November 1, 2021

Regional Forest (Reviewing Officer)
Southwest Regional Office
Attn: Cibola National Forest
333 Broadway SE
Albuquerque, NM 87102

Submitted via the CARA submission portal

RE: Objection to proposed Final Plan and Final Environmental Impact Statement, Cibola National Forest

Dear Reviewing Officer:

New Mexico Wilderness Alliance (New Mexico Wild) appreciates the evident work you and your staff have put into the forest planning process and your attempt to achieve the multiple use mandate under which you steward the Cibola National Forest. We understand that you, like many of us, were forced to do a tremendous amount of difficult work while balancing a global pandemic and the unprecedented impacts of climate change already affecting the Cibola National Forest. That being said, we remain gravely concerned that the proposed recommend wilderness areas are too few and the process by which they were determined was flawed, at best, and in violation of forest service regulations at worst.

I. Required Information

Lead Objector: New Mexico Wild
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Reference to: Cibola National Forest

Responsible Official: Steve Hattenbach, Forest Supervisor

New Mexico Wild is a nonprofit organization dedicated to the protection, restoration, and continued enjoyment of New Mexico's wildlands and wilderness areas, with thousands of members across the state. New Mexico Wild has participated in the Cibola National Forest planning process and has submitted comments on several occasions, including on the Draft

Environmental Impact Statement (DEIS). We hereby formally submit an objection to the Final Forest Plan, Final Environmental Impact Statement (FEIS), and the draft Record of Decision (ROD) for the Cibola National Forest. We look forward to discussing remedies to our objections with the Cibola.

II. Objection Summary

We are objecting to one single plan component: the arbitrary and out of conformity parameters of recommended wilderness process, namely, the requirement that areas be adjacent to or contiguous of designated Wilderness and the disqualification of areas that the forest deemed in need of restoration. We believe that naming hoped-for restoration as the management hurdle to managing these areas as wilderness is in violation of the 2012 planning rule and that ultimately the plan does little to respond to and plan for increases of severe climate change impacts.

III. Link Between Prior Substantive Formal Comments and the Content of Our Objection

New Mexico Wild, along with several conservation partners filed a substantive formal comment on the DEIS and Draft Forest Plan in November of 2019. Our comments included concerns with the recommended wilderness process, the range of alternatives, and the anemic nature of the preferred recommended wilderness alternative. None of these concerns were assuaged by the final plan, and new information concerning the 30x30 initiative has in fact newly enflamed those concerns.

IV. Wilderness Recommendations

Put simply, the wilderness recommendations of the proposed alternative are unacceptable considering the dual threat of the climate crisis and the extinction crisis. The Cibola National Forest has an opportunity, right now, to make significant strides towards greater conservation, but instead is proposing what looks like and in practice will closely resemble a logging, thinning, and burning plan. By recommending additional areas, preferably the total number within Alternative D, in this plan revision, rather than waiting for the next round of revisions in 2050-2060, the Cibola preserves the status quo and ensures that critical and fragile wilderness values, climate benefits, and wildlife are not harmed.

A. The recommended wilderness process violates the 2012 planning rule

We are aware, as most folks are that have been working on forest issues for the last few years, that a regional priority has been set on forest restoration through thinning, prescribed burning, and other treatments. We understand that at certain intersections, primarily in Wildland Urban Interfaces, fuels need to be reduced and wildfire threats mitigated to the extent possible to protect developed infrastructure and dwellings. We struggle, however, to understand why this

prioritization must inherently lead to fewer wilderness recommendations. By limiting the preferred alternative's recommended wilderness areas solely to those with "no need for restoration treatments[,]"[1] the Cibola has created a preferred alternative in violation of the 2012 planning rule.

In fact, using idealistic restoration goals as the basis for recommended wilderness decisions may be in violation of Forest Service regulations. It is your responsibility to "ensure that the planning process, plan components, and other plan content are within…the fiscal capacity of the unit." 36 C.F.R. § 219.1(g). Without a clear budget, the kind of sweeping restoration envisioned by this plan appears to be outside the fiscal capacity of the unit. As you are well aware, the maintenance backlog across the Forest Service is staggering at the moment, the Cibola National Forest is part of a proposal to increase or create new fees at certain developed recreation sites, and Congress seems to cut or leave the Forest Service budget to stagnate every year. Recommended wilderness areas provide a management *tool*, not a management obstacle, by allowing you to take a hands-off approach to areas so remote they present little to no risk to developed infrastructure should a fire start. We urge you to take a step out of the Forest Service's comfort zone and think about the long-term health of our forest, its wildlife inhabitants, and the climate benefits we receive statewide by leaving larger areas untouched by the human species.

The forest supervisor has the authority to make exceptions to the management priorities and directions of recommended wilderness, especially to allow for restoration activities. But considering the Forest Service's limited, and seemingly ever-decreasing, budget, and the idea that the forests are planning for 100 years of restoration work, we are deeply concerned that extractive industries, motorized recreation, and other trammeling effects will be allowed to run rampant across areas the forest itself evaluated as moderate to high for their wilderness values.

We proposed in our comments on the DEIS, and more strongly urge now, a shift in agency thinking at this critical moment in our history. Rather than see the need for restoration as a preclusion to recommendation, the forest should prioritize protection now, immediately, and consider exceptions on a case-by-case basis to allow for restoration when the budget allows. Anything else would be a miscarriage of your job as stewards of our forests and public resources and prioritize what, at this moment, is a 100-year pipe dream. The Cibola is all but abandoning nearly 200,000 acres of wilderness quality land in the hopes that the budget allows for restoration on a scale heretofore unseen in the region.

The Cibola's sacrifice of moderate and high quality wilderness lands in the hopes of restoration is an abuse of your discretion. We recognize, of course, that the 2012 planning rule allows for a shocking amount of discretion on behalf of the responsible official. However, restoration *goals* present no actual management trade-offs. The 2012 planning rule's discretion does indeed cut both

[1] FIES Vol. 2, Appx. C, p. 126.

ways: the responsible official is also tasked with creating plan components for the "[p]rotection of…areas recommended for wilderness designation to protect and maintain the ecological and social characteristics that provide the basis for their suitability for wilderness designation." The responsible official has the discretion to create plan components for recommended wilderness that allow for restoration activity, when that project has been fully vetted through a separate NEPA process.

Finally, as we said in previous comments, we are concerned that the thinning and burning proposals and projects the Cibola has undertaken thus far are not based on the best available science. We do not agree that restoration activities are appropriate in places so deep in the forest in the heart of roadless areas with highly valued wilderness characteristics. We believe there is an overstatement of the need for thinning in the plan, particularly evidenced by the lack of any cost-benefit analyses comparing restoration activities in wildland urban interfaces (WUIs) to those same activities in roadless and wild areas. As we've said, we are deeply concerned that what the forest is proposing in this plan is an unrealistic objective without the resources or capacity within the Forest Service to conduct the scale of thinning in these roadless areas.

Preferred Remedy: To address this abuse of discretion, and violation of Forest Service regulations, the following recommended wilderness areas should be included in the final forest plan:

- All Apache Kid Wilderness Area Expansions totaling 75,990 acres
    - The expansions of the Apache Kid contain numerous canyons, springs, and elevation variating from 6,400 feet in the Gorge to 9,678 feer at Grassy Lookout. The scenery found throughout the area is exceptional with high ridge lines with dramatic views and an abundance of opportunities to experience wilderness in solitude. The areas feature landscapes whose size, topography, and vegetation is especially suited to hiking, backpacking, hunting, and other recreational opportunities for those seeking remote and wild experiences.
- All Withington Wilderness Area Expansions totaling 10,267 acres
    - The expansion of the Withington comprises several canyons, and elevations ranging from 6,800 feet near Chavez Canyon to 9,800 feet along the northern crest of the San Mateo Mountains. The San Mateo Mountains are one of the most remote landscapes that can be explored in the Cibola National Forest. The absence of any significant human development within or near the range has helped to keep the mountains remote and natural. Largely due to the size of the area, its roadless characteristics, topography, and vegetation, the proposed Withington expansion provides outstanding hiking, backpacking, hunting, and other recreational opportunities for thos seeking solitude and a remote, wild experience.
- Manzano Mountain Wilderness Area Expansion 1 totaling 5,734 acres

- Datil Mountains Recommended Wilderness Area totaling 18,349 acres
    - The absence of any significant human development within or near the Datil Mountains has helped to keep the mountains remote and natural. The scenery found throughout the area is alluring, with signiciant geological features, numerous open meadows to explore, and dramatic ridgelines that offer exceptional views. The chance to experience the southwest's humbling silence and wild nature abound. Largely due to the size of the area, isolation from human activitiy, topography, and vegetation, the proposed Datil Mountains Recommended Wilderness Area provided remarkable hiking, backpacking, hunting, climbing, and other recreational opportunities.
- Bear Mountains Recommended Wilderness Area totaling 7,174 acres
    - The Bear Mountains are a remote landscape with an observable absence of any significant human development within or near the range, keeping the mountains isolated and natural. The scenery found throughout the area is exceptional, with numerous open canyons and ridgelines that afford dramatic views and an abundance of opportunities to be alone, explore, and experience wildness. Largely due to the size of the area, rugged topography, and vegetation, the area provides remarkable hiking, backpacking, hunting, horseback-riding, and other recreational opportunities for those seeking remote, backcountry experiences.
- Magdalena Mountains Recommended Wilderness Area totaling 6,394 acres
    - The scenery found throughout the area is exceptional, with numerous secluded canyons to explore, towering ridge lines that afford dramatic views and an abundance of opportunities for solitude and to experience wilderness. Largely due to the size of the area, topography, vegetation, and brilliant night sky, the Magdalena Mountains provide remarkable hiking, backpacking, hunting, star gazing, and other recreational opportunities for those seeking remote and wild experiences.
- Guadalupe Recommended Wilderness Area totaling 14,988 acres
    - Located in the northeastern corner of the Mount Taylor Ranger District, the Guadalupe Recommended Wilderness Area is a tremendously remote landscape. The absence of any significant human development within or near the area has helped to keep it isolated and predominantly natural. The scenery found throughout the area is exceptional, with several deep canyons, numerous open meadows and small lakes, and expansive ridgelines that provide remarkable views. Opportunities for solitude and to experience wild nature are abundant in the area. Largely due to its size, topography, and vegetation, the area offers significant hiking, backpacking, hunting, horseback-riding, and other recreational opportunities for those seeking a remote and backcountry experience.
- Hogback Recommended Wilderness Area totaling 5,564 acres
- Little Water Canyon Recommended Wilderness Area totaling 27,348 acres

- Spruce Park Recommended Wilderness Area totaling 6,198 acres
- Panther Canyon Recommended Wilderness Area totaling 27,598 acres
    - The absence of any significant human development within or near the San Mateo Mountains has helped keep the Panther Canyon Recommended Wilderness Area remote and natural. The scenery found throughout the area is exceptional, with numerous open canyons to explore, high ridge lines that offer dramatic views, and an abundance of opportunities to be alone and experience wilderness. Largely due to its size, topography, and vegetation, the area provides remarkable hiking, backpacking, hunting, and other recreational opportunities for those seeking seclusion and challenge.

B. The requirement that areas be adjacent to or contiguous with designated Wilderness is arbitrary

The forest's proposed alternative, and its preferred alternative in the DEIS, recommended only areas that are adjacent to or contiguous with designated Wilderness Areas with no stated management or protection rationale. This requirement led to the arbitrary disqualification of several high quality wilderness areas of sufficient size for designation. We raised this issue in our comments on the DEIS, but the forest dismissed it without much discussion.

We recognize that the forest supervisor has a shocking amount of discretion in certain aspects of forest planning, but surely deciding that isolated wilderness quality lands should not be protected for their wilderness characteristics simply because they are isolated is a step too far. The Gila National Forest, for example, similarly required adjacency or contiguousness for its preferred wilderness recommendations, however, where areas were separated from designated roads by simply one road the area remained in the preferred alternative.

Preferred Remedy: To address the abuse of discretion and arbitrary decision-making, the following recommended wilderness areas should be included in the final forest plan:

- Datil Mountains Recommended Wilderness Area totaling 18,349 acres
- Bear Mountains Recommended Wilderness Area totaling 7,174 acres
- Magdalena Mountains Recommended Wilderness Area totaling 6,394 acres
- Guadalupe Recommended Wilderness Area totaling 14,988 acres
- Hogback Recommended Wilderness Area totaling 5,564 acres
- Little Water Canyon Recommended Wilderness Area totaling 27,348 acres
- Spruce Park Recommended Wilderness Area totaling 6,198 acres
- Panther Canyon Recommended Wilderness Area totaling 27,598 acres

Alternative Remedy: If the Cibola decides to adhere the adjacency or contiguous requirement into its final plan and ROD, it should at least include areas where the only barrier to direct adjacency or contiguousness is one road, following the approach of the Gila National Forest.

C. New information warrants a review of the recommended wilderness proposal

i. 30x30

New information warrants a renewed wilderness recommendation analysis. On January 27, 2021, President Biden signed Executive Order 14008, *Tackling the Climate Crisis at Home and Abroad*.[2] This Executive Order, among other ambitious goals, committed the administration to preserve 30% of lands and waters by 2030, often referred to as 30x30. The Executive Order was followed by the publication of the America the Beautiful report in May.[3] These new commitments and goals, published in the interim between your draft forest plan and the publication of the proposed final plan, warrant a new analysis of at least the recommended wilderness components. We said as much in a letter to Forest Service Chief Randy Moore, which we sent to a number of officials within the United States Department of Agriculture, the Forest Service, and all forest supervisors in New Mexico.[4]

We acknowledge that at present the definition of "conserve" within the context of 30x30 is undefined. What is almost certain, however, is that designated Wilderness areas, with their emphasis and prioritization on natural processes and limited human interaction, will count towards the 30% goal. Again, we are asking for a paradigm shift in agency thinking. Rather than wait for guidance from the Washington or regional offices, the Cibola can protect large swaths of land now by adopting the wilderness recommendations from Alternative D. As we said above, this would in fact preserve the status quo while the forest waits for further guidance. What would be supremely disappointing to all forest users is if you sign the proposed final plan and record of decision as is and then receive guidance from the Washington or regional offices directing all national forests to prioritize wilderness recommendations in all forest planning.

No one knows what the future holds for agency culture and priorities. What we know, however, is that right now and in the future, the existential threat of human-driven climate change must be addressed. We cannot wait for the molasses drip of the federal bureaucratic process to make common-sense decisions that will best prevent the increasingly severe impacts of climate change.

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[2] Exec. Order 14008, 86 Fed. Reg. 7,619 (Jan. 27, 2021). Attached.
[3] *Conserving and Restoring American the Beautiful*, 2021, available at https://www.doi.gov/sites/doi.gov/files/report-conserving-and-restoring-america-the-beautiful-2021.pdf. Attached
[4] Attached as Exhibit A.

We urge you to significantly increase the recommended wilderness areas in your final plan to give our children and grandchildren the greatest possible chance to have a fighting chance in the future.

Somewhat complementary to and complemented by the overall 30x30 goals, wildlife connectivity and species protection must be given a higher priority by the Cibola at this time. We raise our concerns, again, with the prioritization of restoration for areas that may not be feasibly mechanically treated or the budget may not allow for restoration at this time. Managing areas as wilderness provides immediate and meaningful protection to forest species by preventing the trammeling effects of mechanized and motorized vehicles, commercial activity, and deforestation. We suggest, yet again, that the agency-preferred wait-and-see approach is inapposite to forest stewardship.

Preferred Remedy: To greatly benefit species including game, non-game, and threatened and endangered species the following recommended wilderness areas should be included in the final plan:

- All Apache Kid Wilderness Area Expansions totaling 75,990 acres
- All Withington Wilderness Area Expansions totaling 10,267 acres
- Manzano Mountain Wilderness Area Expansion 1 totaling 5,734 acres
- Datil Mountains Recommended Wilderness Area totaling 18,349 acres
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- Little Water Canyon Recommended Wilderness Area totaling 27,348 acres
- Spruce Park Recommended Wilderness Area totaling 6,198 acres
- Panther Canyon Recommended Wilderness Area totaling 27,598 acres

Secondary Preferred Remedy: The Cibola National Forest conducts an analysis of the contributions to greenhouse gas pollution, impacts to threatened and endangered species, loss of carbon sequestration, particulate pollution, and other associated environmental impacts of thinning and burning the millions of acres of forest, as envisioned by the plan.

ii. Comments Received and Addressed Between the DEIS and FEIS

Review of the FEIS reveals that a very few individuals were able to fundamentally sway the recommended wilderness proposals of the plan.[5] New Mexico Wild, along with conservation partners, submitted a robust wilderness inventory in conformance with Chapter 70 that seems to

[5] *See* FEIS Vol. 3, Appx. G, Concern Statements 3, 5, 6, 8, 26, 27, 47, 55, 56, 75, 103, 106, 113, 163, and 164, p 108-126.

have been largely ignored during the wilderness recommendation process. Furthermore, the forest itself notes that most of the comments on topic were in favor of additional recommended wilderness. We are aware that comments are not votes, of course, but we struggle to understand the logic when one or two commenters' voices seem to have rung louder in the forest supervisor's ears to the detriment of roadless areas and actual on the ground climate resiliency. We conducted a rigorous scientific and hands on inventory and that inventory should have received due diligence and consideration.

Preferred Remedy: Incorporate the wilderness recommendations of Alternative D into the final forest plan with the support of the majority of commenters.

V. Conclusion

These issues are vitally important as they will directly impact the success or failure of our collective efforts to combat the increasingly severe impacts of climate change for the next three decades, and potentially longer if these roadless and wild areas are lost. Thank you for considering our objections and recommended remedies. We look forward to meeting with you shortly to discuss the issues we have raised and find equitable solutions that will benefit everyone and ensure the forest service finalizes this plan in conformity with the 2012 planning rule.

Sincerely,

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/s/ Susan Ostlie

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