

Interim Committee Meeting
Tuesday, July 24, 2018
Abiquiu, NM

Mister Chair, and members of the Committee: Thank you for allowing this opportunity for us to address this committee. My name is Bonifacio Vasquez. I am the chairperson of the Santa Barbara Land Grant. With me today are: Vincent Abeyta, Vice Chair; Henry Trujillo, Secretary, and Lorrie Garcia, Board member. We are here today to update the Committee on the status of our CFRP (Collaborative Forest Restoration Program) and the current status of the Forest Revision Plan in the areas of Wilderness and Wild and Scenic River eligibility evaluation of the Rio Santa Barbara.

As we reported to this committee last July at the meeting in Taos, The Santa Barbara Land Grant submitted a Planning CFRP proposal for \$450,000 in 2016 to begin a NEPA study which would have commenced in 2017. Unfortunately, our proposal was not funded. We received an evaluation score of 42.34 with three areas of strengths and five areas of weaknesses. We have attached Enclosure #1 for additional details on the evaluation and the recommendations provided.

When Mr. Sean Ferrell was hired as the new Camino Real District Ranger in 2017, we met with him to discuss the areas we hoped to restore through the use of a CFRP. Mr. Ferrell asked for time to study the proposed areas before signing on to collaborate on a new CFRP. At our last meeting, May 22, 2018, Mr. Ferrell said the Camino Real District forest service personnel would take on the responsibility of conducting the required NEPA studies and surveys. Any work to reduce wildfire threat or improve our watershed, in Bear Mountain or nearby areas must comply with the National Environmental Policy (NEPA). We are disappointed in the time it takes to complete this process, but we have agreed to wait until the areas needing restoration are NEPA compliant. Under this new plan, the Santa Barbara Land Grant cannot submit an Implementation proposal application until 2021.

Wilderness: First, we wish to thank the Interim Committee and especially representative Sarah Maestas Barnes for introducing and passing House Memorial 43. This memorial has been extremely helpful in bringing awareness to the plight of land-based communities who depend on forest product. I do not exaggerate when I say that many people in our rural villages cannot survive without resources obtained from the forest. Designated Wilderness is a threat to Northern New Mexico and land grant community culture. However, the Forest Service, in meeting their mandates has come up with 5 alternative plans.

The Carson National Forest 5 alternative plans:

Alternative 1 – change nothing and continue working under the current plan
Alternative 2 – Provides for Restoration of Diverse Ecosystem Service.

CFRP Panel Review of the 2017 Santa Barbara Land Grant CFRP Grant Application

The 2017 CFRP Technical Advisory Panel Report and Meeting minutes is posted on the Forest Service CFRP website: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd554842.pdf.

The Panel Report includes strengths and weaknesses identified by the Panel during their meeting, which is open to the public. Grant applicants can submit written Public Comments to the Forest Service Panel staff and read those comments to the Panel during scheduled Public Comment periods each day.

Here are the CFRP Technical Advisory Panel comments on the 2017 Santa Barbara Land grant application from the 2017 CFRP Panel Report:

CFRP 01-17: Santa Barbara Land Grant

PROJECT NUMBER: CFRP 01-17

CATEGORY: Planning

ORGANIZATION: Santa Barbara Land Grant

FOREST: Carson

PROJECT TITLE: Santa Barbara Land Grant Bear Mountain Restoration to Address Insect and Disease Risk and Watershed Health FUNDING REQUESTED: \$360,000

MATCHING FUNDS: \$90,000

TOTAL BUDGET: \$450,000

EVALUATION SCORE: 42.34

Strengths:

1. The proposal is supported by larger watershed planning/implementation effort. (Rio Santa Barbara Watershed Based Plan, and Taos County 2009 CWPP).
2. The proposal is strengthened by involving a diverse group of collaborators.
3. The proposal is strengthened by including a competitive bidding plan.

Weaknesses:

1. The cost per acre is much higher than other planning proposals.
2. The proposal lacks a clear description of current forest conditions by forest type that are necessary to determine the appropriateness of the treatment.
3. The work plan includes approval of a second and third CFRP planning grant, which implies that future CFRP Panels will recommend those applications for funding and that the funding would be approved by the Secretary. Those future actions are beyond the control of the applicant and should not be included in the work plan.
4. The multi-party monitoring plan should focus on the completion of the NEPA surveys and documents which are the objectives of the project.
5. The multi-party monitoring plan does not clearly explain how data collection done by partners will be incorporated into the process.

Recommendations:

1. The proposal would be strengthened by lowering the budget for administration costs and increasing the number of acres to be surveyed for NEPA clearance.
2. The proposal would be strengthened by clarifying how the Envirothon team and curriculum will be developed for the environmental science classes.

Encl #1



Merced de Santa Barbara Land Grant
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Board of Trustees

Bonifacio I Vasquez, President
Vincent Abeyta, Vice President
Henry Trujillo, Secretary
Manuel Trujillo, Treasurer
Lorrie Garcia Member

April 11, 2018

Carson National Forest
Mr. James Duran, Supervisor
208 Cruz Alta Road
Taos, NM 87571

SUBJECT: RIO SANTA BARBARA **WILD AND SCENIC RIVER** ELIGIBILITY EVALUATION

Dear Mr. Duran

The Santa Barbara Land Grant respectfully request the Carson National Forest Service remove the Santa Barbara River and its segment from the **Wild and Scenic River** Eligibility Evaluation as currently proposed in the Carson Forest Plan. This plan has not been brought to the attention of the greater Penasco community and the residents who have for centuries used the Santa Barbara River for irrigation and to sustain a way of life. A plan to designate or give any part of the Santa Barbara River **Wild and Scenic River** status without the input from senior water right users disregards the Public Trust. Wild and Scenic River status will have a negative impact on our watershed, our acequias, and our water rights as priority users of such waters. Our communities have always put the waters to beneficial use and rightfully claim **senior water rights**.

The first time the Santa Barbara Land Grant Board became aware of rivers within the land grant being considered for evaluation under the **Wild and Scenic River Act** was December 13, 2017. Upon further research, we discovered that rivers within the Santa Barbara and Las Trampas Land Grants were being considered in the National Wild and Scenic River plan. These rivers were arbitrarily and without public input placed into the system by the Forest Service. Mr. Kevin Naranjo, with the Carson planning staff, could not provide us with information on the date when these rivers were placed into the system, but he did confirm that it was done without public input as required by the Act.

At a meeting in Taos on January 11, 2018, we were told that the Trampas River had been removed from the eligibility list, and the acequia system which has historical significance, had been the deciding factor. We were told that the Rio del Pueblo and the Santa Barbara Rivers were still under consideration. In late February 2018, I received a telephone call from Mr. Naranjo telling me that Rio del Pueblo had been removed from the evaluation due to the considerations we brought up during our discussions at the previous meeting. I asked him to please also consider removing the Santa Barbara River from evaluation based on the same considerations.

At the Forest Service and Land Grant quarterly meeting on March 16, 2018 in Espanola, Mr. Naranjo reported that the Santa Barbara River had been removed from the eligibility list. One week later, to our dismay, Mr.

Encl #2

**Wild and Scenic River Eligibility Comments on Río Santa Bárbara
Submitted by the Santa Bárbara Land Grant**

The Santa Bárbara Land Grant formally submits the following comments concerning the Wild and Scenic River Eligibility Evaluation that is part of the Carson National Forest Plan revision process. All of these comments pertain to the Wild and Scenic River Eligibility Evaluation September 2017 Draft.

First, the Santa Bárbara Land Grant supports the Carson National Forest's draft recommendations of non-eligible for the following river segments: Cr 1 – Agua Piedra Creek; Cr 37 – Jicarita Creek; Cr 42 – Rio Chiquito; Cr 44 – Rio de las Trampas; Cr 45 – Rio de las Trampas; Cr 52 – Rio San Leonardo, Cr 54 – Rio Santa Barbara; Cr 53 – Rio Santa Barbara. The Santa Bárbara Land Grant also supports recommendations for WSR eligibility with Wild classifications on Cr 3 – Alamos Creek and Cr 4 - Alamos Creek.

Second the Santa Bárbara Land Grant challenges the Carson National Forest's eligibility recommendation for the *Cr 31 – Río Santa Bárbara (all three forks)*. While the Land Grant does not support the identification of eligibility for any of the Río Santa Bárbara including the portions within the Pecos Wilderness, it is particularly concerned with the 1½ mile segment of the of the river that lies between the Santa Bárbara Campground and the boundaries of the Pecos Wilderness. Supporting arguments for why the Río Santa Bárbara, particularly the 1½ mile segment, should not be identified as eligible appear below.

A.

The draft Eligibility Evaluation identifies that segment of the Río Santa Barbara with a classification of Wild with the outstanding remarkable values being Scenic, Recreational and Historic. The draft plan states that the entire stretch of the river segment identified as Cr 31 "offers outstanding & recreational opportunities because of the solitude & high alpine, primitive experience & views of the entire basin and its expansive aspen stands." The Santa Bárbara Land Grant disagrees that this statement applies to of the 1½ miles between the Santa Bárbara Campground and the Pecos Wilderness Boundary for the following reasons: 1. Due to this segment's proximity to the Santa Bárbara Campground there is actually very little opportunity for solitude on this stretch of the river. This is a result of the high levels of human traffic, especially during peak camping and fishing season, from campers, hikers, and fishers taking the trailhead from the campgrounds into the Wilderness. 2. Approximately at the midpoint of the 1½ mile segment there is a man-made bridge constructed of concrete and dimensional lumber that allows people to cross from the westside to the eastside of the river. This bridge is by no stretch of the imagination primitive in design or appearance. Based on this the Santa Bárbara Land Grant refutes the claim that this segment of the river is provides a truly primitive experience. 3. The vast majority of the 1½ mile segment of the river is in a narrow canyon with that is densely populated with tall trees, which blocks out most of the view to greater surrounding area. Within this segment of the river there are no "views of the entire basin" or "its expansive aspen stands" as claimed in the draft eligibility evaluation. Therefore,

in the Spring. Therefore, since there is no evidence of any Rainbow Trout in the Río Santa Bárbara the claim that the “RGCT populations are suspected to be hybridized” is likely a false claim. While the Brown Trout do not breed with RGCT they do present a huge problem for maintaining RGCT populations. This is since Brown trout are known for pushing out or marginalizing RGCT populations by taking over or dominating RGCT habitats. The Brown Trout which are larger and more aggressive will eat smaller RGCT. The 2016 Fisheries Management Plan also states the although the Río Santa Bárbara contains a Core Conservation Population of RGCT there are no barriers in place to prevent Brown Trout from invading the areas were RGCT Core Conservation Populations currently prevail. Conservation efforts to decimate the invading Brown Trout will not be successful unless fish barriers separating the two populations can be established in the river along this segment of the Río Santa Bárbara. There are several options for establishing fish barriers within the Río Santa Bárbara. One would be to establish barriers on all three forks of the Rio Santa Bárbara. This is possible but does present some logistical challenges since all three forks are within the Pecos Wilderness. Another option would be to establish a fish barrier downstream of the three forks somewhere within the 1½ segment that lies between the Pecos Wilderness Boundary and the Santa Barbara Campground. None of these options are feasible if the segment of the Río Santa Bárbara being proposed in the draft Eligibility Evaluation are identified for management as eligible for Wild and Scenic Rivers Designation in the Carson National Forest Service Management Plan. Therefore, in order to not limit the ability to protect the Core Conservation Population of Rio Grande Cutthroat Trout, identified by NM Dept of Game and Fish as being present in the headwaters of Río Santa Bárbara, Cr 31 Rio Santa Barbara (all threes forks) in its entirety should be identified as Not Eligible for possible designation under Wild and Scenic Rivers Act.

D.

The Carson National Forest Planning team identified Cr 31 as WSR eligible with a classification as Wild. If determined to be eligible Wild is the only classification that fits this segment of the river based on the fact that there are no roads that access any portion of this segment of the Río Santa Bárbara. The Santa Bárbara Land Grant has grave concerns with this classification, particularly within the 1½ segment between the Pecos Wilderness and the Santa Barbara Campground, since it could severely hamper any management efforts aimed at improving watershed, reducing the risk of catastrophic wildfire and for ensuring water quantity and quality for downstream acequia water rights owners. This is since the classification as Wild requires that no management efforts occur within the eligible area that could affect/impact the wild character for which it was classified. Therefore, it would be highly unlikely that any restoration efforts such as removal of trees for reducing fuel loads or improving the watershed would take place within the 1½ mile segment. This area is known to be subject to high winds and storms that often times result in the felling of trees, sometimes in large quantities along the river bed, such as in ~2008. When this occurs, it may be necessary to go in and remove the down trees in order to reduce fuel loads and prevent the trees from damming up the river. If trees dam up the river this could reduce the amount of water available for the downstream acequia water users. Therefore, in order to not limit the Forest Service’s ability to manage this segment of the Río Santa Bárbara for watershed health, prevention of catastrophic wildfire, and

Based on all of the above reasons the Santa Bárbara Land Grant again requests the Río Santa Bárbara not be listed as eligible for a Wild and Scenic River designation, particularly the 1½ mile segment of the river between the Santa Barbara Campground and the Pecos Wilderness.