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Western Watersheds Project

Working to protect and restore Western Watersheds and Wildlife

November 7, 2019

Ms. Jennifer Cramer
Forest Planner
Santa Fe National Forest
11 Forest Lane
Santa Fe, NM 87508

Letter submitted via santafeforestplan@usda.gov.

Re: Comments on the Santa Fe National Forest Draft Land Management Plan and Draft Environmental Impact Statement

Dear Ms. Cramer:

Thank you for the opportunity to comment on the Santa Fe National Forest's Draft Revised Management Plan (draft plan) and Draft Environmental Impact Statement (DEIS).

While WWP appreciates the opportunity to comment on the DEIS for the Santa Fe National Forest, we are disappointed that the Santa Fe, Carson, and Cibola National Forests chose to initiate the public comment period for their draft plans and DEISs concurrently, with all three sets of comments having the same deadline. This decision may significantly impede public comment and is inconsistent with the 2012 planning rule's emphasis on the importance of meaningfully involving the public throughout the plan revision process.[1]

WWP is a nonprofit organization dedicated to protecting and restoring western watersheds and wildlife through education, public policy initiatives, and legal advocacy. With over 5,000 members and supporters throughout the United States, WWP actively works to protect and improve upland and riparian areas, water quality, fisheries, wildlife, and other natural resources and ecological values. WWP's staff and members are concerned with the management of national forests and public lands throughout New Mexico, including the Santa Fe National Forest. We work throughout the West, advocating for watersheds, wildlife, and ecological integrity. The ongoing plan revision process affects our interest in the health and integrity of the terrestrial and riparian environments found in the Santa Fe

[1] See 77 Fed. Reg. 21162, 21178 (Apr. 9, 2012) (describing the rule's "transparent and collaborative approach to planning"

National Forest. Our staff and members regularly visit the Santa Fe National Forest and enjoy the outstanding wildlife, wilderness, and recreational values the Forest provides.

WWP is especially concerned with the impacts of livestock grazing on ecological integrity, wildlife, fisheries, and recreation. Across public lands and national forests in the West, grazing is ubiquitous, and it remains one of the primary commercial uses of the Forest. Too often, however, land managers do not adequately consider the environmental impacts of this widespread and highly extractive use; nor have federal land management agencies considered whether the environmental costs of public lands grazing outweigh the relatively insignificant economic benefits.

WWP asks the Forest Service to acknowledge that there is no way to conduct a sustainable and commercially viable livestock grazing operation in the arid southwest. If sustainable means simply that it can be done year after year, decade after decade, perhaps. But if "sustainable" is defined, as it is more commonly, to mean maintained at a steady level without depleting or exhausting natural or economic resources, public lands livestock operations fail to meet the bar. Public lands grazing operates at a profound financial public deficit (economically unsustainable), has converted and degraded entire landscapes (ecologically unsustainable), converts thousands of gallons of potable water into sewage every year (hydrologically unsustainable), produces greenhouse gases at levels that exceed other forms of agriculture (climatically unsustainable), and results in a product that is demonstrably adverse to human health when ingested frequently or in high amounts (nutritionally unsustainable). Additionally, the reliance on removing top predators from the landscape as a way of making it safe for untended livestock is highly impactful on native wildlife species such as the coyote, cougar, and black bear.

WWP notes, with great dismay, that the Forest Service has chosen to play on the emotional appeal and false romantic narrative of the "western way of life" that livestock grazing producers embrace, in abject denial of the realities and long history of degradation of livestock grazing in southwestern forests. The quotes found at the beginning of the "Sustainable Rangelands and Livestock Grazing" section of the Draft LRMP[2] expose the Forest Service's true approach to managing livestock grazing on the Santa Fe National Forest: ignore the best available science and rely upon the emotional pull of the "rural lifestyle" when making land management decisions. This approach turns a blind eye to the current degraded ecological conditions of the Santa Fe National Forest that have resulted from generations of livestock grazing exploitation on this forest.

The analysis in the DEIS briefly discusses the long history of livestock grazing in the Santa Fe National Forest, but fails to acknowledge the long-lasting negative impacts livestock grazing has had on the forest. There is no discussion of how livestock grazing has contributed to and continue to exacerbate altered fire regimes, invasive species, loss of species diversity, and degraded watersheds. Statements about the "benefits" of livestock grazing are extreme hyperbole: "aeration through hoof action" is actually destruction of soil crusts and structure that leads to erosion; "invasive plant control" is more accurately described as invasive plant distribution; "fine fuels reduction" is removal of forage for wildlife as well as removal of plant cover that prevents erosion.[3] We have no idea what "maintenance of open space off-forest" refers to and ask the Forest Service to explain this concept, or at least provide some scientific reference for this and all of the hyperbolic statements found in the

[2] Draft Land and Resource Management Plan at 120.
[3] *Id* at 121.

Draft LRMP. To put it very clearly, livestock are not, and do not provide, ecosystem services. Livestock producers use ecosystem services to produce livestock. The Forest Service states that "[l]ivestock grazing today plays an essential role in providing ecosystem services."[4] This is completely incorrect and this statement must be corrected to state that "livestock grazing permittees utilize the ecosystem services of the Santa Fe National Forest at a greatly reduced cost compared to those same services found on privately owned and managed lands."

To say this is disappointing is an understatement. To say it is likely a violation of federal regulations is accurate.

Therefore, we strongly recommend, among other environmental considerations, that the decisions regarding the proposed forest plan specific to livestock operations take into account the need to address sustainability and to plan for the recovery and expanded habitat of all native predators. In that light, we ask the Santa Fe National Forest to revisit the livestock grazing section of the Draft LRMP and DEIS.

To address this significant concern, the Forest Service must apply the best available scientific information, 36 C.F.R. § 219.3, to determine which areas of the Forest are suitable for livestock grazing, and which are not. 36 C.F.R. § 219.7(e)(1)(v). Unfortunately, the DEIS is silent on this issue as well as the capability of Forest Service lands to provide forage for livestock. This is a one primary example of a clear and direct failure of the Forest to apply the best available scientific information that must be remedied before the release of a final decision.

A. National Environmental Policy Act Violations

The Forest is violating the National Environmental Policy Act, 42 U.S.C. §4321 et seq. and its implementing regulations, 40 C.F.R. §1500 et seq., by issuing grazing permits and making important grazing management decisions on allotments throughout the Forest without compliance with NEPA's environmental analysis or public participation requirements and by deferring all site-specific analysis to some to-be-completed-but-aspirational revision of the Forest's outdated AMPs.

Analysis of impacts indefinitely deferred

The Forest Service is illegally deferring long-overdue analysis and failing to use the best available science and ignoring known and available information.

These violations are not remedied by the revision process but rather exacerbated by the clear direction to continue defer actual analysis on grazing permits:

> Allotment level NEPA Sufficiency analysis (Section 18 Reviews) will be completed and reassessed before the grazing permit is reissued. Tools to monitor and manage areas where grazing is impacting other resources (e.g., riparian areas, habitat for at-risk species) will be assessed developed at the allotment level.[5]

[4] *Id*.
[5] Draft EIS, Vol. 1 at 394.

Unfortunately, the DEIS is the perfect example of the NEPA shell game whereby analysis is deferred from the larger planning document to yet to be conducted site-specific analysis. However, the agency has no intention of actually completing the site-specific analysis and continues to permit the underlying activity in the meantime. This is a clear violation of law and must be remedied before a final decision is implemented. The problems with deferring any action to site-specific analysis are manifold given the tremendous impact livestock grazing has had on the ecological conditions of the Santa Fe National Forest.

Assumptions used for the analysis of impacts are deeply flawed

The Forest Service then turns a blind eye to the issue of trespass livestock. In the DEIS section identifying the assumptions used for rangeland management (3.11.2.1), the DEIS states: Unauthorized use of rangeland will be minimal to non-existent.[6] This assumption is completely baseless and in fact, contrary to known information and the Forest Service must revise the Draft EIS to acknowledge and address the impacts of unauthorized grazing by permittees.

In 2016, the Government Accounting Office identified actions needed by federal agencies to improve the tracking and deterrence efforts on this front.[7] This 2016 GAO report found that the frequency and extent of unauthorized livestock grazing on Forest Service lands is largely unknown because agencies "prefer to handle most incidents informally" with a phone call and these violations of law are not recorded, and yet despite this vast underreporting of livestock grazing violations the report indicates 1,500 incidents of unauthorized grazing where formal action was taken between 2010 and 2014, with more than 600 incidents reported on Forest Service lands and a large number of those occurring in Region 3.[8] With this information in mind, the Forest Service should, for this project, disclose the level of unauthorized grazing that has occurred on this allotment over the past 10 years, including incidents that were handled "informally," including willful and non-willful incidents. The cumulative impact of unauthorized livestock grazing is undisclosed in this EA and this deficiency must be corrected.

Another incorrect assumption is that used for calculating Animal Unit Months (AUMs), wherein the animal unit is "defined as one mature 1,000-pound cow and her nursing calf."[9] It is well known that the average livestock weight is in excess of 1,300 pounds.[10]

These mistaken assumptions are used for the impacts analysis in all alternatives. Therefore, the Forest Service must take a step back, revise the assumptions and analysis, and provide the public with an opportunity to review and comment upon the new analysis.

Range of Alternatives is inadequate

The analysis of alternatives under the National Environmental Policy Act (NEPA) is the "heart" of an environmental impact statement (EIS).[11] The Forest Service must "[r]igorously explore and objectively

[6] Draft EIS, Vol. 1 at 394.
[7] *See* Appendix A, GAO Report to the Committee on Natural Resources, House of Representatives: Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts.
[8] *Id.* at 1, 57-58.
[9] Draft EIS, Vol. 1 at 395.
[10] *See* Livestock Slaughter, USDA, National Agricultural Statistics Service, June 2019.
[11] 40 C.F.R. § 1502.14.

evaluate all reasonable alternatives" to a proposed action.[12] "Without substantive, comparative environmental impact information regarding other possible courses of action, the ability of an EIS to inform agency deliberation and facilitate public involvement would be greatly degraded."[13] Consistent with NEPA's basic policy objective to protect the environment, this includes more environmentally protective alternatives.[14]

An agency risks a finding that it has violated NEPA if it considers only the no action alternative and its primary, preferred alternatives, and ignores action alternatives suggested in public comments.[15] Put simply, "[t]he existence of a viable but unexamined alternative renders an [EA] inadequate."[16]

There is no requirement for any changes in grazing management to occur until site-specific Allotment Management Plans (AMPs) are created or revised. No alternatives propose any interim management prescriptions for livestock grazing even though the DEIS is replete with references to current grazing practices responsible for conditions that are far below the current or proposed desired conditions.

Based on the flawed AUM assumptions and analysis, in Alternative 2 the Forest Service proposes to authorize an extremely excessive number of AUMs to the Santa Fe National Forest (an increase from 93,500 AUMs to 102,192 AUMs), which will have a devastating impact on natural resources in the forest.[17] The minimum number of AUMs is similarly egregiously inadequate. There is no alternative that would reduce the number of AUMs by more than a few thousand forest-wide. There is no alternative that would place all riparian areas off-limits to grazing. There is no alternative that would actually protect natural resources from the unnecessary harms of livestock grazing.

The Forest Service should have considered an alternative that would authorize the permanent retirement of grazing allotments that are voluntarily waived by the permittee. The Forest Plan must allow permits to be waived back to the agency for permanent resource protection. The option of permanent voluntary retirement of permits and associated grazing privileges represents an equitable solution to wildlife conflicts with agricultural operations on public lands. It provides security to livestock producers facing declining economic returns, increasing price instability, a shrinking available workforce, and other challenges, and allows the Forest Service to redesignate lands to other uses, including wildlife habitat, recreation, and hunting. The permit waiver system represents the increasing public interest in maintaining natural systems and restoring native species, and allows land managers to facilitate the win-win resolution of grazing conflicts which impact not only native species, but also water quality and the recreational experience of users. Allotments already vacated for resource protection, either through Forest Service actions or through the voluntary relinquishment of grazing preference, must be closed.

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[12] *Id.* § 1502.14(a); see also 42 U.S.C. § 4332(2)(E) (agencies must "study, develop and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources").

[13] *New Mexico ex rel. Richardson v. BLM*, 565 F.3d 683, 708 (10th Cir. 2009).

[14] 40 C.F.R. § 1500.2(e) (agencies must "[u]se the NEPA process to identify and assess reasonable alternatives to proposed actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment").

[15] *See, e.g., Soda Mountain Wilderness Council v. Bureau of Land Management*, 534 Fed. Appx. 680 (9th Cir. 2013), on remand to, 2013 WL 4786242 (D. Or. 2013) (failure to consider alternative to timber sale that would not have required building new roads to access three units in the project area).

[16] *Western Watersheds Project v. Abbe*y, 719 F.3d 1035, 1050 (9th Cir. 2013).

[17] Draft EIS, Vol. 2 at 30.

B. Bighorn Sheep

Guideline FW-RANGE-G (8): *Grazing of domestic sheep or goats should not be authorized in areas occupied by bighorn sheep to minimize the spread of disease between domestic and wild populations* should be a Standard, and should be amended to read *"…will not be authorized…"* An additional standard reflecting the Best Available Science regarding bighorn sheep foray behavior should be developed and included.

Bighorn sheep foray movements are a critical biological feature of the species, facilitating genetic exchange between isolated populations. One study of bighorn sheep foray probability found that 14.1% of bighorn rams foray outside their primary habitat area during the summer months, and that 50% of rams that forayed during summer traveled 5 miles or more. 10% of rams that forayed during summer traveled 13 miles or more. Foraying bighorn sheep may pass through habitat areas unsuitable for long term occupancy by bighorn sheep, and may cross anthropogenic or geographic features that are generally perceived as barriers to wildlife movement, such as rivers, highways, or residential development.

Domestic sheep located within the likely foray distance of extant bighorn sheep herds pose the threat of pathogen transmission to the bighorn population. Bighorn sheep contacting domestic sheep during a foray, or stray domestic sheep contacting bighorn sheep, may result in an all-age die-off of a bighorn herd, followed by two decades or more of reduced lamb recruitment. The use of Best Management Practices and separation response plans cannot be relied upon to reduce the risk to bighorn sheep.

Bighorn sheep in the Pecos Wilderness herd occur at such density that there are significant concerns regarding the availability of forage on winter range, causing the New Mexico Department of Game and Fish to reduce the population through high rates of permitted hunting and translocations to other areas. Bighorn sheep occurring at high density relative to available winter range face not only an increased risk of starvation during the winter months, but also an elevated level of stress due to interspecific competition and general habitat degradation. These factors may increase the probability of foraying.

Domestic sheep should not be permitted on allotments where quantitative risk modeling indicates a disease risk to bighorn sheep populations. This necessarily applies to allotments that are near, but do not directly overlap, bighorn sheep occupied habitat. Domestic sheep trailing and the use of goats for weed control purposes should likewise be excluded from areas where the risk to bighorn sheep is not minimal, including areas which do not directly overlap bighorn occupied habitat.

To maintain bighorn sheep in the Pecos herd, WWP suggests the additional Standard to protect bighorn sheep should read: *Grazing or trailing of domestic sheep or goats will not be authorized unless a quantitative assessment indicates the risk of pathogen transmission to bighorn sheep is low. This includes the use of sheep and goats for vegetation management purposes.*

Large areas of suitable unoccupied habitat for bighorn sheep occur in the western portions of the Santa Fe National Forest. The Forest Service should include Forest Plan direction that would facilitate the reintroduction of bighorn sheep to those areas where feasible.

WWP supports Standard FW-RECSU-S (1): *Commercial use of domestic sheep and goats (e.g., for filming, as pack animals, etc.) must not be authorized in areas occupied by bighorn sheep or in areas where bighorn sheep travel, to prevent the spread of disease between domestic and wild populations.* WWP encourages the Forest Service to include this language in guidance provided to all recreational outfitters.

C. Climate Change

A climate change focus alternative should be considered in detail in the final EIS. The plan revision process offers an excellent opportunity for the Santa Fe to consider current and projected climate impacts on the forest and determine what is needed to increase the Santa Fe's resilience and ability to adapt to these stressors. Unfortunately, the Santa Fe chose not to consider a "climate change focus alternative" in the DEIS. Nor does the climate analysis in the DEIS fully address the threat of climate change or how the Santa Fe plans to deal with current and projected climate change impacts.

The Santa Fe dismissed a "climate change focus alternative" from detailed consideration, stating in the DEIS that "all alternatives incorporated climate change into the resource analyses, and pinpointed desired conditions and management objectives that increase the ecological resiliency of the Santa Fe NF to predicted changes in climate."[18] The alternatives do take climate change into account, at least to some extent, but the DEIS does not even contain a section specifically about climate change, nor does it clearly identify current and projected climate change impacts. There is insufficient analysis of the impacts of managed decisions on the environment *in light of the compounding impacts of climate change.* For example, given the likelihood of hotter and dryer conditions in the southwest, how will this project exacerbate the already alarming impacts associated with the impacts of climate change on game species, threatened and endangered species, or special status species? How will livestock grazing related fencing and infrastructure further fragment the landscape and how will this impact species already harmed by the rapid on-the-ground changes associated with climate change? How does climate change affect what the Forest Service considers suitable range for livestock? These questions have not been asked nor answered.

An explanation of the plan's approach to climate change is buried in the plan glossary under the definition of climate change:

> Climate change is addressed throughout this plan, indirectly through desired conditions in the form of functional ecosystems and resilient landscapes, and directly through management approaches and the monitoring plan where appropriate. This plan is designed around strategies that are responsive to an uncertain and changing climate, including maintaining and restoring resilient native ecosystems; adaptive management; anticipating increased disturbance; increasing water conservation and planning for reduced supply; and anticipating increased recreational use (increased number of summer visitors and extended summer season of use).

As a starting point, it is concerning that an explanation of the plan's approach to climate change has been relegated to the plan glossary.[19] It should be moved to the main text of the plan itself.

The Forest Service needs to explicitly examine climate change impacts and identify how the forest plans will address them. The analysis in the DEIS largely glosses over these critical issues, a failure that will likely render the Santa Fe more vulnerable to climate-related stressors. The Forest Service

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[18] DEIS Vol. 1 at 53.

[19] Draft Plan at 261. The definition of climate change is as follows: "Climate change. A change in global or regional climate patterns, in particular a change apparent from the mid to late 20th century onward and attributed largely to the increased levels of atmospheric carbon dioxide produced by the use of fossil fuels." Draft Plan at 261. This definition should be modified to acknowledge changes in land use (including deforestation) as a driver of climate change and note that other greenhouse gases (in addition to carbon dioxide) also contribute to the problem.

should include a climate alternative or significantly improve its climate analysis for the existing alternatives. Addressing climate change "*indirectly* through desired conditions in the form of functional ecosystems and resilient landscapes, and directly *through management approaches and the monitoring plan* where appropriate[]"[20] is not sufficient to increase the forest's ability to adapt to climate change. Relying on management approaches is also ineffective because management approaches are not enforceable and may never actually be implemented. The monitoring program says virtually nothing about climate change, which severely undermines the claim that monitoring will be used to address climate change in the Santa Fe. Actual enforceable plan components and corresponding monitoring indicators are needed to effectively address climate change, and they must be included in the final plan.

NEPA expressly calls on agencies to provide for intergenerational equity, stating that it is intended to "fulfill the responsibilities of each generation as trustee of the environment for succeeding generations."[21] This is particularly relevant with respect to climate change, given its long-lasting impacts. The Forest Service Planning Handbooks moreover explain that forest plan components should be developed through a forward looking, future-based viewpoint.[22]

The Forest Service has repeatedly acknowledged and committed to using the lands it manages to effectively address climate change impacts and sequester carbon. For example, the Forest Service Global Change Research Strategy states that forests "play an important role in reducing the buildup of greenhouse gases in the atmosphere by sequestering carbon."[23] In the same document, the Forest Service commits to identifying best management practices that will increase carbon sequestration while supporting ecosystem health.[24]

The USFS National Roadmap for Responding to Climate Change also addresses the importance of climate change adaptation and mitigation in national forests. It identifies several adaptive management strategies that the Forest Service will use, including building resistance to climate-related stressors, increasing ecosystem resilience, and when necessary, facilitating large-scale ecological transitions.[25] Carbon sequestration is the primary mitigation strategy of the Forest Service, which has committed to "[p]romoting the uptake of atmospheric carbon by forests and the storage of carbon."[26] The Forest Service also developed a Climate Change Performance Scorecard that each National Forest must complete annually.[27]

The incomplete consideration of climate change in the draft plan and DEIS is inconsistent both with the requirements of NEPA and Forest Service policy. More is needed to ensure that the Santa Fe

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[20] Draft Plan at 261 (emphasis added).

[21] 42 U.S.C. 4331(b)(1).

[22] FSH 1909.12, § 23.11 ("In light of possible changes in species composition under the effects of climate change and with a focus on restoration, the Agency designs plan components to provide ecological conditions to sustain functional ecosystems based on a future viewpoint.").

[23] The Forest Service Global Change Research Strategy, 5, 2009-2019.

[24] *Id*.

[25] USFS National Roadmap for Responding to Climate Change, 19-20 (2010).

[26] *Id.*

[27] *ee* USFS, *Performance Scorecard for Implementing the Forest Service Climate Change Strategy,* https://www.fs.fed.us/climatechange/advisor/scorecard.html (with links to the scorecard and related materials).

complies with applicable requirements and appropriately considers climate impacts, the forest's ability to mitigate climate change (e.g. by carbon sequestration), and the forest's level of resilience and ability to adapt to climate-related stressors.

D. Specific Recommendations for Changes to the Draft LRMP[28]

WWP's recommended changes to the Draft LRMP are below. ~~Strikethrough~~ indicates our recommended deletion and ALL CAPS indicates our recommended addition to the text.

Desired Conditions for ~~Sustainable~~ Rangelands and Livestock Grazing **(FW-RANGE-DC)[29]**

1 ~~Sustainable~~ rangeland forage provides livestock grazing opportunities that contribute to agricultural business and local employment, as well as traditional and generational ties to the land.

2 Livestock grazing contributes to the social and economic sustainability of local communities.

3 Rangelands are resilient to disturbances and variations in the natural environment (e.g., fire, flood, and climate variability).

4 Livestock grazing is IS ONLY PERMITTED WHERE compatible with ecological function and processes (e.g., water infiltration, wildlife habitat, soil stability, and natural fire regimes).

5 Native plant communities support diverse age classes of shrubs and vigorous, diverse, self-sustaining understories of grasses and forbs relative to site potential, while providing forage for WILDLIFE AND, WHERE APPROPRIATE, LIVESTOCK ~~livestock and wildlife~~.

6 Wetland and riparian areas consist of native obligate wetland species and a diversity of riparian plant communities consistent with site potential and relative to wetland riparian and forest, shrub, and scrub riparian desired conditions.

7 Range infrastructure functions to maintain or improve livestock grazing management and the condition of forest ecological and cultural resources.

Objectives for ~~Sustainable~~ Rangelands and Livestock Grazing **(FW-RANGE-O)[30]**

[28] Please note that WWP provides specific recommendations for bighorn sheep in the section above.
[29] Draft LRMP at 121.
[30] Draft LRMP at 122.

1 Annually remove, improve, or reconstruct at least 5 percent of the forest's range infrastructure that is no longer necessary or in poor or non-functional condition.

~~2 Maintain, improve, or install at least one water feature per year to improve water availability for wildlife or livestock where natural water sources are limited.~~

Guidelines for ~~Sustainable~~ Rangelands and Livestock Grazing **(FW-RANGE-G)**[31]

1 Forage use should be based on current and desired ecological conditions as determined by temporally and spatially scientific data during planning cycles (e.g., Annual Operating Instructions or permit renewal), to ~~sustain livestock grazing and~~ maintain ecological function and processes.

2 Livestock grazing within riparian management zones (RMZ) ~~should be managed~~ SHALL BE PROHIBITED to sustain proper stream channel morphology, floodplain function, and riparian vegetation desired conditions.

3 New livestock troughs, tanks, and holding facilities ~~should~~ SHALL be located to avoid long-term detrimental impacts to RMZs unless necessary for resource enhancement or protection.

4 New range infrastructure (e.g., troughs or tanks) ~~should~~ SHALL be designed to avoid long-term negative impacts to soil resources (e.g., soil compaction and soil loss) to maintain hydrological function outside of the structure's footprint.

5 Salting or mineral supplementation ~~should~~ SHALL not occur on or adjacent to areas especially sensitive to salt and increased ungulate traffic (e.g., riparian areas, wetlands, archeological sites, and at-risk species present) to protect these sites.

6 Restocking decisions and management of grazing allotments following a major disturbance (e.g., wildfire) ~~should~~ SHALL occur on a case-by-case basis after consideration of site-specific resource conditions.

7 Vacant or understocked allotments should be made available FOR VOLUNTARY PERMIT RETIREMENT ~~to permitted livestock for pasture during times or events when other active allotments are unavailable and require ecosystem recovery as a result of natural disturbances (e.g., wildfire) or management activities (e.g., vegetation restoration treatments)~~.

8 Grazing of domestic sheep or goats should not be authorized in areas occupied by bighorn sheep to minimize the spread of disease between domestic and wild populations.

[31] Draft LRMP at 122-123.

Management Approaches for ~~Sustainable~~ Rangelands and Livestock Grazing **(FW-RANGE-MA)**[32]

1. Forest managers cooperate, collaborate, and coordinate with permit holders AND OTHER INTERESTED PARTIES to respond to changing resource conditions. Cooperation, collaboration, and coordination among Santa Fe NF and permit holders is key to improving rangeland and forest conditions for multiple uses, moving toward desired conditions, and contributing to the socio-economic wellbeing of local communities. In addition, collaboration among stakeholders is important, including local communities; permit holders; CONSERVATION ORGANIZATIONS; and Federal, State, county, and local government entities.

2. Develop partnerships with livestock grazing permit holders, agencies, CONSERVATION ORGANIZATIONS, and other groups and individuals to develop collaborative proposals and implement projects that benefit multiple use on the forest.

3. Coordination with livestock grazing permit holders should occur at the early stages of planning and project design to include local perspectives, needs, concerns, and traditional knowledge.

4. When livestock grazing is modified as a response to changing resource conditions and permit holder needs, forest managers should first consider adjusting timing (which is easier for the permit holder), followed by intensity and frequency. Consider adjusting intensity at permit renewal. In addition, collaboration among stakeholders is important including the local interdisciplinary team; permit holders; Federal, State, county and local government entities; and non-governmental organizations.

5. Acknowledge the economic, ~~traditional,~~ and cultural importance of livestock grazing to northern New Mexico families and consider providing Forest Service employees education on the importance of this ~~traditional~~ practice.

6. Consider emphasizing large-scale landscape approaches and treatments for restoring rangelands and the use and perpetuation of a diversity of native plant species, with an emphasis on grass, forb, and shrub communities.

7. Consider using an adaptive management strategy to manage livestock grazing in a manner that promotes ecosystem resiliency, sustainability, and species diversity, based on changes in range conditions, climate, and other resource conditions. Using the adaptive management strategy provides more flexibility to grazing management, while improving or maintaining rangeland health. THE ADAPTIVE MANAGEMENT APPROACH SHOULD INCLUDE CONSIDERATION OF VOLUNTARY PERMIT RETIREMENT.

8. Consider inviting association members, CONSERVATION ORGANIZATIONS, INTERESTED PARTIES, and individual permit holders on range inspections.

9. ~~Consider~~ IMMEDIATELY BEGIN modifying, relocating, or removing existing range facilities in water resource features, where their presence is determined to inhibit movement toward desired riparian or aquatic conditions and consistent with existing water rights and water quality and quantity.

10. Consider how ungulates (e.g., elk, deer, and livestock) have ~~cumulative impacts~~ PRIORITY USE ~~on~~ OF Forest resources.

[32] Draft LRMP at 123-124.

11. Where an allotment fence intersects a designated trail, consider using a self-closing gate (e.g., easy-to-use gate, walk-through gate, or horseback accessible) to provide access for recreation users that does not risk livestock escape.

12. In wetland or riparian areas, ~~consider avoiding~~ PROHIBIT livestock grazing ~~in the same area during the same vegetative growth and reproduction periods (e.g., leafing, flowering, or seeding) in consecutive years~~ to ensure that riparian pastures have vegetative recovery.

The Forest Service has identified livestock grazing as a concern for Wilderness Stewardship Performance the Chama River Canyon, San Pedro Peaks, Dome, and Pecos Wilderness Areas.[33] However, the Forest Service has not identified any livestock grazing related management actions to address this issue.

WWP recommends that Voluntary Permit Retirement be included as an Objective for Wilderness Areas **(DA-WILD-O):** WITHIN THE LIFE OF THE PLAN, VOLUNTARY LIVESTOCK GRAZING PERMIT RETIREMENT WILL BE CONSIDERED FOR EACH ALLOTMENT.

Standards for Wilderness Areas **(DA-WILD-S)[34]**

1 In designated wilderness, a single group must have no more than 15 persons and 15 livestock permitted, unless otherwise noted in its management plan. Exceptions may include special-use permits, ~~grazing permits~~, formal agreements, emergency services, and management activities for maintaining wilderness character.

2 Research conducted in wilderness must not adversely affect wilderness character AND CANNOT INCLUDE ANY PERMANENT OR SEMI-PERMANENT INSTALLATIONS.

3 Nonnative species must not be introduced into any wilderness area ~~unless for fire recovery purposes~~.

4 Outfitter-guide activities in wilderness must include appropriate wilderness practices, such as Leave No Trace principles, and incorporate awareness for wilderness values in their interaction with clients and others.

5 A Minimum Requirements Analysis must be utilized when considering prohibited uses in designated wilderness.

6 Planned ignitions in wilderness areas must not be justified for primary purposes of improving wildlife habitat, maintaining vegetation types, improving forage production, or enhancing other resource values; although these additional effects may result (FSM 2324). Planned ignitions may be used to reduce the risks and consequences of wildfire within wilderness or escaping from wilderness.

Guidelines for Wilderness Areas **(DA-WILD-G)[35]**

[33] Draft LRMP at 166-167.
[34] Draft LRMP at 168.
[35] Draft LRMP at 168.

1 Fire operations within wilderness should minimize effects to wilderness character (e.g., minimum impact suppression techniques and the management of fire for resource benefit). Management activities should be consistent with the scenic integrity objective of "very high" in designated wilderness.

2 To protect wilderness character, signage in wilderness should be limited to those essential for resource protection and user safety.

3 Intervention in natural processes through management actions should only occur where this would move the area toward desired conditions, preserve wilderness character, protect public health and safety within and adjacent to wilderness, or uphold other Federal laws and regulations.

4 Nonnative, invasive species should be treated using methods and in a manner consistent with wilderness character to allow natural processes to predominate in designated wilderness. LIVESTOCK SHALL NOT BE USED FOR VEGETATION TREAMENTS IN DESIGNATED WILDERNESS.

5 New trails constructed or designated in wilderness should be designed, built, and maintained as minimally to moderately developed (trail classes 1 or 2).

Management Approaches for Wilderness Areas **(DA-WILD-MA)**[36]

1. Collaborate with local partners, volunteers, Adopt-a-Trail organizations, and other entities to maintain wilderness, including trails maintenance and construction.

2. Coordinate with the New Mexico Department of Game and Fish on management of wildlife within wilderness using techniques consistent with preserving wilderness character.

3. Wilderness management is guided by the elements outlined in the Forest Service's Wilderness Stewardship Performance (WSP) or other current guidance. This framework tracks how well the wilderness character is being preserved through measuring progress in 10 elements selected by managers for each wilderness from a suite of possible options (e.g., management of fire, range, and cultural resources).

4. Consider adaptive management and corrective measures if overuse causes unacceptable resource damage or unacceptable loss of opportunities for solitude, INCLUDING VOLUNTARY PERMIT RETIREMENT FOR LIVESTOCK GRAZING PERMITS. Use proactive approaches in identifying and addressing visitor use management challenges before effects to resources become unacceptable.

5. PRIORITIZE THE USE OF VOLUNTARY PERMIT RETIREMENT FOR LIVESTOCK GRAZING PERMITS, ESPECIALLY ON ALLOTMENTS WITHIN DESIGNATED WILDERNESS AREAS THAT ARE UNUSED, IN NON-USE, OR UNPERMITTED FOR MORE THAN ONE YEAR.

[36] Draft LRMP at 169.

~~5.~~ 6. Prioritize the decommissioning, realignment, or reconstruction of trails in designated wilderness areas based on need, the amount of use it receives, and potential impacts on wilderness character and recreation opportunities.

~~6.~~ 7. Consider using methods to prevent unauthorized use in wilderness such as education, law enforcement, barriers, road closures, and trail design.

~~7.~~ 8. Consider dispatching a Resource Advisor-Fire Line (REAF) or Resource Advisor (READ) with a specialized knowledge of wilderness, or wilderness program specialist in the absence of a wilderness REAF or READ, to fires threatening wilderness.

~~8.~~ 9. Consider using interpretation and education to encourage visitors to adopt techniques, equipment, and ethics specific to wilderness.

~~9.~~ 10. Consider educating boaters on relevant safety and resource protection regulations before they enter the Chama River Canyon Wilderness. Post these regulations at river access points and include them in outfitter-guide special-use authorizations.

~~10.~~ 11. Consider using news releases, postings, permit issuance, and individual visitor contacts to inform visitors of areas of concentrated resource damage and use restrictions.

~~11.~~ 12. Consider rehabilitating human-caused disturbed areas (e.g., compacted sites, LIVESTOCK FENCING, TANKS, AND TROUGHS AND OTHER INFRASTRUCTURE) that are inconsistent with maintaining the natural appearance component of wilderness character.

~~12.~~ 13. Consider reintroducing extirpated (locally extinct) or restoring populations of native species when consistent with ecological conditions and social values.

~~13.~~ 14. Consider clearly identifying wilderness boundaries through signage at official entry points and needed locations (such as informal access points), with features such as trail maps, boundary markers, and consistent signage.

~~14.~~ 15. Consider removing non-conforming structures (E.G., LIVESTOCK FENCING AND OTHER LIVESTOCK RELATED INFRASTRUCTURE) from wilderness that are no longer in use and do not meet the desired conditions.

Desired Conditions for Recommended Wilderness Areas **(MA-RECWILD-DC)**[37]

2 ~~Livestock grazing and a~~Acequia management contributeS to the long-term socioeconomic diversity and stability of local communities and cultural identity tied to a recommended wilderness management area.

Standards for Recommended Wilderness Areas **(MA-RECWILD-S)**[38]

[37] Draft LRMP at 213, change recommended only for #2.
[38] Draft LRMP at 214, only our recommended addition is included here.

3. LIVESTOCK GRAZING ALLOTMENTS LOCATED IN RECOMMENDED WILDERNESS AREAS THAT ARE UNUSED, IN NON-USE, OR VACANT SHALL BE PRIORITIZED FOR VOLUNTARY PERMIT RETIREMENT.

E. Recommendations for Annual Operating Instructions

WWP has submitted management recommendations to other Forest Service units in Region 3 for inclusion in Forest Plan revisions that are currently underway, as well as for inclusion in AOIs. By asking for these Special Management Instructions to be implemented as part of the AOI, we hope to reduce the impacts of livestock grazing to the highly endangered Mexican gray wolf, and these recommendations are appropriate to protect other predators as well. Therefore, we are asking the Santa Fe National Forest to include such recommendations as part of the Forest Plan revision process as a recommended Management Approach.

Management Approach for AOIs

"Best Practices" for protecting livestock and grazing operations where predators are present have been successful in reducing negative interactions between predators and livestock. These best practices must be followed and include:

1. Removing, destroying, burying, or placing electric fencing around dead livestock discovered on allotments if carcasses would attract predators into high use areas such as currently grazed meadows, salting grounds, water sources, or holding corrals.
2. Removing sick or injured livestock from grazing allotments to prevent them from being targeted by predators.
3. Increasing range riding to provide a more consistent human presence around your cattle. This has proven to be one of the most effective means for reducing predator-livestock interactions and depredation. There is nothing in your Grazing Permit, Allotment Management Plans (AMPs), or in these Annual Operation Instructions (AOI) that authorizes predator control.

For this allotment, the permittee is aware:

- The allotment does include predator habitat and the possibility of predator-livestock conflicts exists and will be an ongoing part of managing livestock on the allotment;
- The permittee has an obligation to comply with the Endangered Species Act, among all other federal laws;
- The Forest Service will provide conflict-reduction resources as they are developed;
- A grazing permit in non-use status shall not be allowed to increase allowable animal unit months when returning to use to help prevent livestock-predator conflicts;
- The Forest Service has provided notification to the permittee regarding BMPs to minimize the potential for predator-livestock interactions
- Permittees must implement specific best management practices to reduce livestock-predator conflicts, including, at a minimum, the removal of predator attractants during calving season, increased human presence during vulnerable periods, use of range-riders and diversionary and deterrent tools such as fladry fencing, airhorns, crackershells, etc.;

- Measures to reduce livestock-predator conflicts, including a clause notifying the permittee of the potential for modification, cancellation, suspension, or temporary cessation of livestock activities to resolve livestock-predator conflicts;
- Permittees are prohibited from using leg-hold traps to manage livestock predation on any allotments.

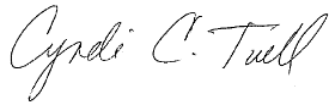
All AOIs should include a notice to grazing permittees that they may take conservation non-use for the sake of reducing livestock-predator conflicts on these allotments, pursuant to the Forest Service regulations at 36 C.F.R. 222.3 Issuance of grazing and livestock use permits 36 CFR 222.3 Issuance of grazing and livestock use permits(C)(1)(iv)(D); Forest Service Handbook 2209.13(17.2) Nonuse for Resource Protection or Development.

Drought management planning should take into consideration increased competition between predators, native prey and livestock for forage and resources and the Forest Service should maintain an adequate supply of food for wildlife it intends to avoid livestock-predator conflict.

F. Conclusion

Western Watersheds Project encourages the Forest Service to revise the existing environmental analysis to correct the deficiencies we have identified above. We look forward to reviewing the next step in this NEPA process for Forest Plan Revision.

Sincerely,



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