



United States
Department of
Agriculture

Forest
Service

Santa Fe National Forest

Supervisor's Office
11 Forest Lane
Santa Fe, NM 87508
505-438-5300
Fax: 505-438-5390

File Code: 1510
Date: April 3, 2019

Ms. Suzanne Star
Ms. Barbara Van Ruyckevelt, Ms. Sabine Shurter and Mr. Brad Shurter
c/o 56 Ashley Lane
Jemez Springs, NM 87025

Dear Ms. Star, Ms. Ruyckevelt, Ms. Shurter and Mr. Shurter:

Thank you for your letter dated December 6, 2018, in which you shared your concerns about the V Double Slash (V//) allotment on the Jemez Ranger District, Santa Fe National Forest (SFNF), which is immediately adjacent to your community. As a multi-use land management agency, the USDA Forest Service is by statute required to administer lands under our jurisdiction for "outdoor recreation, range, timber, watershed, and wildlife and fish purposes." Consequently, we often must find a way to balance the many and varied uses of the forest against the needs of multiple constituencies, including homeowners and grazing permittees.

In your letter, you cite a number of issues with the V// allotment, including damaged or nonexistent fencing, ineffective cattle guards and cattle trespass, as well as concerns about monitoring and environmental assessment. We manage and monitor the range program on the SFNF according to policy and regulation; however, since our range staff has thousands of acres to manage with finite resources, we are always prioritizing projects to best meet the needs on the ground.

Before we address the specifics in your letter, we want to let you know that one permit on the V// allotment was transferred to a new permittee at the end of 2018. The new permittee is not planning to place any cattle on the allotment for at least two grazing seasons. If the permittee's plans change, any stocking of cattle on the V// allotment will be done in cooperation with and under the authorization of the Jemez District Ranger. In the interim, fences, cattle guards and water systems on the allotment will be inspected, and the district will work with the permittee to develop a plan for repairs.

Additionally, the SFNF recently completed a National Environmental Policy Act (NEPA) sufficiency review, commonly referred to as a Section 18 review, for the V// allotment, and a new biological assessment of the effects of grazing on federally protected resources, including the Jemez Mountains salamander and the New Mexico meadow jumping mouse, listed species under the Endangered Species Act. Both the Section 18 review and biological assessment will be reflected in the new Allotment Management Plan for the V// allotment.

The Forest Service did issue two letters of noncompliance to the previous permittee. Since the permittee complied with our requests within the specified timeframe, no additional action was required.



Caring for the Land and Serving People

Printed on Recycled Paper



Fencing is a common problem on grazing allotments. Historically, most Western states, including New Mexico, are open range states with fence-out laws that put the responsibility to protect property from damage or trespass on the property owner. Under the provisions of most of our grazing permits and New Mexico's fence-out law, permittees are generally responsible for erecting and maintaining internal fences between pastures on their allotments, and private landowners are responsible for external fences along forest boundaries.

The western boundary of the Los Griegos pasture on the V// allotment is also the eastern boundary of the Sierra Los Pinos subdivision, and that fence line is the responsibility of the landowners. However, over the past two years the Forest Service has been working with multiple landowners to assist with fence repair, and we plan to fence from the southeast corner of the subdivision due south to the Vallecitos allotment fence line as resources become available. The fence line on the northern boundary of the Vallecitos allotment is being replaced or repaired in 2019. Additionally, we have installed a cattle guard just east of the southeast corner of the subdivision, effectively stopping cattle from trespassing via an old road that continues to be used by residents and ATV users.

We are also aware of the fencing issues you cite along NM Highway 4 and the potential public safety risks associated with cattle on roadways. Many of these issues are a direct result of the Cajete Fire in 2017. This section of fencing and the cattle guards along NM 4 are the responsibility of the New Mexico Department of Transportation (NMDOT). The SFNF often works with NMDOT to expedite projects that impact public safety. NMDOT has indicated it is planning to repair the fences and cattle guards along NM 4 in 2019.

Thank you for sharing your concerns and bringing these issues to our attention. If you have additional questions or concerns, please contact Brian Riley, Jemez District Ranger, at 575-829-3535.

Sincerely,

James M. Melonas
Deputy Forest Supervisor

for

JAMES E. MELONAS
Forest Supervisor

cc: Mr. Alex Eubanks, Office of Sen. Martin Heinrich