

Arizona

VOLUNTARY PUBLIC ACCESS– HABITAT INCENTIVE PROGRAM

Programmatic Environmental Assessment



**United States Department of Agriculture
Farm Service Agency**

Final

April 2011

**United States Department of Agriculture
Farm Service Agency**

FINDING OF NO SIGNIFICANT IMPACT

Arizona Voluntary Public Access and Habitat Incentive Program

April 2011

The United States Department of Agriculture Farm Service Agency (FSA) on behalf of the Commodity Credit Corporation (CCC) has prepared a Programmatic Environmental Assessment (PEA) to evaluate the environmental consequences associated with providing the State of Arizona Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds. The VPA-HIP is a new program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. Projects receiving VPA-HIP funds are administered by the State or tribal government that receives the grant.

The State of Arizona proposes to use VPA-HIP grant funds to expand its current *Arizona Access Program* administered by the Arizona Game and Fish Department (AZGFD). The purpose of the Proposed Action is to increase enrollment and associated program acreage of the *Arizona Access Program* and to increase public awareness of accessible private lands and routes to State and Federal lands. VPA-HIP grant funds would allow the State to meet the high demand for incentive payments for term agreements for access to private lands or rights-of-way through private lands to State and Federal lands by supplementing *Arizona Access Program* funding. It would also expand public awareness about the program and accessible private lands and routes to State and Federal lands by funding an additional AZGFD staff position specifically to create and maintain *Arizona Access Program* web-based maps and Global Positioning System (GPS) points of access, as well as documenting program accomplishments.

Proposed Action

The AZGFD proposes to use VPA-HIP grant funds of \$1.7 million over the three-year grant period (\$600,000 the first year and \$550,000 the following two years) to supplement \$4,374,300 State, private in-kind, and other Federal funds to expand the *Arizona Access Program* statewide, and increase public awareness about the program. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. VPA-HIP grant funds are expected to ensure access to over eight million acres of recreational lands per year, with the State entering into contracts with 40 or more landowners each year of the VPA-HIP grant program. VPA-HIP funds would be leveraged with existing funds to expand incentive payments and improvement of the public awareness program and other program activities. Grant funds would also fund an additional AZGFD staff position specifically to create and maintain *Arizona Access Program* web-based maps and GPS points of access, as well as documenting program accomplishments.

Reasons for Finding of No Significant Impact

In consideration of the analysis documented in the PEA and the reasons outlined in this Finding of No Significant Impact (FONSI), the Proposed Action would not constitute a major Federal action that would significantly affect the human environment. Therefore, an environmental impact statement will not be prepared. The determination is based on the following:

1. The Proposed Action as outlined in the PEA would provide beneficial impacts to both recreation and economic resources as a result of the increased amount of land available for public use and monies from these activities injected into local economies. Moreover, expanding lands available for wildlife-associated recreation would benefit vegetation and wildlife by maintaining suitable habitat rather than converting the land to another incompatible use.
2. Potential beneficial and adverse impacts of implementing the Proposed Action have been fully considered within the PEA. No significant adverse direct or indirect effects were identified, based on the resource analyses provided in the PEA.
3. The Proposed Action would not involve effects to the quality of the human environment that are likely to be highly controversial.
4. The Proposed Action would not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration.
5. The Proposed Action does not result in cumulative significant impacts when considered with other actions that also individually have insignificant impacts. Cumulative impacts of implementing the Proposed Action were determined to be not significant.
6. The Proposed Action would not have adverse effects on threatened or endangered species or designated critical habitat. In accordance with Section 7 of the Endangered Species Act, the effects of implementing the Proposed Action on threatened and endangered species and designated critical habitat were addressed in the PEA.
7. The Proposed Action does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Determination

In accordance with the National Environmental Policy Act and FSA's environmental regulations at 7 Code of Federal Regulations (CFR) part 799 implementing the regulations of the Council on Environmental Quality, 40 CFR parts 1500-1508, I find the Proposed Action is not a major Federal action significantly affecting the quality of the human environment. Barring any new data identified during public and agency review of the PEA that would dramatically change the analysis presented in the PEA or identification of a significant controversial issue, the PEA and FONSI are considered final 30 days after the date of initial publication of the Notice of Availability.

Approved:



Brandon Willis
Deputy Administrator for Farm Programs
Farm Service Agency
U.S. Department of Agriculture

April 4, 2011

Date

COVER PAGE

- Proposed Action:** The United States Department of Agriculture (USDA), Commodity Credit Corporation (CCC) and the State of Arizona proposes to use Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds of \$1.7 million over the three-year grant period to supplement State, private in-kind, and other Federal funds to expand the *Arizona Access Program* statewide, and increase public awareness about the program. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. The Farm Service Agency (FSA) administers the VPA-HIP on behalf of the CCC. The VPA-HIP is a new program authorized by the Food, Conservation, and Energy Act of 2008 that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities.
- Type of Document:** Final Programmatic Environmental Assessment
- Lead Agency:** Farm Service Agency (on behalf of CCC)
- Sponsoring Agency:** Arizona Game and Fish Department
- Further Information:** Alfred Eiden, Landowner Relations Program
Arizona Game and Fish Department
5000 W Carefree Highway
Phoenix, AZ 85086
Phone: 623-236-7624
E-mail: aeiden@azgfd.gov
- Comments:** This Final Programmatic Environmental Assessment was prepared in accordance with the Farm Service Agency National Environmental Policy Act implementation procedures found in 7 Code of Federal Regulations 799, as well as the National Environmental Policy Act of 1969, Public Law 91-190, 42 USC 4321-4347, 1 January 1970, as amended.
- The FSA will provide a public review and comment period prior to any final decision. An electronic copy of this Programmatic Environmental Assessment will be available for review at: <http://public.geo-marine.com> or at <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>.
- Written comments regarding this assessment may be submitted to:
- Arizona VPA-HIP PEA Comments
c/o Geo-Marine, Inc.
2713 Magruder Blvd
Hampton, VA 23666
Or emailed to E-mail: ArizonaPEA@geo-marine.com

EXECUTIVE SUMMARY

BACKGROUND

The United States Department of Agriculture (USDA) Commodity Credit Corporation (CCC) proposes to implement a new Voluntary Public Access and Habitat Incentive Program (VPA-HIP) in the State of Arizona. The VPA-HIP is a new program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to either expand existing or create new public access programs. Funds may also be requested to provide incentives for eligible private landowners to improve habitat on enrolled lands. Incentives encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. The VPA-HIP grant award process is administered by the USDA Farm Service Agency on behalf of the CCC. The VPA-HIP programs are administered by the State or tribal government that receives the grant.

The State of Arizona proposes to use VPA-HIP grant funds to expand its current *Arizona Access Program* administered by the Arizona Game and Fish Department (AZGFD). The *Arizona Access Program* is a voluntary partnership with private landowners to allow hunting, fishing, and wildlife-associated recreational access to private, State Trust, and Federal land holdings statewide. It also provides volunteer labor to landowners, road grading services, informational signs and sign in boxes, incentive payments in exchange for term agreements for access, increased discretionary law enforcement, liability protection through Arizona statutes, purchase of rights-of-way, and range and habitat restoration. The program is projected to provide access to 907,000 acres of private land and about 1.25 million acres of landlocked public recreational land in 2011 achieved by enrolling up to eight participants.

PURPOSE AND NEED FOR THE PROPOSED ACTION

The purpose of the Proposed Action is to increase enrollment and associated program acreage of the *Arizona Access Program* and to increase public awareness of accessible private lands and routes to State and Federal lands. Over the last decade, access restrictions in Arizona have increased substantially; private landowners are closing previously permitted access through their property to public lands. The Proposed Action is needed to expand current recreational access opportunities and restore recreational access to areas that have been closed to the public within the last two years due to reduced funding of the *Arizona Access Program*. VPA-HIP grant funds are needed to allow the State to meet the high demand for incentive payments for term agreements for access to private lands or rights-of-way through private lands to State and Federal lands. These funds would also allow the State to meet the need to expand public awareness about the *Arizona Access Program* and accessible private lands and routes to State and Federal lands.

PROPOSED ACTION

The AZGFD proposes to use VPA-HIP grant funds of \$1.7 million over the three-year grant period (\$600,000 the first year and \$550,000 the following two years) to supplement \$4,374,300 State, private in-kind, and other Federal funds to expand the *Arizona Access Program* statewide, and increase public awareness about the program. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. There would be no specified sign-up period and payments would be based on the anticipated recreational use. VPA-HIP funds are expected to ensure access to over eight million acres of recreational lands per year, with the State entering into contracts with 40 or more landowners each year of the VPA-

HIP grant program. In addition, VPA-HIP funds would be used to hire an AZGFD staff member for access route inventory, development of web-based applications for public awareness of open lands, and greater outreach efforts. This position would also provide the public with locations and Global Positioning System (GPS) coordinates for entry points of lands enrolled in the *Arizona Access Program* via a web-based application. The Proposed Action would not result in any land use changes, or disturbances to the ground or vegetation.

Any private landowner would be eligible for incentive payments provided they meet two criteria:

- The private land or landlocked Federal or State lands blocked by private land has suitable habitat for wildlife, and
- The public has indicated a desire to gain access to the private land or to Federal or State lands of which a private landowner has control over access.

NO ACTION ALTERNATIVE

Although it would not serve the purpose and need for the Proposed Action, a No Action Alternative has been carried forward as the baseline against which the potential impacts arising from the Proposed Action can be measured. The No Action Alternative is analyzed in accordance with Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] §1502.14(d)). Under the No Action Alternative, VPA-HIP grant funds would not be utilized and the existing *Arizona Access Program* would continue as currently administered.

ENVIRONMENTAL CONSEQUENCES

The environmental consequences of the Proposed Action and No Action Alternative are addressed in this EA and summarized in Table ES-1.

Table ES-1. Summary of Environmental Consequences

| Resource | Proposed Action Alternative | No Action Alternative |
|----------------------|--|---|
| Biological Resources | <p>Expanding hunting and fishing opportunities potentially could decrease game and fish populations to unsustainable levels. This potential would be minimized by AZGFD current hunting and fishing permitting regulations. Further, agency specialists would conduct a site-specific evaluation to determine the appropriate type of recreation for individual lands proposed for enrollment, and the appropriate number of users engaged in other recreational activities such as wildlife viewing and hiking, minimizing potential adverse effects to wildlife and vegetation. Similarly, off-road vehicle use would be subject to existing State regulation, and restricted to existing roads and trails.</p> <p>Site-specific evaluation of lands proposed for enrollment by AZGFD qualified personnel would determine the potential for the presence of protected species. If protected species would likely be present, AZGFD would consult with the U.S. Fish and Wildlife Service. If an authorized recreational activity on the land proposed for enrollment would potentially impact a protected species, it would not likely be approved. No adverse effects to protected species would likely occur.</p> <p>Expanding lands available for wildlife-associated recreation under the Proposed Action Alternative would benefit vegetation and wildlife by maintaining suitable habitat rather than converting land to another incompatible use.</p> | <p>If VPA-HIP funds would not be used to expand the <i>Arizona Access Program</i>, it would continue as currently administered. The additional benefits of the Proposed Action Alternative in expanding acreage maintained in suitable wildlife habitat in the State would not be realized.</p> |

Table ES-1. Summary of Environmental Consequences (cont'd)

| Resource | Proposed Action Alternative | No Action Alternative |
|--|--|---|
| Recreation | <p>The Proposed Action has potential to provide substantial beneficial impacts to recreational resources in Arizona during its three-year implementation period. Under this alternative, approximately eight million acres of additional public and private land would be available each year for hunting, fishing, and other outdoor recreation activities. The Proposed Action Alternative could attract upwards of 36,000 recreationists to <i>Arizona Access Program</i> lands. The program would benefit recreationists through hiring additional staff to inventory access routes and provide the public with locations and GPS coordinates for entry points of lands enrolled in the <i>Arizona Access Program</i> via a web-based application.</p> | <p>Under the No Action Alternative, the <i>Arizona Access Program</i> would continue as currently administered. Additional USDA VPA-HIP funds would not be used to increase private land owner enrollment and additional staff would not be hired to increase public awareness through public outreach or enhance user access to enrolled land locations. Therefore, under the No Action Alternative there would be no change to existing recreational resources and the goal of ensuring eight million acres of <i>Arizona Access Program</i> lands and an expanded public awareness program would not be fulfilled.</p> |
| Socioeconomics and Environmental Justice | <p>The <i>Arizona Access Program</i> augmented by the USDA VPA-HIP funds would be a slight economic benefit to both local economies and the statewide wildlife-associated recreation economy. With increased public awareness of the program and web access to program recreation locations, hunter and wildlife watching use is expected to increase, contributing modest benefits to the estimated statewide annual wildlife-associated recreational economy of \$2.1 billion. Providing new access to large blocks of previously landlocked public lands would also attract more out of state recreationists, benefiting the local and statewide economies. Implementation of the Proposed Action Alternative would have long-term socioeconomic benefits for employment and income with no associated negative effects such as large population movements.</p> | <p>The existing <i>Arizona Access Program</i> would continue as currently administered under the No Action Alternative. No funding under the USDA VPA-HIP would be used by the State of Arizona; therefore, the program would not expand beyond its current limit of \$125,000 per year and enrollment of eight to ten participants a year. No additional local or statewide economic benefits associated with the expanded <i>Arizona Access Program</i> and increased wildlife-associated recreation would occur, and the existing program may be further diminished due to lack of incentives for enrolled landowner participants.</p> |

Table ES-1. Summary of Environmental Consequences (cont'd)

| Resource | Proposed Action Alternative | No Action Alternative |
|--|---|-----------------------|
| <p>Socioeconomics and Environmental Justice (cont'd)</p> | <p>Under the Proposed Action Alternative, no highly adverse or disproportionate impacts to environmental justice populations would occur. Under Federal law, the USDA prohibits discrimination on the basis of race, color, religion, national origin, age, sex, or disability. Minority and low income populations would have equal access to participate in the <i>Arizona Access Program</i> if their land meets the eligibility criteria of suitable habitat and recreational value. Further, enrolled participants in the <i>Arizona Access Program</i> must grant equal access to all sportspersons with a valid hunting and/or fishing license, or wildlife watchers, based on their agreement to wave liability and conform to posted use conditions.</p> | |

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ACRONYMS AND ABBREVIATIONS

| | |
|----------------|--|
| 2008 Farm Bill | Food, Conservation, and Energy Act of 2008 |
| ADOC | Arizona Department of Commerce |
| AZGFD | Arizona Game and Fish Department |
| AZSP | Arizona State Parks |
| CCC | Commodity Credit Corporation |
| CEC | Commission for Environmental Cooperation |
| CEQ | Council on Environmental Quality |
| CFR | Code of Federal Regulations |
| CSP | Conservation Stewardship Program |
| CREP | Conservation Reserve Enhancement Program |
| CWA | Clean Water Act |
| EO | Executive Order |
| EPA | U.S. Environmental Protection Agency |
| EQIP | Environmental Quality Incentive Program |
| ERS | Economic Research Service |
| ESA | Endangered Species Act |
| FONSI | Finding of No Significant Impact |
| FR | Federal Register |
| FSA | Farm Service Agency |
| FY | Fiscal Year |
| GPS | Global Positioning System |
| LIP | Landowner Incentive Program |
| LRP | Landowner Relations Program |
| MBTA | Migratory Bird Treaty Act |
| MHI | Median Household Income |
| NEPA | National Environmental Policy Act |
| NHPA | National Historic Preservation Act |
| NOA | Notice of Availability |
| NRCS | Natural Resources Conservation Service |
| OHV | Off-Highway Vehicle |
| PEA | Programmatic Environmental Assessment |
| PL | Public Law |
| RFA | Request for Applications |
| ROI | Region of Influence |
| SHPO | State Historic Preservation Office |
| TES | Threatened and Endangered Species |
| TESS | Threatened and Endangered Species System |
| USC | U.S. Code |
| USCB | U.S. Census Bureau |
| USDA | U.S. Department of Agriculture |

ACRONYMS AND ABBREVIATIONS (cont'd)

| | |
|---------|---|
| USFWS | U.S. Fish and Wildlife Service |
| VPA-HIP | Voluntary Public Access and Habitat Incentive Program |
| WHIP | Wildlife Habitat Incentives Program |
| WRP | Wetlands Reserve Program |
| WSCA | Wildlife of Special Concern in Arizona |

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1.0 PURPOSE AND NEED FOR THE PROPOSED ACTION

1.1 Background

The United States Department of Agriculture (USDA) Commodity Credit Corporation (CCC) proposes to implement a new Voluntary Public Access and Habitat Incentive Program (VPA-HIP) in the State of Arizona. The VPA-HIP is a new program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. The VPA-HIP programs are administered by the State or tribal government that receives the grant.

1.1.1 The Voluntary Public Access and Habitat Incentive Program

The CCC regulations for VPA-HIP have been established in an interim rule (Federal Register [FR] 39135-39143). The VPA-HIP grant funds are awarded through a competitive Request for Applications (RFA) process in which States and tribal governments may request VPA-HIP funds in order to either expand existing or create new public access programs. Funds may also be requested to provide incentives for eligible private landowners to improve habitat on enrolled lands. The Farm Service Agency (FSA), on behalf of the CCC, evaluates applications to determine eligibility of the applicant and whether the application is complete and sufficiently meets the requirements of the RFA (FSA 2010). In accordance with the 2008 Farm Bill, funding priority would be given to applications that address the program objectives:

- Maximize participation by landowners;
- Ensure the land enrolled in the program has appropriate wildlife habitat;
- Provide incentives to strengthen wildlife habitat improvement on lands enrolled in the Conservation Reserve Enhancement Program (CREP);
- Supplement other funding and services provided by other Federal, State, tribal government, or private resources that is provided in the form of cash or in-kind services; and
- Provide information to the public of the location of public access land.

A State's grant amount would be reduced by 25 percent if bird hunting opening dates for migratory birds are not consistent for both residents and non-residents. The VPA-HIP does not preempt liability laws that may apply to activities on any property related to VPA-HIP grants (*Ibid.*).

1.1.2 The Arizona Access Program

The State of Arizona proposes to use VPA-HIP grant funds to expand its current *Arizona Access Program* administered by the Arizona Game and Fish Department (AZGFD). Arizona consists of about 72.6 million acres, of which approximately 42 percent is public land, 13 percent is State Trust, 17 percent is private, and 28 percent is Tribal. Of that, access to approximately 4.5 million acres of public land, or an additional 6.1 percent of Arizona is controlled by private landowners and is not legally accessible by the public through such means as rights-of-way or easements (AZFGD No Date) (Figure 1.1-1). Because of this land ownership pattern, private landowners often have control over high-quality wildlife habitat or have the legal right to lock roads leading through their property to State and Federal lands. In 1986 the

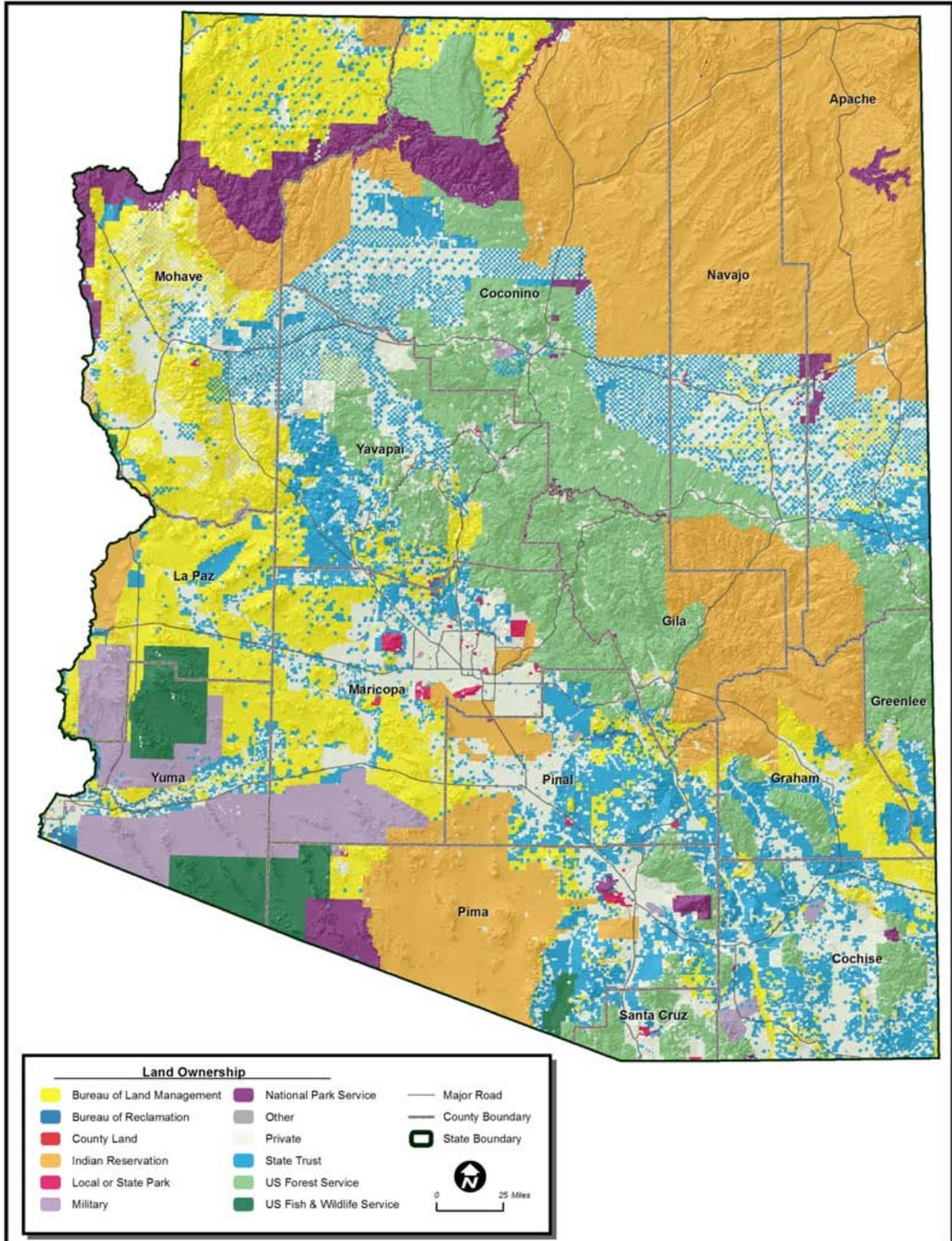


Figure 1.1-1. Arizona Public Land Ownership

State of Arizona addressed this problem by developing the *Arizona Access Program*. The *Arizona Access Program* is a voluntary partnership with private landowners to allow public recreational access to private, State Trust, and Federal land holdings and is implemented by the AZGFD Landowner Relations Program (LRP). The primary objectives of the LRP are:

- Assist private landowners and land management agencies with wildlife population and habitat enhancement programs; and
- Protect or acquire access to public and State Trust lands to ensure continued recreational opportunities.

The *Arizona Access Program* also provides volunteer labor to landowners, road grading services, informational signs and sign in boxes, incentive payments in exchange for term agreements for access, increased discretionary law enforcement, liability protection through Arizona statutes, purchase of rights-of-way, and range and habitat restoration.

Under the *Arizona Access Program*, the LRP and Wildlife Manager evaluate the value of public access onto or through private land would have to the local economy and the value of any habitat improvement projects of mutual benefit would have on wildlife populations; a cost benefit analysis would be completed for an individual application. Actual payments are based on the number of hunters, anglers, and outdoor recreationists that use or are expected to use the opened land, what other landowners across the State are willing to accept, and an upper limit of half the value of the cost benefit analysis. Specific incentive payments and agreement lengths are negotiated with the landowners. Over the past three years typical incentive payments have ranged from \$6,000 per year for areas with high recreational use value, \$3,000 for moderate use, and \$1,000 for low use value. Typical contract lengths have been 3-5 years ranging as little as two and as much as 25 years. The current annual budget for incentive payments is \$125,000 annually, significantly reduced from the \$1 million annual budget allocated from 2004 to 2006. This allows for agreements with eight to 10 landowners each year, although there are estimated to be 50 to 60 landowners willing to enter into agreements at current incentive rates. Table 1.1-1 shows the number of agreements and acres opened for outdoor recreation activities for the previous five fiscal years (FY) and the projected number of agreements for FY 2011.

Table 1.1-1. *Arizona Access Program* Previous Year Agreements and Current Year Projected Agreements

| | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 | Projected FY 2011 |
|---------------------------------------|-----------|-----------|-----------|-----------|-----------|-------------------|
| Total Agreements | 10 | 26 | 19 | 18 | 11 | 8 |
| Number of private acres opened | 840,000 | 968,000 | 490,000 | 803,000 | 745,000 | 907,000 |
| Number of public acres opened | 1,185,000 | 1,995,000 | 1,120,000 | 1,415,000 | 1,045,000 | 1,258,000 |

Note: FY = fiscal year

Source: A. Eiden, personal communication, February 2011

Funding for current LRP programs comes from the State’s Heritage Fund, State hunting and fishing licenses, other State Funding, and Federal conservation programs such as the Environmental Quality

Incentive Program (EQIP), Wildlife Habitat Incentives Program (WHIP), Wetlands Reserve Program (WRP) and Grassland Reserve Program (GRP), and private in-kind funds.

1.1.3 Regulatory Compliance

This Programmatic Environmental Assessment (PEA) is prepared to satisfy the requirements of the National Environmental Policy Act (NEPA; Public Law [PL] 91-190, 42 U.S. Code [USC] 4321 et seq.); implementing regulations adopted by the Council on Environmental Quality (CEQ; 40 Code of Federal Regulations [CFR] §§ 1500-1508); and FSA implementing regulations, Environmental Quality and Related Environmental Concerns – Compliance with NEPA (7 CFR 799). A variety of laws, regulations, and Executive Orders (EO) apply to actions undertaken by Federal agencies and form the basis of the analysis prepared in this PEA. These include but are not limited to:

- National Historic Preservation Act (NHPA)
- Endangered Species Act (ESA)
- Clean Water Act (CWA)
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations
- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands

1.2 Purpose and Need

The AZGFD proposes to use VPA-HIP funds to expand the current *Arizona Access Program* on a statewide basis. The purpose of the Proposed Action is to increase enrollment and associated program acreage of the *Arizona Access Program* and to increase public awareness of accessible private lands and routes to State and Federal lands. Over the last decade, access restrictions in Arizona have increased substantially; private landowners are closing previously permitted access through their property to public lands. The Proposed Action is needed to expand current recreational access opportunities and restore recreational access to areas that have been closed to the public within the last two years due to reduced funding of the *Arizona Access Program*. VPA-HIP grant funds are needed to allow the State to meet the high demand for incentive payments for term agreements for access to private lands or rights-of-way through private lands to State and Federal lands. These funds would also allow the State to meet the need to expand public awareness about the *Arizona Access Program* and accessible private lands and routes to State and Federal lands.

1.2.1 VPA-HIP and the Arizona Access Program Objectives

The general purposes for the *Arizona Access Program's* use of VPA-HIP grant funds are:

- Expand the existing *Arizona Access Program* statewide;
- Provide the opportunity for all owners of private lands containing suitable wildlife habitat or that control access to State or Federal lands to enter into agreements and receive incentive payments for allowing public access for recreational purposes;
- Maintain or enhance current access recreational opportunities and attempt to re-establish access to areas that have recently been closed to the public;

- Hire an additional AZGFD staff member for access route inventory, development of web-based applications for public awareness of open lands, and outreach; and
- Provide the public with locations and Global Positioning System (GPS) coordinates for entry points of lands enrolled in the *Arizona Access Program* via a web-based application.

1.3 Organization of the PEA

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternatives on potentially affected environmental and socioeconomic resources. Chapter 1 provides background information relevant to the Proposed Action, and discusses its purpose and need. Chapter 2 describes the Proposed Action and alternatives. Chapter 3 describes the baseline conditions (i.e., the conditions against which potential impacts of the Proposed Action and alternatives are measured) for each of the potentially affected resources and describes potential environmental consequences to these resources. Chapter 4 includes analysis of cumulative impacts and irreversible and irretrievable resource commitments. Chapter 5 discusses mitigation measures. Chapter 6 presents a list of the preparers of this document and Chapter 7 contains a list of persons and agencies contacted during the preparation of this document. Chapter 8 contains references. Appendix A contains a copy of the agency coordination letter. Appendix B contains previous year and current year projections of number of agreements and acreage for the *Arizona Access Program*.

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2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.1 Proposed Action

The AZGFD proposes to use VPA-HIP grant funds of \$1.7 million over the three-year grant period (\$600,000 the first year and \$550,000 the following two years) to supplement \$4,374,300 State, private in-kind, and other Federal funds to expand the *Arizona Access Program* statewide, and increase public awareness about the program. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. VPA-HIP grant funds are expected to ensure access to over eight million acres of recreational lands per year, with the State entering into contracts with 40 or more landowners each year of the VPA-HIP grant program. VPA-HIP funds would be leveraged with existing funds to expand incentive payments and improvement of the public awareness program, and would also free up existing funds to undertake habitat improvement and other program activities. Grant funds would also fund an additional AZGFD staff position specifically to create and maintain *Arizona Access Program* web-based maps and GPS points of access, as well as documenting program accomplishments. The Proposed Action would not result in any land use changes, or disturbances to the ground or vegetation.

2.1.1 Eligible Lands

The process for determining distribution of incentive payments to landowners would remain the same as under the current *Arizona Access Program*. Any private landowner is eligible for incentive payments provided they meet two criteria:

- The private land or landlocked Federal or State lands blocked by private land has suitable habitat for wildlife.
- The public has indicated a desire to gain access to the private land or to Federal or State lands of which a private landowner has control over access.

Arizona does not have a CREP agreement in place; however, funding for the current *Arizona Access Program* targets landowners and ranchers that have or are actively developing a Coordinated Resource Management Plan with Natural Resources Conservation Service (NRCS) that directs the use of Farm Bill conservation programs such as EQIP, WHIP, WRP and GRP. Landowners are contacted by or they contact AZGFD, followed by a site visit by an LRP specialist and the area Wildlife Manager to determine the quality of the habitat, the species on the land, and an estimate of the number of hunters, anglers, and outdoor recreationists the area could support. The same analysis is accomplished on State and Federal lands that the landowner has access control over. The analysis on the State and Federal lands would also evaluate the impact from increased usage and ensure that land management agency plans permit the type and level of proposed use. A cost benefit analysis is completed to determine the value of the project to the local economy and what value habitat improvements, if any, would have to wildlife populations. Once the cost benefit analysis is complete, the terms, length and incentive payment amount of the agreement are negotiated and settled with the landowner. Incentive payments are primarily based on the number of hunters, anglers, and outdoor recreationists that are expected to use the area opened to the public. There is no specified sign-up period and contracts are negotiated year round. Recreational areas with a greater potential for recreational use receive larger incentive payments than those with a lower potential for recreational use.

2.2 Public Involvement and Agency Coordination

The AZGFD would manage the distribution of VPA-HIP grant funds for the expansion of the *Arizona Access Program*, including public outreach. Several organizations have been and continue to be involved in promoting the *Arizona Access Program*. These include:

- USDA FSA and NRCS
- Arizona State FSA Office
- U.S. Fish and Wildlife Service (USFWS)
- Arizona State Historic Preservation Office (SHPO)
- Arizona State Department of Agriculture
- Arizona Farm Bureau

Agencies and organizations contacted concerning this PEA and the notification letter for the availability of the Final PEAs is provided in Appendix A.

A Notice of Availability (NOA) for the Final PEA was advertised in State newspapers to announce a 30-day public comment period beginning on April 11, 2011. A public website was created that provides program information, copies of the Final PEA and a signed Finding of No Significant Impact (FONSI) or Decision Notice, and an electronic form for submitting comments via the internet. Barring any new data identified during public and agency review of the PEA that would dramatically change the analysis presented in the PEA or identification of a significant controversial issue, the PEA and FONSI are considered final 30 days after the date of the initial publication of the NOA..

2.3 Resources Eliminated from Analysis

CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate from detailed study the issues which are not important or which have been covered by prior environmental review. In accordance with §1501.7, issues eliminated from detailed analysis in this PEA include the following:

Water Resources

Under the Proposed Action, no activities would occur with the potential to impact water resources (surface, ground, wetlands or floodplains). Since there are no activities that would disturb soil or vegetation associated with the Proposed Action, there would be no increase in sedimentation of water bodies. Similarly, the Proposed Action does not include any activities related to vegetation establishment or control; as such, there would be no potential for increased runoff of sediments or pollutants. Therefore, water resources have been eliminated from study in this PEA.

Soil Resources

There would be no ground disturbing activities under the Proposed Action; therefore, the potential for erosion would not increase. While access to public and private lands would increase under the Proposed Action, including the use of off-highway vehicles (OHVs), no additional roads, trails or paths would be constructed under the Proposed Action. According to Arizona Statutes, all traffic must stay on existing and marked roads and trails. Consequently, soil resources have been eliminated from analysis.

Noise

Implementing the Proposed Action would not permanently increase ambient noise levels at or adjacent to the access areas. While expanding the *Arizona Access Program* would increase traffic and hunting in some locations, the associated noise from these activities would be intermittent and dispersed. Motor vehicles in Arizona, including OHVs, are required to have operational mufflers installed. Moreover, no construction activities are associated with the Proposed Action that could temporarily increase noise levels in an area. Therefore, noise has been eliminated from analysis.

Air Quality

The Proposed Action is not expected to impact either local or regional air quality. Since expansion of the *Arizona Access Program* with VPA-HIP grant funds would not result in impacts to the attainment, non-attainment, or maintenance status of any of the State's airsheds, this issue has been eliminated from further study in this PEA.

Sole Source Aquifers

Sole source aquifers are underground water sources that provide at least 50 percent of the drinking water consumed within the overlying area. Arizona has two sole source aquifers, the Upper Santa Cruz and Avra Basin aquifer and the Bisbee-Naco aquifer; both are located in the southern portion of the State (U.S. Environmental Protection Agency [EPA] 2000). However, since there are no activities associated with the Proposed Action that could negatively impact sole source aquifers, this resource has been eliminated from study in this PEA.

Coastal Zones

The proposed action and alternatives would occur within the interior U.S.; therefore, coastal zones would not be affected.

Prime and Unique Farmland

The Proposed Action would not remove any land from agricultural production; therefore, the Farmland Protection Policy Act of 1981 is not applicable.

Cultural Resources

Under the Proposed Action there would be no ground disturbance or changes to land use, as such there would be no potential impacts to cultural resources. The proposed Action does not allow for the purposeful destruction of any cultural resources. Therefore, cultural resources have been eliminated from study in this PEA.

Transportation

The Proposed Action has little potential to impact transportation on a local, regional, or State level. While traffic may increase slightly in areas in which new lands are enrolled in the *Arizona Access Program*, the lands that would be enrolled are predominately rural and widely dispersed. Therefore, transportation has been eliminated from further analysis.

Human Health and Safety

There would be no adverse impacts to human health and safety under the Proposed Action. The Proposed Action would expand the current *Arizona Access Program* and make additional public and private lands available for outdoor related activities. While some of these activities such as hunting have some inherent safety risks, Arizona offers and encourages hunting safety courses be taken, and requires hunters meet minimum age requirements before permits can be obtained.

2.4 Alternatives Selected for Analysis

2.4.1 Proposed Action Alternative

Under the Proposed Action Alternative, AZGFD would use \$1,700,000 in VPA-HIP grant funds over a three-year period in Arizona to expand the current *Arizona Access Program* for hunting, fishing, wildlife watching, and other outdoor related activities on a statewide basis. The expanded *Arizona Access Program* would allow all private landowners that have suitable habitat for wildlife or control access to Federal and State lands to enter into agreements and receive incentive payments for allowing recreational access. The program would maintain or enhance current recreational access opportunities and restore recreational access to areas that were closed to the public within the last two years due to limited program funding. Additionally, AZGFD would hire an additional staff member to coordinate the inventory of access routes, develop a web application for public outreach and to list newly opened lands, and update the State's website reflecting locations and GPS coordinates.

2.4.2 No Action Alternative

Under the No Action Alternative, the use of VPA-HIP Federal funding for expansion of the *Arizona Access Program* would not be implemented. The absence of Federal funding would not allow for the expansion of the *Arizona Access Program*, as well as limiting the scope of information made available for public awareness. The *Arizona Access Program* would continue to be funded at the current rate, but the overall amount of land that is accessible to the public would continue to decrease and program goals of opening eight million acres per year of private and public land would not be realized. Moreover, public awareness about the *Arizona Access Program* and information regarding locations of accessible lands would be restricted. The No Action Alternative does not meet the purpose and need of the Proposed Action, but is being carried forward in accordance with CEQ regulations in order to provide a baseline against which the impacts of the Proposed Action can be assessed.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 Biological Resources

Biological resources include plant and animal species and the habitats in which they occur. For this analysis, biological resources are divided into wildlife and their associated plant communities; and protected species and their critical habitat. Although the Proposed Action would not result in any land use changes or disturbances to the ground or existing vegetation, expanding the public access program and increasing hunting and fishing opportunities may increase the potential for impacting game populations. Therefore, wildlife species discussed are only those game species that may be potentially impacted through increased hunting and fishing. For the purposes of this analysis, plant communities are considered as they relate to these game species. Protected species are those Federally designated as threatened or endangered and protected by the ESA (16 USC §§1531-1544). Further protection to the vast majority of bird species is provided by the Migratory Bird Treaty Act (MBTA) (16 USC §§703-711). State protected wildlife are those species listed by the AZGFD as “Tier 1a Comprehensive Wildlife Conservation Strategies Species of Greatest Conservation Need” (AZGFD 2007) and by the AZGFD as Wildlife of Special Concern in Arizona (WSCA) (AZGFD 2011a). Arizona Revised Statutes Title 17 directs the responsibility for maintaining and managing the State’s wildlife resources to the Arizona Game and Fish Commission and Department (AZGFD 2007). Critical habitat is designated by the USFWS as essential for the recovery of threatened and endangered species (TES) and, like those species, is protected under ESA.

3.1.1 Affected Environment

The Proposed Action covers the entire state of Arizona. Arizona has approximately 26 million acres of publicly owned land that is available to the public for outdoor recreational activities. Access to approximately 4.5 million acres of that land is controlled by private landowners and is not legally accessible by the public through such means as rights-of-way or easements (AZGFD No Date). Additionally, there are approximately 12.3 million acres of privately-owned land. Under the current *Arizona Access Program*, up to two million acres (consisting of public and private land) is available for public recreational activities.

3.1.1.1 Wildlife and Their Associated Habitats

The affected environments found in Arizona include deserts, grasslands, woodlands, and high-elevation montane and alpine forests (AZGFD 2007). Arizona is within seven Level III ecological regions as defined by the Commission for Environmental Cooperation (CEC): Mojave Basin and Range, Colorado Plateaus, Arizona/New Mexico Plateau, Arizona/New Mexico Mountains, Chihuahuan Deserts, Madrean Archipelago, and Sonoran Basin and Range (EPA 2011).

Arizona’s ecological regions contain a varied array of habitats for a large number of game species. Game species in Arizona are categorized as big game, small game, waterfowl, predator species, or furbearer species (AZGFD 2010). Big game species in Arizona include pronghorn (*Antilocapra americana*), big horn sheep (*Ovis canadensis*), bison (*Bos bison*), black bear (*Ursus americanus*), elk (*Cervus canadensis*), javelina (collared peccary; *Pecari tajacu*), mountain lion (*Puma concolor*), mule deer (*Odocoileus hemionus*), turkey (*Meleagris gallopavo*), and white-tailed deer (*Odocoileus virginianus*) (AZGFD 2011b). Small game species in Arizona include cottontail rabbits (*Sylvilagus* spp.), tree squirrels (*Sciurus* spp.), upland game birds (quail [*Callipepla* spp.], chukar [*Alectoris chukar*], pheasant [*Phasianus colchicus*]), and migratory game birds (sandhill cranes [*Grus canadensis*], snipe [*Gallinago*

delicata], mourning and white-winged doves [*Zenaida macroura* and *Z. asiatica*], and band-tailed pigeons [*Patagioenas fasciata*] (AZGFD 2011). Waterfowl species include various ducks, geese, and mergansers (Anatidae) (*Ibid.*). Predator species are coyotes (*Canis latrans*), bobcats (*Lynx rufus*), foxes (gray, *Urocyon cinereoargenteus*; red, *Vulpes vulpes*; and kit, *V. macrotis*), and skunks (Mephitidae) (*Ibid.*). Furbearing species found in Arizona include muskrats (*Ondatra zibethicus*), raccoons (*Procyon lotor*), otters (*Lontra canadensis*), weasels (*Mustela frenata*), bobcats (also considered a predator species), beaver (*Castor canadensis*), badgers (*Taxidea taxus*) and ringtails (*Erpetogomphus* spp.) (*Ibid.*).

Freshwater fish are generally divided into cool or coldwater and warmwater species. Arizona has about 27 species that are considered sport fish of which eight are cool or coldwater and 19 are warmwater species (*Ibid.*). Fish species include five species of trout (Salmonidae), four species of catfish (Ictaluridae), four species of sunfish (*Lepomis* spp.), five species of bass (*Micropterus* spp. and *Morone* spp.), grayling (*Thymallus arcticus*), buffalo (*Ictiobus cyprinellus*), crappie (*Pomoxis* spp.), chub (*Gila robusta*), suckers (*Catostomus clarki*), pike (*Esox lucius*), walleye (*Sander vitreus*) and perch (*Perca flavescens*) (*Ibid.*).

3.1.1.2 Protected Species

The USFWS Threatened and Endangered Species System (TESS) website lists the protected species that occur in the State and details the actions being taken in Arizona to protect both protected species and their habitats. There are 50 plant and animal species occurring in Arizona that are protected under the Federal ESA (USFWS 2011). Protected species that can be hunted or fished in Arizona include migratory birds and the Gila and Apache trout (*Oncorhynchus gilae* and *Oncorhynchus apache*). Additionally, there are several listed species that are similar to sport species that may be misidentified by hunters or anglers including: the masked bobwhite (*Colinus virginianus ridgwayi*); Yaqui catfish (*Ictalurus pricei*); six species of chub (*Gila* spp.); and the Mount Graham red squirrel (*Tamiasciurus hudsonicus grahamensis*). The hunting of protected species in the State is controlled through strict permitting and is regulated by AZGFD (AZGFD 2010).

3.1.2 Environmental Consequences

Impacts to biological resources would be considered significant if activities resulted in reducing the wildlife or fisheries populations to a level of concern or the incidental take of a protected species or its habitat.

3.1.2.1 Wildlife

Proposed Action Alternative

Under the Proposed Action, AZGFD would use VPA-HIP funds to expand enrollment of the *Arizona Access Program* and increase public awareness about the program. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. This would open more private and public land in Arizona for wildlife-associated recreation. As part of the *Arizona Access Program*, private land that is enrolled in the program must have suitable wildlife habitat that would be maintained for the duration of the agreement, thus ensuring land would not be converted for other incompatible uses. AZGFD works closely with USFWS, which supports the *Arizona Access Program*. An increase in public land and private lands on which hunting and fishing would occur would not likely impact game species populations because these activities would be conducted in accordance with Arizona State fish and game laws. Each area considered for enrollment in the *Arizona Access Program* would be evaluated by an LRP

representative and the area Wildlife Manager to assess the quality of the habitat, the species that inhabit the area, and the estimated number of hunters, anglers and/or outdoor recreationists the habitat could support. The same type of evaluation would be conducted on public lands made accessible by a right-of-way agreement; along with confirmation that the proposed use of the public land would be consistent with the administering agency's management plans. Further, bag and creel limits, which are established through analysis of wildlife population trend data and harvest numbers, would continue to be managed through the sales of State licenses.

Off-highway vehicle use associated with hunting and fishing would remain on designated and marked roads and trails in accordance to existing State regulations (AZGFD and Arizona State Parks [AZSP] 2009), and no new roads or trails would be built as part of the Proposed Action. Consequently, there would be no impacts to vegetation or associated wildlife habitats from increased OHV usage.

Increasing the amount of land enrolled in the *Arizona Access Program* under the Proposed Action would benefit vegetative communities and the wildlife that inhabit them by maintaining suitable habitat precluding their conversion into another incompatible use. There would be no significant negative impacts to wildlife and their associated habitats under the Proposed Action.

No Action Alternative

Under the No Action Alternative, the *Arizona Access Program* would continue as it is currently administered and would not expand beyond its current enrollment. There would be no expansion of *Arizona Access Program*-related hunting or fishing opportunities on private or landlocked public lands in the State. The benefits associated with increasing the amount of suitable wildlife habitat in the State would not be realized and the existing program may be reduced further due to the lack of monetary incentives.

3.1.2.2 Protected Species

Proposed Action Alternative

Under the Proposed Action, AZGFD would use VPA-HIP funds to expand enrollment of the *Arizona Access Program* statewide, and increase public awareness about the program and free up existing funds to undertake habitat improvement and other program activities. Funds would be used to meet the high demand for incentive payments for *Arizona Access Program* term-length agreements and improve and maintain an adequate public awareness program. This would open more private land in Arizona to outdoor recreational activities, which also helps ensure that the land is maintained as natural habitat. Federal and State laws prohibit the killing of most protected species, so these species would not be impacted by the Proposed Action. The hunting of protected species is regulated by AZGFD through controlled hunt tags, which only allow the take of a certain number of individuals each year based on population sizes. As discussed above, analysis on the proposed lands would address site-specific impacts prior to approval. In addition, OHV-use associated with hunting and fishing would remain on designated and marked roads and trails, and no new roads or trails would be built as part of the Proposed Action.

Site-specific evaluation of lands proposed for enrollment by AZGFD qualified personnel would determine the potential for the presence of protected species. If protected species would likely be present, AZGFD personnel would consult with the USFWS. If an authorized recreational activity on the land proposed for enrollment would potentially impact a protected species, it would not likely be approved. Increasing the amount of land enrolled in the *Arizona Access Program* under the Proposed Action would benefit protected species by maintaining suitable habitat precluding their conversion into another incompatible

use. There would be no significant negative impacts to protected species and their associated habitats under the Proposed Action.

No Action Alternative

Under the No Action Alternative, the *Arizona Access Program* would continue as it is currently administered without using VPA-HIP funds to increase program enrollment. There would be no expansion of *Arizona Access Program*-related hunting or fishing opportunities on private and landlocked private lands in Arizona. The benefits for protected species associated with increasing the amount of suitable habitat would not occur, and as with wildlife may diminish due to lack of incentives for potential participants.

3.2 Recreation

Outdoor recreation generally includes leisure pursuits engaged in outside, especially in natural or semi-natural settings out of town. Popular outdoor activities in Arizona include hiking, camping, hunting, fishing, sightseeing, wildlife-watching, watercraft and OHV use, and other recreational and other wildlife-based pursuits (AZGFD 2006). This PEA is limited to wildlife-associated recreation activities including fishing, hunting, and wildlife observation. Wildlife-watching can include observing, feeding, and photographing wildlife.

3.2.1 Affected Environment

Arizona has approximately 30 million acres of publicly owned land, of which approximately 26 million acres are available to the public for outdoor recreational activities. Approximately 4.5 million acres (6.1 percent) of the public land area may not be accessible because of private land owner restrictions. Under the current Arizona Access Program, up to two million acres (consisting of public and private land) has been made available to the public for recreational activities and attracting an estimated 7,700 to 10,400 recreationists annually (Appendix B) (A. Eiden, personal communication, February 2011).

National and state-by-state demand for outdoor recreation activities is assessed every five years by the USFWS and U.S. Census Bureau (USCB). The survey collects information on the number of anglers, hunters, and wildlife watchers and how often they participate in these activities in the United States (USFWS/USCB 2008). Based on the 2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation for Arizona, 1.5 million Arizona residents and nonresidents 16 years old and older fished, hunted, or observed wildlife in Arizona. Of the total number of survey participants, 422,000 fished, 159,000 hunted, and 1.3 million participated in wildlife-watching activities. Between 1991 and 2006 there has been a decrease of approximately one million recreationists in the State. The number of people participating in outdoor recreation decreased from 2.5 million recreationists in 1991 to 2.4 million in 1996, to 1.7 million in 2001, with only 1.5 million in 2006 (USFWS/USCB 2003; 2008).

Consumptive outdoor recreation (hunting and fishing) is regulated by the AZGFD and state licenses are required to fish or hunt within the State. The AZGFD sold 457,600 fishing and hunting licenses in 2009 (AZGFD 2009). Although the number of licenses sold has decreased over the past decade from a high of 503,000 in 2000, it has rebounded substantially from a low of 421,000 in 2003.

3.2.2 Environmental Consequences

Impacts to recreation would be considered significant if they severely reduced, increased, or removed the amount of land available for public recreation or significantly degraded the quality of the recreational

experience. Impacts to environmental conditions such as air, water, or biological resources within or near public recreational land in such a way to affect its use would also be considered significant.

3.2.2.1 Proposed Action Alternative

The Proposed Action has the potential to provide substantial beneficial impacts to recreational resources in Arizona during its three-year implementation period. Implementation of this alternative is expected to ensure availability of approximately eight million acres of additional public and private land each year for hunting, fishing, and other outdoor recreation activities. Based on the estimated prior usage rates (A. Eiden, personal communication, February 2011), increasing the amount of accessible land could attract upwards of 36,000 recreationists to *Arizona Access Program* lands. Additionally, this program would increase public awareness of recreational opportunities by hiring additional staff to inventory access routes and develop a web application for public outreach in order to increase public awareness via the AZGFD website.

3.2.2.2 No Action Alternative

Under the No Action Alternative, the *Arizona Access Program* would continue as currently administered. Additional USDA VPA-HIP grant funds would not be used to increase private landowner enrollment and additional staff would not be hired to increase public awareness through public outreach. Therefore, under the No Action Alternative there would be no change to existing recreational resources, and the goal of ensuring eight million acres of *Arizona Access Program* lands and an expanded public awareness program would not be fulfilled.

3.3 Socioeconomics and Environmental Justice

Socioeconomic analyses generally include detailed investigations of the prevailing population, income, employment, and housing conditions of a community or Region of Influence (ROI). The socioeconomic conditions of a ROI could be affected by changes in the rate of population growth, the demographic characteristics of a ROI, or changes in employment within the ROI caused by the implementation of a proposed action. Socioeconomic resources examined in this document include statewide population, demographics, and income characteristics of Arizona. The basic characteristics of outdoor recreational economics in the state are also described in this section.

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations requires Federal agencies to consider as a part of their action, any disproportionately highly adverse human health or environmental effects to minority and low-income populations. Agencies are required to ensure these potential effects are identified and addressed.

The FSA defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies” (FSA 2009). In this context, fair treatment means that no group of people should bear a disproportionate share of negative environmental consequences resulting from a Federal action.

Consideration of the potential consequences of the Proposed Action for environmental justice requires three main components:

- A demographic assessment of the affected community to identify the presence of minority or low-income populations that may be potentially affected;

- An integrated assessment of all potential impacts identified to determine if any result in a disproportionately highly adverse impact to these groups; and
- Involvement of the affected communities in the decision-making process and the formation of any mitigation strategies.

The FSA's guidance issued in 1-EQ [Rev. 2] defines a minority population by race, ethnicity, or a combination of these two classifications such that a minority population can be described as being composed of the following population groups, singly or in combination, exceeding 50 percent of the population in an area:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black
- Hispanic

Each year the USCB defines the national poverty thresholds, which are measured in terms of household income dependent upon the number of persons within a household. Individuals falling below the poverty threshold are considered low-income individuals. The USCB census tracts where at least 20 percent of the residents are considered poor are known as poverty areas. When the percentage of residents considered poor is greater than 40 percent, the census tract is considered an extreme poverty area.

3.3.1 Affected Environment

3.3.1.1 Population and Demographics

Arizona had a population of approximately 6.5 million persons in 2009 with about 90 percent (5.9 million persons) living in urban areas (USDA Economic Research Service [ERS] 2010; USCB 2011). Between 2000 and 2009, the population increased approximately 21 percent (by 1.4 million persons) (ERS 2010). Arizona is the second fastest growing state in the nation (Arizona Department of Commerce [ADOC] 2011a), projected to increase to 7.9 million persons by 2015 (ADOC 2011b).

In the 2005-2009 American Community Survey (USBC 2011), the State of Arizona's population is described as predominately white (77.6 percent), with 29.8 percent of the population affiliating themselves as Hispanic or Latino, 4.5 percent as Native American or Alaskan Native, 3.6 percent as Black or African American, 2.4 percent as Asian, and 0.1 percent as Native Hawaiian or Pacific Islander. About 9.1 percent of respondents claimed other racial affiliation and 2.6 percent claimed more than one race (*Ibid*).

In 2009 the poverty rate in Arizona was 16.5 percent, with 22.1 percent of the poor living in rural settings and 15.8 percent urban poor (ERS 2010). Nationally, the 2009 poverty rate reached 14.3 percent, and 31 states sustained increases in both the number and percentage of people in poverty compared to that experienced in 2008 (USCB 2010a). The poverty threshold established in 2010 by the USCB was \$22,162 for a family of four with two children under the age of 18 years (USCB 2010b).

3.3.1.2 Employment and Income

The median household income (MHI) of Arizonans in 2009 has been estimated at \$50,296 (USCB 2011), slightly below the U.S. MHI of \$51,425. A total of 2,329,556 persons were employed in the State in 2009, earning an average annual wage of \$42,518 (ADOC 2010c). In 2008, the State's gross domestic product was \$248.8 billion with a per capita income of \$32,953. The major employment sectors in

Arizona include aerospace, electronics and semi conductor manufacturing. Tourism, business services and back-office operations are also important sectors (*Ibid.*).

According to the National Survey of Fishing, Hunting, and Wildlife-Associated Recreation conducted by the USFWS and USCB (2008), Arizona residents and nonresidents spent \$2.1 billion dollars on wildlife recreation in the State in 2006. Of that total, \$714 million was generated from trip related expenditures, \$1.2 billion on equipment purchases, and the remaining \$194 million was spent on licenses, contributions, land ownership and leasing, and other items. The average expenditure per resident and non-resident angler was \$740, with an average trip expenditure per day of \$59. A resident and non-resident hunter average expenditure was \$1,998 with an average daily trip expenditure of \$61. Wildlife watching residents and non-residents spent on average \$642 per participant and averaged tip expenditures of \$71 per day (*Ibid.*).

3.3.2 Environmental Consequences

A significant impact to socioeconomic conditions can be defined as a change that is outside the normal or anticipated range of those conditions that would flow through the remainder of the economy and community, creating substantial adverse effects in housing, employment, demographic trends, and business sectors. Generally, small percentage changes in individual attributes would not likely result in significant impacts at the county-level of analysis. Changes to the statewide or national economy of greater than recreation's normal contribution could be considered significant, as this could affect the general economic climate of other industries on a much greater scale.

Additional changes in demographic trends such as population movements would be considered significant if a substantial percentage of the population were to enter or leave a particular area based on the changing economic conditions associated with the alternatives analyzed, rather than unrelated projected changes or changes generated by economic activities as a whole.

Environmental justice is achieved when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards and has equal access to the decision-making process. Significant environmental justice impacts would result if access to decision-making documents were denied or if any adverse environmental effects occurred from an action that would disproportionately and highly adversely affect minority or low-income populations.

3.3.2.1 Proposed Action Alternative

Under the Proposed Action, a total of \$1.7 million in VPA-HIP grant funds would be expended over the three-year grant period (\$600,000 the first year and \$550,000 the following two years) to supplement \$4,374,300 State, private in-kind, and other Federal funds to expand the *Arizona Access Program* statewide, and increase public awareness about the program. VPA-HIP funds are expected to ensure access to over eight million acres of recreational lands per year, with the State entering into contracts with 40 or more landowners each year of the VPA-HIP grant program. Typical incentive payments to individual participants are expected to continue to range from \$6,000 per year for areas with high recreational use value, \$3,000 for moderate use, and \$1,000 for low use value.

The *Arizona Access Program* augmented by the USDA VPA-HIP funds would be a slight economic benefit to both local economies and the statewide wildlife-associated recreation economy. Approximately 40 participants in the program in dispersed locations statewide would be funded annually under the Proposed Action Alternative. With increased public awareness of the program and web access to program recreation locations, hunter and wildlife watching use of the program is expected to increase by

at least 79%, contributing modest benefits to the estimated statewide annual wildlife-associated recreational economy of \$2.1 billion (USFWS/USCB 2008). Providing new access to large blocks of previously landlocked public lands would also attract more out of state recreationists, benefiting the local and statewide economies. Implementation of the Proposed Action Alternative is expected to have long term socioeconomic benefits for employment and income with no associated negative effects such as large population movements.

Under the Proposed Action Alternative, no highly adverse or disproportionate impacts to environmental justice populations would occur. Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972, the USDA prohibits discrimination on the basis of race, color, religion, national origin, age, sex, or disability. In accordance with AZGFD's Strategic Plan for 2007-2012 (2007), measures are being implemented to expand informational, educational, and interpretive outreach opportunities to culturally, economically and ethnically diverse constituencies. Entry into the *Arizona Access Program* would be voluntary and its scale would continue to be statewide. Minority and low income populations would have equal access to participate in the program if their land meets the eligibility criteria of suitable habitat and recreational value. Enrolled participants in the *Arizona Access Program* must grant equal access to all sportspersons with a valid hunting and/or fishing license, or wildlife watchers, based on their agreement to wave liability and conform to posted use conditions.

3.3.2.2 No Action Alternative

The existing *Arizona Access Program* would continue as currently administered under the No Action Alternative. No funding under the USDA VPA-HIP would be used by the State of Arizona; therefore, the program would not expand beyond its current limit of \$125,000 per year and enrollment of eight to ten participants a year. No additional local or statewide economic benefits associated with the expanded Access Program and increased wildlife-associated recreation would occur, and the existing program may be further diminished due to lack of incentives for enrolled landowner participants.

4.0 CUMULATIVE EFFECTS

4.1 Introduction

The CEQ regulations stipulate that the cumulative effects analysis within a PEA should consider the potential environmental impacts resulting from the incremental impacts of the action when added to other past, present and reasonably foreseeable actions regardless of what agency or person undertakes such other actions. The CEQ guidance in Considering Cumulative Effects affirms this requirement, stating that the first steps in assessing cumulative effects involve defining the scope of the other actions and their interrelationship with the Proposed Action. The scope must consider geographic and temporal overlaps affected by the Proposed Action and other programs or projects. It must also evaluate the nature of interactions among these actions.

Cumulative effects most likely arise when a relationship exists between a Proposed Action and other actions expected to occur in a similar location or during a similar time period. Actions overlapping with or in proximity to the Proposed Action would be expected to have more potential for a relationship than those more geographically separated. Similarly, actions that coincide, even partially, in time tend to have potential for cumulative effects.

4.2 Past, Present, and Reasonably Foreseeable Actions

In this PEA, the affected environment for consideration of direct and indirect impacts includes the entire State of Arizona where landowners of private lands are eligible to enter into the *Arizona Access Program* agreements with the State. For the purposes of this analysis, the goals and plans of Federal programs designed to mitigate the risks of degradation of natural resources on private lands are the primary sources of information used in identifying past, present, and reasonably foreseeable actions. In addition to VPA-HIP grant funds, the State of Arizona maintains and implements numerous Federal programs authorized under the Farm Bill to conserve and enhance the natural resources of the State. These programs include, but are not limited to WHIP, EQIP, WRP, GRP and the Conservation Stewardship Program (CSP). Other Federal programs are sponsored by the USFWS such as the Landowner Incentive Program and Partners for Fish and Wildlife (Table 4.2-1).

4.2.1 Cumulative Effects Matrix

The incremental contribution of impacts of the Proposed Action, when considered in combination with other past, present, and reasonably foreseeable actions, are expected to add positively to the long-term cumulative impacts to biological, recreation and socioeconomic resources in the proposed use of VPA-HIP grant funds for the expansion of the *Arizona Access Program*. Past, present, and reasonably foreseeable actions are considered generally for each resource included within Section 3.0 of this PEA and are presented in Table 4.2-2.

Table 4.2-1. Federal and State Conservation Assistance Programs

| Program | Summary |
|---|---|
| Landowner Incentive Program (USFWS and AZGFD) | The Landowner Incentive Program (LIP) is a partnership between Federal/State governments and private landowners. This program provides financial incentives and technical advice to private landowners for the improvement, restoration and protection of habitat for at-risk species on private lands. |
| Partners for Fish and Wildlife (USFWS) | The primary purpose of this program in Arizona is for habitat restoration and conservation for Arizona's fish and wildlife resources. The major goals of the program in Arizona includes the protection of Federal TES and other trust species; protect and restore valuable habitat; restore biological integrity; reduce habitat fragmentation; develop partnerships for habitat restoration; provide technical assistance to landowners; and promote environmental education. The program provides technical and financial assistance to landowners that voluntarily increase the wildlife habitat value of the lands. |

4.3 Irreversible and Irretrievable Commitment of Resources

NEPA requires that environmental analysis include identification of any irreversible and irretrievable commitments of resources which would be involved in the Proposed Action should it be implemented. Irreversible and irretrievable resource commitments are related to the use of nonrenewable resources and the effects that the use of these resources has on future generations. Irreversible effects primarily result from the use or destruction of a specific resource that cannot be replaced within a reasonable time frame. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the action. For the Proposed Action, no irreversible or irretrievable resource commitments would result.

Table 4.3-1. Cumulative Effects Matrix

| Resource | Past and Present Actions | Proposed Action | Future Actions | Cumulative Effects |
|-----------------------------|--|--|---|---|
| Biological Resources | Positive impacts to wildlife and protected species would result from past and present actions as an outcome of maintaining suitable wildlife habitat under the current <i>Arizona Access Program</i> . However, the benefits from maintaining additional wildlife habitat from an expanded <i>Arizona Access Program</i> would not occur. | Under the Proposed Action, positive impacts to wildlife and protected species would occur as a result of an increased amount of private lands being maintained as suitable wildlife habitat. While the amount of accessible public and private land, and the number of persons using it would increase, bag and creel limits would continue to be managed in accordance with Arizona State fish and game laws. | Continued enrollment of private lands in the <i>Arizona Access Program</i> is likely to have positive impacts on wildlife and protected species. | Long-term positive impacts to biological resources would occur from the Proposed Action and other known and reasonably foreseeable actions. |
| Recreation | Positive impacts to recreation would result from past and present actions. The lands made available under the current <i>Arizona Access Program</i> would positively impact recreational activities such as hunting, fishing, and other outdoor activities. However, the goals of expanding the <i>Arizona Access Program</i> lands and increasing public awareness about the program would not be realized. | Under the Proposed Action, long-term positive impacts to outdoor recreational activities in the additional lands expected to be enrolled in the expanded <i>Arizona Access Program</i> would occur. Similarly, positive impacts to recreation are expected from the State’s plan to expand public awareness on the access program under the Proposed Action. | Continued enrollment of private lands in the <i>Arizona Access Program</i> is likely to have positive impacts on recreational activities similar to those described in past and present actions | Long-term positive impacts to recreation would occur from the Proposed Action and other known and reasonably foreseeable actions. |

Table 4.3 1. Cumulative Effects Matrix (cont'd)

| Resource | Past and Present Actions | Proposed Action | Future Actions | Cumulative Effects |
|--|---|--|--|---|
| <p>Socioeconomics and Environmental Justice</p> | <p>Past and present programs that offer monetary compensation to private landowners for allowing access to public and private lands would continue. However, the slight economic benefit to local and statewide wildlife-associated economies from additional <i>Arizona Access Program</i> participants, and increased number of out of State recreationists as described under the Proposed Action would not occur. Moreover, the limited public outreach under past and present actions may limit usage of accessible private and public lands.</p> <p>No highly adverse disproportionate impacts to environmental justice populations would occur. AZGFD would continue to take measures to expand informational, educational, and interpretive outreach opportunities to culturally, economically and ethnically diverse constituencies.</p> | <p>A slight economic benefit to both local and statewide economies would occur under the Proposed Action from the addition of approximately 40 participants and about 8 million acres of recreational lands each year dispersed throughout the State. Moreover, increased public awareness of the <i>Arizona Access Program</i> is expected to increase usage of recreational lands, both from instate and out of state recreationists and contribute to the statewide annual wildlife-associated recreational economy. As with past and present actions, no highly adverse disproportionate impacts to environmental justice populations would occur under the Proposed Action.</p> | <p>Continued enrollment of private lands is likely to have potential impacts to socioeconomics and environmental justice similar to those described in past and present actions.</p> | <p>Positive, long-term direct and indirect cumulative impacts to local economics are expected to result from the Proposed Action, along with past, present, and future actions.</p> |

5.0 MITIGATION

5.1 Introduction

The purpose of mitigation is to avoid, minimize, or eliminate negative impacts on affected resources. CEQ regulations (40 CFR 1508.20) state that mitigation includes:

- avoiding the impact altogether by not taking a certain action or parts of an action;
- minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- compensating for the impact by replacing or providing substitute resources or environments.

5.2 Roles and Responsibility

CEQ regulations state that all relevant reasonable mitigation measures that could improve a project should be identified, even if they are outside the jurisdiction of the lead agency or cooperating agencies. This serves to alert agencies or officials who can implement these extra measures, and would encourage them to do so. The lead agency for this Proposed Action Alternative is FSA.

5.3 Mitigation

There are no expected major negative impacts associated with use of the VPA-HIP grant funds and the expansion of the *Arizona Access Program*; therefore, no mitigation measures would be required. A State LRP representative and area Wildlife Manager would complete a site visit and evaluation to identify habitat and species present prior to enrollment in the *Arizona Access Program*. In those site-specific instances where a wetland, threatened or endangered species, or a cultural resource may be present, consultation with the appropriate lead agency would identify the potential severity of the impact and devise measures required to eliminate or reduce the negative impacts to those sensitive resources.

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| Name | Company | Years Experience | Contribution |
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| Susan Miller, Senior NEPA Project Manager | Geo-Marine, Inc. | 22 | Senior Project Manager, Quality Assurance, Executive Summary, Socioeconomics |
| Brian Bishop, NEPA Analyst / Environmental Scientist | Geo-Marine, Inc. | 5 | Project Manager, Chapters 1 & 2, Cumulative Impacts, Mitigation, References |
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| Christopher Lotts, Project Biologist | Geo-Marine, Inc. | 6 | Biological Resources |
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APPENDIX A

Agency Coordination Letter

Agency Distribution List

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April 11, 2011

To: *See Distribution List*

Re: Final Programmatic Environmental Assessment for the use of Voluntary Public Access and Habitat Incentive Program grant funds for the *Arizona Access Program*

Dear

The United States Department of Agriculture, Farm Service Agency (FSA) on behalf of the Commodity Credit Corporation has prepared a Programmatic Environmental Assessment (PEA) to assess the impacts of using Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds for the expansion of the *Arizona Access Program*. The VPA-HIP is a new program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. Projects receiving VPA-HIP funds are administered by the State or tribal government that receives the grant.

The Arizona Game and Fish Department (AZGFD) proposes to use VPA-HIP funds to expand the current *Arizona Access Program* on a statewide basis in order to increase enrollment and associated program acreage and to increase public awareness of accessible private lands and routes to State and Federal lands. VPA-HIP grant funds would allow the State to meet the high demand for incentive payments for term agreements for access to private lands or rights-of-way through private lands to State and Federal lands by supplementing *Arizona Access Program* funding. It would also expand public awareness about the program and accessible private lands and routes to State and Federal lands by funding an additional AZGFD staff position specifically to create and maintain *Arizona Access Program* web-based maps and Global Positioning System (GPS) points of access, as well as documenting program accomplishments. The Proposed Action would not result in any land use changes, or disturbances to the ground or vegetation.

An electronic version of the Final PEA for the proposed use of VPA-HIP grant funds for the expansion of the *Arizona Access Program* is now located at <http://public.geo-marine.com>. Electronic comments may be posted at this site as well. An electronic copy of the Final PEA can also be reviewed at <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>. Written comments regarding this assessment can also be submitted to:

Arizona VPA-HIP PEA Comments
c/o Geo-Marine Incorporated
2713 Magruder Boulevard, Suite D
Hampton, Virginia 23666
Or emailed to ArizonaPEA@geo-marine.com
Or faxed to (757) 873-3703



2713 Magruder Blvd., Suite D • Hampton, VA 23666

Phone: 757-873-3702 • Fax: 757-873-3703

www.geo-marine.com

Arizona VPA-HIP PEA
April 4, 2011
Page 2

Please submit all comments by May 10, 2011. Thank you in advance for your input; it will greatly assist FSA and the State of Arizona in their planning.

Respectfully,

Brian E. Bishop, Project Manager

Cc: Matthew Ponish, FSA
Alfred Aiden, AZGFD

Engineering and Environmental Services

TEXAS • VIRGINIA • TENNESSEE • NORTH CAROLINA • NEW JERSEY • UTAH

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APPENDIX B

Arizona Access Program Previous and Current Year Statistics

Estimated Number of *Arizona Access Program* Users under the Proposed Action

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**Arizona Access Program Previous Year Agreements and Current Year Projected Agreements, Acres Opened,
and Estimated Usage**

| | FY 2006 | FY 2007 | FY 2008 | FY 2009 | FY 2010 | Projected FY 2011 (Current Program) | Average |
|--|------------------|------------------|------------------|------------------|------------------|--|------------------|
| Number of agreements with both private and public lands opened | 8 | 19 | 14 | 16 | 10 | 5 | 12 |
| Number of agreements with only public lands opened | 2 | 7 | 5 | 2 | 1 | 3 | 3 |
| Total number of agreements | 10 | 26 | 19 | 18 | 11 | 8 | 15 |
| Number of private acres opened | 840,000 | 968,000 | 490,000 | 803,000 | 745,000 | 907,000 | 792,167 |
| Number of public acres opened | 1,185,000 | 1,995,000 | 1,120,000 | 1,415,000 | 1,045,000 | 1,258,000 | 1,336,333 |
| Total acres opened | 2,025,000 | 2,963,000 | 1,610,000 | 2,218,000 | 1,790,000 | 2,165,000 | 2,128,500 |
| Estimated number of big game users | 4,100 | 4,600 | 3,600 | 4,400 | 3,900 | 4,200 | 4,133 |
| Estimated number of small game users | 3,500 | 5,700 | 2,800 | 4,900 | 3,100 | 2,500 | 3,750 |
| Estimated number of wildlife viewers | 1,200 | 3,700 | 2,800 | 1,100 | 700 | 1,000 | 1,750 |
| Total users | 8,800 | 14,000 | 9,200 | 10,400 | 7,700 | 7,700 | 9,633 |
| Users per acre | 0.0043 | 0.0047 | 0.0057 | 0.0047 | 0.0043 | 0.0036 | 0.0046 |

Source: A. Aiden, personal communication, February 2011

**Estimated Number of
Arizona Access Program
Users under the
Proposed Action¹**

| | | |
|---|-----------|---|
| Projected acres with VPA-HIP funds | 8,000,000 | x |
| Average number of users per acre | 0.0046 | |
| Estimated number of users | 36,800 | |

1. Estimate calculated using the projected number of acres opened with USDA VPA-HIP grant funds multiplied by the average number of users per acre under the current *Arizona Access Program*.