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HOUSE MEMORIAL 60

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Antonio "Moe" Maestas

A MEMORIAL

REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION, THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE TOGETHER WITH THE DIRECTOR OF THE UNITED STATES FOREST SERVICE AND THE PLAINTIFFS IN *JARITA MESA LIVESTOCK GRAZING ASSOCIATION ET AL V. UNITED STATES FOREST SERVICE ET AL* TO WORK TOGETHER TO RESOLVE THE ISSUES IN THAT LAWSUIT.

WHEREAS, since the seventeenth century, Hispanic and Native American ranchers in northern New Mexico have grazed livestock in the productive forests of that region; and

WHEREAS, during the passage of time, predating the United States authority over the region and continuing today, unique and thriving Hispanic and Native American cultures have developed in northern New Mexico in which the sustainable use of forest lands, a significant portion of which was at one time

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1 under land grant status, is a central tenet; and

2 WHEREAS, in Article 8 of the Treaty of Guadalupe Hidalgo
3 of 1848, between the United States and the Republic of Mexico,
4 the United States committed to respecting the property rights
5 of the residents of northern New Mexico who had previously been
6 under Mexican authority; and

7 WHEREAS, in the late 1800s, a federal land claims court
8 granted ownership of many of the lands in northern New Mexico
9 used by Hispanic and Native American peoples to the federal
10 government, part of which lands in 1908 became the Carson
11 national forest, located generally north of Española and west
12 of Taos; and

13 WHEREAS, the Hispanic and Native American people in
14 northern New Mexico live close to the land, and the land
15 supplies a substantial portion of their economic livelihood;
16 and

17 WHEREAS, in recognition of the Hispanic and Native
18 American communities use of resources in the Carson national
19 forest, in 1948, the United States forest service created the
20 Vallecitos sustained yield unit to provide permanent support to
21 Vallecitos and surrounding communities; and

22 WHEREAS, in 1972, the regional forester for region 3 of
23 the United States forest service, which encompasses the Carson
24 and Santa Fe national forests in northern New Mexico,
25 recognized the uniqueness and value of Hispanic and Native

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1 American cultures in the southwest, asserting that they must be
2 recognized and efforts of the forest service must be directed
3 toward their preservation. The regional forester's policy
4 statement provided that "These cultures should be considered
5 'resources' in much the same sense as wilderness is considered
6 a resource with Forest Service programs and plans made
7 compatible with their future well-being and continuance. . . .
8 Forest Service employees at all levels of the organization must
9 have a burning desire to perpetuate these unique values. . . .
10 Forest Service objectives and policies must be altered to the
11 extent possible to recognize and be responsive to the culture
12 and peoples"; and

13 WHEREAS, despite the best intentions of all parties,
14 differing views as to the proper management of the Vallecitos
15 sustained yield unit have created periods of conflict between
16 the local communities and the United States forest service,
17 including disputes over grazing on forest land; and

18 WHEREAS, in 2010, the United States forest service ordered
19 eighteen percent reductions in the number of animals permitted
20 to graze in the Jarita mesa and Alamosa grazing allotments
21 within the Vallecitos sustained yield unit, despite the fact
22 that a forest service environmental assessment recommended no
23 reduction, claiming that current grazing levels were within
24 areas affected by severe drought, that previous grazing levels
25 were unsustainable, that areas of the allotments revealed

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1 overuse and that fences were poorly maintained; and

2 WHEREAS, on January 23, 2012, representatives of local
3 ranchers with grazing rights in the Vallecitos sustained yield
4 unit filed a federal lawsuit against the United States forest
5 service, captioned *Jarita Mesa Livestock Grazing Association et*
6 *al v. United States Forest Service et al*, in the United States
7 district court for the district of New Mexico, challenging the
8 grazing level reduction; and

9 WHEREAS, the plaintiffs in the *Jarita Mesa* lawsuit claim
10 that the United States forest service ignored its own
11 recommendation that grazing levels be kept at current levels,
12 that the forest service was attempting to undermine the local
13 economy and culture and that the reductions represent thousands
14 of dollars in lost income to local ranchers and lost revenue to
15 Rio Arriba county and local public schools;

16 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
17 REPRESENTATIVES OF THE STATE OF NEW MEXICO that:

18 A. the United States forest service be requested to
19 adopt the recommendation of its environmental assessment and
20 rescind the eighteen percent grazing reduction in the Jarita
21 mesa and Alamosa grazing allotments; and

22 B. the plaintiffs in *Jarita Mesa Livestock Grazing*
23 *Association et al v. United States Forest Service et al*, in
24 consultation with the federal secretary of agriculture and the
25 New Mexico congressional delegation to the extent permitted by

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1 law, be requested to settle their dispute by working together
2 to find common ground and purpose that respects the needs and
3 desires of all stakeholders in the viability of the Vallecitos
4 sustained yield unit and that permits the reasonable and
5 sustained use of that honored land by those to whose lives the
6 land gives meaning and purpose; and

7 BE IT FURTHER RESOLVED that copies of this memorial be
8 transmitted to the parties in the *Jarita Mesa* lawsuit, to the
9 federal secretary of agriculture and to the members of the New
10 Mexico congressional delegation.