
File Code: 1570
Date: September 21, 2020

Robert Martinez
President
Capulin Grazing Association
P.O. Box 2444
Taos, NM 87571

Dear Mr. Martinez:

On behalf of the Carson National Forest, I would like to thank you for your involvement in the Pueblo Ridge Restoration Project. This letter is in response to the objection you filed on the Final Environmental Assessment (EA) and draft Decision Notice (DN) for that project. I have read your objection and reviewed the project record and Final EA, including the effects. My review of your objection was conducted in accordance with the administrative review procedures found at 36 CFR 218, Subparts A and B.

The legal notice for the objection filing period was published on May 21, 2020. Your timely objection (20-03-00-0023-O218), submitted on behalf of the Capulin Grazing Association, was received on June 2, 2020 and was considered pursuant to the regulations at 36 CFR 218.

Your objection stated that there should be no reduction in the number of springs approved for development. The reduction of approved springs that can be developed, from 9 to 4 springs was indicated in the draft DN. First, spring development benefits both wildlife and livestock by providing water in a much more spatially distributed manner. Second, the greater number of springs promotes distribution of livestock and wildlife which benefits range conditions through more distributed grazing. Third, since the development of these springs will take several years to develop based on available funding, USDA's Forest Service's Range Staff can assess the additional spring sites and work with permittees to prioritize the need and benefit. As the impact of each new spring is assessed, the USDA's Forest Service Range Specialist and permittees may choose not to develop some springs. Allowing for these springs in this project provides the flexibility to make those decisions in the future.

The following is my written response to your objection.

As stated above, you suggest that the reduction of approved spring developments from nine to four is unjustified because, among other reasons, the greater number of water developments across the project area would not only provide for better livestock distribution, it would also provide for better wildlife distribution. You also suggest a remedy for a phased-in approach for a prioritization of up to nine spring developments, providing that as needs were assessed over time, fewer developments may actually be needed to provide the desired resource benefits. In addition, during the public comment period, you proposed a site for a spring development in addition to the nine proposed in Alternative 1.



The draft DN provides a rationale for reducing the number of spring developments from the nine proposed in Alternative 1, to four as proposed in Alternative 2, stating that “[i]t is also imperative to be reasonable in how many spring developments we can maintain over the decades” (DN, p. 6). In response to the comment proposing a new location, the draft DN also provides that up to four authorized spring developments will not be limited to those sites identified in Figure 5 of the EA, but may occur anywhere within the project area, provided they comply with all project design features (DN, p. 4).

Finally, up to nine spring developments were analyzed as a part of Alternative 1. Therefore, if at some point during project implementation it is determined that additional spring developments would further contribute to the project objectives and desired conditions, a supplement to the DN simply authorizing additional spring developments would likely be sufficient to comply with requirements of the National Environmental Policy Act (NEPA). Additional analysis may not be necessary.

I have reviewed the project in light of the issues presented in your objection letter. My review finds that the project is fully compliant with all applicable laws and the Carson National Forest Plan. However, based on my review and discussion with the Forest and the review team members, I am asking Forest Supervisor James Duran to clarify or expand his narrative as follows:

- Clarify, in the *Decision Rationale*, that the issue of authorizing too many spring developments was raised internally, based on the capacity of the Forest to maintain additional developments and the need to maintain some spring sources as naturally flowing systems.

Once the clarification above regarding spring developments is added to the Decision Notice, the Forest Supervisor, James Duran, may sign the final Decision Notice. My review constitutes the final administrative determination of the Department of Agriculture; no further review from any other Forest Service or Department of Agriculture official of my written response to your objection is available [36 CFR 218.11(b)(2)].

Sincerely,

ELAINE KOHRMAN
Deputy Regional Forester

cc: James Duran, Sean Ferrell, Alicia Gallegos