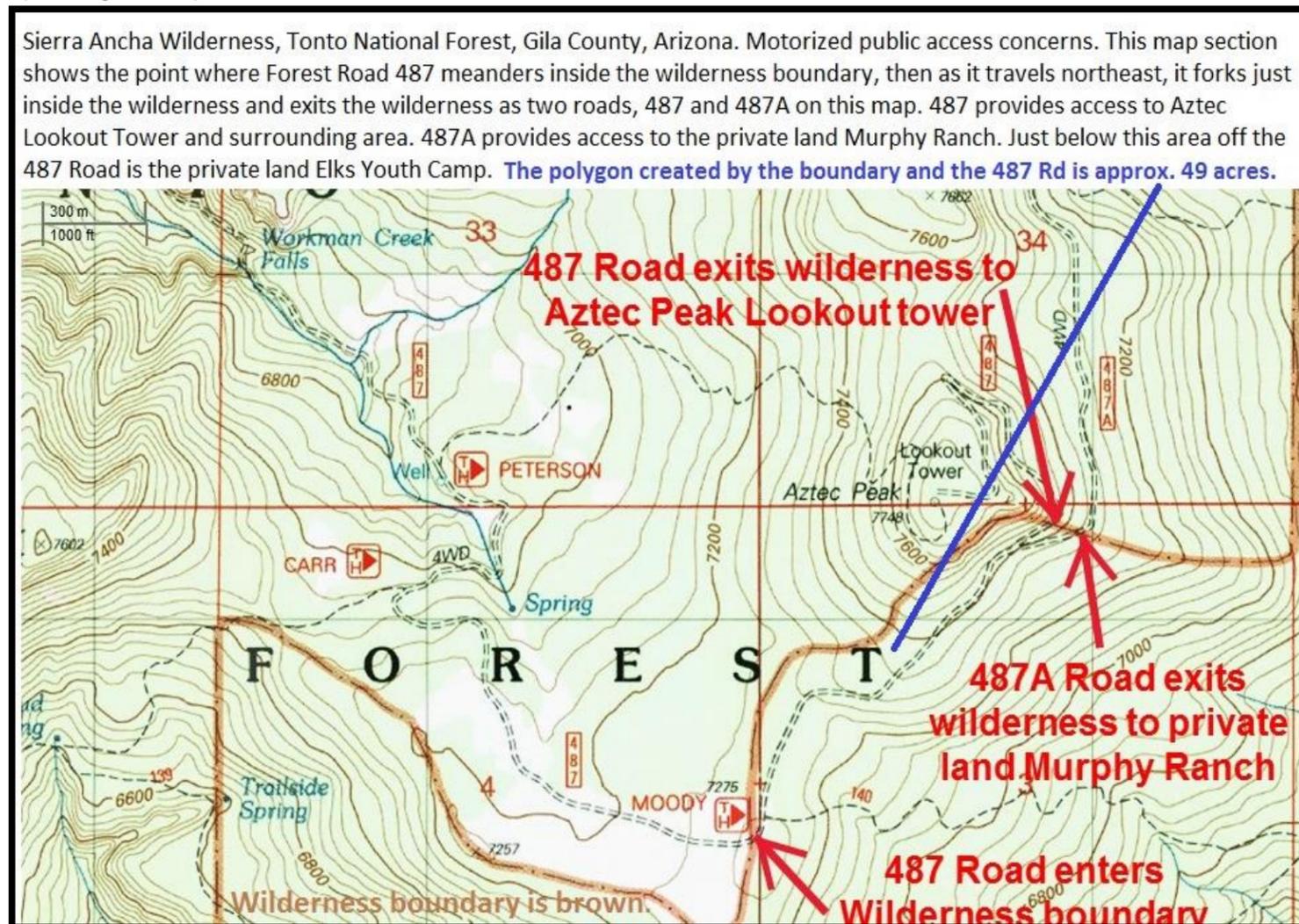
**AREA OF CONCERN WITHIN THE SOUTHWEST PORTION OF THE SIERRA ANCHA WILDERNESS, TONTO NATIONAL FOREST, ARIZONA.** A SMALL SECTION OF WORKMAN CREEK/487 ROAD MEANDERS INTO THE SIERRA ANCHA WILDERNESS FOR APPROXIMATELY ½ MILE. THIS IS BASED ON THE “WILDERNESS AREA” MAP CURRENTLY RECOGNIZED, WHICH IS TAKEN FROM THE 1965 FLAWED MAP DESCRIBED ABOVE.

Where the 487 Road travels above Workman Creek Falls, it meanders across the wilderness boundary for approximately ½ mile, creating a separate estimated 49-acre polygon of wilderness. This is just below the Aztec Peak Fire Lookout Tower and the private land Murphy ranch. This is only 0.2 % of the 20,850-acre wilderness. The map below demonstrates how the currently applied wilderness boundary drawn after the road was established, appears to be an error in placement as the road and boundary parallel each other closely. The majority of the 487 Road is purposefully outside of the wilderness boundary (many miles). This is one example of several errors that plague the 1965 map and legal description submitted for the Sierra Ancha Wilderness designation.

The 1965 legal description of the area of concern where the 487 Road enters and exits the wilderness...is as follows: From the point on the wilderness boundary east of Mud Springs, ...**which is south .22 mile from the northwest corner of section 4, T5N, R14E.; thence, southeasterly, northeasterly, and southeasterly 2.75 miles around the head of Workman Creek and south of Aztec Peak to a point on the west section line of section 2, T5N, R14E.**

– Note: The **ambiguous “2.75 miles”** around the head of workman creek to an **undescribed “point”** certainly leaves the map maker wide open for **subjective placement of the boundary, apparently ignoring the intent of the map maker who drew the 1951 “Wild” area map for which this 1965 legal description and the corresponding map should have mirrored.**

\*It is essential to consider again that cartographic experts recognize historic maps such as the 1951 Wild area map were primarily drawn to communicate information. Often travel routes and boundaries were drawn to emphasize their placement relative to each other, and usually not placed exactly where they are “on-the-ground” because during those times they did not have the technology we have today such as displaying topographic lines in intervals of 40 feet (as in the map below). Thus, the importance of a cartographic expert to decipher the 1951 map to ensure the map and legal description submitted in 1965 are corrected.\*



With the placement of the 487 Road where it is currently maintained, we can only presume it was done by Forest engineers and their interpretation of the Wild Area and Wilderness Area maps, to avoid those special management areas.

Thus, the more recent and currently recognized maps should be administratively and through law corrected to reflect the intent of the Official 1951 Wild Area map, which displayed the boundary away from the established public routes, such as the 487 Road and 203 Road.