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Organization: Otero County Cattleman&#39;s Association

Title: President

Comments: Dear Mr. Moseley, As President of the Otero County Cattleman's Association (OCCA), I am submitting comments on behalf of the members of OCCA in regards to the Lincoln National Forest Draft Forest Plan and Draft Environmental Impact Statement (DEIS), comment period August 6, 2021 to November 5, 2021. Fire frequency and severity are addressed in multiple places throughout the DEIS documents. One such example states: "Fire exclusion and past management activities have led to the greatest departure from desired conditions for ecological response units on the Lincoln National Forest". COMMENT: This DEIS document admits that the Forest Service has been remiss in their duties to manage the forest correctly, yet the cause is blamed on the very things that were mandated by law that the Forest Service was tasked to facilitate logging, for the United States citizens; grazing, to provide livelihoods for families, to provide food for the nation, and to control undergrowth; and the protection and enhancement of the watershed. Had the Forest Service managed the undergrowth as well as the tree growth in a responsible manner, the forage and the water would have flourished. We see no indication that anything will change for the positive from this DEIS. On page 23 of the Draft Land Management Plan for the Lincoln National Forest it states, "Desired conditions for each ecological response unit are described as a range of conditions (for example, grass and forbs cover ranges from 10 to 25 percent, on average, for a specific seral state)". COMMENT: If the forest had been managed (logged, firewood, chips, etc) to maintain a healthy stand of trees, there would be substantially more than 10 – 25 percent range of grass and forb(s) cover. It is a provable fact, documented by pictures from the early 1900's that the tree population was sparse with a mostly solid turf of grass and forbs. It is mentioned that, "terrestrial ecosystems have been affected by historical management, such as high-grade, selective railroad logging and pre-Forest Service historical domestic grazing, and by modern issues, such as twentieth-century fire suppression." COMMENT: First, the DEIS statement reads that historical management was done with "high-grade, selective railroad logging." If it was "high-grade" and selective, would that not mean good management? The Forest Service seems to tend toward "low-grade". Proper management would be a combination of both and none of the proposed Alternatives are geared in that direction. Next it addresses "pre-Forest Service historical grazing". The forest lands have only degraded since the Forest Service has taken the management away from the Allotment owner. Documents show that the lands were more open and grass filled prior to the inception of the Forest Service. Again, none of the proposed Alternatives are geared in that direction. As far as "twentieth-century fire suppression", that speaks for itself. With the creation of the Forest Service, and its "management", common sense went out the window and with that came the steady decline in the health of the forests that continues to date. Page 58 of the Draft Land Management Plan for the Lincoln National Forest states, "Past management activities and resource use caused degradation of water resources in many parts of the national forest." COMMENT: Again, an admission of mismanagement on the part of the Forest Service, yet the direction that the Forest Service is currently headed will not enhance the quantity and/or quality of water. As mentioned previously, the removal of a substantial amount of trees and undergrowth will restore the flow of water increasing the quantity and enhancing the quality because of the increased flow. Draft Environmental Impact Statement, Volume I Elements Specific to Alternative A (No Action and 1986 Forest Plan) Access and Recreation "It includes an objective to close or decommission 100 miles of roads over the life of the plan; however, actual closures have not equaled this amount." COMMENT: OCCA objects to the closure of any roads. In fact, OCCA believes that there should be more open access to the forest lands, be it roads or trails, for the enjoyment of either a livelihood or recreation. After all, the Forest Service espouses that these are "public lands". Livestock Grazing and Rangeland Management "Under alternative A, there would most likely be no change in livestock management from current practices." COMMENT: Will there or won't there be a change in livestock management under alternative A? A producer/allotment owner cannot feel secure in making future plans regarding their ranching operation if they are not confident that the current livestock management practice will stay static and will not potentially be changed at any time. Economics

[ldquo]The 1986 Forest Plan is primarily commodity driven with an emphasis on outputs by the Lincoln NF. The purpose of the 1986 Forest Plan is to provide for multiple use and sustained yield of goods and services from the Lincoln NF. The economic focus for the 1986 Forest Plan was on timber and grazing, while providing guidance for mining. Alternative A would include 166,700 acres suitable for timber (figure 2-6).[rdquo]COMMENT: The forest reserves were set aside by law for the yields of goods and services, i.e., timber, grazing, and watershed. It is imperative that these uses continue in a manner that is beneficial to all concerned. Wilderness and Special Management Area[ldquo]Management under alternative A includes 55 eligible wild and scenic river segments (figure 2-7) with plan components developed to maintain their outstandingly remarkable values.[rdquo]COMMENT: There are current water rights and water rights holders within the Lincoln National Forest (LNF). Designation of a wild and scenic river or segment designation could encroach on said rights. Located within the Otero County Comprehensive Plan, the Public Land and Resource Management, Section 5-19, Water Resources states: [ldquo]Any federally proposed designation of Wild and Scenic Rivers and all federal policies regarding riparian management in Otero County shall be coordinated with the County and Water Users Groups in the County and will be jointly planned with all plans addressing County water use.[rdquo]To our knowledge, Otero County was not involved in any fashion with the writing of this DEIS. OCCA opposes any designation of a wild and scenic river, segments or otherwise.Draft Environmental Impact Statement, Volume IElements Specific to Alternative B (Proposed Forest Plan)Access and Recreation[ldquo]Alternative B includes objectives to decommission 75 miles of administratively closed roads over 15 years and maintain 112 miles of level 3 passenger car roads and 60 miles of level 2 high-clearance roads per year.[rdquo]COMMENT: OCCA objects to the closure of any roads. In fact, OCCA believes that there should be more open access to the forest lands, be it roads or trails, for the enjoyment of either a livelihood or recreation. After all, the Forest Service espouses that these are [ldquo]public lands[rdquo].[ldquo]This alternative would consider using the criteria outlined in table 2-3 to prioritize land exchanges.[rdquo] [ldquo]Land exchanges should be recommended under the following conditions: [bull] Opportunities to acquire private land within wilderness or with access to wilderness [bull] Community expansion needs [bull] Disposals for isolated tracts or tracts surrounded by private land [bull] Acquisitions of private land in areas where there is a need to block up National Forest ownership for resource management (e.g., habitat connectivity) Dispose of National Forest System land with substantial improvements under special-use permit to local governments or private organizations.[rdquo]COMMENT: What is the Forest Service[rsquo]s definition of [ldquo]acquisitions[rdquo]? Does that mean acquiring private lands by any means possible, outright purchase, coercion, trade, takings, etc.? OCCA believes that there should be no net loss of private property. The Forest Service should only be able to perform land for land trades with willing landowners not outright purchase. Natural Resource Management[ldquo]Under alternative B, vegetation management would focus on restoring fire as a key ecosystem process in frequent fire ERUs, with a particular emphasis on forested-frequent fire ERUs (mixed conifer with aspen, mixed conifer/frequent fire, and ponderosa pine).[rdquo]COMMENT: OCCA believes that fire, in conjunction with logging and grazing, is an excellent tool to manage and restore pre-Forest Service conditions.[ldquo]Objectives include mechanical thinning and prescribed burning for 10-year periods,[hellip][hellip].[rdquo]COMMENT: The small amount of acreage proposed for mechanical and/or chemical thinning for a period of 10 years is laughable, or would be if the current conditions weren[rsquo]t so serious. There should be more logging and mechanical/chemical thinning using fire as a follow up to clean the debris from the forest floor as well as lessening the danger of a wildfire. There will not be any headway made toward a functioning healthy forest without increased, proper removal of excess trees/shrubs. [ldquo]Alternative B balances riparian management with other resources and multiple uses. It would provide management direction for livestock grazing in riparian areas, but it would not prohibit grazing. In addition, it provides guidelines for grazing infrastructure and motorized use in riparian areas.[rdquo]COMMENT: Currently the Forest Service is denying some allotment owners the use of their valid water rights. Is the [ldquo]management direction[rdquo] going to be different than current management direction, more restrictive or more lenient? Is alternative B going to restrict the allotment owner from accessing their infrastructure via motorized vehicles? Any proposed projects related to the water (riparian areas usually equate to water) must be agreeable to the allotment owner. Any water restoration or enhancement must conform to vested, valid water rights.Livestock Grazing and Rangeland Management[ldquo]Alternative B balances livestock numbers with resource conditions. The proposed plan develops desired conditions for rangelands, then identifies objectives,

standards, and guidelines to assist rangeland managers when making decisions at the allotment level. These plan components provide a consistent management framework for rangelands.

COMMENT: Resource conditions must be determined in a scientific manner. The Forest Service should utilize the Range Improvement Task Force affiliated with New Mexico State University to have a fair and unbiased determination. There should be no reduction in livestock numbers. The abundant elk population is more responsible for overgrazing, if there is actually any overgrazing. Someday someone is going to have to take responsibility for the elk issue.

Economics Alternative B includes plan components that balance economic uses of the Lincoln NF with protecting resources.

COMMENT: Again, the forest reserves were set aside for economic uses, not for protection. The stated economic uses affect a considerably larger area than just the uses on the forest lands. Those uses economically have far reaching consequences.

Wilderness and Special Management Areas The Forest Service recommends 40,500 acres for wilderness designation, including the Guadalupe Escarpment WSA (figure 2-10; table 2-5).

COMMENT: The Act of June 4, 1897, (An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes.) is the basis of the National Forest System lands. Said reservations are for non-wilderness purposes. The Act of June 4, 1897, Surveying the Public Lands states: "No public forest reservation shall be established, except to improve Forest reservations, and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States;" This law specifically states what uses the forest lands were set aside for. They were to be used for the economic and personal benefit of the citizens of the United States by utilizing the resources. The creation of the forest reserves were never intended to close the land from resource use, which is exactly what a wilderness area does. OCCA believes that there should be no recommendation for wilderness designations within the LNF. These areas have the highest level of wilderness characteristics and would be managed as wilderness.

COMMENT: The Forest Service does not have the legal authority to manage any of the forest lands as wilderness areas when they have not been congressionally designated as a wilderness. Wilderness areas are in direct conflict with the multiple uses which are mandated by law. To qualify for a wilderness, the area is required to be in a natural state. There are many examples of "un-naturalness" that potentially could be included in a proposed wilderness area. The idea/concept of "setting aside wilderness areas" is to NOT see evidence of human disturbance. There are many areas listed that will show a human presence, including the roads that divide the potential areas. There are also water rights, pipelines, water storages, utility lines, fences, roads, other manmade improvements, etc., throughout the LNF. There are no tradeoffs identified, such as a high need for restoration treatments for wildland fire danger (e.g. mixed conifer/ponderosa pine ERUs), burned area rehabilitation, or woodland encroachment in ERUs. Areas needing intensive riparian restoration may also be excluded.

OCCA reads this statement to mean that the Forest Service plans to recommend the healthier areas of the forest for wilderness. If these areas truly are not in need of restoration, rehabilitation treatments or intensive riparian restoration they certainly will be in the future if they are treated as wilderness areas. If more areas are designated or managed as wilderness within the LNF, it will increase the destruction of the forest by continued overgrowth and less hands-on management. Wilderness designation will effectively stop mechanized equipment which may be used for recreation, mining, day to day maintenance of grazing allotments, commercial logging and/or wood cutting which will in turn create a larger wildfire hazard than already exists. Wilderness areas are also a detriment to local economies by destroying jobs, causing increased expense to current users and decreasing the local tax base. In fact Otero County New Mexico has an ordinance on the books, Otero County Ordinance No. 14-07, Section 17-07-3, Modifying Regulations which specifically says: "V. Lands to be designated as Wilderness or Lands with Wilderness Characteristics must be zoned through the Otero County zoning process. W. Current designated Wilderness Study Areas, Areas of Critical Environmental Concerns or Lands with Wilderness Characteristics designations shall terminate within one year of adoption of this ordinance." OCCA believes that the Forest Service must coordinate with the Board of Otero County Commissioners on any land issues within Otero County that are managed by the Forest Service. The Forest Service should also comply with their original, lawful mandate as stated previously. OCCA believes that USFS should not identify any new lands within the LNF as having wilderness characteristics.

Effects from acres of

ERUs in designated wilderness and in wild and scenic river segments would be the same as those under alternative A.

COMMENT: There are current water rights and water rights holders within the Lincoln National Forest. Designation of a wild and scenic river could encroach on said rights. Located in the Otero County Comprehensive Plan, the Public Land and Resource Management, Section 5-19, Water Resources states: "Any federally proposed designation of Wild and Scenic Rivers and all federal policies regarding riparian management in Otero County shall be coordinated with the County and Water Users Groups in the County and will be jointly planned with all plans addressing County water use." To our knowledge, Otero County was not involved in any fashion with the writing of this DEIS. OCCA opposes any designation of a wild and scenic river, segments or otherwise.

Elements Specific to Alternative C

Access and Recreation

Alternative C would also prioritize land acquisition evaluations on lands that provide connectivity for terrestrial and riparian plants and wildlife.

COMMENT: Again, what is the Forest Service's definition of "acquisitions"? Does that mean acquiring private lands by any means possible, outright purchase, coercion, trade, takings, etc.? OCCA believes that there should be no net loss of private property. The Forest Service should only be able to perform land for land trades with willing private landowners. Natural Resource Management

Under alternative C, vegetation management stresses wildland fire as the primary restoration tool. Mechanical thinning acreage would be reduced and only used in limited situations. As a result, fewer commercial forest products would be available, and fewer suitable timber acres would be treated.

COMMENT: See comments made above under Natural Resource Management, Alternative B.

Livestock Grazing and Rangeland Management

Same as alternative B

COMMENT: See comments made above under Livestock Grazing and Rangeland Management, Alternative B.

Economics

Alternative C recommends more acres for wilderness, resulting in fewer acres suitable for timber production (145,400 acres; figure 2-13).

COMMENT: See comments made above under Economics, Alternative B.

Wilderness and Special Management Areas

Alternative C recommends 402,000 acres for wilderness designation (figure 2-14).

COMMENT: See comments made above under Wilderness and Special Management Areas, Alternative B.

Alternative C would propose the same RNA and two special cave management areas, and it manages the same 54 wild and scenic river segments proposed under alternative B.

COMMENT: There are current water rights and water rights holders within the Lincoln National Forest. Designation of a wild and scenic river could encroach on said rights. Located in the Otero County Comprehensive Plan, the Public Land and Resource Management, Section 5-19, Water Resources states: "Any federally proposed designation of Wild and Scenic Rivers and all federal policies regarding riparian management in Otero County shall be coordinated with the County and Water Users Groups in the County and will be jointly planned with all plans addressing County water use." To our knowledge, Otero County was not involved in any fashion with the writing of this DEIS. OCCA opposes any designation of a wild and scenic river, segments or otherwise.

Elements Specific to Alternative D

Access and Recreation

Similar to alternative B, alternative D would follow the travel analysis process for decommissioning administratively closed roads, but it would prioritize decommissioning roads that affect riparian areas or hinder habitat connectivity. Land acquisition evaluations would be prioritized the same as they would be under alternative C.

COMMENT: OCCA objects to the closure of any roads. In fact, OCCA believes that there should be more open access to the forest lands, be it roads or trails, for the enjoyment of either a livelihood or recreation. After all, the Forest Service espouses that these are "public lands". Natural Resource Management

Alternative D would include the same vegetation treatment and prescribed burning objectives as alternative B.

COMMENT: OCCA believes that fire, in conjunction with logging and grazing, is an excellent tool to manage and restore pre-Forest Service conditions.

Objectives include mechanical thinning and prescribed burning for 10-year periods.

The small amount of acreage proposed for mechanical and/or chemical thinning for a period of 10 years is laughable, or would be if the current conditions weren't so serious. There should be more logging and mechanical/chemical thinning with fire as a follow up to clean the debris from the forest floor as well as lessening the danger of a wildfire. There will not be any headway made toward a functioning healthy forest without increased, proper removal of excess trees/shrubs.

Alternative B balances riparian management with other resources and multiple uses. It would provide management direction for livestock grazing in riparian areas, but it would not prohibit grazing. In addition, it provides guidelines for grazing infrastructure and motorized use in riparian areas.

COMMENT: Currently

the Forest Service is denying some allotment owners to the use of their valid water rights. Is the [ldquo]management direction[rdquo] going to be different than current management direction, more restrictive or more lenient? Is alternative B going to restrict the allotment owner from accessing their infrastructure via motorized vehicles? Any proposed projects related to the water (riparian areas usually equate to water) must be agreeable to the allotment owner. Any water restoration or enhancement must conform to vested, valid water rights.

**Livestock Grazing and Rangeland Management** [ldquo]Same as alternative B.[rdquo]

**COMMENT:** [ldquo]Resource conditions[rdquo] must be determined in a scientific manner. The Forest Service should utilize the Range Improvement Task Force affiliated with New Mexico State University to have a fair, unbiased determination. There should be no reduction in livestock numbers.

**Economics** [ldquo]Similar to alternative B, timber production and sales would occur where applicable to complement an emphasis on completing ERU treatments. Alternative D would have the same acres available for timber as alternative B (figure 2-8).[rdquo]

**COMMENT:** Again, the forest reserves were set aside for [ldquo]economic[rdquo] uses, not for protection. The stated economic uses affect a considerably larger area than just the uses [ldquo]on[rdquo] the forest lands. Those uses economically have far reaching consequences.

**Wilderness and Special Management Areas** [ldquo]Alternative D recommends the same evaluated wilderness areas, RNA, and special cave management areas, and it manages the same 54 wild and scenic river segments areas as alternative B.[rdquo]

**COMMENT:** See comments made above under Wilderness and Special Management Areas, Alternative B.

**Elements Specific to Alternative E**

**Access and Recreation** [ldquo]Alternative E focuses on providing more accessible recreation opportunities. It would do this by maintaining access roads to developed recreation sites at maintenance level III4 or higher and prioritizing land acquisitions that improve recreational access. In addition, alternative E would focus on locating caves suitable for recreational access.[rdquo]

**COMMENT:** OCCA agrees that access roads should remain open and maintained whether it be for recreation, or other legal multiple uses. However, OCCA does not agree with land acquisitions.

**Natural Resource Management** [ldquo]Alternative E would include the same vegetation treatment and prescribed burning objectives as alternative B.[rdquo]

**COMMENT:** See comments made above under Natural Resource Management, Alternative B.

**Livestock Grazing and Rangeland Management**[ldquo] Same as alternative B, except that alternative E would provide 10 new water sources in grazing allotments for livestock and wildlife use over 10 years, which could increase the capacity for grazing cattle on underutilized allotments.[rdquo]

**COMMENT:** Increased water sources for both livestock and wildlife is advantageous in that it disperses the animals more evenly and increased cattle numbers is both ecologically and economically beneficial. Also, see comments made above under Livestock Grazing and Rangeland Management, Alternative B.

**Economics** [ldquo]Alternative E prioritizes economic uses of the Lincoln NF. It would stress timber management on timber sales and forest products, maintain and promote increased grazing levels, and prioritize developed and accessible recreation. Alternative E would include 179,600 acres suitable for timber (figure 2-15)[rdquo]

**COMMENT:** OCCA supports increased utilization of the natural resources by using the private sector to assist in managing the forest health. It is beneficial to both the forest and the economy.

**Wilderness and Special Management Areas** [ldquo]Alternative E recommends 21,900 acres for wilderness designation (figure 2-16). Because alternative E focuses on developed recreation and motorized access, 11 wilderness areas are recommended for designation, as opposed to 21 wilderness areas recommended under alternative B. Those recommended are only those areas bounded by or adjacent to designated wilderness, which would improve its manageability (see appendix B for an analysis of the individual polygons recommended for wilderness designation and a more detailed explanation of the evaluation criteria).[rdquo]

**COMMENT:** OCCA does not support any wilderness designations for the reasons mentioned in all other Alternatives above. Even though this proposal is specific to [ldquo]only those areas bounded by or adjacent to designated wilderness[rdquo] that further takes more land/ resources out of use and probably will require more [ldquo]acquisition.[rdquo] OCCA does not support either of those concepts.

OCCA believes that this DEIS was improperly compiled in that the Forest Service does not include the affected state and local entities in their decision making process, nor does the Forest Service include input from any persons with the hands-on expertise as being stewards of the land and whom are personally and financially affected. OCCA believes that none of the real issues of past Forest Service mismanagement are properly addressed within any of the proposed Alternatives. These issues must be addressed and corrected before the Forest Service issues a final Forest Plan and Environmental Impact Statement. The National Environmental Policy Act (NEPA) review

process has become unnecessarily expensive and time consuming for project proponents and NEPA review documents are long and complicated. This DEIS is so voluminous that more time is needed in order to fully read and research the entire document. OCCA respectfully requests that the Forest Service extend the comment period another 60 [ndash] 120 days.