

Data Submitted (UTC 11): 10/30/2021 11:00:00 AM

First name: Lucia

Last name: Sanchez

Organization: Rio Arriba Board of County Commissioners

Title: County Manager

Comments: Copied from the attachment titled 20211030 RioArribaCountyCommissioners.Obj

ATTN: James Duran Forest Supervisor USDA-Forest Service Southwest Region Objection Reviewing Officer 333 Broadway Blvd SE Albuquerque, NM 87102 Dear Mr. Duran: In response to the recent release of the proposed Carson National Forest Plan, Rio Arriba County has been working diligently with our constituents to amplify the voice of our community. In the following document, we have compiled a record of objections for the consideration of revision for the forest plan. We, as a county, believe that it is imperative to the continuity of our heritage to object to policy that obstructs the peoples' relationship with our lands. We believe the Carson National Forest Plan will be a disruptor to our economy, our communities, and our culture. We appreciate your consideration of the following submittal, as the future of the Carson National Forest is instrumental in the livelihood of generations to come. Respectfully,

Copied from the attached document titled Summary of Comments on Preliminary Draft Forest Plan Largeprint.
NOTE Bolded text indicates text that was highlighted within the attachment that a comment is directly tied to.

Preliminary Draft Proposed Land and Resource Management Plan for the Carson National Forest Version 2
December 2017

Pg.1 text: [ldquo]The forest plan guides the Carson NF in fulfilling its stewardship responsibilities to best meet the current future and historic use needs of the American people.[rdquo]

Comment: design components historical content left out, lack of expansion of historic use; grazing logging, fuel wood, herds, access , remained undefined, Lack of education of traditional use of general public - no oral history, dependencies on land , constituents cannot survive without historical industries, economic industries, [ldquo] they have denied our history since 1905-

design based around dependency of land to sustain those, if those sections are not defined, does not delineate, underscore lack of language of commitment to people, historic needs

Pg.1 text: [ldquo]The 1976 National Forest Management Act (NFMA) directs that forest plans be revised on a 10- to 15-year cycle. Thirty years have passed since the Regional Forester approved the original

Carson forest plan in September 1986. In that time, the forest plan was amended 16 times.

Scientific information, circumstances, agency and public understanding, as well as economic, social, and ecological conditions, have changed or evolved over the past 30 years and, as a result, management emphasis has shifted from outputs to outcomes. Forest plans are one of three levels of planning and decision-making that guide how NFS lands are managed.[rdquo]

Comment: concerning because they are using as a tool of this plan-outcomes have to include social and economic impacts to the area

Pg.1 text: [ldquo]The best available scientific information (BASI) has been used to inform the planning process. The planning record documents how BASI was determined to be accurate, reliable, and relevant to issues being considered.[rdquo]

Comment: best available scientific information that needs to come from an accredited university, peer-reviewed, land grant college university rangelands, Range Improvement Taskforce, NMSU, RITF REPORT 83 COMP STUDY

Pg.1 text: [ldquo]Development of this revised plan was an iterative process utilizing best available scientific information, regional guidance, internal feedback, and collaboration with a wide variety of government agencies, federally recognized tribes, non-governmental organizations, and publics.[rdquo]

Comment: Northern NM Stockman's association, was not inclusive, NM cattle association

Pg.2 text: [ldquo]Given that the setting for forest plan implementation will be changing over time, the forest plan incorporates an effective monitoring program that is capable of detecting change, with an adaptive flexibility to respond to those detected changes. The forest plan monitoring program recognizes key management questions and identifies measurable indicators that can inform the questions.[rdquo]

Comment: monitoring program that is capable of detecting change-established unachievable standards for cattle grazing; need to be peer reviewed by land-grant colleges

Pg.3 text: [ldquo]The forest plan must include plan components. Plan components (plan decisions) guide future project and activity decision-making and include: desired conditions, objectives, standards, guidelines, suitability of lands, sustain historic uses, and goals. Plan components should (1) provide a strategic and practical framework for managing the Carson NF; (2) should be applicable to the resources and issues of the forest; and (3) should reflect the forest[rsquo]s distinctive roles and contributions.

Comment: (language added by Sanchez)

Pg.3 text: [ldquo]Plan components were developed collaboratively with input from a variety of external and internal stakeholders, with broad interdisciplinary representation. Plan components do not need to reiterate existing law, regulation, or policy.

Comment: collaboration does accurately represent are void of historical industries practices and uses of the

forest service

Pg.3 text: [ldquo]While the Rule sets out these requirements in separate sections, the forest plan is not organized with a similar structure. The five plan components are described as:

Comment: 219.8 does not identify or define how they plan to sustain livestock program

Pg.3 text: [ldquo]Desired Conditions describe the aspirational vision for the Carson NF.

Comment: social and economic aspirations are not well defined, desired conditions do not speak to program sustainability, speak to culture land social needs, NEPA, Federal And Management Policy Act [ldquo]site laws[rdquo] Desired conditions-this needs to be assessed and proven utilizing land grant universities

Pg.3 text: [ldquo]The desired conditions in this forest plan have been written to contain enough specificity so that progress toward their achievement may be determined. In some cases, desired

conditions may only be achievable over hundreds of years.

Comment: [ldquo]desired conditions" subjective to USFS

Pg.3 text: [ldquo]Objectives have been established for the work considered most important to address

the needs for change and achieve desired conditions. They also provide metrics for evaluating

accomplishments.

Comment: who defines these metrics?

Pg.3 text: [ldquo]Standards are technical design constraints that must be followed when an action is being taken to make progress toward desired conditions.

Comment: Who sets these standards?

Pg.3 text: [ldquo]Specific NFS lands within the plan area are identified as suitable for various activities, while others are identified as not suitable. The suitability of lands need not be identified for every use or activity.

Comment: what are the benefits and needs for that given land?

Pg.4 Text: [ldquo]The fifth series of letters references the type of plan components (e.g., DC for Desired Conditions), Forest Planing codes for historic uses.[rdquo]

Comment: language added by Sanchez

Pg.5 Text: [ldquo]Any substantive changes to plan components require a plan amendment, with appropriate analysis as required under the National Environmental Policy Act (NEPA).[rdquo]

Comment: once plan is adopted, makes it difficult for amendment

Pg.8 Text: [ldquo]For SCC, habitat management and compatible multiple uses will be accomplished in a way that ensures species[rsquo] persistence on the Carson NF, in accordance with the 2012 Planning Rule (36 CFR [sect] 219.9(b)). Also at risk is the social and economic welfare of communities within the the CNF. For many at-risk species, essential ecological conditions can be provided through [ldquo]coarse filter[rdquo] plan components, such as desired conditions and standards and guidelines, for specific vegetation communities (e.g., ALP, MCD, PJO)..[rdquo]

Comment: added by Sanchez

Pg.8 Text: [ldquo]Climate change adaptation 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.[rdquo]

Comment: must be vetted through sound science, land grant college

Pg.8 Text: [ldquo]This plan is designed around strategies that are responsive to an uncertain and changing climate, must be vetted through sound science, 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).

Comment: Added by Sanchez

Comment: increasing water conservation

Pg.10 Text: [ldquo]It requires the symbiotic interaction among ecological integrity, the ability of society to produce and consume or otherwise benefit from goods and services, and the ability of society to support the network of

relationships, traditions, culture, and activities that connect people to the land and to one another in vibrant communities. (FSM 2020.5) Federal Laws and Treaties requiring sustainability of Social and Economic[rdquo]

Comment: added by Sanchez

Pg.11 Text: [ldquo]Designated areas are mostly designated by statute, but some categories may be established administratively through the federal executive branch.[rdquo]

Comment: citizens and county of Rio Arriba- request social and economic impact study

Pg.12 Text: [ldquo]If a proposed project or activity is not consistent with a plan component, the Responsible Official has the following options (subject to valid existing rights)[rdquo]

Comment: language added by Sanchez

Pg.13 Text: [ldquo]Suitability. A project with the purpose of timber production may only occur in an area identified as suitable for timber production (16 U.S.C. 1604(k)), or areas to protect health of the Forest.[rdquo]

Comment: language added by Sanchez

Pg.16 Text: [ldquo]The first Spanish visitors came to the Taos area as early as 1540 and settled along the Rio Grande and its tributaries, introduction on livestock 1597.[rdquo]

Comment: contributions were made by the Spanish; failed to give oral history leave out key comments.

Pg.17 Text: [ldquo]Fur trapping protected valuable and limited domesticated livestock in New Mexico by removing predators including Mexican wolves, Mexican grizzly bears, and mainland grizzly bears to the point of extinction.[rdquo]

Comment: limited domesticated livestock in New Mexico

Pg.18 Text: [ldquo]There is growing demand for mountain biking, motorized recreation, and hunting, livestock grazing and all traditional uses. Today, by far the Carson local economic impact is through recreational tourism.[rdquo]

Comment: historical uses, losing 6000 acres a day nationally, agriculture footprint diminishing

Comment: language added by Sanchez

Pg.19 Text: [ldquo]The State of New Mexico has designated many streams and lakes in the Carson NF[rsquo]s wilderness areas and Valle Vidal as Outstanding National Resource Waters (ONRWs) and water rights adjudicated through beneficial use.[rdquo]

Comment: language added by Sanchez

Pg.19 Text: [ldquo]Game species support traditional ways of life and employment for outfitters and guides, wildlife numbers need to be managed to protect the resource.[rdquo]

Comment: language added by Sanchez

Pg.19 Text: [ldquo]The conditions, trends, and sustainability of ecological, social, and economic resources on the Carson NF were assessed in 2015.[rdquo]

Comment: no language provided social and economic impacts are, availability of resources, protecting the historical use

Pg.20 Text: [ldquo]The ability of the Carson NF to provide adequate forage to contribute to opportunities for livestock grazing in Northern New Mexico is at risk of being unsustainable.[rdquo]

Comment: historic carrying capacity- legal responsibility to sustain livestock grazing program- NEPA

Pg.20 Text: Management needs to focus on the restoration and maintenance of ecological integrity and work with permittees to adapt to drought, in order to maintain and protect forage, CNF management has a legal responsibility to sustain the livestock grazing program.

Comment: language added by Sanchez

Pg.119 Text: [ldquo]The desire to recognize and preserve Northern New Mexico traditional uses has been an integral part of managing the Carson NF and is reflected through various documents (e.g., 1986 Carson forest plan, 1972 Regional Forester policy memo, 1968 Hassell Report). This forest plan seeks to

build upon past initiatives and continues to recognize and support the traditional uses

associated with the Carson NF.[rdquo]

Comment: nothing in plan components or design of the plan to preserve the Northern New Mexico historic and traditional uses.

Pg.126 Text: [ldquo]Acequia and community ditch associations are political subdivisions of the State of New Mexico and occupy a unique place in forest management (NMSA 1978 [sect]73-2-28). Acequias that existed on unreserved public lands for use in connection with a valid existing water right, prior to the withdrawal of public lands to create the national forests, are afforded valid rights and status under National Forest System management.[rdquo]

Comment: language added by Sanchez

Pg.132 Text: [ldquo][ldquo]The ranching tradition in northern New Mexico is long standing, enduring across many generations, introduction of Livestock (1597).[rdquo]

Comment: language added by Sanchez

Pg.132 Text: [ldquo]Livestock management on NFS lands has shifted to an adaptive management philosophy that allows appropriate seasonal changes in livestock numbers (increases and decreases) or seasons of use, in response to changing ecological conditions (e.g., forage production, water availability, and precipitation patterns). Over the last decade, the Carson NF has worked with partners and permit holders to manage grazing pressure on sensitive areas (e.g., critical areas, riparian areas) through better distribution and improving forage conditions (e.g., fire use) away from sensitive areas, without reducing livestock numbers.[rdquo]

Comment: no increases in livestock, huge reductions, verified, validated, peer reviewed, NMSU

Comment: without reducing livestock numbers.

Pg.133 Text: [ldquo]Sustainable rangelands provide forage for livestock grazing Valid Existing Rights opportunities that contribute to agricultural businesses, local employment, as well as traditional lifestyles and generational ties to the land.[rdquo]

Comment: Text added

Pg.133 Text: [ldquo]Livestock grazing and associated management activities are compatible with ecological function and process (e.g., water infiltration, wildlife habitat, soil stability, and natural fire regimes).[rdquo]

Comment: Livestock grazing is equally as important as the ecological functions, compatibility gives USFS power to exercise, reduce fuel loads, fine fuels- equal footing and benefit to the rest of functions, recognized 1897 organic tact

Pg.133 Text: [ldquo]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 livestock.[rdquo]

Comment: no control over native communities because of the over population of elk, no mangement by USFS

Pg.133 Text: [ldquo]Improve or maintain at least 60 [ndash] 120 existing range improvements for livestock grazing, during each 10-year period following plan approval.[rdquo]

Comment: who[rsquo]s going to pay for these improvements? Need to be design with sound science and impacts to existing programs

Pg. 133-134 Text: [ldquo]Livestock management shall be compatible with capacity and address ecological resources (e.g., forage, invasive plants, at-risk species, soils, riparian health, and water quality) that are departed from desired conditions, as determined by temporally and spatially appropriate data.1[rdquo]

Comment: compatible[rdquo], needs to be managed to sustain the program

Comment: are departed from desired conditions, as determined by temporally and spatially appropriate data.1

Pg.134 Text: [ldquo]Domestic sheep allotments shall be managed (e.g., fencing, increased herding, herding dogs, disease-free domestic sheep, potential vaccine) to prevent the transfer of disease from domestic sheep to bighorn sheep, wherever bighorn sheep occur.[rdquo]

Comment: no scientific studies to support the statement, managed with the rest of the livestock grazing program for sustainably managed big horn sheep

Pg.134 Text: [ldquo]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, permit renewal), to sustain livestock grazing and maintain ecological function and processes.[rdquo]

Comment: Forage use should be based on current and desired ecological conditions as determined by temporally and spatially scientific data during planning cycle

Pg.134-135 Text: [ldquo]Vacant or understocked allotments aums should be reissued or made available to permitted livestock, to provide 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).[rdquo]

Comment: language added by Sanchez

Pg.135 Text: [ldquo]Permit conversions to domestic sheep or goats should not be allowed wherever bighorn sheep occur, to prevent the transfer of disease from domestic sheep to bighorn sheep.[rdquo]

Comment: utilize data using land rant college research

Pg.135 Text: [ldquo]Potential management approaches may be used to inform future proposed and possible actions. These techniques and actions provide options for plan implementation, and represent possibilities, preferences, or opportunities, rather than obligatory actions.[rdquo]

Comment: void in document, language leaves out they are realistically going to manage the livestock program

Pg.135 Text: [ldquo]Forest managers cooperate, collaborate, and coordinate with permit holders to respond to changing resource conditions and manage to sustain the Livestock Program.

Comment: added by Sanchez

Pg.135 Text: [ldquo]Consider an adaptive management Formal Plan to sustain and approach to manage rangelands in a manner that promotes socio-economic wellbeing and stability of local communities, ecosystem resilience, sustainability, and species diversity, based on scientifically quantified changes to rangelands.[rdquo]

Comment: removed by Sanchez

Comment: added by Sanchez

Pg.135 Text: An adaptive management approach is designed to provide more flexibility to sustainable grazing practices, and management, while improving or maintaining the health of rangelands.

Comment: removed by Sanchez

Comment: added by Sanchez

Pg.135 Text: [ldquo]Facilitate a dialogue between the NMDGF and permittees about ungulates (e.g., elk, deer, and livestock) and the cumulative impacts on forest resources, hold the NMDGF to wildlife carrying capacities.[rdquo]

Comment: hold the NMDGF to wildlife carrying capacities

Pg.144 Text: [ldquo]Most developed campgrounds on the Carson NF are fee sites and are operated by a concessionaire.[rdquo]

Comment: did not agree with charging fee

Pg.144 Text: [ldquo]The overall goal of the sustainable recreation program on the Carson NF is to:[rdquo]

Comment: language not carried over to livestock program

Pg.199 Text: [ldquo]The Carson NF has several areas on the forest that require different management that cannot be met through forest-wide plan components. These areas are identified as management areas. A management area represents a management emphasis for an area or several similar areas on

the landscape. Plan components for a management area may differ from forest-wide guidance

by:

Comment: giving themselves the latitude to create management areas, what is the impact of livestock program

Pg.199 Text: [ldquo]Recommended Wilderness Management Area (RWMA)[rdquo]

Comment: see RITF 83

Pg.203 Text: [ldquo]limited amount of domestic livestock grazing or hay production is acceptable.

Comment: limited amount of domestic livestock [ldquo]a limited amount[rdquo] undefined and restrictive

Pg.206 Text [ldquo]Outstanding National Resource Waters Desired Conditions (DA-ONRWDC)[rdquo]

Comment: how good of a job does USFS do to ensure no decline in water quality

Pg.220 Text: [ldquo]The withdrawal under the Valle Vidal Protection Act is subject to valid existing rights. If

these existing rights are relinquished or otherwise acquired by the United States at any

time after the date of the enactment of this Act, the lands that were subject to the rights

shall be immediately withdrawn.[rdquo]

Comment: Complicated, trying to preserve the valid existing rights.

Pg.225: [ldquo]The monitoring plan includes questions and performance measures designed to evaluate implementation and effectiveness, and inform adaptive management.

Comment: are they using sound science that is developed by land grant colleges ?

Pg.245 Text: [ldquo]Raish, C.; McSweeney, A.M. 2003. Economic, social, and cultural aspects of livestock ranching on the Espanola and Canjilon Ranger Districts of the Santa Fe and Carson National Forest: A

pilot study. Ft. Collins, CO: USDA Forest Service.

Comment: nothing to mitigate issues in the study

Pg.245 Sources added by Sanchez:

USDA Forest Service Civil Rights Compliance Review Report conducted by the Office of

Compliance, Policy, Training and Cultural Transformation dated June 2013. The Report found that the CNF (Livestock Grazing Program) in: [ldquo]Region 3 was non-compliant with several Civil Rights requirements; inconsistent implementation of USDA/FS regulations, procedures and other mandates.2[rdquo]Examples: The Report identifies several program areas of noncompliance which includes at page 5, the process used in [ldquo]Terminating or Suspending Grazing Permits[rdquo].

[ldquo]The Treaty of Guadalupe Hidalgo (1848)[rdquo], was given effect both in the U.S. Kearny Code of Territorial NM and the NM Constitution which historically protects the grazing rights, stock water rights and associated financial investments in their practice as the [ldquo]valid existing rights[rdquo] of the native inhabitants of New Mexico. The right to graze on the public domain has been recognized by the courts and is considered a property right (1933 USDA Technical Bulletin 301 with Contents 115211). It further states [ldquo] they own the lands and control the irrigation waters that are the keys to the use of practically all the grazing lands, they hold nearly all the grazing preferences in the national forests of their states, they have the most possessory rights on the public domain, they hold most of the stock-water allotments made under the laws of the state[rdquo]. In the Act of 1884, 23 Stat 103 the rancher not only owned the stock-water rights and stock trail ROWs, but had the preference right over all others to be granted the privilege (legal right) to graze cattle, horses, sheep and other livestock.

New Mexico State University Range Improvement Task Force (RITF Report 83): identifies that Forest Service Region 3 has lost approximately 80% (Aum[rsquo]s) of it Livestock Program.

Pg.278: Added by Sanchez:

Both the Federal Land Management Policy Act (FLMPA) and National Forest Management Act (NFMA) of 1976 clearly protect all rights of property from encroachment by federal regulatory actions and plans. Both laws state[rdquo] Any revision in present or future permit contracts, or other instruments shall be subject to valid existing rights[rsquo]

Pg.298 Text: [ldquo]National Environmental Policy Act of January 1, 1970

Directs all Federal agencies to consider and report the potential environmental impacts of proposed Federal actions and established the Council on Environmental Quality.

Comment: cherry pick throughout document, does not accurately honor individual rights

Pg.298: Added by Sanchez:

National Environmental Protection Act (NEPA) (P.L. 91-190.

See specifically: Title 1, Sec.101, (b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent

with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may [ndash] (4) preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice:

(5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life[rsquo]s amenities:).

Pg.313 Text: [ldquo]Thus, communities are no longer dependent on Federal timber sales from national forests to improve local schools and roads.[rdquo]

Comment: were and are dependent on Federal timber sales, Gallina and Chama closed schools since shrinkage of timber industry

Pg.324 Text: [ldquo]Forest Service Regulations[rdquo]

Comment: cherry picked what they wanted to put in there- hierarchy, did not identify CFRs, valid existing rights

Pg.324 Text: 36 CFR 219 Planning

Sets forth a process for developing, adopting, and revising land and resource management plans

for the National Forest System. 219.1-(b) Consistent with the Multiple-Use Sustained-Yield Act of 1960

(16 U.S.C. 528-531) (MUSYA), the Forest Service manages the NFS to sustain the multiple use of its renewable resources

Comment: Added by Sanchez

Pg.325 Text added by Sanchez

36 CFR 219: Planning, Subpart A: National Forest System Land and

Resource Management Planning, (sec. 219.8.-Sustainability, (a) Sustaining social and economic systems.).

Pg.334: Text added by Sanchez

Treaty of Guadalupe Hidalgo 1848