RECEIVED
NOV 28 2011
BUREAU OF LAND MANAGEMENT
PHOENIX DISTRICT OFFICE

PO Box 42486
Tucson AZ 85733

November 23, 2011

BLM, Phoenix District
LS-SDNM RMP
21605 North 7th Avenue
Phoenix, Arizona 85027

Re: Draft Resource Management Plan/Environmental Assessment for the Sonoran Desert National Monument

Dear Sirs,

Although the Draft Resource Management Plan and Environmental Assessment (DRMP/EA) states that recreational shooting is incompatible with the proclamation that established the Sonaran Desert National Monument (SDNM), many of the assumptions and information upon which this statement is based are demonstrably false. Furthermore, the rationale and methodology are overly broad and biased, in addition to being based on false assumptions and information. There are also numerous contradictions that further demonstrate that the DRMP/EA is fatally flawed.

After examining the rationale, methodology and assumptions of the DRMP/EA, it appears that the DRMP/EA is an elaborate attempt to conceal and justify a pre-decisional determination to ban shooting on the SDNM.

A major false assumption propagated throughout the DRMP/EA is the idea that recreational target shooters routinely commit illegal acts and degrade the environment.

The DRMP/EA defines ***Recreational target shooting*** on page 978 as:

The discharge of any firearm for any lawful, recreational purpose other than the lawful taking of a game animal. Recreational target shooting does not include firearms use employed in accordance with state hunting regulations and policy regarding recreational target shooting does not apply to hunters in pursuit of game with firearms that are being employed in accordance with such regulations.

Then, in direct contradiction to this definition, the DRMP/EA proceeds to accuse ***Recreational target shooters*** of a long list of illegal activities including:

- Intentional shooting of saguaro cactuses
- Shooting trees
- Shooting petroglyphs
- Illegal dumping
- Littering
- Shooting at wildlife
- Killing wildlife
- Committing acts of vandalism
- Shooting signs

- "Drive-by shotgunning"
- shooting restroom doors
- Shooting through block walls of restrooms
- Destroying BLM trailhead cultural facilities, including interpretive signs and register boxes
- Endangering people

The DRMP/EA then claims that these illegal acts will be alleviated by banning recreational target shooting.

Being a recreational target shooter myself and also having surveyed many recreational shooters over fifteen years in my capacity as a director of shooting range development with the Tucson Rod and Gun Club as well as a decade of experience as a Board Member of the National Rifle Association, it is my long experiemce that the vast majority of recreational target shooters do not commit such illegal acts and are extremely careful to clean up after shooting so as to leave no evidence of their shooting activities.

Those individuals that are committing illegal acts and degrading the environment are not recreational target shooters, they are just criminals that happen to own guns. These people are not recreational target shooters any more than drive-by shooters are recreational target shooters.

But BLM, through the DRMP/EA, refuses to recognize the difference between legitimate, law abiding recreational target shooters and common criminals and, as a result, seeks to unjustly deprive law abiding shooters of a legitimate recreation.

This major false assumption in the DRMP/EA that becomes even more evident when one examines the treatment of hunting compared to recreational target shooting.

The DRMP/EA states that hunting will be allowed throughout the SDNM whereas target shooting will be restricted or prohibited, even though there is very little practical difference between recreational game shooting and recreational target shooting, as both are practiced by ethical and responsible shooters.

There is a major inconsistency and contradiction in the treatment of hunting compared to recreational target shooting. According to the DRMP/EA, vast tracts of land are deemed unsuitable for recreational target shooting where:

- There are monument objects
- There are desert tortoises
- Certain arbitrary (and invalid) criteria (created by BLM) for safe shooting are not met

Yet all of these same areas are deemed suitable for shooting when such shooting is done by hunters.

According to every alternative in the DRMP/EA, hunting will be allowed throughout the SDNM and nowhere in the DRMP/EA is any accusation that hunters are guilty of

- littering,
- damaging monument objects (saguaro cacti, trees, petroglyphs)

- endangering humans or wildlife,
- vandalism or other illegal acts.

even though hunters shoot in areas where:

- There are monument objects
- There are desert tortoises
- Certain arbitrary (and invalid) criteria (created by BLM) for safe shooting are not met

It is clear that the type of shooting that hunters engage in is of absolutely no concern to the BLM and that BLM recognizes that it is possible to allow shooting to occur in the above areas of concern without resource damage or danger.

Oddly, the DRMP/EA seems to have missed the point that the largest group of recreational target shooters are hunters who take to the field to sight in their rifles and to practice their field shooting skills prior to hunting season. Such field shooting is necessary and commonly practiced by hunters to assure that they can accurately and cleanly shoot their game under field conditions without wounding and causing unnecessary suffering. In such field shooting one's footing on rocks, branches and soil is less sure than on the concrete floor of a shooting range. Likewise distance estimates and perspectives in the field are completely different from the exact measured distances on a formal shooting range. And of course there is no solid concrete bench from which to shoot in the field. All these issues justify field shooting practice by hunters.

It is also clear from the DRMP/EA reference to the 2006 report of the U.S. Institute for Environmental Conflict Resolution (which BLM funded and participated in), that the BLM is aware of the finding in that report that stated:

"We also repeatedly heard from individuals across every interest group that the vast majority of recreational shooters behave responsibly, and that it is their perception that a small minority of irresponsible, unorganized shooters causes the problems with safety and vandalism that have been reported on public lands."

The false assumption that recreational target shooters are the cause of numerous illegal acts that degrade the environment and endanger life completely biases the methodology and analysis set forth in the DRMP/EA that rely of this assumption. The severity of this bias renders the DRMP/EA meaningless and fatally flawed.

A second and related false assumption is that virtually all recreational target shooting sites contain shooting related litter. This assumption directly contradicts not only the definition of recreational target shooting but also the fact that the vast majority of recreational target shooters are law abinding, conscientious citizens who clean up after themselves.

The reliance on this false assumption results in the exclusion of many clean shooting sites from the DRMP/EA analysis, which results in several false conclusions:

- That shooting sites are more damaging to the environment than non-shooting sites.
- That recreational target shooters routinely damage the environment and endanger people
- That there are no clean shooting sites.

A third false assumption is that the illegal dumping at some shooting sites was being done by the shooters. Many illegally dumped items found at target shooting sites are clearly not brought there by shooters. Such items include palm fronds, large pieces of broken concrete, newspapers, foam couch cushions, etc. The fact that other household trash items have been shot does not prove that the shooters dumped them there in the first place. The ready proximity of many shooting sites to civilization unfortunately makes these sites ideal for illegal dumping.

A large amount of inappropriate methodology results from a fourth false assumption that it is possible to develop criteria that can be universally applied to vast tracts of land to locate suitable places for recreational target shooting.

The DRMP/EA could have avoided making this false assumption if it had taken note of the 2006 report of the U.S. Institute for Environmental Conflict Resolution (which BLM funded and participated in), that concluded:

'The second aspect of this issue identified in the assessment was the potential development of a "criteria for appropriate zones for formal and informal shooting opportunities." Subcommittee dialog and discussion initially focused on determining whether this concept could be addressed. After significant debate, the subcommittee participants determined that a general criteria would not be useful to help the various agencies locate and manage shooting locations on public land.'

Unfortunately the BLM through the DRMP/EA chose to ignore this finding and proceeded to develop a series of flawed criteria that were then used to exclude practically all of the SDNM from recreational target shooting.

The GIS analysis rationale using "criteria" for finding suitable sites for shooting is defective because it excludes recreational target shooting from all areas that:

- are habital for certain cacti and other trees
- are habitat for desert tortoises
- do not meet certain arbitrary (and invalid) criteria (created by BLM) for safe shooting

This analysis is flawed because:

- The available evidence shows that recreational target shooters are not shooting cacti or other trees or otherwise endangering people or wildlife..
- The DRMP/EA cites no evidence that recreational target shooters are injuring or killing tortoises.
- The criteria for finding suitable shooting sites are flawed (see below)

Furthermore, the assumption that monument objects will be damaged or destroyed and desert tortoises will be injured or killed if target shooting is allowed in certain areas of the monument is contradicted by the fact that game shooting will still be permitted unrestricted in these same areas. The DRMP/EA makes no effort to explain this contradiction as well as the fact that many recreational target shooters are hunters and the vast majority of recreational target shooters are responsible shooters.

The criteria used to judge the safety of shooting sites is clearly erroneous, as many shooting ranges operated by private sector and government agencies have violated these criteria in total

safety for many years. The simple fact is that many safe shooting ranges have human habitations located downrange a short distance within the shooting fan, in violation of the DRMP/EA criteria.

It is not reasonable to develop one-size-fits-all criteria for locating suitable places to shoot because each shooting site is unique and has unique requirements. Site attributes such as backstop height, shooting fan angles and downrange features are all highly site dependent and cannot be judged with general criteria. I make these statements from many years of experience with shooting range design and as Vice Chairman of the NRA Shooting Range Development Committee

The use of topographic maps in the DRMP/EA GIS analysis to determine suitable slope for shooting sites is crude and inaccurate and leads to eliminating many ideal shooting spots. Many recreational shooters seek out such spots that are not easily discernable from maps or from existing roads.

The DRMP/EA completely misses the fact that, since shotguns have very short range, that none of the shooting slope, backstop, shooting fan and downrange features criteria could possibly apply to shotgun shooting. In addition, since .22 caliber firearms and pistols are far less powerful than high powered hunting rifles, the same safety criteria for high powered rifles cannot be applied to pistols and .22 caliber firearms.

What is evident from the maps of shooting and recreational sites provided in the DRMP/EA, is that shooters are taking the time to select their shooting sites and only a fraction of recreation sites are also shooting sites.

The DRMP/EA makes additional unsupported statements that automatic firearms in the hands of recreational target shooters are more dangerous than non-automatic firearms and that firearms are more powerful today than they were in the past. In fact, bath of these statements are false.

According to federal and state law, automatic firearms can only be owned by individuals who are certified to be responsible and of good character. Not just anyone can get an automatic firearm.

The statement that firearms are more powerful today that ever before is easily contradicted by examination of firearms manuals from the past which show that every caliber and power level of ammunition available today was matched by ammunition of equivalent power in the years gone by.

I wish to reiterate the following facts that were overlooked by the DRMP/EA:

- Recreational target shooters are law abiding and do not damage monument objects or endanger humans or wildlife
- A large number of recreational target shooters are hunters
- Recreational shooters clean up after themselves when finished shooting
- It is difficult to identify many recreational target shooting sites because the shooters keep them clean
- Many recreational shooting sites cannot be seen from the road
- Automatic firearms owners are law abiding responsible shooters

- Many areas suitable for shooting exist that would be missed by looking at a map
- Illegal dumping by non-shooters at some target shooting sites occurs because the sites are easily accessible by roads

Other alternatives that the DRMP/EA failed to consider is the use of law enforcement to cite those who violate the law. If there is a lack of sufficient law enforcement personnel to enforce the law, then the case should be made for increased law enforcement funding, not for a total ban on shooting.

Illegal dumping and resource damage especially, should be vigorously cited and stiff fines should be assessed at a level commensurate with all law enforcement and cleanup costs incurred. The BLM has the power to request such action through the executive branch. It should do so immediately.

Judging from the amount of damage being done, it would appear likely that a law enforcement officer could more than pay for his or her salary by simply patrolling the area and writing citations with fines in the $200 to $500 range. With the extent of the damage stated to be occurring, it should be possible to amend federal law to accomodate such sanctions.

Perhaps stiff fines will be the only thing these inconsiderate individuals will understand.

An additional alternative would be to clear, enhance and make hospitable a number of readily accessible areas for shooting so that the damage of the lawless element is minimized. Such enhancements could also include areas where law enforcemnet could observe the shooting areas without being seen themselves, in order to facilitate catching lawless individuals.

These suggestions and the facts that I have discussed above should be given full consideration by BLM in place of banning shooting in the SDNM.

SIncerely,

Don Saba Ph.D.
Vice President
Tucson Rod and Gun CLub
Member, Board of Directors
National Rifle Association

email: ads@trgc.org

Don Saba
P.O. Box 42486
Tucson, AZ 85733

SA TUCSON
Wed
25 NOV

BLM, Phoenix District
LS-SDNM RMP
21605 North 7th Avenue
Phoenix, Arizona 85027

85027$2929 C056