



## New Mexico Department of Agriculture

Office of the Director/Secretary  
MSC 3189  
New Mexico State University  
P.O. Box 30005  
Las Cruces, NM 88003-8005  
575-646-3007, Fax: 575-646-8120

April 1, 2015

Ms. Elaine B. Kohrman, Forest Supervisor  
Mr. Champe Green, Forest Planner  
Cibola National Forest  
United States Forest Service  
2113 Osuna Road, NE  
Albuquerque, NM 87113

RE: Notice of Intent to Revise the Cibola National Forest Mountain Ranger District's Land and Resource Management Plan and Prepare an Environmental Impact Statement

Dear Ms. Kohrman and Mr. Green:

New Mexico Department of Agriculture (NMDA) submits the following comments in response to the United States Forest Service (USFS) Notice of Intent (NOI) to Revise the Cibola National Forest Mountain Ranger District's Land and Resource Management Plan and Prepare an Environmental Impact Statement (EIS) (80 FR 6945 – 6947). This NOI provides the public the opportunity to provide comments on the Need for Change Statements (NFCSSs) and the Proposed Action. While NMDA applauds this Proposed Action to revise the existing outdated Cibola Forest Plan, we do have several comments regarding the NFCSSs.

One part of NMDA's role is to provide proactive advocacy and promotion of New Mexico's agricultural industries. Agriculture contributed \$4 billion in cash receipts to New Mexico's economy in 2012 (New Mexico Agricultural Statistics, 2012). NMDA supports management of National Forest System lands under the principles of multiple use and sustained yield as congressionally mandated by the Multiple-Use and Sustained Yield Act of 1960 (16 U.S.C. 528-531) and further codified by the National Forest Management Act of 1976 (16 U.S.C. 1601-1614).

NMDA's comments are specific to the treatment of our proposed NFCSSs that we submitted on July 11, 2014. Our comments are organized to reflect the published NFCSSs as described in this NOI.<sup>1</sup> We have utilized the same headings and italicization protocol used in the published NFCSSs (i.e., Italicized sentences are our proposed NFCSSs that are addressed in the published NFCSSs in the NOI. Our comments for this NOI follow in a bulleted, nonitalicized format). In

---

<sup>1</sup> Preliminary Statements of Needs for Changes to the Existing 1985 Cibola Forest Plan (updated February 9, 2015). Updates include comments captured during all of the collaborative work sessions and those received via e-mail/CARA or postal mail through July 31, 2014, or postmarked by that date. Available:

[http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=FSBDEV3\\_065627](http://www.fs.usda.gov/detail/cibola/landmanagement/planning/?cid=FSBDEV3_065627)

addition to the specific comments on the NFCSs provided below, we would like an explanation on when and how the public will be provided the opportunity to be involved with nonplan components such as management approaches, monitoring programs, etc.

## **I. Throughout the Plan**

No comments.

## **II. Across Multiple Resource Areas**

*There is a need to more robustly address the invasive species problems on the Cibola. This should be done by creating a plan to continue working with local, state, and other federal agencies to control and eradicate problem species. This is addressed above in needs-for-change statement II.b.*

- NFCS II.b. states, “There is a need for the revised plan to address invasive species on the Cibola.” NMDA reasserts that the importance of addressing invasive species is critical in the health of watersheds, and we ask that a detailed and robust management plan for invasive species be established.

*There is a need to specifically create an eradication plan to control and eradicate feral hogs (and other invasive animal species) on USFS lands in collaboration with other local, state, and federal agencies. This is addressed above in needs-for-change statement II.b.*

- Same comment as above.

*There is a need to collect, analyze, and distribute survey and other monitoring data on a more consistent and reliable basis for all forest health measurements. This should also include a plan on how such collection, analyses, and distributions will take place and how often. This is addressed above in needs-for-change statement II.d.*

- NFCS II.d. states, “There is a need for the revised plan to include a monitoring program per Section 219.12 of the 2012 Planning Rule; the monitoring program informs adaptive management of the plan area.” NMDA agrees that our proposed NFCS is addressed in NFCS II.d.

*There is a need for the revised plan to consider land use plans developed by Soil and Water Conservation Districts and for the Cibola to engage these groups. This is a partnership opportunity.*

- Please clarify how “partnership opportunities” will be incorporated into the Forest Planning process. It is not addressed as a Plan Component, Plan Content, or Non-Plan Component within the published Needs for Change Statements description on pages 1-3.

*Change above to read: There is a need for the revised plan to consider land use plans developed by Soil and Water Conservation Districts and land grant management plans and for the Cibola to engage these groups. This is a partnership opportunity.*

- Same comment as above.



### III. Ecological (Restoring Ecosystems and Habitats)

#### ***B. Soils***

*There is a need to acknowledge and continue the benefits of properly managed land disturbance activities, such as grazing and fire, to grassland habitats including species richness, plant species diversity (Belsky 1992, Collins 1987, Fuglendorf et al 2006), and forage plant productivity (Holechek et al., 2006). This is a management approach.*

- No comments.

*There is a need to analyze and plan for ecosystem and habitat restoration in a more synergistic manner. For instance, stand density, fire, plant diseases, and other ecological stressors should be analyzed as a whole in contributing or detracting from forest health – not as independent stressors (Parker et al, 2006). This is a management approach.*

- No comments.

#### ***C. Water***

*There is a need to plan for watershed health as it relates to downstream surface water users, especially when planning for forest fire mitigation and recovery efforts. This is a role or contribution.*

- No comments.

*There is a need to clearly explain the issue of surface and ground water rights on National Forest System lands. Under New Mexico's prior appropriation system, water rights require a permit holder to apply water rights to the intended beneficial use. In the context of livestock watering rights, federal agencies are unable to comply with this requirement due to the fact that grazing permit holders, not the federal agency, are owners of the livestock on federal grazing allotments. This is governed by existing law, regulation, or policy: FSM 2540 Water Uses and Development, Regional Supplement No. 2500-2001-1.*

- NMDA acknowledges that the USFS works within federal and state legal frameworks for water rights. However, we assert that the Forest Plan should specifically address federally reserved water rights claimed by the Cibola National Forest, state appropriated water rights, and the applied beneficial uses as they relate to long-term planning in the Cibola.

*There is a need to recognize the importance of grazing permit holders' water development projects as a benefit to wildlife for water access. Hunting and wildlife viewing in the Cibola would not be as significant were it not for privately developed water rights and infrastructure. This is a management approach.*

- No comments.

#### IV. Socioeconomic (Multiple Uses and Human Influences)

##### *C. Multiple Uses*

##### **1. Timber and Special Forest Products**

*There is a need to more vigorously address the issues with partner agencies and organizations that arise from overly dense forest stands opportunities (Management approach). Thinning spurs economic activity from forest products, increases snowpack and thus surface water, and lessens loss of snowpack to evaporation or sublimation among other benefits.*

- This is also addressed in NFCS IV.C.1.a-b, which states, “There is a need for the revised plan to provide plan direction for restoration treatments for those Geographic Areas and Ecological Response Units (ERUs – vegetation types) that are most outside of the natural range of variability while considering capability of local infrastructure, contractors, and markets. There is a need for the revised plan to provide direction for management and accommodation of the removal of miscellaneous products for commercial, noncommercial, and tribal and land grant use, such as wood products, firewood, grass seed, plants (used for food, fuel, medicine, or crafts) or other materials.”

*There is a need to develop an action plan for forest thinning and catastrophic fire suppression. This action plan should include steps the USFS will take to conduct forest thinning, controlled burns, etc., with a timeline and available resources. The USFS will mutually benefit from removing all (including burned) biomass from the Cibola. Management approach.*

- No comments.

*There is a need to more efficiently manage the National Environmental Policy Act process in forest thinning and fire mitigation activities. Governed by existing law, regulation, or policy (National Environmental Protection Act, National Forest Management Act, and Healthy Forest Restoration Act).*

- No comments.

*There is a need to reevaluate the number of months or years of viability in which companies or private users can harvest burned trees after a fire. Certain timber markets and the USFS will mutually benefit from removing all (including burned) biomass from the Cibola. Governed by existing law, regulation, or policy (National Environmental Protection Act, National Forest Management Act, and Healthy Forest Restoration Act).*

- NMDA requests that this proposed NFCS be addressed through a management approach.

*There is a need for the USFS to research ways to create or incentivize market-based approaches to reduce woody biomass in the Cibola. Addressed in IV.C.1.b.*

- NFCS IV.C.1.b. states, “There is a need for the revised plan to provide direction for management and accommodation of the removal of miscellaneous products for commercial, noncommercial, and tribal and land grant use, such as wood products, firewood, grass seed, plants (used for food, fuel, medicine, or crafts), or other materials.



NMDA agrees that our proposed NFCS is addressed in IV.C.1.b.

## **2. Range and Grazing**

*There is a need for sustainably managed access to riparian areas for grazing purposes (Addressed in IV.C.2.a.). Managed riparian grazing should be maintained in all ranger districts to ensure riparian vegetative communities are achieving their full potential (Baker et al, 2001) and that legal water rights of livestock owners are maintained (Governed by existing law, regulation, or policy—FSM 2240.2 and 2240.3 Range Improvements, FSM 2526 Watershed and Air Management, Riparian Area Management.*

- IV.C.2.a. states, “The revised plan needs to provide management direction to the livestock grazing program that incorporates adaptive management toward ecosystem-based desired conditions, with particular emphasis on management in times of drought or other extreme weather-related events.” NMDA agrees that our proposed NFCS is addressed in IV.C.2.a.
- NMDA acknowledges that the Cibola will work within the parameters of existing USFS policies to ensure that water rights are maintained and that USFS will work toward ensuring healthy ecosystems for the benefit of multiple users.

*There is a need to work more synergistically with the New Mexico Game and Fish Department in managing elk herds in the Cibola. Access to forage for grazing permit holders can be better managed with a more cohesive plan for elk herd management. Management approach.*

- No comment.

*There is a need for more adaptive management in implementing the Environmental Assessments and grazing plans for grazing permit holders. Addressed in IV.C.2.a.*

- NFCS IV.C.2.a. states, “The revised plan needs to provide management direction to the livestock grazing program that incorporates adaptive management toward ecosystem-based desired conditions, with particular emphasis on management in times of drought or other extreme weather-related events.” NMDA agrees that our proposed NFCS is addressed in IV.C.2.a.

*There is a need to more cohesively address native and nonnative invasive species (Addressed in II.b. and IV.C.2.a.). Though the use of NMDA’s Invasive Species List is appreciated and should continue, invasive species should be evaluated and addressed on an ecosystem-by-ecosystem basis (Management approach). Each ecosystem has unique health needs and problem plants and animals – not all of which can be addressed in a one-size-fits-all approach.*

- NFCS II.b. states, “There is a need for the revised plan to address invasive species on the Cibola.” NFCS IV.C.2.a. states, “The revised plan needs to provide management direction to the livestock grazing program that incorporates adaptive management toward ecosystem-based desired conditions, with particular emphasis on management in times of drought or other extreme weather-related events.” NMDA agrees that our proposed NFCS is addressed in NFCSs II.b. and IV.C.2.a. and that ecosystem-based determinations for invasive species can be addressed through a management approach.

*There is a need for the USFS to allow permit holders to apply herbicides on their allotments given they have followed the correct steps to obtain their pesticide or herbicide applicator's license. [Management approach.](#)*

- No comments.

*There is a need to more proactively plan for water access for grazing in times of drought. This will help mitigate hardships encountered by grazing permit holders in terms of forage and water expectations in their business planning. [Addressed in IV.C.2.a.](#)*

- NFCS IV.C.2.a. states, "The revised plan needs to provide management direction to the livestock grazing program that incorporates adaptive management toward ecosystem-based desired conditions, with particular emphasis on management in times of drought or other extreme weather-related events." NMDA agrees that our proposed NFCS is addressed in IV.C.2.a.

*There is a need to create a reliable protocol to involve grazing permit holders when decommissioning or disinvesting infrastructure that affects allotments in the Cibola. [Management approach.](#)*

- No comment.

#### ***H. Energy, Minerals, and Special Uses***

##### **1. Conservation Education**

*There is a need for a comprehensive education and outreach program dedicated to mitigating and decreasing invasive species on the Cibola. [Management approach.](#)*

- No comment.

##### **2. Monitoring**

*There is a need to collect, analyze ([Monitoring program](#)), and distribute ([Management approach](#)) survey and other monitoring data for grazing on a more consistent and reliable basis.*

- Please clarify if management and monitoring policies will be available for public review under the new Forest Planning Rule and associated directives.

Thank you for the opportunity to comment on this Notice of Intent. Please contact Ms. Lacy Levine at (575) 646-8024 or [llevine@nmda.nmsu.edu](mailto:llevine@nmda.nmsu.edu) with any questions regarding these comments.

Sincerely,



Jeff M. Witte  
JMW/ll/ya