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HDR/e²M
ATTN: Walnut Canyon Study Area Special Study
9563 South Kingston Court, Suite 200
Englewood, CO 80112

Dear Study Team,

Let me introduce myself as a person who has participated in the discussion about the Walnut Canyon Study Area since early 2002. I write to you as an “unaffiliated resident” of Flagstaff who has a keen interest in how the Study Area will be managed. This letter is split into several sections: background, genesis of a proposal for management, and the merits of the proposal. The proposal itself appears as a separate document.

Inadequacy of the *Forest Plan*

Presently, the federal land that lies within the Study Area but outside the National Monument is managed under the *Forest Plan* for Coconino National Forest. Just keeping that land under the *Forest Plan* will, I believe, *not* work politically. The possibilities of congressionally designated boundaries and congressional withdrawal of the land from exchange (and hence from development) have been raised, and the local governments will push for such congressional action. (In my view, that’s good.) The City-County joint resolution of December 2002 (copy enclosed) clearly stated the goal of protection “in perpetuity,” and the *Forest Plan* cannot provide such protection. (The Forest Service may revise the *Forest Plan* whenever it wants to and may—under a revised *Plan*—decide to exchange land whenever it wants to.) Indeed, that failure of protection “in perpetuity” is the reason the expansion issue was revived in 2002 (prompted by Forest Supervisor Jim Golden’s letter to City Planner Ursula Montaña about the *Flagstaff Area Regional Plan* and changes in the Forest Service’s attitude). Some federal management document other than the *Forest Plan* is certain to emerge.

Genesis of a proposal for management

At a City-County joint meeting in September 2002, Gene Waldrip (then the District Ranger for the Peaks Ranger District) proposed pursuing designation of the Study Area (exclusive of WCNM) as a National Conservation Area, to be administered by the Forest Service. [That option appeared also in the staff report, given at the same meeting by Jerry

Flannery, then Deputy County Manager. I will enclose a copy of the report. In exact detail, Gene Waldrip spoke about the Walnut Canyon Management Area. Later in 2002, the MA was amalgamated with the area that the Friends of Walnut Canyon had proposed for special protection; the combination became the WC Study Area.] I looked into the possibility of a National Conservation Area and its implications. What I saw looked excellent, and I have advocated for that solution ever since.

I enclose a copy of my proposal for a National Conservation Area in the Walnut Canyon Study Area (exclusive of WCNM), to be administered by the Forest Service. If you have questions, I will be glad to answer them; my contact information appears at the head of this letter.

Merits of the proposal

A. The community's goals

The City-County joint resolution of December 2002 captured the community's goals very well. I think it fair to summarize the two goals as follows.

- (i) ***In perpetuity goal.*** Protect the land and resources of the Walnut Canyon Study Area in perpetuity (with development being the major threat).
- (ii) ***Current Uses Goal.*** Maintain current public access and uses.

How well does my proposal meet those goals?

Regarding the in-perpetuity goal, Congress would designate the boundaries of the National Conservation Area and would “withdraw” the federal land from disposal under the public land laws. No federal land could be exchanged or developed without subsequent Congressional legislation. Thus the federal land in the NCA would enjoy the *same* high level of protection that Congress gives to national parks. [Congress uses a standard language to protect federal lands from exchange or sale. For example, the very same words were used to protect Black Canyon of the Gunnison National Park and Gunnison Gorge National Conservation Area. The bill was S. 323 of the 106th Congress.] In short, protection of the (federal) land and resources would be in perpetuity (in so far as such a goal is attainable).

Regarding the current uses goal, an NCA under Forest Service administration would retain the current managing agency and hence would maintain current public access and uses in a natural and automatic fashion.

Several current uses—hunting, grazing, mountain biking, hiking, and horseback riding—are reaffirmed explicitly in my proposal.

Initially, motor vehicle access would be governed by the Forest Service's policies under the Travel Management Rule, policies that are expected to be adopted officially in 2010. According to my proposal, however, those policies would be reviewed and—perhaps—be judiciously amended when the NCA's management plan is written (during the first two years of the NCA's existence). An advisory committee consisting of representatives from the constituencies that currently use, own, manage, or venerate the land within the Study Area will participate in writing the management plan.

Thus, all in all, my proposal would meet both community goals very well.

For all practical purposes, the Study bill signed by President Obama in 2009, which is your governing document, set the same goals. Thus my proposal would meet the goals set by Congress, also.

B. Other merits

My NCA proposal provides at least two significant benefits to the National Park Service, as follow.

(i) The proposal would meet the goals for protection that the NPS articulated in its internal document, *Walnut Canyon National Monument. Proposed Boundary Expansion: Areas Required for Long-term Protection of the Walnut Canyon "Environment,"* dated November 2001.

(ii) The proposal resolves, in favor of the NPS, the dispute over which agency has full administrative jurisdiction over the two 500'-wide strips of land along WCNM's paved entrance road.

In closing, I request

- (1) that you include my proposal (in full) among the "conceptual management options" that you present to the Forest Service, the National Park Service, and the local governments and
- (2) that you print the proposal (suitably condensed) in your second newsletter to the general public.

Sincerely,

Ralph Baierlein