



November 1, 2021

Regional Forest (Reviewing Officer)  
Southwest Regional Office  
Attn: Carson 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,  
Carson 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 Carson 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 Carson 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  
Logan Glasenapp  
Staff Attorney  
317 Commercial Ave. NE, Ste. 300  
Albuquerque, NM 87102  
(414) 719-0352  
[logan@nmwild.org](mailto:logan@nmwild.org)

Reference to: Carson National Forest

Responsible Official: James Duran, 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 Carson National Forest

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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 Carson National Forest. We look forward to discussing remedies to our objections with the Carson National Forest.

## **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 Carson National Forest 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 5, in this plan revision, rather than waiting for the next round of revisions in 2050-2060, the Carson National Forest preserves the status quo and ensures that critical and fragile wilderness values, climate benefits, and wildlife are not harmed.



## **A. The range of wilderness recommendation alternatives violates the National Environmental Policy Act**

The National Environmental Policy Act (NEPA) requires the responsible official to consider a reasonable range of alternatives.<sup>1</sup> As we noted many times throughout the various public comment opportunities, the range of alternatives considered by the Carson maxed out at 67,941 acres, or roughly 10% of acres identified in the wilderness inventory. This is not a reasonable range of alternatives, because, (1) the maximum upper range (i.e. all inventories areas) of recommended wilderness is not considered while the opposite extreme (zero acres) is considered in *two alternatives*; and (2) the upper middle range of recommended wilderness is inadequately represented.

The reasoning employed by the Carson National Forest for its uniquely narrow range of alternatives, that 90% of inventoried lands lack wilderness characteristics, is simply not true and cannot be supported due to the lack of on the ground evaluations. We note that the Santa Fe and Cibola National Forests, which worked closely with the Carson to find parallels and symmetry in these forest plan revisions, considered a vastly larger assortment of areas in their wilderness evaluations and range of alternatives. New Mexico Wild and its supporters know these lands and know that many areas left behind by the Carson do in fact have wilderness characteristics. As we've said before at length, the wilderness evaluation was deeply flawed. We will, below, once again request that the Carson return to the drawing board with its wilderness recommendation process to avoid NEPA violations and fulfill its mission of stewarding our forests.

Our primary concerns with the wilderness evaluation include, and have included:

- Failure to assess the degree of wilderness character. The Carson instead employed a simple yes or no designation to make a determination of wilderness character. Wilderness characteristics are not as simple as yes or no, rather, each individual characteristic will be present to varying degrees on the landscape.
- Misapplication of the wilderness evaluation criteria, including apparent naturalness, solitude, and primitive recreation, and improper consideration of management trade-offs in the evaluation process.
- Lack of clarity about how the Carson combined the findings for each of the evaluation criteria to reach its final yes or no determination.
- Inadequate explanation of the methodology used to make the overall determination for wilderness character.

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<sup>1</sup> 40 C.F.R. § 1502.14(a); 42 U.S.C. § 4332(2)(E); *see also California v. Block*, 690 F.2d 753, 765, 768-69 (9th Cir. 1982) (rejecting an unduly narrow range of alternatives that would have designated a maximum of 33% of roadless acreage as recommended wilderness).



We have repeatedly pointed out these significant flaws with the Carson’s wilderness evaluation, but our concerns have yet to be addressed. Problems with the evaluation led to an inadequate and flawed analysis phase of the process, an unreasonable range of alternatives, and ultimately risks leading to the loss of wilderness quality lands and the climate change benefits they provide.

**Preferred Remedy:** The Carson National Forest restart its Chapter 70 wilderness recommendation process in accordance with the guidelines and NEPA by employing a more transparent evaluation process and considering a wider, more reasonable range of alternatives.

### **B. 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 that “would not limit management activities for restoration of fire-dependent ecosystems,”<sup>2</sup> the Carson 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 Carson 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.

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<sup>2</sup> FIES Vol. 3, Appx. F, p. 138.



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 Carson National Forest is all but abandoning 600,000 acres of wilderness quality land in the hopes that the budget allows for restoration on a scale heretofore unseen in the region.

The Carson National Forest'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 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 Carson National Forest 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.

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It's worth noting that the Carson's wilderness evaluation cited evidence of past thinning projects as a detriment to the apparent naturalness of some areas. Continuing to emphasize restoration activities over wilderness value protections will continue to destroy those very values.

**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 9,361 acres of the Valle Vidal Recommended Wilderness Area
  - The Valle Vidal is a New Mexico treasure, often called the Yellowstone of the southwest. The landscape diversity of this area including rolling grass-covered meadows, conifer and aspen forests, Little Costilla Mountain, and several streams and headwaters make this area uniquely suited for wilderness designation. These lands remain wild, with few designated and managed trails and presently no cycling or snowmobile activity.
  - In fact, the entire Valle Vidal offers opportunities for solitude and primitive recreation, appears natural, and has no or not substantially noticeable improvements. For these reasons the entire 100,000-acre area should be included in the Carson's final wilderness recommendations.
- Camino Real South Recommended Wilderness Areas, both C14v and C14x
  - The northern additions to the Pecos Wilderness appear predominantly natural and undeveloped, with the scattered imprints of man substantially unnoticeable. Plant and animal communities and ecological conditions appear natural. The flora is typical of the Pecos Wilderness and the region, including box elder, maple, juniper, scrub oak, Douglas fir, blue spruce, ponderosa, and quaking aspen. Riparian areas are lined with chokecherry, red raspberry, thimbleberry, gooseberry, strawberry, yarrow, wild rose, geranium, bluebell, Solomon's seal, Indian paintbrush, and more. The undeveloped, natural environment includes now-impassable old logging two-tracks that are covered with downed trees and revegetated with saplings. The area includes many small undisturbed meadows that are abundant with wildlife. The qualities of wilderness already flourish. Recommending these lands for wilderness would result in management consistency and continuity between the wilderness and IRAs.
- Tres Piedras North Recommended Wilderness Areas, W27a, W29c, and W29e
  - The Cruces Basin Wilderness area and its surrounding wildland acreages offer rich habitat for wildlife, including elk, deer, black bears, and coyotes. This habitat offers challenging and rewarding opportunities for hunters, as evidenced by the caravans of trucks and horse trailers headed to the rugged terrain each hunting season. The presence of the railroad is an inappropriate reason to have excluded these lands, as they offer the same or substantially similar opportunities for solitude and primitive

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recreation as the Cruces Basin Wilderness does today. The entire unit is overwhelmingly natural. It is part of a very large landscape of undeveloped, wild lands in Northern New Mexico and Southern Colorado. Open grasslands are the dominant ecosystem. Ponderosa pine, much of which is old growth, climb the hillsides. Riparian habitats, including wetlands, wet meadows, and streams are all represented. The area also enjoys an abundance of wildlife. In summary, the area's primitive and untrammled character dominates the landscape. The area does not have any permanent structures, and the occasional signs of human activity, such as abandoned routes, stock ponds, and fencing, are substantially unnoticeable due to the vastness of the landscape, vegetative cover and topography, and natural reclamation.

- Ghost Ranch Recommended Wilderness Area
- Sierrita de Canjilon Recommended Wilderness Area

## **B. 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*.<sup>3</sup> 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.<sup>4</sup> 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.<sup>5</sup>

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 Carson National Forest can protect large swaths of land now by adopting the wilderness recommendations from Alternative 5. As we said

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<sup>3</sup> Exec. Order 14008, 86 Fed. Reg. 7,619 (Jan. 27, 2021). Attached.

<sup>4</sup> *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

<sup>5</sup> Attached as Exhibit A.



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. 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 Carson National Forest 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 9,361 acres of the Valle Vidal Recommended Wilderness Area
- Camino Real South Recommended Wilderness Areas, both C14v and C14x
- Tres Piedras North Recommended Wilderness Areas, W17f, W17k, W27a, W29c, and W29e
- Ghost Ranch Recommended Wilderness Area
- Sierrita de Canjilon Recommended Wilderness Area

**Secondary Preferred Remedy:** The Carson 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.

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## 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,

A handwritten signature in black ink, appearing to read "Logan Glasenapp".

Logan Glasenapp  
Staff Attorney  
New Mexico Wild

A handwritten signature in black ink, appearing to read "Joe Trudeau".

Joe Trudeau  
Southwest Conservation Advocate  
Center for Biological Diversity  
[jtrudeau@biologicaldiversity.org](mailto:jtrudeau@biologicaldiversity.org)

/s/ Susan Ostlie

Susan Ostlie  
Leader  
Rio Grande Valley Broadband of the Great Old Broads for Wilderness  
[susanostlie@yahoo.com](mailto:susanostlie@yahoo.com)