

Imler-Jacquez, Sandra R -FS

From: Melissa-Roxanne Velasquez <mvelasqu.colostate.edu@gmail.com>
Sent: Wednesday, December 18, 2019 8:39 PM
To: FS-comments-southwestern-santafe
Subject: Encino Vista Landscape Restoration Project
Attachments: Juan Bautista Land Grant Advisory Group (working committee) Comment.pdf

Community Comment submitted on behalf of the Juan Bautista Valdez Land Grant Advisory Group (working committee).

JUAN BAUTISTA LAND GRANT ADVISORY GROUP

(WORKING COMMITTEE) supported by the Juan Bautista Land Grant, the Cañones, NM community base; and associated organizations

BOX 7 Cañones, NM 87516

JBLG ADVISORY GROUP COMMITTEE RE: VELASQUEZ, MELISSA ROXANNE

CC: JUAN BAUTISTA LAND GRANT

ADVISORY GROUP MEMBERS: BACA, JIMMY SANTIAGO (Chicano Poet and Writer); BOIES, MARYLOU (Land and Properties Representative); BRITT, JOHN & LESLIE, (Photographer and Private Landowner Representatives); BROTHERS (St. Michael's Monastery); DRENNAN, BRYAN (Private Landowner); FRANK, DARRYL (Private Landowner Representative); GALLEGOS, DENNIS (Acequia de Arriba Representative); GALLEGOS, INEZ (Community Water Association President); GARCIA, FINIANO (Buena Vista Ranch); GARCIA SR, PETER (Polvadera Creek Acequia and Mesa del Medio); LUCERO, LEVI (Private Landowner Representative); MARTINEZ, CY (Land Grant Representative); SALAZAR, CORNELIO (USA Ranch and Livestock Representative); SALAZAR, ELUID (Eluid's Art Design Construction); SALAZAR, LORENZO, (USA Ranch and Livestock Representative); SALAZAR, LUPITA (Querencia Creations and Agricultural Representative); SOLARIUS, NICHOLAS (Marine Corps Veterans Representative); VALDEZ, ANGELA (Community Representative); VALDEZ, ARTURO (Livestock and Mesa del Medio Grazing Allotment); VELASQUEZ, ISIAH (Acequia Mayordomo and Mesa del Medio Grazing Allotment); VELASQUEZ, MELISSA ROXANNE (JBVLG Advisory Group Committee Lead); and VIGILSR, NORMAN (Livestock and Mesa del Medio Grazing Allotment)

ADVISORY GROUP ORGANIZATIONS: ACEQUIA DE ARRIBA; JUAN BAUTISTA LAND GRANT; POLVADERA ACEQUIA; MESA DEL MEDIO GRAZING ASSOCIATION; ST MICHAELS MONASTERY

Collaborated Comments from Community Meetings held December 2019

December 12, 2019

Via First Class and Electronic Mail to comments-southwestern-santafe@usda.gov subject line Encino Vista Landscape Restoration Project and USDA Forest Service Coyote Ranger District c/o Richard Nieto, District Ranger HC-78, Box 1 Coyote, NM 87012

Dear Richard Nieto:

The Juan Bautista Land Grant Advisory Group (working committee) appreciates the opportunity to provide comments on the Encino Vista Landscape Restoration Project for the Proposed Implementation phase prior to the drafting of the Environmental Analysis or Environmental Impact Statement. The Encino Vista proposed alternative calls for a proposed treatment area of about 128,400 acres on the Santa Fe National Forest, Coyote Ranger District. The purpose and need for action summarize that there is “a need to increase forest ecosystem sustainability and resiliency to insects, disease, and climate change by shifting forest composition and structure toward desired conditions with the historic (or natural) range of variability for each forest type.” In addition, “a need to reduce the risk of uncharacteristic wildfire, to improve species habitat, and overall watershed conditions.”¹

Actions mentioned to be considered in detail within the draft document include:

Reduced stand densities;

Reintroduction of fire on the landscape;

Revitalization of meadows and aspen stand;

Promotion a diverse forest structure for a variety of wildlife species;

Improved watershed conditions; and

Efforts to significantly reduce the risk of catastrophic wildlife and its aftermath.²

The Cañones community has held several community meetings regarding this project, in addition to the regularly scheduled land grant meeting, in which this project was also discussed. A working committee was formed, and community comments have been taken from at least 40-50 members of the community. They represent various interests within the community, and all comments were considered as part of our working committee’s position. For a more thorough response to this purpose and need for action, we would request for an extended deadline.

¹ Encino Vista Landscape Restoration Project, Purpose and Need for Action and Proposed Action Coyote Ranger District, November 2019 (8-9).

² Encino Vista Landscape Restoration Project, Purpose and Need for Action and Proposed Action Coyote Ranger District, November 2019 (9).

Primarily, there is a need to state in this responsive document that there are several community members who oppose this project in its entirety. There are major concerns that the historical management by the Forest Service has led to its current ecological state. Many individuals have shared that many times these concerns have been brought to the US Forest Service in less publicized meetings, interactions, dealings with staff members, district rangers, and they have been largely ignored. There is a consensus that the public is not being involved in management decisions in a manner that reflects the dynamics of small rural communities; that documents of this nature should be publicized and distributed in the Spanish language, as many individuals only speak that language; that land grants and acequias have not been seen as organized governmental bodies that merit their comments to be incorporated into major federal actions, and/or in projects such as these; that individuals have seen Forest service staff turnover at alarming rates on this district, (especially district rangers); that this community was witness to the “Mesita del Pueblo” (Tsi’ pinouinge), historically land grant, (and in the community’s possession), aggressively acquired by the US Forest Service as we encounter trespassers on private lands (as a result of issuance of visitation permits); and that the level of trust needed to be maintained with managing a public resource has not been developed or cultivated among the people. Land-based rural communities around the district should be considered in the methods in which they communicate opposed to the bureaucratic language and literature so prevalent in federal agencies, in an effort to be able, and willing, to provide the level of feedback needed to respond in projects such as these.

The community meetings held in Cañones have provided us with a lot of comments and feedback on the Forest Service in general and this specific project. Prior to proceeding to proposed measures, we ask the following regarding this project:

- 1.) A level of trust be established between US Forest Service (Coyote Ranger District) and the Cañones community. The community was (for the most part) uninformed regarding this project. The first community notice received from many individuals and permittees came after the initial pre-scoping meeting. That being said, the consensus is that the leader of this initiative should work to develop a level of trust with the community before embarking on projects of this scope. The National Environmental Policy Act (NEPA) requires federal agencies to consider social, cultural and economic aspects. The community is interested in knowing if this project is truly one that intends to protect and sustain the forests’ natural resources, associated fish and wildlife habitats, and the social, cultural, and economic practices of the surrounding rural communities, or if it’s being driven by mandated acreage targets set forth by upper management within the federal agencies programs. Fire is the predominant tool mentioned as the most likely response to the above-mentioned purpose and need for action, surpassing all other methods, including most silvicultural methods that might be less invasive. Is there an

example where a project such as this has yielded positive results, and, if so, can that be available for public review and comparison?

- 2.) After thoroughly reviewing the document and agreeing in consensus, the community would like to see this project complete an Environmental Impact Statement and not shortcut through an Environmental Assessment. The community agrees, that more attention to details is necessary as this project could have not only “significant” but “catastrophic” implications to its main watershed if not managed in a way conducive and considerate to this ecosystem and associated habitats for aquatic wildlife and water quality downstream. The community agrees that the threshold of a potential significant impact has been reached with the controversy of environmental effects, primarily to river ecosystems, but also to fish and wildlife species associated habitats and to the social, cultural, and economic aspects of this community and its livelihood.
- 3.) Scientific documents and data analyses of conditions that have merited the purpose and need for action should be cited or referenced in the documents at length. The effects by the proposed action on the environment and associated ecosystems- and on the aesthetic, historic, cultural, economic, social, and health- are of concern.
- 4.) A funding and contingency plan should be prepared in concert with the proposed project in case of catastrophic consequences. This contingency plan should be made available to the public for review. The management decisions made caring for this public resource should not be viewed as a least cost-effective analysis decision, but in a resulting decision that ensures the protection of the public resource and is amicable to all users of the forest system.
- 5.) Rangeland Grazing should be incorporated into a segment of the purpose and need for action as a “valid” multiple user of the forest with permitted allotment access. Range grazing pastures that will be improved, are to be identified and mapped, as well as discussed, in the document to ensure the opportunity to comment (livestock allotment permittees) on pasture improvements. As one of the larger cultural and economic interests of the area, the community is centered on farming and ranching as a land-based community with rights and access to national forest land grazing. This traditional practice of grazing forest lands occurred prior to forest service being established in the early 1900’s. It is vital that rangeland grazing be at the forefront of this initiative.
- 6.) Consideration should be given to some of the oldest forms of governance in Cañones. These lands were historic land grants, awarded by the King of Spain to the Spanish families that settled here. The land grant is a functioning body of families whose origination and genealogy in the area dates back to the early Spanish settlement, and well before many of these traditional lands were acquired by the federal government.

- 7.) Cultural resource management surveys and associated protection should be identified as a “priority” within the landscape plan, considering the area is so culturally diverse and a main geographical area of ancestral Tewa lands, native American culture. Archaeological survey data should be thoroughly completed and made available to the public for review.
- 8.) Cañones Watershed should be granted protection as a “priority” and with the least significantly impactful methods. Allow areas to be cleaned out through wood hauling, controlled thinning in incremental phases and as smaller niches, rather than large acreage prescribed burn tracts. Less prescribed burning in the watershed (and pile and burn methods) so as to not contaminate water quality or increase sediment flow in streams.
- 9.) Include accountability and collaboration with local governmental bodies, the use of local resources, and local personnel and contractors, with simplified ways of participation, with oversight representation by local community in the performance of defined work scope.
- 10.) Water quality, of the area’s streams and acequias should be considered as a “significant” impact and one that merits concern. Studies about prescribed fire impact on macroinvertebrate communities in select river systems, in conjunction with findings from studies of wildfire in Yellowstone National Park USA, have shown that as fire produces large quantities of fine debris and increases run-off of ground litter materials, it reduces taxonomic richness and diversity and increases dominance of Chironomidae and Baetis spp.³ As a community, we appreciate the taxonomic biodiversity of our river’s ecosystem and the multiple attributes such as the richness and abundance of species, the phylogenetic diversity and the presence of different evolutionary lineages, and the functional diversity with a variety of growth forms and resource use strategies. We appreciate this because it signifies to us the health conditions of the river ecosystem.
- 11.) Water quantity, in streams below, should be “strongly considered” in a manner to prevent severe flooding during regular rain events or natural flood events, especially with the potential for an increase in quantity of water through potentially thinned and open canopies. Some past studies have shown low-intensity prescribed fires have little or no influence on stream flows (D. H. Van Lear, Douglass, Cox, & Augspurger, 1985), but many other studies also observed an increase in stream run-off (Ursic, 1970; Schindler et al., 1980). “The influence of fire on hydrology can be expressed indirectly by the

³ L. E. Brown et al., 2015; L. E. Brown, Johnston, Palmer, Aspray, & Holden, 2013; Minshall et al., 2001.

changes of vegetation, ground cover, soil and environmental factors that affect water cycles. In general, as prescribed fires intensify and consume more of the forest floor, there are “effects” on stream hydrology similar to wildfires or forest harvesting” (Baker, 1988; Shuren, 2003).

- 12.) Prepare a detailed timeline (in specification and in increments) available to the public for review. The timeline should include phases to identify and measure impacts from areas within the project and effects outside of project boundaries). One study on the “Effects of Prescribed Forest Fire on Water Quality and Aquatic Biota,” concluded that timing was essential; for example, one month after a prescribed burn, and during a dry period with almost no precipitation, the first high intensity rainfalls post-burn introduced elevated DOC levels and nutrients into the downstream water and “adversely” affected water quality. The timeline scope needs to have a planned (proactive not reactive) set of strategies that would address any scope creep and its impact on project and stakeholders.

- 13.) A careful consideration should be given to Threatened and Endangered Species currently listed, once listed, or species of concern within the project boundaries, i.e.; Mexican Spotted Owl, Northern Goshawk, Rio Grande Cutthroat trout, and/or other fish and wildlife species who might “potentially” share the same habitat space.

Proposed Action:

In the proposed action you mention 77,106 acres of broadcast and pile burning and subsequent maintenance burning in conjunction with or independent of uneven and even aged silvicultural system methods; (Group and or individual tree selection on up to 39,720 acres and prescribed burning and a combination of intermediate thinning and or pre-commercial thinning, and or prescribed burning on up to 26,480 acres); Un-even and even aged silvicultural system methods in conjunction with broadcast and pile burning on up to 22,200 acres; prescribed burning without prior silviculture treatments on up to 10,907 acres with additional maintenance burning occurring on a 5-20 year rotation for all prescribed burning areas; an allocation approximately of 22,225 acres for old growth characteristics; construction of 5 to 10 miles of temporary roads, road infrastructure improvement, utilization of small ruminant animals to control Gamble oak, amending the Santa Fe National Forest Plan for the MSO habitat, and amending the 1987 Santa Fe National Forest Plan for northern goshawk.⁴

⁴ “Encino Vista Landscape...”, 10.

Primary Concerns:

- 1.) **Timeline of the above actions.** Considering that the percentage of what will be prescribed burn, and the percentage non prescribed burn cannot be determined until more than likely MSO and Northern Goshawk survey data has been completed; there is no timeline of activities in the purpose and need for action for the project at length.
- 2.) **Specifications of the above actions.** It is not clear the exact acreage and in what particular areas the prescribed burning will take place. Is there data on the actual location activities of prescribed burning. Where have current conditions departed from the desired conditions? Is there survey data on these actual locations?
- 3.) **Rationale behind prescribed burning without prior silvicultural treatments on up to 10,907.00.** What is the rationale behind prescribed burning with no exact delineation? Will less impactful silvicultural treatments be done prior to burning?
- 4.) **Cañones watershed.** Prescribed burning near aquatic streams has been shown in some studies to have detrimental effects to the water quality and aquatic wildlife. The Cañones creek is key habitat for the Rio Grande Cutthroat trout which has in the recent decade finally been de-listed. The community is concerned about ash-filled streams from prescribed burns, loss of sediments, and impacts on water quality. According to some studies mentioned earlier, utilizing fire to treat near riparian areas can potentially be detrimental to the benthic and macroinvertebrate communities. Some studies have shown prescribed burning resulting in streams that have significantly lower taxonomic richness and diversity. There is no current hydrological data cited with a reference and approach to river ecosystem protection. The Cañones watershed draws water from a sizeable area, and during regular rain events, the Cañones creek and Polvadera creeks can triple in size. The incremental phasing of the project is vital to control unintended higher velocity flow that can increase sediment in the water and detrimental erosion.
- 5.) **Temporary roads map available to the public.** Is it possible to see the exact road maps that will be constructed to facilitate this project?
- 6.) **Road Improvement in project area.** There are many existing Forest Roads in need of repair. Will these roads be identified in this document for maintenance and improvement?
- 7.) **Ruminant Animals Containment Plan.** Are you planning on enclosure facilities; how will ruminant animals be controlled on the landscape? Are there examples from other projects where this has been a successful tool?
- 8.) **MSO Amendment.** What survey analysis has been completed up to this point for Mexican Spotted Owl recovery? Have locations of habitat been mapped within the boundaries of the proposed Encino Landscape Restoration Plan? Do you have current survey data available to the public as an addition to this proposed project? If so, are there current habitat mappings? We refer to page 15 of the document Purpose and Need for Action. Will these guidelines be adhered to in the proposed project? Highest densities of Mexican spotted owls have been shown to occur in mixed-conifer forests

that have experienced minimal human disturbance. Will areas within these project boundaries be reserved for this protection.

- 9.) In response to amend the **1987 Santa Fe National Forest Plan** to add clarifying language for northern goshawk management with current survey analysis available for public review. Owl and goshawk breeding time occurs during the summer months (March 1 to August 31). Do these intensity burns affect habitat and or breeding cycles for T&E Species? More existing data on wildlife species should be reflected prior to implementation of this project. Currently there is a lack of field sampling and current data analysis. Will this data be available prior to project implementation and available for public review?
- 10.) The Forest Service acknowledges in the purpose and need for action that fuelwood is an important resource. Fuelwood should be available to the communities prior to and during project implementation free of charge to accelerate the cleaning of the forest dead and down resources. It is a benefit to small communities with low income residents and assists in the cleaning of potential fire hazards. Local people should be hired in forest activities, and the process in which they participate needs to be simplified to encourage a greater pool of candidates. An example might be collaborating with local loggers and logging operations to mark or fell dangerous trees and pile them to be harvested by community members for fire wood or timber or allotting both community members and or loggers certain plots to harvest valuable timber.

Proposed Forest Plan Amendment:

Sufficient monitoring data on aquatic, fish, and wildlife species to provide an adequate comment.

Concluding Remarks:

The community is located within the Northern Rio Grande National Heritage Area (NRGNHA), which "is a place recognized by the United States Congress for its contribution to the American experience." Our region is defined by how communities interact with their environments; our land-based communities live in communion with our ecosystems. For many of us who live in this region, our food, water, if not a good portion of our incomes come from working the land, or harvesting from what used to be our common lands in the mountains. Primarily for rural communities, any issues that could arise from mismanagement of this project that can potentially negatively impact the ecosystem will have a socioeconomic impact on our community as a whole.

The community is a water and land-based culture and, yes, we can agree, we are always concerned about catastrophic events, such as major wildfire. But loss of biodiversity in fire, either through prescribed plans, or one that is naturally caused, could potentially have devastating effects on the entire riparian ecosystem, and all those that depend on it. The livelihood of many community members is tied to this ecosystem. We rely on a clean and healthy river for our acequias, gardens, and livestock, as well as appreciate the natural processes that occur within these ecosystems. We advocate for an environmental impact statement that is considerate of this specific culturally historic geographical area rich in fish and wildlife diversity; which protects the historical and cultural traditions of the community and its people; which considers the community as a collaborative decision maker prior to project implementation.

As each decade approaches, it seems that the approach to management of the public resource shifts. Fire suppression has been a traditional tool, and to reintroduce fire to the landscape, (and its associated implementation methods), is not just a programmatic change at the forest service level, it is a psychological change that involves acceptance by the community, who accesses the resource. There are always risks associated with the management of public resources. Community participation in the decision-making process and a collaborative approach to planning can work to strengthen the relationship and lead to a more neutral understanding between the forest service and the rural community. However, the community does not find that the level of trust is sufficient enough, at this point in time. We take the position of asking the Forest Service to conduct a more detailed review of the project, including timelines, and significant impacts that could potentially arise, prior to proceeding.