



April 15, 2024

Santa Fe National Forest
Mark Sando, Coyote District Ranger
HC 78, Box 1
Coyote, NM 87012-0001

Submitted via project website: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=54965>

Re: Comments on Santa Fe National Forest Draft Environmental Assessment for Encino Vista Landscape Restoration Project

Dear District Ranger Sando:

New Mexico Wilderness Alliance (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. We appreciate this opportunity to provide comments to the Santa Fe National Forest (SFNF) on the Preliminary Environmental Assessment (Draft EA) for the proposed Encino Vista Landscape Restoration Project (Project). The Project proposes vegetation management and other restoration activities on approximately 130,305 acres within the Coyote and Cuba Ranger Districts of the Santa Fe National Forest. These comments are timely submitted by April 15, 2024.

We understand that the intent of the Project is to reduce fuel accumulations and treat vegetation composition and structure that contribute to the risk of high-severity wildfire; to restore and maintain forest health and resiliency; to improve and enhance wildlife habitat; and to restore and protect watersheds.¹ We generally support the goals of this project and appreciate that the SFNF has incorporated Project components aimed at improving and maintaining the transportation system to prevent erosion and damage to watersheds and other sensitive resources.² But we are concerned that the Project, as proposed, could have adverse effects on Inventoried Roadless Areas (IRAs). We recommend that the SFNF clarify provisions in the Draft EA and incorporate additional project design features and mitigation measures to ensure that the Project will promote the roadless area characteristics of the IRAs and comply with the Roadless Rule and the Forest Plan.

¹ USDA/Santa Fe National Forest, Coyote Ranger District, Encino Vista Landscape Restoration Project Preliminary Environmental Assessment, pp. 11-12 (Mar. 2024) [hereinafter Draft EA].

² *Id.* at 11-12.

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A. The SFNF Should Pursue Additional Management Actions to Restore Forest and Watershed Health within the Project Area.

As explained in the Draft EA, a history of fire suppression, heavy livestock grazing, logging, and development have damaged forest health, resulting in severe wildfire and uncharacteristic insect and disease outbreaks.³ These problems have been exacerbated by the road system, which is extremely dense and includes many degraded roads and unofficial routes. The Draft EA reflects that there are 761 miles of Forest Service roads within the Project area, and that 65% have unacceptable levels of erosion, delivering harmful amounts of sediment into waterways. As a result of these issues, *none* of the watersheds in the Project area are functioning properly. The Cañones Creek Watershed has been classified as “impaired,” and the Coyte Creek, Headwaters Rio Puerco, and Poleo Creek Watersheds are classified as “functioning at risk.”⁴ To begin addressing this we strongly support the SFNF’s proposal to prioritize the decommissioning of 100 miles of closed roads that are delivering high amounts (>.25 tons/year per road segment) of sediment into streams within the Project area.⁵

Given the magnitude of the problem, we recommend that the SFNF do even more to address the significant issues, including additional road decommissioning and maintenance to improve stream function, vegetation, and morphology. In accordance with the SFNF Land Management Plan (Forest Plan), the SFNF should prioritize roads in IRAs for decommissioning.⁶ The SFNF should also conduct management activities aimed at minimizing the impacts of recreation and grazing on watersheds, wildlife, and riparian habitat. These actions would improve watershed function and benefit streams and habitat within the project area, including the Cañones Creek Eligible Wild and Scenic River, which runs through the Cañones Creek IRA.

B. The SFNF Must Ensure that Project Actions within Inventoried Roadless Areas Are Consistent with the Roadless Rule and Land Management Plan.

The Project area encompasses three IRAs: Cañones Creek, Youngsville, and Puebla Mesa. These IRAs were identified in the 2001 Roadless Rule.⁷ IRAs are characterized by nine values or features: (1) high quality or undisturbed soil, water, and air; (2) sources of public drinking water; (3) diversity of plant and animal communities; (4) habitat for threatened, endangered, proposed, candidate, and sensitive species and for those species dependent on large, undisturbed areas of land; (5) primitive, semi-primitive non-motorized, and semi-primitive motorized classes of dispersed recreation; (6)

³ *Id.* at 12.

⁴ *Id.* at 21.

⁵ *Id.* at 57.

⁶ USDA, Santa Fe National Forest Land Management Plan, p. 171 (July 2022) [hereinafter LMP].

⁷ Special Areas; Roadless Area Conservation; Final Rule, 66 Fed. Reg. 3244 (Jan. 12, 2001) [hereinafter Roadless Rule].



reference landscapes; (7) natural appearing landscapes with high scenic quality; (8) traditional cultural properties and sacred sites, and (9) other locally identified unique characteristics.⁸ Although IRAs receive less protection and are subject to less limitations than Wilderness areas, with the adoption of the Roadless Rule, IRAs became “more committed to pristine wilderness, and less amenable to road development for purposes permitted by the Forest Service.”⁹

“Activities proposed in IRAs must comply with the 2001 Roadless Area Conservation Rule, and additional review processes at regional or national levels are required for projects involving any of these activities.”¹⁰ Projects within IRAs must also comply with the Forest Plan. To meet the desired conditions set forth in the Forest Plan, the SFNF must manage IRAs so that they stay “intact” and “relatively undisturbed,” and “appear natural,” with “high scenic quality.”¹¹ As stated in the LMP Guidelines for IRAs, “Management activities should be consistent with the scenic integrity objective of high.”¹²

Currently, the Cañones Creek, Youngsville, and Puebla Mesa IRAs “have overall pristine scenery,” with scenic integrity classified as “very high or high.”¹³ To maintain intactness and scenery objectives, the SFNF proposes to limit the Project activities conducted within the IRAs to include only pre-commercial thinning and prescribed burning.¹⁴ We strongly support this limitation, and we recommend clarifying the following statement in the Draft EA: “No mechanical fuels treatments or mastication *are expected* to occur within any IRA.”¹⁵ In the Final EA and decision for the Project, the SFNF should revise this language to expressly prohibit mechanical fuels treatments and mastication within the IRAs. This clarifying revision will help ensure that the Project complies with both the Roadless Rule and the Forest Plan.

Even with these limitations and clarifications, we are concerned that the Project as proposed might negatively impact the high scenic integrity objectives for IRAs. The Draft EA lacks design features and mitigation measures aimed at maintaining high scenic integrity objectives within IRAs. Yet the Draft EA does include design features intended to protect scenic integrity objectives along scenic, historic, and recreational trails; around campgrounds; and along the corridor for the Cañones Creek Eligible Wild and Scenic River, which are intended “to minimize any indirect effects such as cut

⁸ Roadless Rule, *supra*, at 3245.

⁹ *Wyoming v. U.S. Dep’t of Agriculture*, 661 F.3d 1209, 1225 (10th Cir. 2011).

¹⁰ USDA Santa Fe National Forest, Land Management Plan, p. 170 (July 2022) [hereinafter LMP].

¹¹ LMP, *supra*, at 170.

¹² *Id.* at 171.

¹³ Draft EA, *supra*, at 139-140.

¹⁴ *Id.* at 134.

¹⁵ *Id.* (emphasis added).

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stumps” and to impose a “one-year time limit . . . for any vegetation piles placed near trails or campgrounds.”¹⁶ We urge the SFNF to incorporate similar mitigation measures for IRAs.

Additionally, the Draft EA contains inadequate information for the public to determine whether the Project will comply with other limitations in the Roadless Rule. Within IRAs, the Roadless Rule expressly prohibits road construction and reconstruction, as well as the cutting, sale, or removal of timber, subject to limited exceptions.¹⁷

Regarding the prohibition on road construction and reconstruction, the Draft EA appears to be silent on whether roads might be constructed or reconstructed within the IRAs. The Draft EA states that existing Forest Service roads “would serve as the primary access to project areas to facilitate project restoration activities.”¹⁸ The Draft EA further states that many of the roads are in degraded condition.¹⁹ The reality is that many or all of these “roads” are mere remnants of former roads that in many instances are barely noticeable because they have naturally decomposed and faded into the landscape over a period of decades. Therefore, “maintaining” these roads is tantamount to road reconstruction, which is prohibited in IRAs. Moreover, although no new *permanent* roads are proposed for the Project, the SFNF does plans to construct up to 8 miles of *temporary* roads, which would be decommissioned after implementation.²⁰ The Draft EA does not clarify whether Project implementation within IRAs might require road reconstruction or the creation of temporary roads. To ensure compliance with the Roadless Rule, the Final EA and decision should clarify that no roads, including temporary roads, will be constructed or reconstructed within IRAs.

Regarding the prohibition on timber cutting, the Roadless Rule generally prohibits timber cutting in roadless areas but provides a limited exception for “infrequent” cutting “if the Responsible Official determines that” the “cutting, sale, or removal of generally small diameter timber is needed” to “maintain or restore the characteristics of ecosystem composition and structure, such as to reduce the risk of uncharacteristic wildfire effects, within the range of variability that would be expected to occur under natural disturbance regimes of the current climatic period.”²¹ The SFNF is seeking review by the Regional Forester to determine whether it is appropriate to grant an exception for this Project.²²

¹⁶ *Id.* at 111.

¹⁷ Roadless Rule, *supra*, at 3245.

¹⁸ Draft EA, *supra*, at 18.

¹⁹ *Id.*

²⁰ Draft EA, *supra*, at 38, 57-58.

²¹ Roadless Rule, *supra*, at 3273.

²² Draft EA, *supra*, at 133.



If the Regional Forester approves an exception, the Draft EA states that thinning within IRAs “will focus on *primarily* small diameter thinning and prescribed fire.”²³ We recommend clarifying the Final EA and decision to state that thinning in IRAs must be limited to small diameter trees only. Additionally, the Draft EA does not define “small diameter” for purposes of thinning within IRAs, and we are concerned that the Draft EA could be read to permit the cutting of trees with a diameter of up to 24 inches, as provided in the general Project description.²⁴ We recommend that the Final EA and decision include language clarifying that pre-commercial thinning in IRAs must be limited to trees with a diameter less than or equal to 9 inches (at breast height) or 12 inches (at root collar).²⁵ Finally, as described above, the SFNF should incorporate additional design features or mitigation measures to ensure that thinning activities within the Project area do not compromise high scenic quality objectives or other roadless area characteristics.

CONCLUSION

New Mexico Wild generally supports the SFNF in its efforts to take a science-based approach to restoration and the reduction of risk of catastrophic fire. The Project area would benefit from restoration activities including the reintroduction of a natural fire regime, implementation of a travel management plan with a minimum road system, road decommissioning, riparian restoration, a more sustainable level of livestock grazing, and actions to improve watershed health and groundwater recharge. The Project will help accomplish these goals. We recommend that the SFNF incorporate clarifications and mitigation measures to ensure that the Project is consistent with the Roadless Rule and Forest Plan and will not have adverse impacts on the roadless area characteristics of IRAs, including high scenic integrity.

Thank you for the opportunity to comment on the Project.

Sincerely,

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²³ *Id.* at 134.

²⁴ *Id.* at 34 (“All trees greater than 24” in DBH would be retained regardless of health or condition.”).

²⁵ *Id.* at 36 (describing various types of fuel treatments contemplated for the Project).

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