



GREATER CHACO COALITION

December 10, 2015

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RE: Comments to the Santa Fe National Forest Revision Plan

Dear Ms. Cramer,

Please accept the following comments submitted on behalf of a portion of the individuals and organizations that comprise the Greater Chaco Coalition in response to the Santa Fe National Forest *Draft Assessment: Twelve Focus Areas and Preliminary Need for Change Statements*.

The undersigned, starting on Page 8, provide the following comments to assist in the revision process and ensure the Plan reflects the values of our communities.

These comments were submitted electronically by the requested date of December 10, 2015.

We appreciate your request for Need for Change Statements to “form the bridge between the identification of resource conditions... and how the revised forest plan needs to be different from the current plan.” (Findings from the Draft Assessment)

Need for Change Statements

The Santa Fe National Forest Revision Plan is in the Assessment Revision phase and is developing standards and guidelines for the many problems identified in the *Draft Assessment: Twelve Focus*

Areas and Preliminary Need for Change Statements, as well as additional areas identified by the public.

I. TOPIC: Importance of Tribal Lands

Type of Plan Component: Cultural Resources

1. Need to recognize that all Santa Fe National Forest land was originally tribal or pueblo land and ancient ceremonies and uses persist and should be preserved for future generations
2. Need to protect “the physical integrity of any site identified as sacred by virtue of established religious significance to, or ceremonial use by, an Indian religion, under Executive Order 13007. (Congressman Ben Ray Lujan Amendment to Protect Tribal Sacred Sites, October 9, 2015)
3. Use specific language in the Plan that defines "high places" that may be sacred, ceremonial or important as a cultural landscape (mountain or ridgeline) and prohibit the installation of towers or other electronic or other infrastructure on such places
4. Archaeological Sites – need to establish site stewardship and protection from vandalism and looting

Proposed Need for Change Statement:

- Identify cultural sites. Early on in the late 1960s and early 70s, archeological sites were *discovered* in the 20,000-acre SFNF oil and gas lease area (near Cuba, NM). There were pit houses as they were called then, and many findings of manos and metates, pottery shards and arrowheads to signify early inhabitation. (Daniel Tso, email12/1/15),
- Incorporate tribal and pueblo land management objectives on lands adjacent to SFNF with national forest management plans. Natural resources (water, wildlife) cross man-made boundaries along with human impacts (ORVs, air and water contamination, flooding, erosion, access roads, traffic and poaching).
- Protect arroyos, underground rivers, dry streambeds and floodplains from development as infrastructure, such as pipelines, are often placed in these areas and areas are exposed to ruptures, leaks, and water pollution.



Flood damage on Huertas Creek in Placitas, NM (2006)

- Develop a Plan that gives priority to multiple and sustainable uses of water and land rather than intensive commercial utilization of water or land that results in areas that are uninhabitable or unusable in the future as a result of any activity

Why this needs to Change:

SFNF manages one of the *largest collections of heritage resources in the United States*, a legacy of cultural sites and landscapes that are central to the history of the Native people and multi-cultural population currently living in the area.

(Site Steward Foundation, Inc., <http://elpalacio.org/articles/fall13/interview.pdf>)

These resources are threatened by human activities, including vandalism, exploitation and the extractive industries, and by climatic changes including extreme weather, rising temperatures, wildfires and flooding.

II. TOPIC: Resilient Habitats

Type of Plan component: Riparian Gems and Watersheds

1. Need to preserve Riparian Gems (Examples: Rio Cebolla, San Antonio Creek)
2. Need Forest-wide Monitoring Plan (collaborate with trail maintenance groups, wildlife watch groups, water sentinels, youth forestry project groups, tree planting organizations)
3. Watershed Treatments (use Rio Grande Water Fund approach of making a modern forestry mosaic of canopy and ground cover to maximize run-off and minimize erosion and transpiration)
4. Prioritize these critical habitats over what the Forest Plan calls the “unsustainable ability of SFNF to provide recreation programs that satisfy all potential users.”

Proposed Need for Change Statement:

- Riparian areas are the life-blood of NM’s plant and wildlife diversity: the “meatball” of species concentrations in the thin “spaghetti” of narrow winding habitats throughout the state. Identifying these “gems” should be the highest priority for land management in SFNF.
- Map and designate wetland and riparian areas.
- Collaborate with native people, community land and water resource managers, and conservation groups and develop “shared values” for water use and protection.
- Develop a unified system for monitoring vegetation, hydrology and soils that is scientifically based, ecologically sound and consistent throughout the Ecological Response Units.
- Prioritize low impact Travel Management as an essential element in habitat protection and connectivity.

Why this needs to change:

SFNF is 1.6 million acres in size and contains the headwaters of the Pecos River, Gallinas River and Jemez River. The watershed headwaters near Regina and La Jara flow into the Rio Puerco and eventually to the Rio Grande. The headwaters north of Regina flow into the Rio Chama. Many lakes and streams provide some of the state’s top quality habitat for trout and native fish species of greatest value to anglers and subsistence fishermen.

The local economies depend on outdoor recreation such as wilderness trekking, pack trips, whitewater rafting on the Rio Grande and Rio Chama, hunting and exploring 1000 miles of trails in four unique areas: the Pecos, San Pedro Peaks, Dome and Chama Wildernesses.

Outdated and incomplete data on wildlife species and changes to wildlife habitats, especially wetlands and riparian areas, present a major challenge to SFNF biologists and land managers in making recovery plans or properly restoring landscapes.

The *Findings from the Draft Assessment: Twelve Focus Areas and Preliminary Need for Change Statements* repeatedly lists “needs” for “desired conditions” and “standards and guidelines” **without** referring to specific management steps to achieve those changes.

III. TOPIC: Wildlife

Type of Plan Component: Monitoring

1. Monitor native keystone Species of Greatest Conservation Need (2015 State Wildlife Action Plan, NM Department of Game and Fish)
2. Monitor pollinator Species of Greatest Conservation Need
3. Monitor stream ecosystems for damage from livestock or other impacts as “Findings” reports 87% of sub-watersheds are classified as functioning “at risk or impaired”.
4. Monitor riparian areas that are wildlife “hotspots” that attract unusually high concentrations of birds, aquatic life and other wildlife species.
5. Designate wildlife connectivity/migration corridors that allow for the dispersal and seasonal migration of terrestrial species.

Proposed Need for Change Statement:

- Conduct planning sessions with multiple use partners to designate areas of crucial habitats, especially nesting areas and riparian hotspots.
- Increase restoration of over-grazed areas and seeding and rotation of parcels used for grazing leases. Avoid use of cheatgrass to reseed after wildfire damage and use native vegetative restoration processes that may take longer, especially in drought years.
- Avoid vegetation management projects in the spring and summer in nesting areas for Neotropical birds, as disturbance will cause severe drops in successful nesting attempts and many of these species are already threatened by habitat loss.
- Establish standards and stricter protocols to change areas of non-native and invasive vegetative cover to appropriate cover of native and riparian plant species.
- Employ an inclusive and transparent process for user agreement on location of trails and suitable areas for hiking, camping, ORVs, hunting, riding, fishing, rafting, biking and other recreational uses so impact on crucial habitat areas is avoided.
- Proactively separate user groups that could conflict or create safety issues for each other.
- Designate areas that are off limits to human disturbance, particularly at key times of the year, for migrating species.
- Provide consistent mapping and posting of areas off-limits for the public and law enforcement.

Why this needs to change:

Human activities and heavily used roads and trails fragment the forest habitat for wildlife and are some of the greatest threats to many species survival.

The potentially devastating impacts of high intensity wildfire, extreme weather events and other aspects of climate change will require monitoring of selected wildlife species. Not only threatened or endangered species, such as the NM meadow jumping mouse should be monitored, but also selected keystone species essential to forest health, plant propagation and species richness.

The threats that face the jumping mouse are the same that face a host of other wildlife: lack of water due to drought and water use practices, wildfires, loss of grazing, and recreation activities within crucial habitat areas. Also, there are 6 distinct wildlife ecoregions in NM (2015 State Wildlife Action Plan, NM Department of Game & Fish) and selected species need to be monitored in all regions in order to obtain an accurate record of ecosystem diversity and populations.

IV. TOPIC: Oil Leasing and Hydraulic Fracturing Impacts

Oil and gas development is not one of the listed 12 focus areas. It is currently one aspect of the Forest Revision Plan of *greatest concern* to residents and Native people who reside in the state and share in the natural resources of the Santa Fe Forest.

Type of Plan Component: Minerals and Extractive Uses

1. Problems with location of drilling sites in sensitive areas. Currently the Oil Conservation Division approves applications for “non-standard spacing and unorthodox well location” anywhere on a leased parcel within the set back area of 330 feet from the boundary of the unit. This lack of specific designation leads to conflicts between well locations next to sacred sites that either SFFS or BLM are unaware of.
2. Degraded wilderness areas and Wilderness Study Areas (WSA) located within parcels leased for oil-gas development that can lead to loss of future wilderness designation.
3. Water contamination results from drilling wells (aquifer pollution during drilling phase, chemical spills, during operation and earthquakes from produced water re-injection)
4. Air pollution results from operations (roadway dust, flaring emissions, gas leak emissions)

Proposed Need for Change Statement:

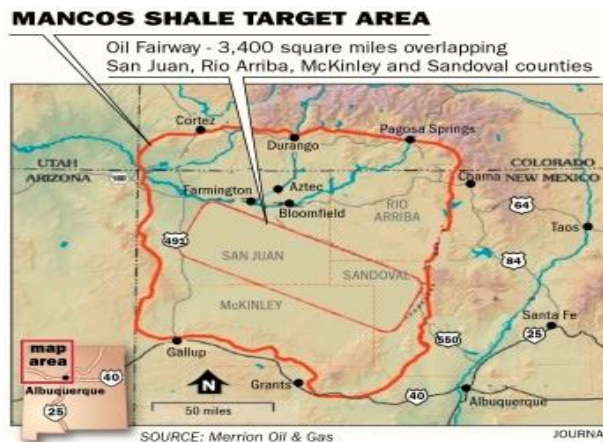
- ***SFNF should not lease land for oil and gas development within the boundaries of the SFNF as it contains extensive unique cultural, wildlife, and natural resources that are both valuable and irreplaceable to New Mexico and it's people.***
- The Bureau of Land Management is the agency responsible for oil and gas leasing in SFNF, but SFNF has not updated the Forest Plan for unconventional oil and gas development and should halt the process of oil and gas leases until it has completed the Plan.
- The Forest Service also has the authority to deny BLM oil and gas leases on SFNF and should be soliciting real public involvement and transparency in this process.
- SFNF needs standards and guidelines that recognize the primary importance of the Forest is the role it serves to protect surface and subsurface water quantity and quality.

Why this needs to change:

The current National Forest Plan does not take into account the significant negative impacts of oil and gas development in the national forests on local residents, communities and the surrounding regions in New Mexico.

Examples of impacts and lack of mitigation:

- According to state data, almost 400 pits in New Mexico had contributed to groundwater contamination as of 2008. In testimony in 2010, former Oil Conservation Division Director Mark Fesmire said there had been no cases of contamination documented since the pit rule was established, but data to verify the statement was not available. (Sourcewatch link below)
- In April 2013, researchers at the Seismological Society of America's annual meeting presented findings that an ongoing earthquake swarm in New Mexico and Colorado was due to underground wastewater injection, including Colorado's largest earthquake since 1967. (Sourcewatch link below)
- In November 2011, the New Mexico Oil and Gas Association announced that it will now require New Mexico oil and natural gas producers to disclose some of the fluids used in hydraulic fracturing operations. The Commission's rule requires companies to report only what they already report on Material Safety Data Sheets (MSDS). MSDS cover some chemicals specific to workers and are federally required by the Occupational Safety and Health Administration to protect workers. The restriction to MSDS data means that a large universe of chemicals frequently used in hydraulic fracturing treatments will go unreported, leading some to call *New Mexico's fracking disclosure law the worst* in the country. (http://www.sourcewatch.org/index.php/New_Mexico_and_fracking)
- The 2012 Earthworks' Oil & Gas Accountability Project report, "New Mexico Oil Conservation Division: Inadequate enforcement guarantees irresponsible oil and gas development," (http://www.earthworksaction.org/library/detail/nm_enforcement_report) assessed state oil and gas regulatory enforcement and found:
 - More than 60% of active oil & gas wells go uninspected each year. Where violations are found, individual inspectors have complete discretion as to whether and how violations are recorded. Few violators are penalized, and penalties are often low, undermining their efficacy for deterring future violations. The public is prohibited access to data that would reveal how responsibly industry is operated, and how well New Mexico Oil Conservation Division is enforcing the law.



- An Associated Press investigation found that between 2009 and 2014 New Mexico spilled 13.3 million gallons of wastewater. The state ranked third- highest of the states for amount of wastewater spilled during that time period. "Oil drilling boom brings trouble to farm, ranch lands" (<http://www.abqjournal.com/643431/news/oil-drilling-boom-brings-trouble-to-farm-ranch-lands.html>) John Flesher, Associated Press, September 13, 2015.)

The Revised Plan needs strict standards of surface, air and water protections on all land proposed for leasing and require standards and guidelines to prevent likely impacts, costs and public harm arising from commercial or non-commercial operations or infrastructure installation on the Santa Fe National Forest.

Summary

The Greater Chaco Coalition supports what the science demands in the worldwide action to reverse the devastating impacts of climate change. Up to 450 billion tons of potential greenhouse gas pollution could be immediately removed from the global pool of potential climate pollution by stopping new federal leasing.

Stopping federal fossil fuel leasing makes economic sense. According to the federal government's estimates, the burning of publicly owned fossil fuels costs society between \$16 billion and \$155 billion in climate-related damages per year. Further, the unlimited potential for clean energy jobs in the renewable energy and efficiency sectors are the path to a just transition for a clean energy future.

The cost of continuing federal fossil fuel leasing to our land, climate and communities is too high. The science is clear that, to maintain a good chance of avoiding catastrophic levels of warming, the world must keep the vast majority of its remaining fossil fuels in the ground.

We request that a ***Keep it in the Ground Alternative*** be included and evaluated as part of the decision making process and part of the Forest Revision Plan.

Thank you for the opportunity to contribute comments to the Santa Fe National Forest Revision Plan.

Greater Chaco Coalition was formed in 2014 in response to escalating oil and gas development in and around rural communities in the San Juan, Rio Arriba, McKinley, Sandoval and Santa Fe counties, and within the Santa Fe National Forest.

The purpose of Coalition members is to work proactively with the legislators, federal agencies, state departments and affected Chapter Houses, residents and community groups that have resolved to address the many serious impacts to human health and safety, resources management, wildlife, community traditions and livelihoods and religious practices that the renewed and expanded oil and gas development in the Mancos Shale area has caused.

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