



Cochise County
Public Lands Advisory Committee
Federal Land Use Policies
Docket CP-11-01

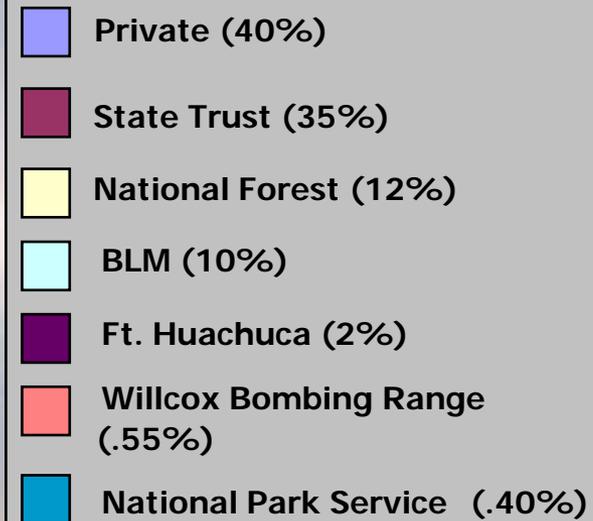
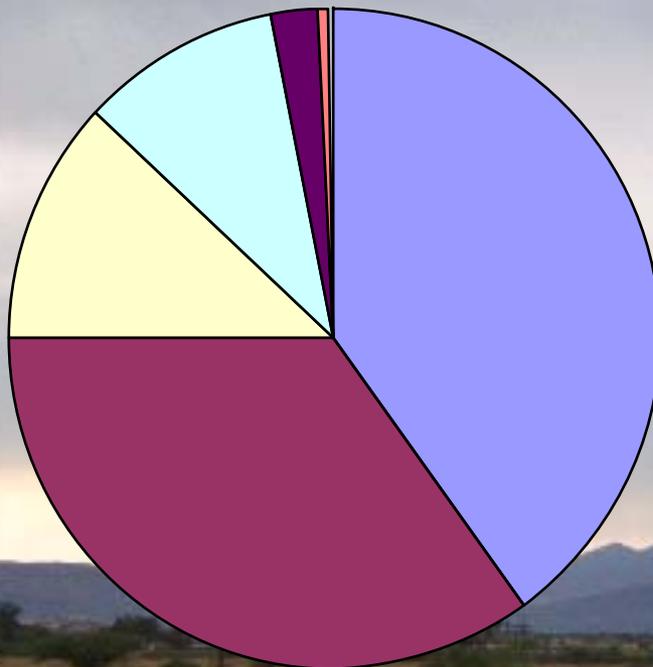
Board of Supervisors
July 26, 2011



Background (Con't)

Roughly 26% of Cochise County's land is administered by Federal agencies

Land Jurisdiction





Background

- In 2007, Cochise County and the Board of Supervisors established a six-member advisory committee known as the Cochise County Public Lands Advisory Committee (PLAC)
- Advises the BOS on matters affecting federal and state trust lands within Cochise County. Each Supervisor appoints at least one who is a State or Federal land permittee/lessee, and has expertise on public lands issues
- Concern about coordination between federal agencies and local governments
- County proactivity in addressing impacts of federal land-use planning/actions on the County's culture, heritage, resources, economy, etc.



Background (Con't)

- **Directed the PLAC to develop a plan and policies to formally address concerns:**
 - **PLAC adoption of Federal Land Policies (*Dec 7, 2010*)**
 - **BOS Work Session (*May 26, 2011*)**
 - **Planning and Zoning Commission (*June 8, 2011*)**
 - **Board of Supervisors (*July, 26 2011*)**

- **New state law mandates that counties shall require coordination by state & federal agencies**

- **If approved by the BOS, policies would be a formal component of the Comprehensive Plan document**



Background (Con't)

- **ARS § 11-269.09** mandates that *“[i]f any county has laws, regulations, plans or policies that are less restrictive than a federal or state regulation, rule, plan or policy, the county shall demand by any lawful means that the federal or state government coordinate with the county before the federal or state government implements, enforces, expands or extends the federal regulation, rule, plan or policy within the county’s jurisdictional boundaries.”*

This section is mandatory unless the County votes not to demand coordination



Background (Con't)

- Policies for managing these lands can significantly impact Cochise County's culture, history, economy, environment and lifestyles
- Best interest of Cochise County to collaborate closely with federal agencies in the development of consistent land management policies as outlined in:
 - *National Environmental Policy Act (NEPA)*
 - *National Forest Management Act (NFMA)*
 - *Federal Land Policy and Management Act (FLPMA)*



Policy Goals

- **Coordinate efforts with other organizations and jurisdictions, including the BLM, to protect the SPRNCA, as well as the economic and social well-being of Cochise County residents, by assisting Ft Huachuca in meeting its water conservation goals**
- **To protect the culture, history, economy, environment and lifestyles of Cochise County residents by requiring federal agencies to coordinate with Cochise County (“seat at the table”) on federal land use plans and actions**
- **Develop plans that provide for continued multiple uses on public lands consistent with Cochise County policies**



PLAC Activities & Recommendations

- The PLAC has reviewed Federal & State land management plans, including proposed listings for the Chiricahua Leopard Frog and other species

- In December 2010, the PLAC recommended that the Board of Supervisors consider adopting the Cochise County Policies Regarding Federal Lands with specific attention towards:
 - *San Pedro National Conservation Area (SPRNCA)*
 - *Other federal lands*
 - *Wilderness designations*
 - *Critical habitat*
 - *Introduced, threatened, endangered and sensitive species*
 - *Land exchanges, acquisitions and sales*
 - *Recreation and Tourism*
 - *Wildlife*
 - *Forage allocation/livestock grazing*
 - *Off-Highway Vehicles (OHVs/ORVs)*



Specific Policies

San Pedro Riparian National Conservation Area (SPRNCA):

1. Coordinate with other agencies on the protection of the SPRNCA
2. Protect the County's economic and social well-being
3. Assist Ft Huachuca in meeting its environmental goals, specifically with regard to water conservation
4. Shall be managed to minimize negative impacts on the regional groundwater aquifer
5. Allow for recreational activities consistent with preservation of a viable conservation area
6. Agricultural uses, including grazing, shall be permitted in the SPRNCA as well as other public lands within limits consistent with preservation goals
7. Sub-watershed-wide conservation, reuse, recharge, capture, augmentation policies and projects must be used to resolve both riparian conditions issues and the overall balance of water levels in the aquifer
8. All water use, including riparian use, must be carefully minimized in order to help return the aquifer to historic levels, maintain a viable riparian area and protect the economic and social sustainability of Cochise County



Policies (Con't)

Wilderness:

1. Any consideration of any new wilderness designations of federal lands in Cochise County will be a result of a collaborative process, including federal, state and county officials.
2. The only legal designations of Wilderness Study Areas (WSA) are those designated under section 603 of the Federal Land Policy and Management Act (FLPMA) and the opportunity to create additional wilderness ended in 1991, except as authorized by Congress; any new wilderness designation must be provided for by Congress and created in cooperation with the County and the State
3. Wilderness designation is not an appropriate, effective, efficient, economic or wise use of land. Designations result in single-purpose or non-use and are detrimental to the area economy, lifestyles, cultures and heritage. These lands can be adequately protected through mitigation, minimizing negative impacts and proper reclamation
4. Wilderness management must provide for continued and reasonable access for holders of property rights within the area to provide for full use of enjoyment of these rights. Needed protection can be provided by well-planned and managed development
5. Wilderness Study Areas released by Congress must be managed based on the principles of multiple use and sustained yield as well as with the spirit and direction of the acts and regulations that created them



Policies (Con't)

Other Designations:

1. **Special designations, such as Areas of Critical Environmental Concern (ACEC), critical habitat, semi-primitive and non-motorized travel, etc., result in single-purpose or non-use and are detrimental to the area economy, lifestyles, cultures, and heritage**
2. **Needed protections can be provided by well-planned and managed development**
3. **No special designations should be proposed until it is determined and substantiated by reproducible scientific data that there is a need for the designation, that protections cannot be provided by other methods, and the area in question is unique when compared to other area lands**
4. **Designations must be made in accordance with the spirit and direction of the acts and regulations that created them**



Policies (Con't)

Introduced, Threatened, Endangered, and Sensitive Species, Recovery Plans, Experimental Populations and Related Guidelines and Protocols:

1. These designations or reintroductions often grow beyond boundaries and scope and can result in detrimental effects on the area economy, lifestyles, cultures and heritage
2. No such designations or reintroductions should be made until it is determined by reproducible scientific data that there is a need for such action, that protections cannot be provided by other methods and the area in question is unique when compared to other area lands
3. Designation or reintroduction plans, guidelines, and protocols must not be developed or implemented without the full involvement of the County and full public disclosure
4. Any analysis of such proposed designations or reintroductions must be inclusive and analyze all needed actions associated with the proposal to prevent growth beyond the scope and boundaries that were analyzed in the proposal
5. Recovery plans must provide for indicators to track the effectiveness of the plan and identify at what point recovery is accomplished



Policies (Con't)

Public Access, RS-2477 Roads:

1. Access across and to public lands is critical to the use, management, and development of those lands and adjoining private lands
2. No roads, trails, rights-of-way, easements or other traditional access for the transportation of people, products, recreation, energy or livestock may be closed, abandoned, withdrawn, or have a change of use without full public disclosure and analysis
3. Roads covered by RS-2477 should remain open and the County will take any action needed to protect these rights. This includes identification, inventory, and participation in any legal process to protect them
4. Access to all water-related facilities such as delivery systems, monitoring facilities, livestock water and handling facilities, etc. must be preserved. Access routes must be adequately maintained by the owner of that route. Unreasonable restrictions may result in the loss of use of such facilities and property rights



Policies (Con't)

Land Exchanges, Acquisitions and Sales:

1. The State and Federal Governments hold a sufficient amount of land to protect public interest, so there shall be no net loss of private land base
2. Any affected district within Cochise County must be compensated for any net loss of private lands with public lands of equal value or compensated for any loss of assessed valuation resulting from these exchanges by the appropriate acquiring agency
3. A private property owner has a right to dispose of or exchange his property as he/she sees fit within applicable law



Policies (Con't)

Recreation and Tourism:

1. The County has outstanding potential for recreation and tourism
2. Resource development, recreation, and tourism are compatible through proper planning and management
3. Potential developments should include family-oriented activities and developments that are accessible to the general public and not limited to special interest groups
4. It supports cultivating recreational facility development and maintenance partnerships with other entities, agencies, and general special interest groups



Policies (Con't)

Wildlife:

1. Properly managed wildlife populations are important to the recreation and tourism economy and to the preservation of the culture and lifestyles of its residents
2. With the proper management and planning, healthy wildlife populations are compatible with other resource development
3. No increases in wildlife numbers or the introduction of additional species may be made until the increase in forage or habitat has been provided for and the impacts on other wildlife species have been assessed



Policies (Con't)

Forage Allocation/Livestock Grazing:

1. The proper management and allocation of forage on public lands is critical to the viability of the County's agriculture, recreation and tourism industry
2. The viability of a large number of agriculture and livestock operations is dependent on access to grazing on public lands
3. Forage allocated to livestock should not be reduced for allocation to other uses. Current livestock allocation should be maintained



Policies (Con't)

Off-Highway/Off-Road Vehicles (OHVs/ORVs):

1. OHVs are an important segment of the recreation industry and are important tools and modes of transport for farmers, ranchers, and resource development activities
2. Public Land Management agencies must implement and maintain an aggressive OHV education and enforcement program to educate users on how to reduce resource impacts
3. The non-residential use of OHV's such as development and livestock operations should be provided for in all areas unless restricted by law



Recommendation

Staff recommends the Board approve CP-11-01 in order to formally sanction inclusion of the policies in the County's Comprehensive Plan document, as recommended by the PLAC and the Planning and Zoning Commission