

Data Submitted (UTC 11): 9/25/2015 12:00:00 AM

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Comments: Comments on Draft Desired Conditions

Hello,

Please find attached comments submitted on behalf of the Center for Biological Diversity regarding the draft desired conditions for forest plan revision.

Please do not hesitate to contact me with any questions you may have about these comments.

Sincerely,

Katie Davis

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Public Lands Campaigner

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Excerpts from attachment copied here for coding purposes:

"Rather, we suggest creating desired conditions for vegetative types that focus on characteristics of functional ecosystems, such as functional fire regimes, increases or sustained population numbers for native species, rates of natural disturbances and recovery from such disturbances, and maintenance of key habitat components.

Moreover, we urge the Forest Service to create desired conditions that cut across vegetation type, and focus on creating sustainable ecosystems as a whole across various scales.

As written, many of the desired conditions for vegetative types that rely on arbitrary basal area limitations, seral stage proportions, tree age percentages, and other measurements are not clearly linked to the requirements of the 2012 Rule, or best-available science. And there is no indication that project or standards and guidelines created or implemented to meet these desired conditions will in fact lead to sustainability, diversity of plant and animal species, watershed and ecosystem health, resiliency, or meet the requirements of other federal laws, including the Endangered Species Act."

"Habitat Requirements - Given the 2012 Planning Rule's specific instruction that the forest plan must "provide for the diversity of plant and animal communities," "contribute to the recovery of federally listed threatened and endangered species, conserve proposed and candidate species, and maintain a viable population of species of conservation concern," we find the current desired conditions for all vegetative types do not meet the Forest Service's legal obligations because they do not mention or attempt to provide for habitat requirements or needs for native species. The current vegetative desired conditions are written and structured to achieve desired visual or structural goals, with no explanation as to their basis, that provide no certainty for species habitat needs within these vegetative types.

While we realize that such explanatory information may be contained within an EIS, we note that federal courts reviewing Forest Service plans and projects have stated that when the Forest Service uses a "habitat as proxy" approach to maintaining species viability, which it seems to be doing here, such an approach will be found arbitrary and capricious if the Forest Service does not "both describe the quantity and quality of habitat that is necessary to sustain the viability of the species in question and explain its methodology for measuring this habitat."⁴ To meet its obligations under federal law, the Forest Service must identify desired conditions for vegetative types that support habitat needs for the recovery of listed, proposed, and candidate species, and the viability of species of conservation concern. Such desired conditions are currently missing from this draft."

"Desired Conditions for Goshawk - Various vegetation types identified within the document contain draft desired conditions specifically for goshawk habitat components. We believe more desired conditions aimed at preserving, protecting and restoring wildlife habitat, as well as specific and enforceable standards and guidelines (especially for identified management strategies taken from recovery plans and best-available science) to reach them for specific species, are needed within the forest plan.

For the identified goshawk desired condition, we believe the following sentence should also be included:

Goshawk population numbers and makeup are maintained at or restored to conditions that promote genetic diversity, success of breeding pairs, and long-term viability of the species within the Cibola National Forest."

"Definition of the Wildland-Urban Interface (WUI) - For the purposes of this plan revision, the Forest Service has not identified what definition, both in geographical terms and in general terms, it is using for the WUI. Defining this area is important to understanding the context for the draft desired conditions for the WUI area, which we agree will be unique from desired conditions for other forest areas. Without an understanding of how and why the Forest Service is defining WUI in this context, however, we cannot adequately comment on the desired conditions or future plan components for this area."

"According to the 2012 Rule, the Forest Service must include plan components "to maintain or restore the ecological integrity of terrestrial and aquatic ecosystems and watersheds . . . taking into account: . . . climate change."⁵ The Forest Service in this case does not appear to have incorporated this direction into the desired conditions for vegetation types and other forest management activities; rather, it seems to have merely addressed climate change in one general desired condition that is vague and potentially inconsistent with other desired conditions. The general desired condition that "tree basal area is restored or maintained at the low end of

the desired range to mitigate water stress and increase resiliency to climate change," is also lacking any citation to best-available science or application to specific vegetation types or habitat. Under this desired condition, it appears the Forest Service will aim to reduce basal area in select areas (not identified within the desired conditions) as a general climate change adaptation strategy. Such a general desired condition, which also does not account for natural disturbance phenomena that may assist in the shift to more appropriate vegetative conditions in light of climate change, has the potential to drive projects and decision making based on an inappropriate one-size-fits-all management approach."

"Riparian Vegetation Types

The following general desired condition should be added to the Riparian Vegetation Types section: Dominant vegetation within riparian zones consists of existing, naturally regenerated, or seeded/planted native trees and shrubs suited to the soil and hydrology of the site.

The following desired condition should be incorporated into a revised forest plan: Sources of water pollution are identified and subsequently prevented or minimized to the extent practicable.

c. Aquatic Species and Habitats

Listed Species and Species of Conservation Concern

The following desired condition should be incorporated into the forest plan, and guide the creation of specific, enforceable standards and guidelines to achieve it: Federal listed, candidate and proposed species are trending toward recovery, supporting the goal of eventual delisting, while species of conservation concern exist at levels that support long-term population viability.

d. Terrestrial Species and Habitats

Listed Species and Species of Conservation Concern

The following desired conditions should be incorporated into the forest plan, and guide the creation of specific, enforceable standards and guidelines to achieve them:

Federal listed, candidate and proposed species are trending toward recovery, supporting the goal of eventual delisting, while species of conservation concern exist at levels that support long-term population viability.

Previously extirpated species, for which there is federal plan for recovery applicable to the Cibola National Forest, become established on the landscape, supporting species viability and recovery long-term.

Native species are found and protected throughout their historic range within the Cibola National Forest.

e. Nonnative Invasive Species

We agree that nonnative invasive species pose a threat to ecosystem function and native species viability in many instances. We also agree that management to remove or reduce the presence of nonnative invasive species is also important. We are encouraged to see that the Forest Service is prioritizing prevention and early detection to address this problem. With that in mind, we suggest the following changes to the draft desired conditions (additions noted in bold):

Invasive species, and management projects and tools used to extirpate or minimize them, do not disrupt the structure or function of ecosystems or impact native wildlife or plant species.

f. Fire and Fuels

We commend the Forest Service for highlighting the need for and role of wildland fire for ecosystem health throughout the Cibola National Forest. To capture the importance of this natural disturbance process, we recommend the addition of the following desired conditions:

Wildland fire, as appropriate, is utilized as the primary management tool to meet restoration objectives and goals for vegetation structure, wildlife habitat, and ecosystem function.

Therefore, we propose the following edit to the desired condition identified on pg. 61, lines 15-17 (additions shown in bold NOTE: FORMATTING CHANGES LOST REFER TO ATTACHMENT):

Wildland fires burn within a natural range of intensity and frequency of the historic fire regime for the vegetation community. Uncharacteristic High-severity fire rarely occurs at intervals and scales appropriate for relevant ecosystems and is managed to promote ecosystem health and restoration goals, as appropriate. High-severity fire that threatens human structures or facilities is prevented and controlled.

The current desired conditions do not adequately respond to the need for additional guidance and regulation for livestock grazing identified by the need for change....Therefore, we suggest the following changes and additions

(in bold) to the desired conditions (FORMATTING CHANGES LOST REFER TO ATTACHMENT):

Proper livestock stocking rates and associated management activities conform contribute to standards and guidelines that ensure healthy, diverse plant communities, soil stability, and wildlife habitat, viability, and recovery.

Livestock management includes range improvements such as but not limited to fences and water developments that do not impede the viability or recovery of native species and which are removed when no longer needed.

Livestock grazing and associated management practices are in balance with the needs of wildlife forage, watershed ground cover, natural fire regime, and resilience to climate variability drive and inform livestock grazing suitability determinations, practices and associated management.

Herbaceous native plant communities are functional and support ecosystem restoration goals and native wildlife, while disturbances occur within the natural range of variability (NRV).

Soils and biological crusts are intact and contribute to functioning watersheds and ecosystems, while sedimentation and soil run-off is limited and subject only to natural processes.

Native wildlife, including ungulates and predators, are widespread on the landscape and free from conflict with livestock operations.

Flexibility is maintained in management of livestock operations and plans so as to prevent and resolve conflicts between native wildlife and livestock in an efficient manner while preserving and protecting native species habitat.

Invasive species do not become established or continue to spread through forest ecosystems where livestock grazing occurs."

"We, therefore, recommend the inclusion of the following desired condition within the forest products section:

Harvesting and collection of forest products does not result in the creation of new roads, trails, or access points on the forest landscape."

"We recommend the inclusion of the follow desired conditions to capture the need to protect and preserve natural, wild landscapes on our public lands.

Opportunities for quiet recreation, observation of night skies, and enjoyment of wild and natural landscapes free from human development and infrastructure are preserved and protected."

"We ask that the following desired condition for Motorized Recreation be added:

Motorized recreation is not occurring off designated roads and trails. Areas where illegal or inappropriate use is occurring are efficiently closed and rehabilitated before further use is allowed."

"We recommend the following changes and additions (in bold FORMATTING CHANGES LOST REFER TO ATTACHMENT) to the draft desired conditions for roads:

The Forest's transportation system and infrastructure are the minimum necessary to allow for appropriate are sufficient to support the multiple uses of the Forest.

NFS roads decommissioned per a travel management decision, identified as likely not needed for future use as part of the travel analysis process, and/or not recommended as part of the minimum necessary road system are either converted to other uses in a timely manner or physically blocked, obliterated and restored treated in an effective way to eliminate motor vehicle traffic use.

Unauthorized roads that are causing environmental impacts are identified, closed to use and rehabilitated in a timely manner.

The National Forest Road System meets density standards, based on the best available science, for all motorized routes in important watersheds and wildlife habitat, migratory corridors, and general forest matrix, and for relevant threatened and endangered species and species of conservation concern.

Habitat loss and fragmentation is reduced and permeability is enhanced by conserving and restoring habitat linkages within and, where possible, between the national forests and other public and privately conserved lands.

Fences, roads, and other man-made features do not impede wildlife movement or contribute to habitat fragmentation."