

MUSY – Forage Environmental Assessment

APPENDIX D – Response to Comments

Introduction

This appendix contains comments received regarding the Environmental Assessment (EA) for the Multiple Use and Sustained Yield of Forage (MUSY – Forage), a preliminary Finding of No Significant Impact (FONSI), and a summary of comments and responses distributed with the preliminary FONSI. The review and comment period for the EA was from December 19, 2009, through February 2, 2009 and was extended through February 12, 2009. A public review and comment period of the preliminary FONSI and the summary of comments and responses was from March 2, 2009 through April 1, 2009.

This detailed appendix of comments and responses is presented in a tabular format and in three general categories.

The first category is a sampling of comments which state an opinion based on the review of the EA. These comments do not include questions, dispute or challenge data or conclusions, or otherwise require a response.

The second category presents comments requiring or requesting a response from the Trust. These comments ask a question or challenge conclusions, data, or other aspects of the EA which warrant a response, defense, or an explanation of the EA.

The third category is comments which are directed at the draft findings (Finding of No Significant Impact) or the general response summary prepared to address the key points raised during the initial comment period.

1. Comments not requiring a response

Source	YD – Los Alamos, NM
Comment	<p><i>"I've looked at the Grazing EA. I like alternative B best - the one that allots the forage to the elk and doesn't concern itself too much with cattle grazing. It's the most recreation-friendly of the alternatives because it will take down much of the interior fencing and rehabilitate some of the stock tanks which can then be used for recreation uses.</i></p> <p><i>The Trust will probably pick alternative C, which allows a modicum of cattle grazing but doesn't worry itself too much about making big bucks from it. If the Preserve never makes money from grazing cattle, that is all right with me. The small, early grazing programs that helped local communities like Jemez Pueblo or furthered grazing research and education, like the NMSU experimental grazing program, seem more befitting a science-oriented institution like the Valles Caldera National Preserve.</i></p> <p><i>If recreation is where the Trust's fortunes will be found, then don't spend a lot of time and money on grazing. Get busy on public use and access!"</i></p>

Source	JS – Eagle Nest, NM
	<p><i>I appreciate your mandate to be financially self-sustaining, however unlikely that may be. That said, as a retired land manager, wildlife manager and forester, I am at a loss to understand why grazing is being permitted, particularly along the riparian areas. I have fished the Valle several times and have had unfortunate encounters of the bovine type. The science documenting degradation of riparian areas is in and well-documented.</i></p> <p><i>The reality is that the Valle will never be self-sustaining financially UNLESS it is becomes a playground for the rich, which it was when it was in private hands. The future of wild places lies in the hands of those who appreciate them, thus, within reason, the more who can partake of the experience, the better the long term interests of wildlands. There must be a more populist approach to this area and a recognition that subsidy must continue along with greater opportunity for more people.</i></p>
Source	JH – Albuquerque, NM
Comment	<p><i>"I have had the pleasure to visit the Caldera and in my experience as in most other areas in the SW due to the relatively fragile environment, cattle grazing has a significant adverse impact. I would hope the Directors carefully balance needs to preserve this unique area and either not allow cattle grazing or have minimal activity with careful evaluation as to impact. While this area has a history of being a ranch, land such as this is really no place to raise cattle.</i></p> <p><i>Thanks for your consideration. Personally I would gladly pay more taxes that would support this area as I think would many others."</i></p>
Source	DT – Jemez Springs, NM
Comment	<p><i>"The VCNP is chartered to be a working ranch; it likely offers the best Summer grazing within hundreds of miles.</i></p> <p><i>It is evident that the current management is more judicious, in regard to grazing, than the prior, private management.</i></p> <p><i>The careful management of cattle, over the last few years, corroborates that all of options B, C and D are sustainable and fully compatible with its other objectives. C & D have the merit of leading to needed improvements in infrastructure, facilitating greater efficiency in managing grazing. By all means, do it right.)"</i></p>
Source	PD – Tijeras, NM
Comment	<p><i>"My comment is simple: stop this childish fascination with cowboys and get rid of all cattle immediately.</i></p> <p><i>There are a virtually infinite number of ecological and economical reasons to eliminate grazing but you never listen to those anyway."</i></p>
Source	KT – Los Alamos, NM

Comment	<i>I have reviewed the "Multiple Use and Sustained Yield of Forage Environmental Assessment". I find that only Alternative A is supported by current facts and data. I do not see how any of the other alternatives presented would allow livestock grazing programs and not conflict with, or affect visitor activities and experiences. There is a chance Alternative B would work. There is NO chance Alternatives C or D would NOT conflict with or affect visitor activities and experiences.</i>
Source	GM – Las Vegas, NM
Comment	<i>"There is only one Alternative which meets the requirement of the enabling legislation, Alternative D. Grass is a renewable resource that thrives when used and deteriorate when left unused. Conflicts with other programs on the Preserve can be reduced with experience and education. For these reasons I support Alternative D and encourage the common sense good management approach to grazing."</i>
Source	Carson Forest Watch – Llano, NM
Comment	<i>"Alternative B is closest to meeting objectives and goals for the Valles Caldera Preserve. Only by reducing livestock numbers, removing some fences, and focusing management on truly ecological processes and <u>restoration</u> of the soils & vegetation & streams & forests – can this special preserve attain the goals for which it was established...a healthy, sustainable, intact ecosystem will generate revenue...wilderness and wildness are a rare and valuable resource. Any grazing program needs to protect and enhance such values.</i>
Source	Pueblo of Jemez
Comment	<i>Under Alternative D where domestic livestock programs optimize economic and administrative efficiencies as well as optimize income generation does not favor our cattle producers. The Preserve's grazing programs for the past several years have gone to this formula. As a result our situation and operations cannot be competitive.</i> <i>Under Alternative C where domestic grazing programs are required to be economically sustainable but relative benefits are given equal of greater consideration, this scenario has the most potential and benefit to local producers and local economies. It would support the goal of the Preserve to support local communities and economies. Jemez Pueblo certainly supports and recommends the implementation of Alternative C.</i> <i>In 2004 and 2005, the Jemez Pueblo livestock producers responded to a request for proposals for seasonal grazing under the Preserve's Conservation Stewardship Program. We were selected along with several of our neighboring operators...all of Jemez Pueblo benefitted from this opportunity...The opportunity to relieve grazing pressure on our lands by participation in the Preserve's programs had dramatic impacts to the health and proper functioning of our rangelands. This improvement not only benefitted the cattle and their owners but all classes of wildlife, our ability to collect and harvest various plants for cultural use, our hunters and the land to function better as a watershed.</i>
Source	TJ – Cuba, NM
Comment	<i>"...would look forward to the opportunity to work with the extension service and Santa Fe National Forest in operating a program on the Preserve that focused on providing opportunities locally and improving rangelands in the region...such a program could</i>

	<p><i>increase in profitability over time but would have to have an opportunity to grow and develop.</i></p> <p><i>While the Preserve cannot address all the issues in the region it can support needed change."</i></p>
Source	New Mexico Department of Game and Fish (NMDGF)
Comment	<p><i>We recognize that implementing a Multiple Use and Sustained Yield of Forage is a controversial and difficult task to accomplish. We believe that this EA is well written and substantively addresses the issues.</i></p> <p><i>The department recommends the implementation of Alternative C or C₂. This alternative will provide a grazing program...that could provide income greater than or equal to operational costs. However, we do understand that the greatest consideration will be given to resource protection over financial return. This alternative would also provide adequate forage and elk and other herbivore wildlife. This alternative would also address the infrastructure management by removing woven wire in some areas and fences perpendicular to streams causing resource damage would be removed or relocated.</i></p>
Source	MR – Las Cruces, NM
	<p><i>After reading the EA, I'm wondering what was growing on this range before cattle. I'm thinking Bison, lots of Bison!! What a wonderful outdoor experience that could be!! Not the usual stench of cattle like south of Las Cruces. The U.S. Forest Service has used the guise of MUSY to the detriment of all uses except cattle and timber. Time for a sea change in the philosophy of the Trust. Let all of the surrounding state and federal lands continue to be over-grazed by the obscenely large numbers of AUM's , and let this one special place stand out as a place of compatible multiple uses and consistently sustained yields.</i></p> <p><i>Without cattle, there go all those conflicts and complaints. Study after study has shown that recreational dollars outnumber cattle dollars. Grow some huntable Bison numbers and increase the trophy fishing, and ten years from now you'll look back and wonder why we didn't do that sooner!! The rarest form of range in the Mountain West region is a tract without fences. It may sound corny, but that is truly priceless!! Thank you for your dedication . With that said, I am in favor of Alternative "B".</i></p>
Source	LV – Rio Arriba County, NM
	<p><i>...we, the local stockmen in the surrounding allotments, local hunters recreationists and community people are very disappointed in the management of the Caldera. It is elitist and unjust. We had hoped (the stockmen on the Jemez) that the "preserve" would help mitigate our problems with stock reductions and to assure the environmental and cultural success of the traditional communities. Then the heifer and pair program was booted in favor of a single operator because its too hard to deal with all the "pociteros" (ask Dennis Trujillo for the definition of the term) and it would be better to deal with one "big" operator.</i></p> <p><i>In fact the "board" was so happy that the selected operator last year (in an e-mail release) looked so much like the movie western cowboy and was writer of the lore and</i></p>

	<p><i>that it would give the caldera that image. So us guarache and baseball cowboys (who taught it all to the Texans) were unworthy of stepping on the "preserve" and to troublesome to deal with. Result? We might as well just shuck it and tally it up as one more experience in America and the "Hispanic/Mestizo" history of land loss and marginalization. We have now been left out of the Farm Bill and have no standing as agricultural producers. So, Comment !!!! We are the voice lost in the wilderness, if a tree falls and no one hears it, did it really fall, I guess we are not falling. I will not ever present again before the Valles Caldera Board as I have done in the past, it is a waste of my time. Proceed to your manage your and the "environmentalists" fantasy enclosure where you can pretend that you are in a pristine world that is supposed to look like someplace where man has never been. I will not wish you good luck with meeting the 2015 self-sustaining goal, because nothing could be worse than what is now happening. I am reacting as a private citizen and not in my formal county position.</i></p>
Source	GG – Espanola, NM
Comment	<i>"When I took my allotment of cows the first time you had the lottery I was treated very well, my cows as well" ... "I think the Valle Grande should be NM grazing. I think visiting; hiking should be more affordable. Perhaps free to NM seniors."</i>
Source	TF - La Jencia Creek Conservation Ranch, Socorro County, NM
	<p><i>I am writing to voice my displeasure with the Grazing Program in the Valles Caldera. As a NM resident, outdoor enthusiast, and conseration ranch owner, I am appalled by the lack of vision that the Valles Board has thus far demonstrated and is still demonstrating in this new document.</i></p> <p><i>It is my opinion that we need not graze such a unique biological jewel in the first place. Rather, we must push legislation that can properly spare the Valles of any more livestock degradation and instead move it towards National Monument or Park status.</i></p> <p><i>We do not need to have a federal and state funded "preserve" for livestock ranching in our state; there are plenty of working cattle ranches in NM that already preserve that legacy on a daily basis. Instead, what we need are more safe places for wildlife to flourish, which includes fish and birds, so that future generations can have the experience of visiting a beautiful, natural ecosystem.</i></p>
Source	MT – Albuquerque, NM
	<i>The grazing has not helped small local ranchers and farmers in New Mexico. We have many small cow/calf operations located near the preserve that could use the grazing. I along with others agree with the multi-use rules of this land and we know that controlled grazing model of the Valle Vidal will work here.</i>
Source	Caldera Action – Santa Fe, NM
Quote	<i>"...the Trust should not be optimizing any one goal but should seek to balance goal attainment, which is stated elsewhere in the document. If any one goal is to be optimized, it should be resource protection and public use and enjoyment of the</i>

	<i>Preserve.”</i>
Source	FC – Sandia Park, NM
Quote	<p><i>While my fishing partner and I managed to catch a few fish, the experience was very disappointing. That we caught any fish at all was remarkable because we shared our beat (#4) with several hundred head of cattle that were in the stream bed, that either spooked or spoiled the water as we progressed upstream. See attached picture.</i></p> <p><i>I have fished the Valles almost every year since it was opened to the public, so I am aware of what it was compared to the disaster it is now. I am also aware that it is mandated to remain a working cattle ranch, but the extent to which that requirement has been taken (now estimated at 2000 head) has made the resource incompatible with a fly fishing venue. I have been informed that the cowboys who work the ranch are supposed to keep the cattle away from the river; I did not see a cowboy for the 5 hours that I was in the preserve. As for my experience on the stream - in addition to the distraction of the cattle in the stream bed, it was almost impossible not to step in, kneel on, or sit in, a “cow patty “on a frequent basis during the course of the day; it was solid sh__ everywhere. This is especially disgusting when you decide to sit down to take a break to re-rig ,or have a snack. I would not choose to do so in a feedlot and this is what it felt like. It takes real “stones” to charge the public for the privilege of that experience; in my case it was \$60 miss-spent. Also, I learned in the parking lot at the end of the day that my views are shared by other fly fishers who were on the preserve that evening.</i></p> <p><i>Finally, it is my view that a National Preserve should benefit the public, all of the public, and not just few cattle ranchers. When considering the numbers of people who visit the Valles, the public at large would outnumber the cattle interests by thousands. How about considering that fact when you decide which emphasis is placed on the usage of the resource.</i></p>

2. Comments Requiring a Response

These comments are presented as follows: “Source” Indicates who made the comment and their location (city and state) (individuals are identified by initials; organizations and agencies are identified by name). “Subject” is self explanatory. “Quote” is an exact quote from one comment provided to provide context to the subject of the comment. “Response” is also self explanatory.

Source	TJ – Los Alamos, NM; Caldera Action – Santa Fe, NM; Form Letter – Various
Subject	Compliance
Quote	<i>Both sections 102 (b) and Section 108 (d) of Public Law 106-248 (the Act), cited in the EA as justification for domestic livestock grazing, qualify the practice as acceptable only when “consistent with paragraphs (2) through (4) of Section 102 (b)” of the Act. The Trust appears to have prepared this EA under the assumption that domestic livestock grazing is required by the Act. This is not the case.</i>
Response	<p>The EA includes the sections of the act 102(b), 108(d) in the Purpose and Need for action. The 1.1 Introductions states, <u>“The Valles Caldera Trust (the Trust) is proposing to continue operation of Valles Caldera National Preserve (the Preserve) as a working ranch consistent [emphasis added] with the goals stated in the Valles Caldera Preservation Act of 2000 (the act).”</u></p> <p>The EA, section 1.2.1 Purpose and Need – Statutory Purposes, provides the complete text from the act. Therefore where the purposes for acquisition include <u>“to provide for sustained yield management of Baca ranch for timber production and domestic livestock grazing...”</u> The qualifying text <u>“insofar as it is consistent with the other purposes stated herein”</u> from the act is also included.</p> <p>Where the goal for continued operation as a working ranch is provided, the qualifying text <u>“...where consistent with (2) through (4)”</u> is also provided (as well as the complete text of those paragraphs.)</p> <p>In the purpose and need for action, these sections of the act are included to support the need to <u>“...adopt goals, and identify objectives, monitored outcomes, and performance requirements to guide the multiple use and sustained yield of forage resources”</u> in order to be consistent with the act and the NEPA procedures of the Trust.</p> <p>The EA uses the definition of a working ranch, developed by the Board of Trustees, and included in the <u>“Framework and Strategic Guidance for Comprehensive Management of the Preserve”</u> which was vetted through the public in four public workshops held in 2004. This definition is provided in the Preface of the EA.</p> <p>While domestic livestock grazing is not mandated or required by the act, it is specified under the purposes for acquisition (Section 102(b), 5.) <u>to provide for sustained yield management of Baca ranch for ... and domestic livestock grazing...”</u> Under section 102(a) of the act (Findings) Congress included domestic livestock</p>

	grazing in its descriptions of historic and current uses of the Preserve; therefore it is not unreasonable to interpret the use of the term “working ranch” by Congress in its plain meaning as including domestic livestock grazing.
Source	TJ – Los Alamos, NM; Caldera Action – Santa Fe, NM
Subject	Range of alternatives
Quote	<i>“All of the action alternatives presented include domestic livestock grazing. The No Action alternative does not include domestic livestock grazing, but the environmental impact of existing infrastructure analyzed in Alternative B, suggest that an action alternative that does not include domestic livestock grazing would also meet the Purpose and Need for any environmental analysis on forage utilization.”</i>
Response	<p>The EA considers a reasonable range of alternatives for allocating and using the forage resources of the Preserve as supported by the Preserve’s ecological condition, suitability, and capacity for grazing by ungulates. The “No Action” alternative does not include domestic livestock grazing and is analyzed in detail. The No Action alternative would result in a defacto allocation of all the Preserve’s forage to wildlife, ecosystem services, aesthetic and other relative values as described in the EA.</p> <p>Alternative B allocates a minimal 5% of the Preserve’s forage for use by the Trust; a possible and likely use would be domestic livestock grazing for education, scientific research, recreation, or other purposes. This alternative also includes appropriate infrastructure management in support minimal use, the protection of resources, and benefits to wildlife.</p> <p>Based on the Valles Caldera Preservation Act, the Purpose and Need for action, comments received during scoping, and environmental analysis, the Trust considers the current range of alternatives reasonable and is not compelled to analyze a prohibition to domestic livestock in addition to the “No Action” and the minimal (5%) allocation to use by the Trust considered under alternative B.</p>
Source	TJ – Los Alamos, NM; Caldera Action- Santa Fe, NM
Subject	Past performance
Quote	<i>“The Preserve’s interim domestic livestock grazing program has shown repeatedly that domestic livestock grazing has its impact primarily in the riparian areas of the Preserve and that despite contract requirements and other efforts, it is impossible to keep domestic livestock out of the riparian areas. Fencing infrastructure adequate to this task would have a negative impact on aesthetics and other uses of the Preserve. There is no data or experience to suggest that the performance requirements of this section can be met and that fact must be acknowledged.”</i>
Response	Actually data referenced in the EA indicates that water quality and stream functioning condition as well as biotic and abiotic attributes in the riparian areas have improved since federal acquisition, under the interim grazing strategy. In

	<p>2008 during a 3-4 week period in July and August a portion of the 1960 steer being grazed on the Preserve were persistently in the riparian corridor of San Antonio Creek. This resulted in numerous complaints by anglers and other recreationists. This information was included in the EA.</p> <p>The post season analysis prepared by Kris Haavstad, with the USDA, Agricultural Research Service, Joranada Experimental Range, (publically available at http://usda-ars.nmsu.edu/data-info/VCNPData/VCNPUtilMapOct08.pdf) notes the average utilization in the riparian areas (elk and cattle combined) was 30%.</p> <p>Improving and maintaining existing fences and water sources on the benches above San Antonio Creek can improve our ability to control smaller animals such as the yearlings grazing in 2008. These improvements to existing fences would not impact aesthetic and other uses of the Preserve. The EA also includes the use of temporary solar electric fences and “drop down” fences (short term smooth wire fencing which uses a minimum of permanent posts and removable wire). These practices are effective without impacting aesthetic and other uses.</p>
Source	Caldera Action - Santa Fe, NM; WildEarth Guardians - Santa Fe; NM, TJ – Los Alamos, NM, Form Letter - Various
Subject	Scope of the Analysis
Quote	<p><i>“The EA refers to the Trust’s National Environmental Policy Act of 1969 (NEPA) procedures as finalized in 68 CFR 42460 et. seq.. Those procedures (see below) explicitly require an Environmental Impact Statement (EIS) for programs or plans for long-term programs.”</i></p> <p><i><u>“An environmental impact statement is normally required for the following implementing decisions:</u></i></p> <p><i><u>One or more stewardship actions that may be significant as described in 40 CFR 1508.27. Examples include, but are not limited to, long-term programs or plans for:</u></i></p> <p><i><u>Management of livestock grazing;</u></i></p> <p><i><u>Transportation;</u></i></p> <p><i><u>Management of forests and harvest of forest-related products; and</u></i></p> <p><i><u>Management of public recreation.</u></i></p> <p><i><u>Construction and operation of a visitor center with associated public access to the Preserve.</u></i></p> <p><i><u>The implementing decisions for long term plans described in (c)(1) are typically referred to as “planning related decisions”. These implementing decisions typically do not undertake specific actions on the ground, except for those that may modify one or more on-going stewardship actions. However, they are often critical choices in setting the stage, the expectations and bounds, for future stewardship actions and are intended to follow the depiction of federal actions that guide or prescribe alternative uses of federal resources upon which future agency action will be based as described in</u></i></p>

	<p><u>CEQ regulations at 40 CFR 1508.18(b)(2). Many people regard these planning-related decisions and their potentially significant consequences as paramount factors in the effective stewardship of natural resources. It is appropriate to consider the effects of these decisions before they are implemented.”</u></p> <p><i>The EA therefore does not meet the requirements of the Trust’s special NEPA procedures.</i></p>
<p>Response</p>	<p>The Trust documents the reasoning for the preparation of an EA under 1.6 Scope of the Analysis, 1.6.1, Environmental documentation.</p> <p>The EA does not propose a long-term (10 years or longer) program for domestic livestock grazing. In fact, the EA only proposes types of programs and limits commitments to short- to mid-term. The proposed stewardship action includes allocating forage (including methods for determining capacity) and types of programs including the weighting of criteria considered in selecting and evaluating programs. Infrastructure management and addressing deferred maintenance needs of several facilities are also being considered.</p> <p>Allocation and use of forage can be adjusted based on monitored outcomes, other program needs or conflicts, climate trends, market conditions, or other information. Monitored outcomes are reviewed annually; a review of the stewardship action will be documented in the State of the Preserve, prepared every five years.</p> <p>Performance requirements limit commitments to short- and mid-term programs to avoid commitments to expanding regional use and allocation of forage. These limitations are further supported by the act, section 108 Resource management, (c) Authorities, (3) Limitations, which limits the Trust to short- or mid-term commitments.</p> <p>The proposed action follows a progression initiated in 2002 when an interim grazing strategy was proposed and implemented in part to develop a “comprehensive model” for grazing on the Preserve. Through the evaluation of monitored outcomes, the Trust was able to put forward a model for determining capacity and allocating forage; however no single “program for domestic livestock grazing” was developed or identified during the interim period. Instead the need for <u>“flexibility to respond to environmental and market conditions, develop opportunities to work with stakeholders, and try innovative approaches to realize opportunities or address issues.”</u> (EA section 1.2.4, page 22) was identified.</p> <p>The proposed action is considered in the context of other programs and activities currently occurring on the Preserve or reasonably foreseeable. The MUSY – Forage will be considered in context with long term programs for public access and use and the restoration and management of natural resources in the future. The short- to mid-term decisions made based on this EA can be adjusted under future planning related decisions as noted in the text of the comment.</p> <p>Based on the comments received, minor edits will be made in the EA under section 1.6 to further clarify the scope of the decision to short- to mid-term</p>

	actions.
Response	<p>In response to the interpretation of the Trust’s NEPA procedures as indicated by the comment:</p> <p>The NEPA procedures of the Trust do not <i>require</i> the preparation of an EIS for long term programs or plans for the management of livestock grazing; they only indicate that this is an action for which an EIS would normally be prepared. The verbatim text from the Federal Register cited in the comment is actually from the <i>Supplementary Information</i> preceding the final NEPA procedures of the Trust. The last paragraph quoted in the comment is not included in the NEPA procedures; it is supplementary information describing the role, importance, and potential significance of “programmatic plans”, or plans that guide or prescribe future actions or decisions as opposed to “project plans” that include on the ground actions. The point of this paragraph is in emphasizing that the potential effects associated with programmatic actions require consideration, not (as the comment implies) to determine that all programmatic actions are significant.</p> <p>In fact, the supplementary information preceding the Trust’s NEPA procedures also states under, <i>1. Introduction: “Agency NEPA procedures are internal procedural guidance intended to assist agencies in the fulfillment of agency responsibilities under NEPA, but are not the agency’s final determination of what level of NEPA analysis is required for a particular proposed action.”</i> This guidance further supports the Trust’s decision to prepare an EA to determine if the preparation of an EIS is required.</p> <p>The proposed multiple use and sustained yield of forage resource includes allocation of forage, annual programs for domestic livestock grazing and facility and infrastructure management, and grazing by domestic livestock which is limited in space and time as previously clarified.</p> <p>The decision by the Trust to prepare and EA to determine whether to prepare an EIS is consistent with NEPA and with the NEPA procedures of the Trust (the Trust’s procedures are not considered special; they are simply Trust’s procedures for implementing NEPA). The EA documents the basis and reason for the decision.</p>
Source	Caldera Action - Santa Fe, NM; Wildearth Guardians - Santa Fe, NM; TJ – Los Alamos, NM,
Subject	Scope of the Analysis
Quote	<p><i>“The EA therefore does not meet the requirements of the Trust’s special NEPA procedures The Trust acknowledges this failure in the second sentence of the Executive Summary (p. 3).”</i></p> <p><i>“The EA documents compliance with the spirit and the legal standards put forth in the National Environmental Policy Act of 1969 (NEPA) as amended.”</i></p>

	<i>While it is noble to comply with the spirit of the law, it is required to comply with the law itself. The Trust developed special National Environmental Policy Act (NEPA) procedures designed explicitly for the experimental nature of Trust management. Having developed these procedures, the Trust is being arbitrary and capricious in ignoring those procedures.</i>
Response	The quote from the Executive Summary (p.3) uses “and” as the conjunction connecting spirit and legal standard to indicate compliance with both [standards]. The Executive Summary merely notes that a document <i>alone</i> does not fulfill the statute, by stating, “...it is the process leading up to and in combination with, the document that must meet the standard. “
Source	Caldera Action - Santa Fe, NM; Wildearth Guardians - Santa Fe, NM; TJ – Los Alamos, NM,
Subject	Scope of the Analysis
Quote	<i>The fact that this document is over 250 pages long suggests in itself that the scope of the proposal exceeds that typically considered in an EA instead of an EIS. If the actions proposed are so inconsequential that only an EA is necessary, why does it take 250 pages to explain the environmental effects?</i>
Response	<p>Length alone does not determine the need to prepare an EIS. In general the lengths of EAs vary considerably. For example, the Santa Fe National Forest (SFNF), which is adjacent to and surrounding the Preserve has several EA’s available on its website (www.fs.fed.us/r3/sfe/projects) considering domestic livestock grazing on single allotments within the Forest. One EA for the Peralta Allotment on the Jemez Ranger District is 98 pages long. Other EAs completed for the management of single allotments on the SFNF range from 51-78 pages. These EAs are analyzing continuing current use including minor infrastructure improvements and minor changes in the numbers of animals, season, and/or rotation of use. In 2004, Bandelier National Monument, adjacent to the Preserve, prepared an Environmental Assessment for a Fire Management Plan that considered mechanical treatment, prescribed fire and the management of natural ignitions within Bandelier National Monument. This EA is 270 pages. Recent EAs prepared by the Trust have ranged from 15 pages (Interim Camping) to 34 pages (Valles Toledo Prescribed Fire). The length of EAs varies considerably.</p> <p>The length of this particular EA is primarily due to lengthy descriptions of the affected environment (as opposed to lengthy and complex analysis).</p> <p>For example, chapter 3, section 3.1 includes over 50 pages describing the soils, hydrology, and vegetation of the Preserve as an ecosystem, as separate resources, and at various watershed scales; and as they relate to ecological condition, capacity, and suitability for allocating forage. This lengthy and detailed description of the affected environment supports a concise (13 page) analysis of the environmental consequences in a comparative form.</p>

	<p>Similarly the socioeconomic section is lengthy primarily due to the detailed description of the affected environment. The affected environment is described at various scales: the region, the industry, the local industry, local communities, individuals, and relative to the financial self-sufficiency of the Preserve. The environmental consequences are presented in a comparable form at the same multiple scales in a concise 15 pages.</p> <p>The document length is increased by the use of full page maps, multiple figures, and appendices.</p> <p>The detailed descriptions of the natural and socioeconomic environments could have been incorporated by reference. CEQ recommends incorporating lengthy reports by reference and using appendices to reduce the length of an EA. The Trust determined that including detailed descriptions of the affected natural and socioeconomic environment would facilitate internal as well as public review of the EA. This allows the reader to read and consider the analysis without having to view various documents and web sites in order to understand the context and the affected environment. Based on the substantive nature of the comments received, the detailed descriptions of the affected environments and the methodologies for analysis appear to have contributed to the public’s review and comment on the EA.</p> <p>The length and scope of the EA were considered in the preparation of the FONSI. Ultimately, the FONSI was based on the determination that the alternatives being considered in the EA would not significantly affect the human environment (the natural environment and people’s relationship with the environment.) The preparation of an EA and FONSI for actions that cannot be excluded from environmental documentation but <i>“will not have a significant effect on the human environment”</i> is consistent with direction in NEPA for reducing paperwork (§1500.4, (q)). NEPA provides direction for agencies regarding lengthy or complex EAs or EAs prepared for actions which normally require the preparation of an EIS. The Trust is also consistent with this direction by providing an extended comment period for the EA (55 days) and making the draft findings available for a 30-day review and comment period prior to making an implementing decision.</p>
Source	TJ – Los Alamos
Subject	Effects Analysis - Wildlife
Quote	<i>“The consequences and determinations of alternatives A and B do not reflect the possibility that the removal of domestic livestock grazing and control of Elk population numbers could result in significant increases in jumping mouse habitat. The EA should not assume that present conditions are the desired conditions for this on any other sensitive species”</i>
Response	The control of elk is not an element of the proposed or alternative actions, nor is such control expected to occur as a direct or indirect outcome of any action

	proposed. The EA describes the existing condition of the affected environment as it pertains to the New Mexico meadow jumping mouse (and other species considered). It also describes the expected environmental consequences using the existing condition and no action as a baseline.
Source	TJ – Los Alamos
Subject	Effects Analysis - Wildlife
Quote	<i>“Under the consequences of Alternatives C2 and D2, the EA states that <u>“Facility management proposed under these alternatives would have no effect on the Gunnison’s prairie dog or its habitat”</u>. As noted elsewhere in the EA, trailing effects along fence lines by both wild and domestic ungulates can have significant effects on the environment. Establishment of new fences in areas frequented by prairie dogs would provide perches for avian predators and alter the grassland environment to the detriment of this species.”</i>
Response	<p>The facility management referenced in C₂ and D₂ include completing deferred maintenance on the existing horse barn, tack shed, and pole barn to support ancillary administration of the livestock program, including classrooms, office space, rodent-proof storage for tack, feed, and supplements and outdoor clinic facilities. Repairs and upgrades would be made to the foundation, frame, and finished interiors. These facilities would serve as ancillary facilities in support of administration and operations on the Preserve.</p> <p>The environmental consequences expected to occur as a result of infrastructure management, which includes construction, reconstruction, removal, maintenance, and repair of fences, is described separately.</p> <p>With regard to the effects of fences (under the no action and actions alternatives), the EA does not state that trailing can have a <i>significant</i> effect on the environment. The EA states the fences currently located perpendicular to streams are causing trailing leading to <i>“localized adverse or cumulative effects”</i>. These effects, though adverse, were not estimated to be significant based on context (area of impact) or intensity (degree of impact). The purpose and need for action and the proposed action addresses this condition and prioritize the removal or relocation of such fences.</p> <p>With regard to <i>“establishing new fences in areas frequented by prairie dogs...”</i> The effect, “increased number of perches available to enhance raptor predation”, was not identified or discussed in part because extensive construction of new permanent fences is not being proposed. Further, perches used by raptors to hunt rodents are ideally taller than fence posts. Guidance for the construction of artificial raptor perches recommends a height of about 18-20’ to provide the raptor with the desired protection from below and behind the perch. (Hall, Howard, & Marsh, 1987).</p> <p>The EA identifies disease, poisoning (which does not occur on the Preserve), and habitat loss as the primary threats to Gunnison’s prairie dog in its mountainous</p>

	<p>range. An increase in these threats is not identified as a likely outcome from the no action or alternative actions.</p> <p>As a further safe guard, performance requirements include that an interdisciplinary review occur prior to implementing on the ground actions.</p>
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Recreation
Quote	<i>“Only 2 pages out of 163 pages in CHAPTER THREE – ENVIRONMENTAL CONSEQUENCES are devoted to recreation impacts”</i>
Response	Effects to recreation are described in context and intensity. Effects to recreation values are also discussed in section 3.7, Sensory Resources and 3.6 Socioeconomic impacts. These discussions are not repeated in section 3.8 Recreation.
Source	Caldera Action – Santa Fe, NM
Subject	Significance
Quote	<i>“The Interim grazing program and existing Ranch infrastructure has a moderate effect on the interim recreation activities.” Is this effect (impact) to be considered a significant impact? This “moderate” impact should be identified and described. NEPA's legal standard requires the Trust to demonstrate that grazing will not cause significant impacts.”</i>
Response	<p>The “moderate impact” describes the Interim Grazing Strategy and programs, and the current infrastructure. Continuing grazing without infrastructure management is not a proposed action and not being analyzed. The proposed action proposes infrastructure management that would improve access through fences by either removing fences or constructing walk through gates.</p> <p>Regarding the question about “moderate” impacts. Page 51 defines the adjective ratings for intensity and context which are used in the EA.</p>
Source	TJ – Los Alamos, NM; Caldera Action – Santa Fe, NM
Subject	Compliance
Quote	<i>Section 3.9.4 The EA states that the Act “<u>directs the management of the Preserve as a working ranch, consistent with other goals and purposes.</u>” The operation of the Preserve as a working ranch is a goal, and should be pursued, as noted in the Act, only consistent with paragraphs (2) through (4) of Section 102 (b). The Trust may feel that this “mitigates” the controversy over the grazing of domestic livestock on public land, but, as noted earlier, direction of domestic livestock grazing is entirely a fabrication by the Trust, as there is nothing in the act that in fact requires it.</i>
Response	The EA does not state that domestic livestock grazing is required by the act.

	<p>Domestic livestock grazing is specifically included in the purpose for acquisition, Section 102(b), 5. to <i>“provide for sustained yield management of Baca ranch for ... and domestic livestock grazing...”</i> Under section 102(a) of the act (Findings) Congress included domestic livestock grazing in its descriptions of historic and current uses of the Preserve as a “working ranch”; therefore it is not unreasonable to interpret the use of the term “working ranch” by Congress in its plain meaning as including domestic livestock grazing.</p> <p>The preface of the EA clarifies the definition of the working ranch as proposed by the Board of Trustees in the <i>Framework and Strategic Guidance for Comprehensive Management</i> completed in 2005.</p> <p>The EA considers whether “the degree to which the effects on the quality of the human environment are likely to be highly controversial” It is reasonable to state that domestic livestock grazing, consistent with the other purposes and goals put forward in the act, is not a highly controversial action to propose.</p> <p>In NEPA, the emphasis is generally on whether there is controversy regarding the <i>effects</i> as opposed to controversy over the action or activity. An example of such a determination can be found in <i>Hanly v. Kleindienst</i>, 471 F.2d 823 (2d Cir. 1972). In this case, the court held that “<i>controversial</i>” refers to cases where a substantial dispute exists as to the size, nature, or effect of a major federal action, rather than the existence of opposition to a use.</p> <p>In recognition of the controversy that generally exists regarding domestic livestock grazing on public land, the Trust noted the consistency of the proposed action with the findings, purposes, and goals of the act.</p>
Source	GM – Las Vegas, NM
Subject	Working Ranch
Quote	<p><i>“The definition of a working ranch is a ranch with livestock. Any other definition that does not include livestock is like having a “ranch style home” in downtown Albuquerque. It really does not have anything to do with a ranch. Subdivisions like “Rancho Viejo” in Santa Fe are not working ranches. Webster’s dictionary says a ranch is a large farm especially in Western States that raise cattle, horses.”</i></p>
Response	<p>Page 15 of the EA states, In 2005, the Trust’s Board of Trustees published the <i>Framework and Strategic Guidance for the Comprehensive Management of the Preserve</i>. In the <i>Framework</i>, a working ranch is defined as <i>“an operation that places its primary emphasis on stewardship of resources as the foundation for both ecological and economic sustainability”</i>. The <i>Framework</i> continues that a working ranch <i>“runs a sustainable level of livestock, adjusting numbers as necessary; makes resources available for other revenue-generating activities such as bird watching, hunting, fishing, and other low-impact recreational activities; applies adaptive management on a day-to-day basis to ensure resource protection; and monitors the impacts of its activities</i> (Valles Caldera Trust 2005). This definition is compatible with English dictionary, industry, and plain meaning of the term. In addition, it frames the meaning of a working ranch in context with the other goals put forward in the Act.</p>

Source	Caldera Action - Santa Fe, NM; Wildearth Guardians - Santa Fe, NM; TJ – Los Alamos, NM
Subject	Cumulative Effects
Quote	<i>“As noted earlier, the proposed action explicitly excludes consideration of forest thinning and use of prescribed fire; two actions among many, which would have significant effect on the multiple use and sustained yield of forage.”</i>
Response	<p>As described in the EA under, <u>2.1 Alternatives Considered but Eliminated from Detailed Analysis</u>, the Trust considered expanding the scope of the analysis to include actions such as thinning or the use of fire to manage forage resources. As stated in the EA, such actions will be considered in context with future plans to manage both forest and grassland ecosystems on the Preserve.</p> <p>Future stewardship actions including, forest and wildland fire management, managing public access and use, and transportations planning could propose and analyze adjustments to MUSY – Forage. These actions would also include an analysis of cumulative effects associated with past, present, and reasonably foreseeable future actions including MUSY – Forage.</p> <p>In addition the Trust is required to prepare a cumulative effects analysis every five years. This analysis is documented in a State of the Preserve, a publically available document.</p> <p>The proposed MUSY forage includes actions easily adjustable at a variety of scales in space and time as necessary to be compatible with future comprehensive planning and activities on the Preserve.</p>
Source	Caldera Action - Santa Fe, NM
Subject	Effects Analysis – Sensory Resources
Quote	<i>[Referring the predicted environmental consequences to sensory resources] “<u>The effects of any alternative were predicted to be minor.</u>” ...“<u>Relative to past management, the action alternatives...</u>” <u>As stated on page 10 of the EA, the baseline for comparison is Alternative A, NOT the overgrazing and timber- cutting excesses of the past under private ownership.</u>”</i>
Response	The referenced statement from the executive summary, is discussing the how the action alternatives affect people’s overall perception of the Preserve. It is appropriate to include the historical uses as part of that perception in this context. Furthermore, this section of the Executive Summary provides a narrative summary of the effects in relation to key issues. The narrative is supported by the Environmental Consequences section of the EA. It is not meant to replace the EA with regard to substance.
Source	Caldera Action – Santa Fe, NM

Subject	Interim Grazing Strategy
Quote	<i>“Page 16, Section 1.1 Introduction, and Page 25, Section 1.3 Proposed Action(s) and Performance Requirements “...the Trust is proposing to continue programs for domestic livestock grazing...”The Trust does not have “programs” for domestic livestock grazing. The Trust has instead entered into ad hoc contracts on an interim basis, year by year since 2002. NEPA authorization for these activities expired in 2005.”</i>
Response	<p>In 2002 the Trust prepared an Environmental Assessment and FONSI for an “Interim Grazing Strategy”. Under this strategy the Trust has implemented a series of annual programs in part to <i>“provide a scientific basis for development of a comprehensive “Model” Grazing Strategy”</i> as stated on page 2 of the 2002 EA (Valles Caldera Trust, 2002).</p> <p>Lessons learned from the interim grazing program were used as intended and framed the purpose and need as described on page 22 of the EA, which states <i>“Based on information gained from managing the interim grazing program, the Trust needs to implement and manage diverse and conservative programs for the multiple use and sustained yield of the Preserve’s forage resources. The Trust needs flexibility to respond to environmental and market conditions, develop opportunities to work with stakeholders, and try innovative approaches to realize opportunities or address issues.”</i></p> <p>The 2002 EA was amended in 2003; the Trust continued with annual programs based on periodic reviews of the EA (2004, 2005) and a review of monitored outcomes. These documents are all available for public review on request or can be viewed on our website in the stewardship register for Interim Grazing http://www.vallescaldera.gov/get_involved/stars/stars_saps.aspx .</p> <p>A stewardship register, as defined in the Trust’s NEPA procedures, Section 101.2, includes <i>“applicable environmental documents , available to the public, and readily amended over time...”</i> Using an interim strategy to develop a comprehensive strategy is a thoughtful and comprehensive approach to planning consistent with the Management Principles (101.1 (d)), definition for adaptive management (101.2), and definition for comprehensive management (101.2) published in the final NEPA procedures of the Trust (Federal Register, 2003).</p>
Source	Caldera Action – Santa Fe, NM
Subject	Proposed Action - Infrastructure
Quote	<i>“Description of all of the proposed actions (tanks, fences, watering systems) should be included and analyzed for their environmental impacts. As written, there is no way of telling what will be done, much less what the environmental impacts will be.”</i>
Response	Descriptions of the proposed action and performance requirements for infrastructure management are provided on page 33 and 34 of the EA. Management of fences varies between alternatives; proposed management is indicated on the Alternative Maps (EA figures 8, 9, and 10). The alternative map

	for “No Action” indicates the current condition and location of fences.
Source	Caldera Action – Santa Fe, NM
Subject	Responsible Official
Quote	Referring to the EA Section 1.5 <i>“The Executive Director of the Trust as governed by the Board of Trustees is the Responsible Official...” This is vague. Is the Executive Director or the Board of Trustees the Responsible Official?</i>
Response	The Executive Director is the Responsible Official. The Executive Director is governed by the Board of Trustees.
Source	Caldera Action – Santa Fe, NM
Subject	Review and Adaptive Management
Quote	<i>“...these decisions will be reviewed every 5 years.” A five-year review and adjustment cycle do not seem to be consistent with the adaptive management process to which the Trust is committed.”</i>
Response	The EA, page 27 indicates the schedule for monitoring various outcomes. Appendix B describes the triggers and schedules for adaptive management. The decision, which includes the proposed adaptive management and outcomes selected for monitoring, is evaluated every five years in the State of the Preserve which considers past, present and reasonable foreseeable future actions and is a component of comprehensive management.
Source	Caldera Action – Santa Fe, NM
Subject	Alternatives
Quote	<i>“Increasing the multiple use forage to 50 percent was frequently suggested.” This assertion is questionable. Please correct or clarify.”</i>
Response	Comments in general that suggested increased utilization referenced the adage “take half, leave half” in suggesting a more liberal allocation of forage in support of livestock.
Source	Caldera Action – Santa Fe, NM
Subject	Proposed Action / Performance Requirements
Quote	<i>“Much is made in the EA of the use of herding to reduce domestic livestock impacts on the environment.”</i>
Response	The EA mentions herding multiple times, either in context with a list of tools and practices employed for resource protection or associated with its specific

	application.
Source	NMCGA, NMFLC ¹ - Albuquerque, NM; Form Letter - Various
Subject	Alternative D
Quote	<p><i>Although the document fails to mention that educational, scientific, and recreational opportunities could be achieved with Alternative D, we believe that all of mandates of the enabling legislation can be best met with this Alternative. Granted, it will require a positive attitude towards the working ranch environment that is not necessarily expressed within the EA. It is the only alternative that provides the Trust with a real chance to provide the public with the opportunity to enjoy recreational and educational activities on a productive, ecologically sound working ranch in public ownership</i></p> <p><i>The document implies that Alternative D has no value other than monetary gain. We disagree. This Alternative does give greater consideration to the monetary return to the Trust --- as any working ranch or business should.</i></p> <p><i>However, with additional income deferred maintenance can be addressed. And all of the additional opportunities could be achieved with this Alternative, including educational, scientific, outside funding sources, recreational, and infrastructure needs. This Alternative will require balancing of potential conflict with other programs just like most other working ranches across New Mexico and the West. It will require a positive attitude toward the whole working ranch environment.</i></p> <p><i>This is the only Alternative that provides a profit to the Preserve.</i></p>
Response	<p>The description of Alternative D (2.2.4) includes the text, “ <u>Relative and non-monetary benefits from domestic livestock programs could be realized under this alternative to the degree that they did not diminish returns based on existing market conditions</u>”</p> <p>The executive summary qualifies the varying alternatives with the following statement: <u>All the action alternatives include adopting goals for continued improvements in the ecological condition of the Preserve. No alternative limits nor guarantees participation based on residency or socioeconomic condition. Furthermore, the Trust is required to achieve a variety of goals and will continue efforts to balance goal attainment.</u></p> <p>The EA states that economic consideration will be given a <i>greater</i> consideration under Alternative D. It further states that under Alternative C, programs would be required to be economically sustainable but other relative values would be given equal or greater consideration than economic return.</p> <p>A statement in the comment “<i>This Alternative [Alternative D] does give greater</i></p>

¹ A form letter was received from individuals from around the State of New Mexico as well as one from Texas and from Arizona. From email references it appeared that the form letter was circulated in part by members of the New Mexico Cattle Growers Association (NMCGA) and members of the New Mexico Federal Lands Council (NMFLC). Each individual copy and signature is maintained in the Administrative Record.

	<p><i>consideration to the monetary return to the Trust --- as any working ranch or business should” is important to address. The Valles Caldera National Preserve is a unit of the National Forest System, while the goals for management include continued management as a working ranch and financial self sufficiency – it is not “any ranch or business”. Laws applicable to the U.S. Forest Service are also applicable to the Preserve, including the Multiple Use and Sustained Yield Act. This law is quoted in its entirety in the EA Preface and includes the following statement, “...with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.” All action alternatives consider relative values as well as monetary return.</i></p>
Source	NMCGA, NMFLC - Albuquerque, NM; Form Letter - Various
Subject	Alternative A
Quote	<p><i>This Alternative does not meet the requirement of a working ranch and does nothing to meet the mandate to become self supporting, provide for multiple use and sustained yield or utilize renewable resources to optimize income. It is only required by the National Environmental Policy Act (NEPA) process to establish a baseline to gauge the other Alternatives upon. However, it appears that some special interest groups strongly support a no domestic livestock alternative.</i></p>
Response	Statement of opinion, no response required
Source	NMCGA, NMFLC - Albuquerque, NM; Form Letter - Various
Subject	Alternative B
Quote	<p><i>This Alternative provides little income, limiting grazing to five (5) percent of existing forage on the Preserve. This option is not healthy for the land, which will in turn impact wildlife. There is also the danger of catastrophic fire to consider. This alternative will allow for forage build up which will result in a stagnant and then declining ecosystem and provide a tender box for fire. The document states that none of the Alternatives will have a significant impact on the surrounding area or the Preserve. That is certainly not the case with this alternative. If the Preserve does not provide suitable habitat for wildlife they will migrate off in even greater numbers having even greater impact than they already are on neighboring ranchers. Additionally catastrophic fire could easily burn onto areas outside the Preserve.</i></p> <p><i>The Alternative does not meet the requirements to become self supporting, provide for multiple use and sustained yield or utilize renewable resources to optimize income. The document seems to say that removal of fencing and recreational opportunities are almost exclusive to this Alternative. These activities can be achieved with other Alternatives C and D.</i></p> <p><i>The EA presents a bias toward Alternative B, which will only run 500 head or less by stating this Alternative makes the working ranch a minor part of the overall operation</i></p>

	<i>that may reflect a more modern trend increasingly common on small ranches. The Valles Caldera is not and never was a small ranch. Additionally even small ranches do not operate all these other activities in lieu of the cattle operation. Running only 500 head provides only a meager income on a small ranch and certainly cannot and will not meet the financial necessities of making the Preserve self-sustaining by 2015.</i>
Response	<p>(Paragraph 1) The EA notes that grazing will still be occurring Preserve-wide in the form of elk and other herbivores. The EA finds that the ecological condition would continue to improve and with regard to some characteristics, improvements would occur faster or to a greater degree under this alternative. The EA also considers the effects to fire ecology under each of the Alternatives.</p> <p>(Paragraph 2) Based on this EA it is likely that the multiple use of forage can be financially self sustaining and provide relative values but will not be a significant contributor to the Trusts goal of overall financial self sufficiency.</p> <p>The comment incorrectly states the act directs the Trust to utilize natural resources to optimize income. The act actually states, <u>“optimization of the generation of income based on existing market conditions, to the extent that it does not unreasonable diminish the long term scenic and natural values of the area, or the multiple use or sustained yield capability of the land”</u></p> <p>This alternative focused on key issues regarding resource protection and preservation, recreation, and emphasizing relative values. It does not exclude the attainment of financial self-sufficiency.</p> <p>(Paragraph 2) The EA cites the benefits associated with infrastructure management under each action alternative. These benefits are greater under Alternatives C and D, where control of livestock is most important as demonstrated in 2008. Alternative B removes more fences, Alternatives C and D repairs and maintains more fences.</p> <p>(Paragraph 3) each of the action alternatives is reasonable, meets the purpose and need for action, and is consistent with the Valles Caldera Preservation Act. The statement that multiple uses are becoming more common on small ranches in the west is true. The adjective “more” was used to indicate an increase over time not that the trend was common or dominant on ranches in the west. The statement is presented to note that reducing the emphasis of livestock in overall operations is not necessarily inconsistent with a “working ranch”.</p>
Source	NMCGA, NMFLC - Albuquerque, NM; Form Letter - Various
Subject	Alternative C
Quote	<i>While this Alternative gives greater importance to local producers it ignores the requirement to become self-supporting and to optimize income from renewable resources. The stability of local producers is important, but achieving financial stability for the Preserve as a working ranch may aid in local stability. It also states it is enhancing the goals of the Santa Fe National Forest. Again while the goals and needs of the Santa Fe National Forest are worthy and important, the Preserve has its own</i>

	<p><i>needs and goals to consider. Alternative C seems to say that educational and scientific opportunities are almost exclusive to this Alternative. It also states that grants and other means of funding could be pursued. We respectfully disagree and believe that these objectives can also be achieved under Alternatives D.</i></p> <p><i>Though the Act specifies that the Trust should adopt "renewable resource utilization and management alternatives that, to the extent practicable, benefit local communities and small businesses," Alternative C narrowly defines "local communities and small businesses" and the analysis admits that benefits would be to individuals rather than communities. The income predicted under Alternative C is evidence that the goal of optimizing income would be deliberately discarded under this alternative.</i></p> <p><i>The EA states that Alternative C is the most balanced approach to benefiting the "local" communities and enhancing the goals of the Santa Fe National Forest. It also states this is achieved provided that the monetary returns are sufficient to cover costs. This seems unlikely since the Forest Service rates are \$1.35 per head per month, and local producers will be reluctant to pay more than that rate. It is important to point out that the federal grazing fee is a result of a formula that takes into account economic factor and much higher operating costs than on privately held lands.</i></p>
Response:	<p>(Paragraph 1) The alternative does not give greater importance to local producers. However, by giving equal or greater consideration to values other than economic return, local producers would have an increased opportunity to participate in programs. The conclusion is not arbitrary, capricious, nor biased. The EA cites our experience with the Interim Grazing Program (2002-2008), public meetings associated with the Interim Grazing Program, scoping meetings for this EA, public meetings of the Board of Trustees, written comments, and interviews with the USDA Cooperative State Research, Education, and Extension Service (CSREES) and Santa Fe National Forest.</p> <p>(Paragraph 1 and 2) The EA lists some <i>examples</i> of relative values that could be given equal or greater consideration than monetary return. The Valles Caldera Preservation Act provides the following management goals (see EA, section 1.2.1, Statutory Purposes: <u><i>(5) renewable resource utilization and management to the extent practicable – (A) Benefit local communities and small businesses; (B) enhance coordination of management objectives on surrounding National Forest Land; and (C) provide cost savings to the Trust through the exchange of services...</i></u> A key issue identified in the EA, <u><i>"Optimizing the attainment of any one goal is not exclusive of the attainment of any other goal but is likely to affect the level and timing of such attainment."</i></u> Alternative C emphasized the attainment of these goals but did not exclude the attainment of other goals.</p>
Source	NMCGA, NMFLC - Albuquerque, NM; Form Letter - Various
Subject	Past Performance
Quote	<i>"Finally we are concerned that the EA completely ignores the fact that a successful grazing program did take place on the Preserve this past summer. That project should demonstrate that there is economic viability in grazing for the Preserve and that there</i>

	<i>great probability of increasing that economic income with increased, but managed grazing...”</i>
Response	The timing of the analysis precluded incorporating the 2008 grazing program completely into the analysis. The 2008 offered price per AU was used for the baseline under the 3.6 Socioeconomic. The amounts were increased over time. As suggested in the comment as it was believed a commitment to this type of program along with consistent management and timing would reduce risks, increase competition, and increase revenue.
Source	Northern New Mexico Stockman’s Association (NNMSA)
Subject	Working Ranch
Quote	<i>“It is so obvious the Valles Caldera Board (VC) in this Environmental Assessment is desperately trying to sway public opinion to eventually amend the law to do away with the working ranch concept and turn the Valles Caldera Preserve into a National Park.”</i>
Response	The act acknowledges the history of the Preserve as a working ranch in both the purposes for acquisition and goals put forward for management. The Environmental Assessment (EA) notes this direction in the purpose and need for action as well as in the environmental consequences. In the Preface of the EA the Trust puts forward the definition of a working ranch from the Framework and Strategic Guidance for Comprehensive Management of the Preserve (Valles Caldera Trust, 2005). This document and definition of a working ranch was vetted by the public in series of meetings held in 2004, the final version being published in 2005. The EA proposes the continued operation as a working ranch, including livestock grazing, at a level consistent with other purposes as stated in the Act. Neither the proposed action nor action alternatives propose changing or eliminating the “Working Ranch” as a management goal.
Source	NNMSA
Subject	Scoping and Public involvement
Quote	<i>“Why is it there were no scoping meetings held in the surrounding communities of Abiquiu, Espanola, Canones, Youngsville, Coyote, Cuba, La Jara, Arroyo De Agua, Mesa Del Poleo, and Gallina etc. to get local input on this EA?”</i>
Response	The Trust held public meetings regarding this EA in Jemez Springs and Espanola. Prior to the public meeting in Espanola, the Board of Trustees held a public board meeting in the Rio Arriba County Offices and provided an open forum for producers and others in Rio Arriba County to speak directly to the Board regarding their concerns with the management of the Preserve. Attendees at this meeting were notified of the upcoming public meeting regarding the EA. Notification of the public meetings and all information regarding the EA were

	<p>distributed via email, surface mailing lists, and press releases. The surface mailing lists included grazing permittees on the surrounding National Forest System (NFS)land, the Northern New Mexico Stockman’s Association, Range Management Officers on the Santa Fe National Forest, and the USDA CREES field office in Alcade, New Mexico.</p> <p>In addition the Trust met with the Range Managers from the Santa Fe National Forest and the CREES to identify potential issues, concerns and opportunities associated with livestock grazing programs on the Preserve in relation to the objectives on surrounding NFS land and local producers.</p> <p>Implementation of the interim grazing program provided qualitative information important to estimating the types of programs that local producers could best compete or participate in.</p> <p>The input from this local constituency was incorporated into the EA as key issue and reflected in Alternative C and C2. Under this alternative relative benefits would be given a weighting equal to monetary return.</p> <p>The socioeconomic analysis identified Sandoval and Rio Arriba County as the area of impact and considered the potential significance of the effects to the regional economy as well as effects to individuals and communities.</p>
Source	GM – Las Vegas, NM, TF Socorro County, NM
Subject	Scoping and Public Involvement
Quote	<p><i>“The study / comment group meetings were only held locally in surrounding communities, thus, there was no input from the general public in the State or the Nation. Does the Preserve only selectively use the term “National”? This presents a one sided view that only locals had a chance to comment. The “local” options are presented in the most favorable and desirable light whereas the others are less favorable.”</i></p> <p><i>“We need more balance in this discussion. Biologists, environmentalists, geologists, birders, anglers, outdoor recreationists and local NM ranchers should all be invited to sit on the board and have a sensible conversation that considers all valid perspectives. At this time, we all should, individually in our personal life and collectively as a nation, expand our vision to reflect what our new Obama administration is calling for - which is to say - reasonable debate, healthy conversation among differing parties, respect, and a united desire to make things better for all citizens (which includes, in my opinion, the inhabitants of the natural world!).”</i></p>
Response	<p>The need for and location of public meetings was based on the responses received from email and surface mailings. These emails reached out beyond the local communities and included agencies and organizations to further distribution.</p> <p>This outreach did not generate sufficient nationwide interest to initiate public meetings outside the regional area. However, stakeholders from outside the regional area could participate by submitting comments or inquiries. All posters and information provided at the public meetings and workshops were made (and</p>

	<p>remain) available on our website.</p> <p>The proposed action is limited in scope and mainly considers interactions with other programs in the current or near future. As the Trust develops programs and facilities for public access and use, how domestic livestock grazing fits in with these long term programs will be evaluated.</p>
Source	NNMSA
Subject	Honoring the Treaty of Guadalupe
Quote	<i>“The Treaty of Guadalupe Hidalgo protects the historical rights and uses of the livestock producers and locals in this state and let’s honor the Treaty and begin working with the local ranchers and communities”</i>
Response	<p>The Treaty of Guadalupe Hidalgo, signed February 2, 1848, ending the Mexican American War and providing for the Mexican cessation included the assurance of existing property rights of the Mexican citizens in the transference of territories. The EA is based on the Preserve’s current legal status as National Forest System land, managed by the Valles Caldera Trust, a wholly owned government corporation (U.S.C., 2000).</p> <p>Any dispute over the status of the Preserve is not known at this time and is outside the scope of this document. Valles Caldera National Preserve Land Use History documents the initial and subsequent ownership of the Preserve prior to and following the Treaty of Guadalupe (Anschuetz & Merlan, 2007)</p>
Source	NNMSA
Subject	Compliance
Quote	<i>“If the intent of the preserve now is to eliminate livestock grazing by removing some of the historic interior fences”...“ These fences fall under the protection of the National Historic Preservation Act and as such are part of the working ranch concept.”</i>
Response	<p>The alternatives vary the infrastructure management to the proposed level of livestock grazing, rather than varying the level of livestock grazing to meet the proposed level of infrastructure. The Valles Caldera Trust has procedures in place to ensure on the ground activities including the removal, construction, maintenance and repairs of fences are completed in compliance with the National Historic Preservation Act. Performance requirements in the EA require the completion of this process prior to implementation. The EA considers the effects of the proposed action and alternatives to the Preserve’s cultural resources, cultural landscape, and “sense of place” as a working ranch (see the EA Chapter 3.5 Cultural Resources and 3.7 Sensory Resources).</p>
Source	NNMSA
Subject	Effects Analysis - Economic Efficiency

Quote	<i>“The folks working at the VC are the highest paid employees of any working ranch in the World. ...These kind of wages paid are ludicrous and are not typical for any working ranch. Why isn’t the need to pay these enormous wages addressed in this EA?”</i>
Response	For the last two years livestock grazing has occurred under a competitive contract requiring the owner to oversee cattle operations and incur all associated costs. This information was incorporated into the EA by using the net return per AUM (after operating expenditures) in the economic calculations. The salaries of Trust staff are based on standardized federal pay bands determined by the education, experience, and qualifications required by specific positions.
Source	NNMSA
Subject	Elk Management
Quote	<i>“A game fence on the northern half of this ranch must be erected to keep the elk from migrating into the neighboring allotments if the VC is going to be a good neighbor?” ... “Many local ranchers are concerned with elk diseases that may be transmitted to livestock. Is the Preserve working with the NMGF to make certain the elk herds are brucellosis free or disease free? Ranchers want the assurance the elk are being tested periodically to prevent any elk to livestock transmitted reproduction diseases?”</i>
Response	Specific management of elk was considered but eliminated from detailed analysis (See EA, section 2.1). The elk herd in the Jemez Mountains is a complex multijurisdictional issue. The EA proposes to allocate forage in context with the Preserves current elk population. The EA provides the Trust with opportunities to adjust livestock grazing in concert with new information (adaptive management). The EA did not propose actions that would measurably alter the current distribution or use by elk and therefore did not analyze such consequences. Elk are sampled on the Preserve by taking physical samples from elk harvested on the Preserve. The Trust will continue to participate collaboratively to address elk issues in the Jemez Mountains by participating in Seeking Common ground and working directly with NMDGF
Source	RO – Unknown, MR – Las Cruces, NM
Subject	Scope of Analysis
Quote	<i>“Instead of cattle, which I just read provide a very small percentage of total income, why not consider running bison instead?”... “After reading the EA, I’m wondering what was growing on this range before cattle. I’m thinking Bison, lots of Bison!!”</i>
Response	The EA does provide for other types of livestock although bison are not native to the Preserve. Alternative classes of livestock could be consistent with any of the

	action alternatives. The interdisciplinary clearance process would be used to evaluate any additional infrastructure requirements associated with other species.
Source	NN – Albuquerque, NM
Subject	Scope of the Analysis
Quote	<i>“Please consider bringing the multiple use option of forest management into the discussion.”</i>
Response	<p>While completing the analysis regarding the MUSY – Forage, the Trust has also been collecting the data necessary to begin planning and analysis for the management of the Preserve’s forests.</p> <p>Management of forests and ecosystems have a different purpose and need, proposed action, and environmental consequences than the limited scope regarding the continued use of forage.</p>
Source	DK - Pojoaque
Subject	Financial Analysis
Quote	<i>“Financial summaries indicate that grazing and hunting are profitable whereas hiking, cycling, and perhaps fishing are not. This is an artifact of the way the numbers are being generated and binned and may indicate management's predisposition to make grazing and hunting look good while casting a negative pall over hiking and cycling. High costs for hiking and cycling indicate a program that is clearly being run inefficiently or, the analyses are intentionally skewing results to produce a foregone conclusion.”</i>
Response	<p>Under interim management grazing and hunting are returning revenues equal to or greater than direct operational costs. The EA proposes levels of grazing similar to the level currently being managed. The EA further concludes that revenues generated by domestic livestock grazing can contribute to Preserve operations, but will not be likely to contribute significantly to overall financial self sufficiency.</p> <p>The annual budgets of the Valles Caldera Trust, publically available in the annual reports prepared for Congress referenced in the EA demonstrate that the Trust commits significantly more resources for public access and use of the Preserve than go toward livestock grazing and other operations.</p>
Source	Forest Service Employees for Environmental Ethics (FSEEE) - Eugene, OR
Subject	Financial Self Sufficiency
Quote	<i>“Congress requires the Trust’s operations become self-sufficient by 2015, in other words, as a result of implementation of the MUSY-Forage EA. This is not a complicated mandate. In the simplest terms, to meet this mandate, all revenues associated with maintaining a grazing program must be equal to or greater than all</i>

	<i>expenses associated with maintaining a grazing program. The EA dances around this issue—introducing a variety of analyses that do not directly address the intention of Congress in establishing the trust. The reader may read the document carefully and still be left with seemingly contradictory answers to the basic question of whether the grazing program is economically self-sufficient.”</i>
Response	The comment paraphrases the act incorrectly. Congress sets a benchmark for financial self sufficiency by 2015. To state that in “other words as a result of MUSY-Forage” is not supported by the text in the act. Based on the information presented in the EA, it is clear that grazing will not play a <i>significant</i> role in attainment of overall financial self sufficiency. The performance requirement in the EA provides that revenues from grazing must meet or exceed the direct costs associated with annual grazing programs. The EA allows that deferred maintenance needs associated with fences and ranch infrastructure could be recovered under the maximum profit scenario, but would likely require investment from appropriated money or other sources under Alternatives B and C.
Source	FSEEE - Eugene, OR
Subject	Quality of Data
Quote	<i>“This implies that grazing revenues will not cover costs of administering the program, but that “grants” and “tuition” may help cover costs. These types of cost offsets for a grazing program are speculative if not fanciful.”</i>
Response	Using various fund development opportunities to support programs that contribute to societal needs is an acceptable business strategy for non-profit organizations (the Valles Caldera Trust is a 501(c) 1). Since 2001, the Trust has benefited from over \$1,000,000 per year in extramural funding and grants with \$1.8 million being spent on the Preserve in each of 2007 and 2008 as well as multiple grants. The socioeconomic impact compares the present net value for each alternative. This simple comparative analysis does not include the variety of funding opportunities that could be explored. The qualitative information includes potential funding opportunities. The Trust staff has expertise and experience in fund development and is qualified to provide professional opinions regarding potential funding sources.
Source	FSEEE - Eugene, OR
Subject	Quality of Data
Quote	<i>“None of the sources cited above (Trujillo, Chacan and Rosauer, and Santa Fe National Forest) provide any support whatsoever for this conclusion. Most of these citations appear simply to be Trust staff interviewing other Trust staff. Trust staff may hold the opinion that the grazing program could receive funding from private foundations or universities to run cattle on the Valles Caldera Preserve but the purposes of NEPA are not served by dressing this opinion up as documented evidence. (The Council on Environmental Quality regulations state “Agencies shall insure the</i>

	<i>professional integrity, including scientific integrity, of the discussions and analyses ... They shall identify any methodologies used and shall make explicit references by footnote to the scientific and other sources relied upon for conclusions...” 40 CFR §1502.24. Many if not most citations in the EA do not meet this standard.)</i>
Response	<p>Interviews and personal communications with individuals, who, by virtue of their education and experience have relevant expertise in a particular subject area, are acceptable as sources of reference. The communications with Trust staff referenced in the comment were interviews conducted by the USFS Enterprise Team members in preparation of their specialist reports (interviews <i>with</i> Trust staff (Trujillo and Parmenter) were not conducted <i>by</i> Trust staff.)</p> <p>The other individuals interviewed were from the USDA Cooperative State Research, Education, and Extension Service (CSREES), and District and Forest Range Staff from the Santa Fe National Forest. Their expert opinions on the potential for developing collaborative programs with small, local producers are acceptable based on professional expertise. The analysis includes the recommendations, opinions, observations, and statements of professional land managers, extension agents, and ranchers with lifetime experience and careers spent managing land and livestock in the montane ecosystems and local communities surrounding the Preserve. Comments were incorporated through public meetings, written comments, and personal interviews. The Trust includes this collective experience as critical to increasing our knowledge of the natural and social landscape of the Preserve.</p> <p>In regard to the comment that “many if not most citations in the EA do not meet this standard”, there are 201 works cited. The Trust requested specific references that the FSEEE objected to. The response from FSEEE, <u>“I am not in a position to review and characterize all of the citations in the document for you, but I noted a number of citations that seem similar to the situation above. I suggest you yourself review all 201 citations and retain those citations that are published scientific, legal, technical or commercial documentation and/or research and discard most of the rest”</u> was not sufficient to address concerns with other references.</p> <p>The Trust maintains that public comments, local knowledge, and expert opinion are important considerations in decision making on public lands.</p>
Source	FSEEE - Eugene, OR Financial self sufficiency
Subject	Financial Self Sufficiency
Quote	<i>“Until it can be demonstrated that cattle generate more revenue than expenses, the grazing program should be discontinued. Cattle grazing compares very unfavorable with other activities on the Preserve when it comes to keeping the Preserve’s operations in the black. Since the property was acquired by the federal government, hunters have purchased as much as \$400,000 in lottery tickets to hunt elk and turkey or to fish.”... . The Trust budgets about \$500,000 to manage use and access to the Preserve for hunting, fishing, hiking, bird watching, etc. and grosses about \$750,000 annually. EA</i>

	<i>at 212. The EA admits that there are direct tradeoffs between hunting and fishing, which make money, and grazing, which loses money.²</i>
Response	<p>In paraphrasing the EA, the comment makes incorrect conclusions. Grazing programs in 2007 and 2008 both generated more revenue than was expended in direct operating costs. The Trust also received multiple proposals for livestock programs that would break even or return more than direct operating costs.</p> <p>Planned expenditures referenced in the comment are planned direct costs for public use and access, the revenues referenced are all revenues combined including grazing. In 2008 actual expenditures for direct costs in support of public access and use were \$860,545. Total revenues from public programs were \$633,853. Individually, livestock grazing and hunting were the only programs that brought in revenues exceeding direct costs (Valles Caldera Trust, 2009). Indirect costs including, the maintenance of web site and lottery processes, marketing, publication, facilities maintenance, compliance and permitting, administrative facility and staff costs, are not broken out by individual program.</p> <p>The analysis considers the potential significance of livestock grazing in the attainment of financial self sufficiency. The analysis also considers potential revenue in context with deferred maintenance needs. Furthermore the analysis considers the effects of the proposed action in context with other programs and activities on the Preserve.</p> <p>In their comments, FSEEE alludes to the “simple” definition of financial self sufficiency. While the definition is simple, “generate revenues that exceed expenditures”, the direction to achieve financial self sufficiency is nuanced with the other purposes of the act as in the following quote from Section 102 of the Act, Findings and Purposes (8), <i>“the Baca ranch can be protected for current and future generations by continued operation as a working ranch under a unique management regime which would protect the land and resource values of the property and surrounding ecosystem while allowing and providing for the ranch to eventually become financially self-sustaining;”</i></p>
Source	FSEEE - Eugene, OR
Subject	Financial Self Sufficiency
Quote	<i>“Outdoor activities are profitable because there is relatively little overhead cost to administering these programs” ...” In contrast, the EA contemplates expensive repairs, renovations and other capital investments to mitigate environmental damage from grazing. These costs are never displayed in the EA, although at a minimum they involve removing more than 20 miles of fence, reconstructing many miles of fence,</i>

² The EA reports that “Many anglers stated they would not return to fish on the Preserve [because of grazing].” The grazing program appears to have lost money every year since 2002. EA at 183. The GAO reports that the grazing program lost \$55,000 in 2004, although figures in the EA seem to show a loss of more than \$100,000. Id; “Trust Has Made Some Progress, but Needs to Do More to Meet Statutory Goals.” GAO-06-98. November 2005, p. 23.

	<i>repairing more than a dozen stock tanks, and renovating several large buildings. Negative NPV figures in the EA range as high as -\$563,000, implying at least a half million dollars in capital investment devoted to maintaining a grazing program that charges between \$3-\$23 annually for seasonally grazing of 500 cow-calf pairs (yielding \$1,500 - \$11,500 of revenue). EA at 191-192."</i>
Response	<p>In 2008, \$860, 545 was incurred in direct costs support public access and use, the revenue return was \$633, 853 for all public access and use programs (Valles Caldera Trust, 2009). Because the EA is not proposing and analyzing public access and use, a detailed assessment in costs and revenues for these programs is not provided.</p> <p>The comment, in paraphrasing, incorrectly states the purpose and need for actions and conclusions of the EA. The purpose and need for action includes that deferred maintenance of ranch infrastructure (fences and earthen tanks) is needed for the protection of resources and wildlife, regardless of livestock grazing. The economic analysis includes the overall costs and revenues of the multiple use and sustained yield of forage which includes activities to protect the "sustained yield" of the relative values including reducing current risks to wildlife and resources.</p> <p>Livestock grazing and other uses of forage could contribute funding towards these actions. Whether fences are removed or maintained and in some cases relocated depends on planned levels of domestic livestock use. Addressing the deferred maintenance needs of existing facilities is not included as an activity connected to grazing but as an action that could provide administrative and operations support..</p>
Source	FSEEE - Eugene, OR
Subject	Effects Analysis Ecological Condition
Quote	<i>"The EA implies throughout that the cattle grazing program will maintain good conditions, or that poor ecological conditions will be steadily improved by careful administration of grazing. This assumption is not supported by a careful reading of the EA, however. "</i>
Response	The EA documents ecological condition at site specific areas, at the sub-basin watershed (delineated from USGS Hydrologic Unit Code 6 th level), and predicts effects at the same scale. Data is included in Appendix B.
Source	JC – Creede, CO
Subject	Scope of the Analysis
Quote	<i>"This is PUBLIC LAND! Why is livestock grazing, admittedly with poor prospect of a significant return for the investment, and serving a rather narrow and very local interest given more priority than increasing public access to the Preserve, or than increasing recreational opportunities and developing facilities that will draw visitors, both of which have more long-term potential for revenues, as well as serving a much wider set of public interests?"</i>

Response	<p>While the comment is not specific to the EA, it does indicate a question on the scope of the analysis.</p> <p>Livestock grazing is not given greater priority than public access and use. As published in the annual reports made to Congress and the 2007 State of the Preserve, recreation as a budget line item accounts for 22% of the Trusts annual planned budget. Trust operations which include law enforcement, wildland fire management, and natural resource management including livestock grazing, accounts for 9% of the Trust’s annual budget.</p> <p>Concurrent with planning for MUSY Forage, planning and analysis has been ongoing for public access and use of the Preserve. The Trust has completed complete an engineering and historic preservation report for all the facilities located on the Preserve, has supported an annual program for inventory and analysis of the Trust’s existing roads system, hosted a professionally facilitated series of public workshops regarding public access and use, contracted for a strategic analysis for use in business planning, is nearing completion of a social survey (being prepared by the Rocky Mountain Research Station) and most recently, established an interdisciplinary team to synthesize the information collected to date and using a public process, develop preliminary alternatives for the development of the Preserve in support of long term programs for public access and use.</p> <p>The EA for MUSY-Forage is being completed prior to public use and access planning because of the difference in the scope of these actions rather than due to prioritization by the Trust.</p>
Source	JC – Creede, CO
Subject	Range of Alternatives
Quote	<i>“The alternatives presented show a disappointing lack of creative thinking about how to meet the "working ranch" objective and create a revenue stream without risking either ecosystem health (esp riparian areas) or revenue streams from other Preserve activities.”</i>
Response	The proposed action (including the alternatives considered) would not eliminate the consideration of other revenue generating activities consistent with the Act.
Source	JC – Creede, CO
Subject	Past Performance
Quote	<i>Alternative D is particularly egregious as it claims to protect the Preserve's ecology yet produce a profit rather than the losses seen in all the interim grazing programs to date, without identifying any changes from past losers to make it a credible alternative.</i>
Response	The past two years have awarded programs that returned revenues to the Trust.

	These programs were selected from among several proposals all of which would have returned a revenue greater than or equal to operating costs. Proposed improvements to infrastructure would improve the distribution of cattle and protection of riparian areas.
Source	JC – Creede, CO
Subject	Scope of the Analysis
Quote	<i>“The greenhouse gas production of beef cattle is significant, far greater than that of any other ungulate food producer. Cattle are the least efficient of any domestic livestock at converting plants to protein. Additionally, beef is not a particularly healthy food product due to its high levels of saturated fat. For these and other reasons, it seems highly inappropriate to consider using a significant part of the public's Preserve forage to raise beef cattle. The document should evaluate other livestock options.”</i>
Response	The EA provides for other types of livestock including the methodology for assigning Animal Unit Values for other types of livestock.
Source	JC – Creede, CO
Subject	Capacity
Quote	<i>“Alts C&D do not specify a AUM number. If Alt B's less than 500 cow/calf pairs are expected to use 5% of the forage, is it reasonable to assume, base on 15-20% allocation for C&D that it would be no more than 2000 cow/calf pairs equivalent?”</i>
Response	<p>The EA puts the current capacity of the Preserve at approximately 1500 Animal Units for a four month grazing season under typical or optimal conditions. Typical conditions do not occur on average but the EA considers this optimal number in analyzing effects. This could equate to 1500 cow calf pairs or just over 2000 steers or heifers. This number could vary based on current conditions. Appendix C provides details that detail capacity under various climate conditions. The Trust may choose to allocate less than all of the available forage in any given season based on other program needs.</p> <p>To further clarify, Table 4 in the EA will be replaced with a table portraying capacity under a variety of climate conditions including the average capacity 2002 – 2008.</p>
Source	JC – Creede, CO
Subject	Goal Attainment
Quote	<i>“Is the statement in the last paragraph "Alternatives C&D would maintain or continue to improve ecological conditions," a guarantee (i.e. domestic livestock forage use will not be allowed to reverse the recent progress) or is it a prediction? If the latter, what scientific evidence supports the claim? If the former, what actions will be taken to</i>

	<i>support the guarantee?"</i>
Response	<p>The adaptive management component of MUSY Forage includes annual measurements of forage utilization and ecological attributes including cover by bare ground, vegetation, native plant composition, plant diversity, water quality, and other measurements identified in 1.3.1 Goals, Objectives, and Monitored Outcomes. Under the adaptive management program if a measure declines to a statistically measurable degree for two consecutive years, adjustments to the management action would be made.</p> <p>Appendix B provides a detailed explanation of adaptive management using a systematic evaluation of the monitored outcomes including a map of the monitoring sites and the mean, median, and standard error for each monitored outcome by site for 2002-2007.</p>
Source	JC – Creede, CO
Subject	Financial Self Sufficiency
Quote	<i>"If none of the action alternatives would make more than minor contributions toward the Trust's goal for financial self-sufficiency, why bother? General public opinion is not very supportive of the "working ranch" part of the enabling legislation, Mr. Domenici is no longer in Congress, and extractive use of public lands is not popular today. Investment in infrastructure to support Alternative C or D appears to be a waste of scarce taxpayer dollars, and C2or D2 even a worse investment. Perennial maintenance of 118 miles of fence is costly, and unnecessary without cattle grazing. Monitoring programs could safely be less stringent if domestic livestock did not increase the risk of ecosystem damage. Continuing assessment and allocation of forage and adjustment of livestock numbers accordingly would cost less as well. Cultural resource protection would also be less costly (P.167,168) without livestock.</i>
Response	<p>The socioeconomic section of the EA (3.6) specifically analyzes the potential socioeconomic outcomes associated with the proposed and alternative actions at a scale relevant to the management of the Preserve and the financially self sufficiency of the Preserve. The information in that section including the points highlighted in this comment, are provided in sufficient detail for decision making. In 2008 only hunting and livestock grazing as individual programs return revenues equal to direct expenditures (Valles Caldera Trust, 2009)</p>
Source	JC – Creede, CO
Subject	Adequacy of Data
Quote	<i>"Are there no measurements of stream bank characteristics & water quality more recent than 2006?" Two years of different cattle grazing programs may have produced change in the recovery trend.</i>
Response	<p>Water quality on the Preserve is measured continuously during the ice free season; stream bank morphology is measured annually in the enclosures. The</p>

	2006 the New Mexico Environment Department published their findings of the Preserve’s water quality expressed as Total Maximum Daily Loads. Also in 2006 the National Riparian Team re-sampled measures of stream condition originally measured in 2002.
Source	JC – Creede, CO
Subject	Goal Attainment
Quote	<i>“The surest and least expensive way to achieve the ecological condition goals of Sec. 1.3.1, especially for water quality and properly functioning streams is to minimize the domestic livestock grazing.”</i>
Response	The proposed use of forage is consistent with continued improvements in the ecological condition of the Preserve. Under the systematic approach to monitoring, evaluation and adjustment (Adaptive Management), adjustments in managing grazing and other actions can be timely and effective in continued goal attainment.
Source	JC – Creede, CO
Subject	Elk
Quote	<i>“The elk population estimate of 2500 resident elk should include a factor for the transient population (7000?) “</i>
Response	As described in section 3.1 under methodology, the Trust used a “model” of elk use of forage (T.E.A.M.S., 2007) to estimate elk use. The model accounts for unknown information. For example it allocates 100% of forage needs to a resident herd for 6 months from the most suitable grazing areas. This allows for transient use by more or less than the resident population for a period that extends outside the growing season. The model was calibrated/validated using field sampled utilization data.
Source	JC – Creede, CO
Subject	Infrastructure Management.
Quote	<i>“Would not earthen tanks require cattle exclosures and fenced access to prevent livestock damage to the dams, i.e. more infrastructure & maintenance costs for Alts C&D?”</i>
Response	The proposed management of fences considers the location of water sources.
Source	JC – Creede, CO
Subject	Objectives

Quote	<i>“Forage management on the preserve should include a goal of reducing the area of Kentucky bluegrass, particularly on or near streambanks.”</i>
Response	One of the objectives listed under 1.3.1 includes the following under Species Composition Objectives - <u><i>Native species would be sustained or increase in represented abundance. Current levels of diversity would be sustained or increased.</i></u>
Source	JC – Creede, CO
Subject	Scope of the Analysis
Quote	<i>“Giving precedence to forage management above an overall management plan has increased the difficulty of evaluating overall effects, biasing the results toward more dependence on a domestic livestock grazing program, and disregarding the negative effects of grazing on other programs-see P.213.”</i>
Response	The NEPA procedures of the Trust provide the following description of comprehensive planning as it relates to the management of the Preserve, <u><i>“The comprehensive management of the lands, resources, and facilities of the Preserve includes all stewardship registers, the State of the Preserve, and the strategic guidance adopted by the Board of Trustees.”</i></u>
Source	JC – Creede, CO
Subject	Effects Analysis - Environmental Justice
Quote	<i>“Shouldn't environmental justice consider impacts on native Americans, who were of course the original occupants of this land for centuries before Hispanic use?” To only consider Hispanic/Latino neighbors and not the neighboring puebloans is highly inappropriate, regardless of the legal definition of "minority population".</i>
Response	The EA notes that because the 72.3 percent of the population within the socioeconomic impact area identifies themselves as Hispanic or Latino, the Trust must ensure that minority populations would not be disproportionately affected by the proposed or alternative action. The EA does not consider effects to Latino or Hispanic communities or populations more important than effects to Native Americans. Throughout the EA, the distinction is made between local (within the two county socioeconomic impact area) and non-local producers. Where ethnicity is mentioned it is in regard to data (census or other survey) not the consideration of any one ethnicity over another. The historic and present connection between Native Americans, especially the Pueblo of Jemez, is accurately described in the EA.
Source	JC – Creede, CO
Subject	Effects Analysis - Sensory Resources

Quote	<i>“While the sense of Place felt by local producers under Alts C&D may be a positive experience, surveys and public input have consistently shown that the solitude and relatively pristine quality of the Preserve are valued highly by the general public, and not particularly enhanced by cows and cowpies. The sense of Place discussion should include this information.”</i>
Response	The EA notes that (based on public workshops) the Preserve’s value as a working ranch was not identified as important or desirable as its natural beauty. The EA further noted that while some people may miss the presence of cattle, most visitors would not (based on the response from the public workshops). The EA describes the degree to which the sense of the Preserve as a Working Ranch is a presence on the landscape. It does not attach a negative or positive value to the Working Ranch, but notes that whether it is negative or positive depends on the individual.
Source	JC – Creede, CO
Subject	Effects Analysis - Recreation
Quote	<i>“While better distribution and management of livestock would reduce conflicts with recreational uses, what assurance is there under Alts. C&D that this would actually happen, since it did not happen in 2008?”</i>
Response	Improvements to infrastructure will be important in improving the control and distribution of animals.
Source	JC – Creede, CO
Subject	General Inquiry
Quote	<i>“If the solution to the adverse recreation impacts of Alts C&D is to tell other users about the social & environmental services the grazing program provides, I’m curious to hear what those services are. An overview of those benefits here is appropriate.”</i>
Response	<p>The EA cites the Interim grazing program as a source for estimating potential costs and benefits for various programs. While that information is included in the Administrative Record by reference it is not detailed in the EA. Some if this information is as follows –</p> <p>In 2002- 2003 the Trust provided grazing on the Preserve to distribute animals off drought stressed surrounding lands and reducing regional impacts and reducing losses to local producers.</p> <p>The Conservation Stewardship Program in 2004-2005, provided grazing on the Preserve while rest and improvements were being implemented on Tribal and public lands. These improvements collaboratively developed and included establishing future management practices that would protect such improvements. The replacement heifer program allowed local producers to bring open heifers to</p>

	<p>the Preserve to breed with bulls statistically proven to produce low birth weight calves. This protects the health of the heifer, reducing the likelihood of complications associated with first time calving.</p> <p>In 2006 two herds of yearlings managed by New Mexico State University (NMSU) grazed in different areas of the Preserve to measure the response of cattle to prescribed burning. 2003-2006 also provided a variety of research opportunities for students at NMSU. IN 2007 and 2008 grazing was awarded competitively to owner operators largely to collect information regarding the potential of the livestock program to contribute to the long term financial self sufficiency of the Preserve. Benefits in 2007 were proposed to include workshops for local producers on low stress cattle management. A serious injury led to the cancellation of the educational workshops. The emphasis in 2008 was to increase revenue associated with the program. The producer also provided an educational field trip to local students and worked with Los Amigos de Valles Caldera to raise funds to address deferred maintenance on historic buildings.</p> <p>In addition, as noted in the socioeconomic section of the EA, revenues from domestic livestock grazing if, optimized, could meet the deferred maintenance requirements of the Preserve’s ranch infrastructure.</p>
Source	JC – Creede, CO
Subject	Monitoring and Evaluation
Quote	<i>“Early detection of downward trends requires at least annual evaluation of field data. Since this appears not to have been done for water quality or stream condition for the years 2007 and 2008, what assurance is there that it will be done consistently to detect downward trends?”</i>
Response	The EA identifies the schedule for evaluating monitored outcomes in Chapter One, Goals, Objectives and Monitored outcomes. Monitoring has been completed for the 2007 and are ongoing for 2008. 2007 monitored outcomes are included in EA Appendix B, 2008 monitored outcomes will be evaluated after spring 2009 data collection.
Source	JC – Creede, CO
Subject	Effects Analysis - Recreation
Quote	<i>“The proposed actions do not appear in this document to consider in advance the connected or cumulative effects on recreation.”</i>
Response	The EA considers the effects of the proposed MUSY-Forage on the Interim Recreation program including levels of use and types of activities that are reasonably foreseeable. Future comprehensive planning for public access and use will consider the connected actions and cumulative effects associated with actual alternatives being considered.

Source	JC – Creede, CO
Subject	Alternatives
Quote	<i>Domestic livestock grazing mostly appeals to a relative handful of ranching enthusiasts, few of whom make their living from it, but rather enjoy it as a hobby. Alts C&D propose to serve their interests in preference to those of a much larger set of public land owners and taxpayers.</i>
Response	The analysis provided in the EA indicate that, even for small producers, and producers where livestock account for less than 100 percent of their livelihood, livestock production accounts makes a meaningful contribution to their livelihood and financial security. In addition livestock grazing is part of a larger cultural identity and connection to community and family, exceeding the measure of hobby. Although the Preserve is not expected to significantly contribute to either the continuance or demise of local livestock production, the EA does acknowledge its role and importance in the fabric of the socioeconomic impact area.
Source	TH – Wagon Mound, NM
Subject	Previous Comments
Quote	<i>“I previously circulated a draft of these comments to members of the staff and Board of Trustees in December of 2008. I asked that the comments be destroyed as I wished to wait until I was no longer a Board member to submit comments.” “Since that time, a number of the areas of concern have miraculously disappeared from the text of the E.A. Additionally, the pages numbers have changed and some text has been rearranged, making my comments more difficult to track. I have attempted to identify passages in the text by their new locations and eliminate my comments where I could no longer locate the passage of text.”</i>
Response	Comments received and entered into the Administrative Record will not be removed. A hard copy mailed upon request was the EA posted on the website and distributed for public review and comment. Comments and edits submitted by a Board Member or staff during the development or internal review period would have resulted in edits to the EA before its distribution for public review and comment.
Source	TH – Wagon Mound, NM
Subject	Purpose and Need
Quote	<i>“This statement is not consistent with the Purpose and Need statement approved by the Valles Caldera Board of Trustees.”</i>

Response	The NEPA procedures of the Trust require the Board authorize the staff <i>to continue planning</i> on a proposed Stewardship Action based on a statement of purpose and need and proposed action presented at a public meeting. The statement of purpose and need on which the authorization to continue planning was received, was presented to the Board at a public meeting in May, 2007. Based on public feedback and subsequent analysis, the statement of purpose and need has been refined. However, throughout the analysis it remains consistent, framed by the Valles Caldera Preservation Act, the current ecological condition of the Preserve as well as its suitability and capacity for the use and allocation of forage, the current condition of infrastructure, and lessons learned from implementation of the interim grazing strategy. Updates were presented at numerous public meetings and the distribution of the EA was approved by the Board prior to its release for public review and comment.
Source	TH – Wagon Mound, NM
Subject	Proposed Action - Forage Allocation
Quote	<i>“ The Forage E.A. was designed to address consumptive use of forage by all herbivores. Since cattle and elk utilize the same areas for grazing, it is virtually impossible to attribute specific consumption to either species. Rather than assign consumption rates to elk or domestic livestock, the E.A. was intended to set ecological standards i.e. a monitored 40% rate of consumption to ensure ecological health.”</i>
Response	Correct
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Recreation
Quote	<i>“... There is no reason why the tanks could not be utilized for an additional recreational purpose. However, exclusive use for recreational purposes may be contrary to NM water law.”</i>
Response	The EA does not propose the use of earthen tanks “exclusively” for recreational purposes. There is no proposed management of infrastructure that would restrict access to water by wildlife. The environmental consequences notes that without the presence of livestock (under the No Action alternative) or with minimal use by livestock (under alternative B), recreational opportunities associated with some of the larger tanks, (picnicking or development of flat water fisheries) could be increased or enhanced. It is reasonable that such actions could be considered in future planning and analysis for public access and use on the Preserve.
Source	TH – Wagon Mound, NM
Subject	Executive Summary

Quote	<i>“Text under this heading [Effects in Relation to Key Issues] is subjective and speculative” Text makes reference to “a more modern trend increasingly common on small ranches” The statement is not footnoted or justified in any way.</i>
Response	This section of the Executive Summary provides a narrative summary of the effects in relation to key issues. The narrative is supported by the Environmental Consequences section of the EA. It is not meant to replace the EA with regard to substance.
Source	TH – Wagon Mound, NM
Subject	Financial Self Sufficiency.
Quote	<i>Statement that “None of the action alternatives would make more than minor contributions towards the Trust’s goal for financial self-sufficiency is neither justified nor true. This assumption is used throughout the document to strengthen support for Alternatives B and C.”</i>
Response	This statement is supported the analysis provided under 3.6 Socioeconomic, in Chapter Three of the EA. Again the brief narrative provided in the Executive Summary was not intended to replace the analysis documented in the EA. The Executive Summary was intended “summarize key elements and findings” of the EA for the convenience of the reader. It was not intended to provide the basis for substantive comments regarding the proposed action, alternatives or environmental consequences.
Source	TH – Wagon Mound, NM; Caldera Action – Santa Fe, NM
Subject	Infrastructure Management
Quote	<i>“Infrastructure and building will require maintenance or removal under any scenario. Many of the improvements suggested are tangential, not essential to a grazing operation.”... “Both alternatives propose the management of interior fences to protect resources, wildlife, and improve the efficiency of livestock operations.” Yet three paragraphs later, the EA states “Alternatives ‘C’ and ‘D’ are considered with and without proposed improvements to buildings and facilities in support of ranching activities.” These two statements are contradictory and should be clarified throughout the document.”</i>
Response	Infrastructure management (fences, corrals, gates, etc) are being proposed to support the protection of resources and wildlife as well as effective management of livestock. These actions are considered “connected” under NEPA. The Trust is stating that it cannot reasonably propose to continue programs for domestic livestock grazing without also considering the management of infrastructure in support of these programs. The proposed facility maintenance and upgrades as described under C2 and D2 is being proposed to enhance and support programs for domestic livestock grazing

	but are not considered necessary or “connected” actions. Therefore, action alternatives C and D are considered both with and without facility maintenance and upgrades. “Infrastructure” is used consistently throughout the EA in reference to fences, gates, cattle guards, earthen tanks and similar improvements. “Facilities” is used consistently throughout the EA in reference to buildings.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>“Previous edit suggested that “panoramic” replace the obscure “panoptic” in final sentence.”</i>
Response	Panoptic was used to emphasize the totality of the view from a single place, as opposed to a panoramic view where one has an unobstructed view in all directions.
Source	TH – Wagon Mound, NM
Subject	Purpose and Need - Allocation
Quote	<i>“Statement is made that “the Preserve needs to allocate forage “in context with continued improvement in ecological condition”. The statement should be changed to “the trust needs to allocate forage to maintain or improve ecological condition.....”</i>
Response	The need as stated is correct. The allocation of forage is “in context with” “in support of” or “consistent with” continued improvements in ecological condition. The allocation of forage is not being proposed to create a direct improvement to the ecological condition of the Preserve.
Source	TH – Wagon Mound, NM
Subject	Purpose and Need- Multiple Use of Forage
Quote	<i>“Third sentence – Strike the word ‘conservative’; it is a subjective judgment.”</i>
Response	The use of the word conservative (English language definition - marked by moderation or caution; Society for Range Management Definition - 31-40% utilization) is supported by the quantified description of historic grazing practices (page 61, 3.1 Watershed, 3.1.1 Affected Environment, Historic Land Use).
Source	TH – Wagon Mound, NM
Subject	Purpose and Need – Infrastructure Management
Quote	<i>Second paragraph- replace with “Much of the infrastructure was constructed under private ownership and does not meet federal standards. The infrastructure is aging and, for the purposes of operating the Preserve under the Act, poorly located.” ...“Fences</i>

	<i>aligned perpendicular to streams MAY cause trailing and subsequent erosion (see figure 5) and should be assessed for possible removal or relocation.” Does this mean the exclosures will also be removed?</i>
Response	<p>There are no “federal standards” for fences. Materials and construction features for fences are based on the purpose and location. Some considerations include the type of wildlife present (i.e. species that tend to jump fences or species that tend to climb under or through fences) and other resource protection considerations (trailing into streams) and vary. The Trust identifies proposed standards for fences on the Preserve as “Performance Requirements” on page 34. NMGF as published standards for “wildlife friendly” fencing which were used in the development of the performance requirements.</p> <p>While many fences (including the monitoring exclosures) cause trailing at some point, the focus for removal or relocation are fences, located perpendicular to stream courses, that <u>are</u> (not may) currently causing trailing and erosion into the stream course, creating localized adverse effects (see EA, Figure 5).</p>
Source	TH – Wagon Mound, NM
Subject	Quality of Data/Information
Quote	<i>“Infrastructure Management Paragraph continues with a unsubstantiated statement of opinion, “In addition, some existing fences bisect the valles, which limits recreational opportunities and detract from scenic values”. If the “look and feel” of the Preserve is a working ranch, as established by the Master Plan for Interpretation, then fences should be an acceptable feature of the landscape.”</i>
Response	<p>Public comments and experiences during the implementation of recreation activities find that fences, in their current condition, limit recreation activities. Specifically, fences across the Valles do not include gates to facilitate cross country access.</p> <p>Much of the Preserve’s historic ranch infrastructure is protected under the National Historic Preservation Act (NHPA). Potential effects to the historically significant elements are discussed under 3.5 Cultural Resources. The potential effect to the Preserve’s working ranch ambiance is discussed under 3.7 Sensory Resources.</p> <p>The concepts put forward in the Master Plan for Interpretation were provided to the Trust for use in planning and decision making. These concepts have not been adopted as strategic guidance or management direction.</p>
Source	TH – Wagon Mound, NM
Subject	Proposed Action (s) and Performance Requirements.
Quote	<i>Statement is not consistent with the Purpose and Need statement approved by the Board of Trustees. Replace with; “The Trust is proposing to manage the multiple use</i>

	<i>and sustained yield of forage by implementing domestic livestock grazing programs and other consumptive uses of the resource. The Trust is also..."</i>
Response	The proposed use of forage is consistent with the Proposed Stewardship Action authorized by the Board of Trustees and distributed to the public on May 7, 2007.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>"Consumption of forage by herbivores was to be considered a whole. These bullets segregate use. The second bullet under "Forage Allocation –Performance Requirements" properly states that "allocation of forage for use by domestic livestock grazing would include allocation for elk based on current year population estimates". Change first statement to be consistent with the statement under "Forage Allocation".</i>
Response	The bullets that segregate use are not inconsistent with allocation as a whole. The bullets give the reader a generally understanding of how the Trust proposes to allocate and use forage.
Source	TH – Wagon Mound, NM
Subject	Compliance
Quote	<i>"first bullet and subtext- "Domestic livestock...." Sets policy for the Board of Trustees. Is the Board comfortable with an E.A. setting policy? Executive Director is designated as the Responsible Official. This is a change from a decision made in a public meeting to designate the Chairman as the Responsible Official, with the power to delegate authority. The Preserve Manager might be the appropriate designee."</i>
Response	<p>The NEPA procedures identify actions that do not require an environmental documentation such as an EA or EIS these include: <i>Policy development, planning and implementation which relate to routine activities, such as personnel, organizational change, record management, internal communication, financial management, or similar administrative functions</i>. The financial efficiency of programs for domestic livestock grazing is an important component of the decision to be made regarding MUSY forage.</p> <p>Public comments raised concern regarding the financial return to the Trust for domestic livestock grazing programs. The performance requirement provides a reasonable and transparent procedure/process to ensure their concerns are addressed during implementation.</p> <p>The Trust's NEPA procedures also identify the Executive Director as the Responsible Official. The Executive Director may delegate that authority to the Preserve Manager but has not done so.</p>
Source	TH – Wagon Mound, NM
Subject	Performance Requirement

Quote	[Page 32] <i>"Sentence is oblique. Assume what the sentence really means is that programs will be designed to avoid encouraging local producers to expand their herds beyond the forage resources throughout the regional area?"</i>
Response	The performance requirement would limit long term commitments by the Trust for the forage of the Preserve that would increase the current regional allocation of forage long-term. This performance requirement frames the scope of the action and analysis.
Source	TH – Wagon Mound, NM
Subject	Proposed Action – Infrastructure Management (Locate and document the character of historic fence lines.)
Quote	<i>"The fences on the Preserve were, for the most part, constructed more than fifty years ago. This would make these fences eligible for consideration as historic structures. Is this what is being suggested in this bullet?"</i>
Response	As previously noted, in some cases the historic ranch infrastructure is eligible to be considered for protection under NHPA. In addition it contributes to the overall character of the Preserve's historic landscape. While the eligibility of a particular fence for protection can be determined on a case by case basis to ensure compliance with NHPA, documenting the character of the historic fence lines as a whole supports the protection as well as our understanding of the historic landscape.
Source	TH – Wagon Mound, NM
Subject	Editorial
Comment	(Regarding proposed action, infrastructure management, temporary fences) <i>"Should read "In addition, temporary or drop-down fences MAY BE CONSIDERED, as needed, to split larger pastures, create paddocks..." E.A. can not commit to availability of funds or timing for such as action"</i>
Response	The use of temporary fences is being proposed. It is not a performance requirement or an action that is required under a specific circumstance.
Source	TH – Wagon Mound, NM
Subject	Terminology
Quote	<i>What is a "semi-permanent fence"?</i>
Response	Some elements of a temporary fence may be permanent such as the posts used for a temporary or drop down fence. In addition a fence may be constructed for year round use for a temporary period.

Source	TH – Wagon Mound, NM
Subject	Proposed Action/Performance Requirement
Quote	<i>Table 6 – “Commits the Trust to an aggressive program without regard for financial restraints. If the E.A. is intended to be mid-term (four years) in duration, the table suggests that all the issues in the table will be addressed within that time frame. Is the Board ready to make that commitment?”</i>
Response	The EA provides an analysis of the activities and costs between the alternatives in a comparable form. Except where specifically noted as a performance requirement, the EA does not specify the timing of actions or sources of funding. The socioeconomic analysis compares the present net value of each of the alternatives in a four year window as a tool for comparison (see section 1.6, of the EA Methodology)
Source	TH – Wagon Mound, NM
Subject	Proposed Action/Performance Requirement
Quote	<i>“Obligates the Trust to mark ALL new fence sections. This could be interpreted to mean that every segment of fence will be so marked – if a new stretch of fence several miles long was constructed, this promise could have significant impact on the cost of fence construction, and impact visual landscapes”.</i>
Response	The performance requirement refers to new fences. Maintenance and reconstruction of existing fences would not be affected. Where a new fence is constructed, biodegradable flagging alerts animals of a new barrier. The flagging decomposes, is quick to apply and adds little to the overall cost and can save money in repair and maintenance by alerting large game to the presence of a new fence.
Source	TH – Wagon Mound, NM
Subject	Scoping and Public Involvement
Quote	<i>Add to interested stakeholders “Members of the agricultural community” and “People who believe that livestock grazing contributes to a healthy ecosystem”.</i>
Response	The list is prefaced with, “This Stewardship Action is of interest to many stakeholders. They include:..” A general, rather than exhaustive list was provided based on how stakeholders identified themselves in their correspondence or when attending meetings and workshops.
Source	TH – Wagon Mound, NM
Subject	Alternatives

Quote	<i>“Decision excludes most of forested acreage. Has the forest been monitored for impacts and recovery? Substantiate the statement that “This would likely result in the over allocation of forage”.</i>
Response	This section referenced in the comment briefly describes why an alternative was eliminated from detailed analysis. The methodology for determining suitability and capacity is detailed under section 3.1 Watershed, 3.1.1 Affected Environment <i>Suitability and Capacity</i> (beginning on page 75).
Source	TH – Wagon Mound, NM
Subject	Compliance
Quote	<i>“The Trust would continue to seek opportunities to increase generation of income to the degree that this consideration would not outweigh other relative benefits” limits the Trust’s ability to address the mandate to optimize market conditions and strive to become financially self-sufficient.</i>
Response	As stated on page 8, (Executive Summary) and page 38 of the EA under Key Issues, <u>“Optimizing the attainment of any one goal is not exclusive of the attainment of any other goal but is likely to affect the level and timing of such attainment.”</u>
Source	TH – Wagon Mound, NM
Subject	Facilities Management
Quote	<i>“It is not realistic to say that no facilities maintenance would occur. There is an annual cost to perimeter fence maintenance. Scales and pens would have to be maintained or removed. The paddocks and Horse Barn would need to be maintained or removed. Neglect of the Horse Barn would be unsightly and could pose a danger to the public.”</i>
Response	The EA states that, <u>“the deferred maintenance needs and improvement of Preserve facilities as described in Chapter One would not occur”</u> . The improvements and maintenance of buildings (the Horse Barn, and outbuildings) are considered under Alternatives C2 and D2 and would not occur under the other alternatives. This does not include routine maintenance and repair of all buildings and infrastructure on the Preserve, which can be categorically excluded from documentation in an EA or EIS. If the condition of the horse barn was deemed unsafe, the Trust would not permit use or occupancy by the public.
Source	TH – Wagon Mound, NM
Subject	Alternatives
Quote	<i>“[Figure 9] Appears to commit the Trust to making certain changes or improvements, without any justification, background on how priorities were established, a schedule or</i>

	<i>the realization that these changes will only occur if funds are available.”</i>
Response	Figure 9 on page 45 is referenced on page 44 (2.2.2 Alternative B, <i>Infrastructure Management</i>). In this section the proposed infrastructure management is prioritized and the text specifically states, <i>“The timing of infrastructure management would be based on available funding”</i> .
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>“Page 46 Alternative C – suggested replacement text follows”</i> [suggested reiterating management goals from the Valles Caldera Preservation Act] and, <i>“The Trust may choose to emphasize one goal or multiple goals in designing a grazing program. The Trust may choose to offer multiple programs that are designed to address specific goals. Programs may be in place for one or more seasons. In addition, the Trust may choose to offer multiple programs that vary in anticipated economic return. The Trust will continue to strive for the goal of financial self-sufficiency by the year 2015.”</i>
Response	Alternative C was developed to address the issue regarding goal attainment and address the comments received through public involvement and analysis.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>“Reference is made to Kentucky bluegrass as “naturalized”. Last sentence in the final paragraph in section (page 59) refers to the same grass as “exotic” Each of these descriptions has a different connotation. Descriptive language should be consistent.”</i>
Response	Exotic is used to refer to European pasture grasses and other non-native species. Naturalized is used to refer to exotic species that are well established in the Preserve’s ecosystems. Kentucky bluegrass is one such example. Sometimes one term is more appropriate for the context of the sentence. The terms are not necessarily interchangeable (all exotics are not naturalized).
Source	TH – Wagon Mound, NM; GM – Las Vegas, NM
Subject	2008 Grazing program
Quote	<i>“...the document makes reference to the 2008 program only in a negative light. Positive aspects of the program are not mentioned. Financial return to the Trust is not provided. Either the 2008 program should be presented in its entirety or the 2008 program should not be mentioned in the document.”</i>
Response	The EA uses examples from several of the annual programs implemented under the Interim Grazing strategy. It is highlighted in the Executive Summary that Alternative D1, which would be representative of the type of program operated in

	2008, is the only alternative where the revenues would be sufficient to cover the proposed infrastructure management and maintenance of fences.
Source	TH – Wagon Mound, NM
Subject	Affected Environment
Quote	<i>“No historical evidence exists that headwaters and streams leaving the Caldera ever supported willow/and or alder.” Text is misleading.” “Strike ‘anecdotal evidence’ re/Bebb’s willow, unless anecdotal evidence is going to be accepted and sited throughout the document.”</i>
Response	Both alder and willow currently occur along some stream segments in the Preserve. The complete text in the EA is accurate. The reference is a 2002 inventory and report prepared by the National Riparian Service Team. It is true that the historic presence of willow along the <u>valle</u> stream segments is not verified. The term “anecdotal evidence” is referenced and appropriate in context.
Source	TH – Wagon Mound, NM
Subject	Suitability
Quote	[Page 75] <i>“Statement is made regarding forage on steep terrain being only suitable for elk. Documentation from 2008 grazing season disproves this statement. Water is often available through temporary water sources such as water collected in rock basins after a rain shower. Numerous seeps are evident, particularly on the north side of the Preserve. Depending on the background and breed of cattle, cattle may travel a good deal farther than a mile to water and may require less frequently than previously estimated.”</i>
Response	The EA notes (page 40), <i>“The intent of the allocation is to ensure that the system retains vigor as a whole and to ensure adequate capacity to herd livestock away from sensitive areas such as wet meadows without leading to overutilization elsewhere. It is recognized that productive grazing areas not yet inventoried are distributed throughout the forested areas of the Preserve and that cattle are likely to graze within the forested areas, especially during summer rains when water is ubiquitous, and appealing forbs and mushrooms are abundant in the forest. The Trust may deliberately herd cattle into the forests to alleviate pressures in key areas, reduce conflicts with recreation programs or events, gain information, or achieve site-specific objectives.”</i>
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>“Replace final sentence [Page 76 last paragraph], with “If climate cycles produce drought conditions, a decrease in production and capacity would result”. [Excludes references to predictions of climatic trends]</i>

Response	Text contained in parenthesis, acknowledging that many climate change predictions include an increase in the occurrence of drought, is appropriate.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>“Is overwintered a word? Ranchers use the term wintered-over.”</i>
Response	“Overwinter” is an intransitive verb meaning to <i>last through</i> or <i>pass</i> the winter.
Source	TH – Wagon Mound, NM
Subject	Capacity
Quote	[Page 79] <i>“Capacity should not be a part of this document. If capacity is to be defined in an E.A., then it is to be assumed that future E.A.’s will set the capacity for all activities on the Preserve, including all human activities.”</i>
Response	The discussion on page 79 is useful for understanding the level of use by domestic livestock that could occur under Alternatives C and D and contributes to the environmental consequences analysis throughout the EA. Capacity in the EA is based on the ecological capacity. On an annual basis the capacity for livestock could be reduced in context with other programs or activities on the Preserve. Capacity is currently set for most visitor activities on the Preserve. Sometimes capacity is a function of the number of seats in a van, or available parking. Sometimes capacity is set based on the number of instructors retained for a work shop. Capacity could also be set to avoid overcrowding. Planning and analysis for public access and use of the Preserve is likely to consider capacity at a variety of scales.
Source	TH – Wagon Mound, NM
Subject	Proposed Action - Infrastructure Management
Quote	<i>“How does sheep wire fencing cause resource damage through improper location across drainages?”</i>
Response	The EA 1.2 Purpose and Need, 1.2.2 Infrastructure Management describes resource damage associated with the location of fences and describes the threats to wildlife presented by woven wire fences (aka “sheep fence”)
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Vegetation
Quote	<i>“...is given to a study that says that a lack of grazing results in increased growth of</i>

	<i>native bunch grasses and less abundant nonnative grasses. On the Preserve, the dominant non-native or naturalized grass is Kentucky bluegrass.” “To say that native grasses are the ideal condition is subjective and discards the direction given in the Act that the Preserve be a working landscape with a goal of financial self-sufficiency.”</i>
Response	<p>The reference noted in the comment is noted in context with a paragraph which begins, <u>“The results are mixed on the effects of removing cattle from forests and montane meadows...”</u> and then proceeds to summarize several of the publications and the various outcomes. The goal proposed on page 25 of the EA (1.1 Proposed Action) <u>“...moving toward the composition of landscape vegetation and disturbance attributes that, to the best of our collective expert knowledge, can sustain current native ecological systems and reduce future risk to native diversity...”</u> values native diversity but does not indicate an eradication of non-native species.</p> <p>The EA notes that European pasture grasses, introduced onto the preserve are “naturalized”, meaning that they have been established as a component of the native system. It also notes that while the abundance of Kentucky bluegrass is an indicator of past over-grazing, the reduction or elimination of grazing (livestock and/or elk) would not result in a significant reduction of Kentucky bluegrass and that Kentucky bluegrass will fluctuate in response to annual precipitation.</p> <p>The EA predicts the environmental consequences to individual plants, species composition, and diversity.</p>
Source	TH – Wagon Mound, NM
Subject	Infrastructure Management
Quote	[Text requests clarification on the actions that would occur under Alternative B.]
Response	Infrastructure management is described on page 44 of the EA and depicted in Figure 9 on page 45.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis
Quote	<i>Statement is made that “Alternative C would most likely result in grazing by cow-calf pairs and herd bulls while Alternative D would likely result in grazing by stocker steer (s). This is pure unsubstantiated speculation. Strike this sentence and the one that follows it. Continue with “While different programs and classes of ...”</i>
Response	Statement is made based on the implementation of various programs during the Interim Grazing period (2002 – 2008). Statement in the EA is provided in an appropriate context and states, <u>“While different types of programs and classes of animals are likely to graze under Alternatives C and D, this analysis will consider the greatest potential for effect under the proposed allocation of forage for both alternatives”</u>

Source	TH – Wagon Mound, NM
Subject	References
Quote	<i>“Final paragraph; “Rocky mountain grazing studies...” are referenced, with no indication that this is a comparable landscape to the Preserve, that management is similar, etc. It appears that this study is cited to prove that cattle are detrimental to the landscape. Either use this data in a meaningful way or discard this reference.”</i>
Response	The study is included with four other references to support the contention that many range plants respond favorably to light to moderate grazing.
Source	TH – Wagon Mound, NM
Subject	Accuracy of information
Quote	<i>“Introducing livestock from outside the local area poses the highest risk of weed invasion”. The statement is unsubstantiated and possibly untrue.</i>
Response	Agreed. The risk is inherent in bringing livestock onto the Preserve. However the inaccuracy is inconsequential as the context of the statement is based on the Trust’s practice of confining animals in shipping pastures prior to distributing them throughout the Preserve. This precaution is applicable regardless. This statement will be clarified in the final EA.
Source	TH – Wagon Mound, NM
Subject	References
Quote	<i>“The amount of leaf volume removed...” “...add footnote to substantiate the claim...”</i>
Response	Three references are provided in support of the narrative which describes the effects of grazing on individual plants: (Flombaum, 2008) (Dietz, 1989) (Crider, 1954).
Source	TH – Wagon Mound, NM
Subject	References
Quote	<i>“Page 91, third paragraph under Alternatives C and D Footnote needed to substantiate the claim that there would be less damage to stream banks if only elk were using the watering places.”</i>
Response	Current references and qualifying information are adequate to support the statement made by the professional hydrologist and soils scientist who prepared the report.

Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Hydrology
Quote	[Page 92] <i>Change text to read “Alternative B has the highest POTENTIAL for rapid recovery on the Preserve...”. “Therefore, some short term improvement over existing condition....could be expected.” No explanation given as to why the improvement would be “short term”</i>
Response	It was the professional opinion of the hydrologist who prepared the specialist report that Alternative B presented the highest benefit with regard to continued ecological recovery. “Short-term” indicates the effect referenced would occur within 1-3 years. “Short-term” is defined in the introduction of Chapter Three.
Source	TH – Wagon Mound, NM
Subject	Sources of erosion
Quote	[Page 93] <i>No mention is made of erosion from old logging roads contributing to sediment in streams.</i>
Response	The density of logging roads and cumulative effects of past management are detailed in 3.1 Watershed, 3.1.1 Affected Environment.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Utilization
Quote	[page 99] <i>“Since elk and cattle graze in the same areas, it is virtually impossible to glean which species has consumed which plant- further strengthening the argument that calculations should be based on total consumptive use of forage.”</i>
Response	Analysis is based a combined utilization of forage which varies between Alternative B and Alternatives C and D. In addition the Trust has collected data to differentiate the use between elk and cattle through a series of permanent enclosures and a monitoring project involving the use of portable enclosures. This data was provided to the specialists preparing the effects analysis and are retained in the administrative record.
Source	TH – Wagon Mound, NM
Subject	References
Quote	<i>“Scarifying soil by heavy bovine hooves”. Statement needs footnote to justify and substantiate.</i>
Response	The complete reference is a report prepared by Craig Allen, Changes in the Jemez Mountain Landscape, published in 1989 UC Berkely used previously in this

	section regarding the effects and relationship of fire and grazing.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Fire Ecology
Quote	<i>Impacts of grazing on fuel loads in forested acres - A case could be made, and has been made by our neighbors to the north, that NOT grazing the forested areas lead to tall stands of decadent bunch grasses, which also carry fire very effectively.</i>
Response	The EA discusses the effects to both grassland and forest fuels.
Source	TH – Wagon Mound, NM
Subject	Proposed Action/Performance Requirements
Quote	[Page 104 third paragraph] <i>Change to read “ The construction of temporary fences, along with range riders COULD...”. Unless the Trust is committing to the action in this document.</i>
Response	The Trust is proposing to control the distribution of cattle using tools such as range riders and temporary fences.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	[Page, 139,sixth paragraph] <i>Reference to 2002 decision on grazing program is incorrect. Capacity was set at 2000 head, not 2000 AUs.</i>
Response	The EA for the Interim Grazing Strategy prepared in 2002 set a maximum capacity of 2000 Animal Units as well as 2000 head. Based on annual assessments, the Trust could have grazed 2000 cow/calf pairs (2000 AUs) or 2000 yearlings (1400 AUs).
Source	TH – Wagon Mound, NM
Subject	Elk Population Estimates
Quote	<i>Elk population number is not consistent with other references in the document.</i>
Response	The exact number of elk that reside or use the Preserve in transition is not known. The EA notes that elk population estimates on the Preserve are 2500 +/- 1000. It notes that current estimates will be used to allocate forage. The elk population estimates on page 140 were based on an interview conducted with Stewart Liley, a New Mexico Game and Fish biologist.
Source	TH – Wagon Mound, NM - Caldera Action – Santa Fe, NM

Subject	Quality of Data/Information
Quote	<i>"To date, the Preserve (should be "Trust"), has taken a conservative approach , stocking less than 700 head..." Accurate numbers should be used, showing variance in numbers from year to year. Elsewhere in the text, reference is made to the stocking numbers during the 2008 season"... " To date, the Preserve has taken a conservative approach, stocking less than 700 head of livestock..." This is inconsistent with the 1950 head run in 2008." ...</i>
Response	This section of the analysis was completed prior to the 2008 grazing season. Table 8 was updated to reflect the use through 2008. The wildlife section (referenced in the comment) concludes with an acknowledgement of the 2008 stocking level, noting that information from the 2008 season could be used to refine capacities and estimate of effects.
Source	TH – Wagon Mound, NM
Subject	References
Quote	[Page 145, fifth paragraph] <i>"trampling, especially be (by?) the shorter legs and larger hooves of domestic cattle (livestock?)..."</i> . Statement needs a footnote for justification. If the statement is true, perhaps the Trust needs to assess the leg length and foot size of fishermen before allowing them access to riparian areas.
Response	The statement was based on a comparison to cattle and elk. Cattle have shorter legs and larger hooves than elk and therefore impact streambanks differently when they drink. The comparison was not between cattle and people. The potential effects of trailing by anglers are mitigated by limiting the number of anglers permitted on any reach of stream on any day. Any future plans or proposals which consider an increase in use by people along the riparian areas would have to consider the cumulative effects of elk, livestock, and people.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	[Page 146] <i>"...Alternative B would LIKELY [suggested inserting LIKELY] provide the greatest benefit to wildlife..."</i>
Response	The conclusion made by journey level wildlife biologist based on the analysis and professional expertise.
Source	TH – Wagon Mound, NM
Subject	Affects Analysis - Socioeconomic

Quote	<i>Statement [Page 169, first paragraph] is made that “under this alternative, there is an increased likelihood that collaborative programs, which include grazing by local producers, would occur”. Prove this statement or remove it. It is unlawful to discriminate, and doubtful that the greater agricultural community would support exclusionary practices.</i>
Response	<p>It is reasonable to state that programs which weighted relative values offer greater opportunities for collaboration. It is also reasonable, based on the interim grazing programs to believe that programs that weighted other values beyond economic return would be more accessible to local producers.</p> <p>In 2008, economic return and the efficiency of program management made up 55 percent of the weighting for program selection. Based on the selection criteria, grazing was awarded to a proponent who managed cattle, purchased in Mexico, brought to the Preserve for summer grazing then were transported to Texas for sale in the fall. Most local producers run fewer than 100 head of cattle (Raish & McSweeney, 2003) and cannot compete with these larger economic operations. However, when relative values are weighted as equal to as or more important than economic return there is an, <i>“increased likelihood that collaborative programs, which include grazing by local producers, would occur.”</i></p> <p>In the description of Alternative C, 2.2.3 it states, “... <i>the financial return to the Trust beyond that level may not receive the greatest consideration.</i>” It does not exclude nor discriminate against any proponent.</p>
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Sensory Resources
Quote	<i>“The past cultural landscape could be connected to the current with grazing by local producers”. The “past” referenced is far beyond the memories of current local producers. The most recent past, under the Dunigans, has a history of seasonal yearling operations, easily adjusted to climate and market. No language in the Act directs the Trust to give preferential treatment to local livestock producers.</i>
Response	The “past” in the sense of culture and relation to a “place” relates to the connections linking present to past rather than defined by the memory of an individual. On page 176 of the EA it is noted that a survey conducted of a subsection of local livestock producers in Rio Arriba county that 85.6 percent of these producers had operated livestock in the regional area for four or more generations. Jemez Pueblo also has documented livestock use, specifically on the Preserve dating back four or more generations.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Cultural Resources
Quote	<i>“The interaction with the surrounding communities would be more similar to</i>

	<i>past.....than under the Bond family". Period referenced, by historical accounts, would be considered gross over-grazing by today's standards.</i>
Response	The comment is regarding the environmental consequences relating to cultural resources. The reference is to a period where the Preserve was integrated into the livelihood of local communities versus a period which saw little interaction with the local communities.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Socioeconomic
Quote	<i>Ethnic background of residents of Rio Arriba and Sandoval Counties are referenced. There is no direction given in the Act that specifies that ethnic background should be a factor in the decisions of the Trust.</i>
Response	Section 3.6.1 of the EA describes the affected environment in terms of demographics, employment, and income. In addition, Executive Order 12898 requires that an analysis of federal actions consider the potential of disproportionate effects on minority and low-income populations in the local region.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Socioeconomic
Quote	<i>[comment quotes from the EA] "Such costs may make it difficult to implement livestock management with full recovery costs". In truth, a valid case could be made that a viable livestock operation could operate successfully on the Preserve with minimal fences, very few roads and very few of the improvements described previously. The aging infrastructure, including old fences, neglected tanks and the horse barn, will need to addressed regardless of the presence of a livestock grazing program.</i>
Response	Correct, Alternative B only addresses the improvements to the ranch infrastructure for the protection of resources and wildlife and maintains only minimal fences, while still allowing for grazing.
Source	TH – Wagon Mound, NM
Subject	Terminology
Quote	<i>"While not significant, use on the Preserve becomes more meaningful when considered in a local context". This is a totally biased and subjective statement. To whom does it become more meaningful? One could assume the answer is...a local."</i>
Response	Correct. The purpose of the EA is to determine whether to prepare and EIS and to help an agency comply with NEPA when an EIS is not required. The determination to prepare an EIS is in part based on the predicted "significance" of

	<p>the anticipated environmental consequences on the environment or the way people interact with the environment. Significance is determined based on the intensity of impact as well as the context of impact (how widespread or long lasting is the effect). In context of the socioeconomic impact area the effects of any of the alternatives are minor or negligible. The term meaningful is used to acknowledge that, although the effects are not <i>significant</i> by the standard of NEPA, opportunities to graze on the Preserve are “<i>meaningful</i>” to local individuals and communities. The comments by these stakeholders are retained in the administrative record.</p>
Source	TH – Wagon Mound, NM, GM – Las Vegas, NM
Subject	Affected Environment - Socioeconomic
Quote	<p><i>“Figures for Rio Arriba County are misleading as very little of the county is encompassed by the Preserve. Where are the figures for 2008?”</i></p> <p><i>“I have noticed in much of the Preserve literature that Rio Arriba and Sandoval Counties are always mentioned. Technically this is a correct location; however the percentage that is in Rio Arriba County is miniscule. I believe much of the socio-economic data in this assessment is to justify the “local option” is based on Rio Arriba County. The geography of the Preserve has always naturally separated it from Rio Arriba County. If one looks at the data from Sandoval County I believe it will be much different. If Alternatives B or C are chosen, then it should be pro-rated as to the percentage of the Preserve located in each county. I believe this would allow less than 5% of the resources to be allocated to Rio Arriba County.”</i></p>
Response	<p>As stated in the EA, page 169 Section 3.6.1 Affected Environment – Socioeconomic Impact Area, the socioeconomic area is delineated based on the physical <i>and economic</i> setting of the Preserve. Figures for 2008 were not yet available as this analysis was completed during the 2008 calendar year.</p> <p>The delineation of the socioeconomic area was to define an area where the effect could be measured, not to allocate benefits.</p>
Source	TH – Wagon Mound, NM
Subject	Accuracy of Data/Information
Quote	<p><i>[Page 182, Table 29] Figures for hunting, fishing, other events, concession sales and commercial rental are given as gross income, while figures for grazing are given as net income. Figures for 2008, which would show a ten-fold increase in income, are not shown.</i></p>
Response	<p><i>All figures in Table 29 are gross revenues. The annual operating costs for recreation and guest serves are noted below. It is important to note that the analysis was completed in 2008. The socioeconomic analysis was initiated in April of 2008. Most of the analysis was completed based on the information available at</i></p>

	<p>that time. Economic and ecological monitoring data from 2008 had not yet been compiled.</p> <p>Information from the 2008 program was incorporated in <u>some</u> of the following ways:</p> <ul style="list-style-type: none"> • The return per AU for 2008 was used as the starting values in the economic efficiency model for Alternative D, with an assumption that this value would increase over time. • The visitor comments and interactions between livestock and anglers were considered in the recreation analysis. • Problems which occurred in 2008 were used to validate the need for infrastructure improvements under Alternatives C and D. • The proposals and responses received for the 2008 program solicitation were used to estimate the types of producers that would be <i>likely</i> to participate in programs under each Alternative.
Source	TH – Wagon Mound, NM
Subject	Accuracy of Data/Information
Quote	[Page 183, Table 31] <i>Figures for 2006, 2007, and 2008 are not shown.</i>
Response	Correct. This table was from the 2007 State of the Preserve as referenced.
Source	TH – Wagon Mound, NM; GM – Las Vegas, NM
Subject	Affected Environment – Socioeconomic Impact Area
Quote	<i>A case is again built for “local ranchers in northern NM.” The operator in 2008 lives in northern N.M. and qualifies as a small business. The cultural ties and allegiance to the land are not unique to Sandoval and Rio Arriba counties. They are values shared by ranchers in New Mexico and throughout the West.</i>
Response	Many people have ties to “the” land as in a connection and appreciation for land in general. The socioeconomic impact area tries to capture the region which is physically, socioeconomically, and historically tied to the <u>Preserve</u> . The purpose in part is to determine significance. Therefore, the analysis looked at the greatest potential for a measurable or significant impact. The delineation of the socioeconomic area was to define an area where the effect could be measured, not to allocate benefits.
Source	TH – Wagon Mound, NM
Subject	Accuracy of Data/Information
Quote	[page 188, Table 34] <i>Graph present speculative income that is not in any way</i>

	<i>justified.</i>
Response	On the previous page the EA describes the methodology used in the analysis and states, <i>“Revenues are based on revenues either received or offered during the interim grazing program. Increases in revenues are estimated based on expected increase in efficiencies and decreases in risk over time.”</i> At the time of the analysis the 2008 program had been awarded and was used as the initial baseline under Alternative D.
Source	TH – Wagon Mound, NM; GM – Las Vegas, NM
Subject	Accuracy of Data/Information
Quote	[Page 194] <i>Substantial text devoted to complaints from fishermen. Complaints appear to be unsolicited, but in truth, surveys were distributed to fishermen asking specific questions about interaction with cattle. Not all visitors to the Preserve were surveyed. Sample of survey should be provided in document. Number of visitors surveyed should be included. Total visitation should be included.</i>
Response	<p>A “survey” was not distributed. The Trust makes information regarding proposed stewardship actions available on the Preserve, including the proposed stewardship action for MUSY – Forage. Lists available for distribution by email and surface mail consist of individuals who have a desire to participate in our decision making, those who have grazed cattle on the Preserve, have requested information about cattle grazing, or graze on surrounding lands. These groups include organizations as well as individuals. Many recreational visitors do not wish to be on mailing lists, come to meetings, or otherwise participate in planning and decision making. However, their input is important in our decision making.</p> <p>They are stakeholders; the way in which they enjoy the Preserve is affected by our decisions. In addition, their enjoyment of the Preserve is important in generating revenue. The Trust determined that a lack of feedback from this stakeholder group presented an important gap in information. The Trust provided a comment form specific to the proposed stewardship action and requested that recreation staff make visitors (not just anglers) aware of the planning effort and offer them the comment form.</p> <p>The complaints referred to in the EA were sometimes included on the comment form but were also received through emails, phone calls and letters and did not mention the proposed stewardship action or planning effort. It is true that most of the complaints were from anglers. When they complained to the staff they were provided with the comment form. We recognize this inherent bias. However, the comment form was not a survey with statistical results that would be used to determine programs or activities. It did not ask any specific questions, it asked only that people tell us in their own words how domestic livestock affected recreation experiences on the Preserve or elsewhere.</p> <p>We also received a “form letter” from livestock producers across the state who favored alternative D. Form letters are distributed amongst individuals for the</p>

	purpose of strong support or bias towards a desired outcome or particular interest. We do not accept comments as “votes”. We use them to help us understand how our decisions affect various stakeholders and ensure that we view information from a variety of viewpoints (take in the “panoramic” rather than the “panoptic” view).
Source	TH – Wagon Mound, NM
Subject	Accuracy of Data/Information
Quote	<i>Statement regarding ‘several hundred of the cattle impacting the fishing program daily for a one month period is slanderous and can not be substantiated. Operator kept detailed daily logs. Trust must acknowledge responsibility for useless cattleguards, poor fence maintenance and insufficient briefing of fishermen. Trust has responsibility to apply adaptive management when a problem arises.</i>
Response	<p>Several, (meaning more than two but less than many) hundred is an estimate of the numbers observed by staff and visitors and documented in photos by staff and visitors. Visitor written reports ranged from 150 cattle to more than 400. The estimate of “about a month” was based on the dates of complaints. The Trust has acknowledged the condition of fences and cattle guards in the EA, 1.2.5, Purpose and Need – Infrastructure Management.</p> <p>The context of this section of the EA is connecting the proposed infrastructure management with the proposed level of grazing. It did not place blame or convey an unjustly unfavorable impression on any individual or group.</p>
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Socioeconomic
Quote	<i>[page 195 – 196] “Many assumptions are made and not justified. There is no way to justify charging a ‘large operator’ more for the same commodity- grass. Cost would likely increase, if figures from earlier attempts at these types of programs are analyzed.” “Managing a single large herd of yearlings is the program that is assumed to best optimize the market value of the Preserve’s forage”. Whose assumption is this? Many yearling operators would not agree.</i>
Response	As previously stated, Chapter 3.6, section 3.6.2 includes the methodology used for estimating returns from the various types of grazing programs. The Trust is not simply selling grass on a price per quantity basis, but managing the use of a resource to accomplish economic as well as ecological objectives. This adds uncertainty and complexity to the analysis. Through a competitive bidding process, one proponent may offer more money than another proponent. This does not constitute charging a different amount for the same product.

	<p>The linear economic analysis including the profit-maximizing criteria to describe and predict outcomes is used because it provides an objective, measurable estimate and criterion for evaluating management alternatives under various scenarios. It can also be updated as economic policy or other changes occur.</p> <p>It does not account for the consumptive values of ranching or the relative values that could potentially occur. As stated in the EA of and should not and is not used as the sole basis for decision making as stated in the EA on page 196, <i>In determining economic efficiency, all costs and benefits associated with the management activities should be taken into account. This includes those that may not directly be monetized or may change future revenues in other resource programs; those of which are outside the scope of this analysis.</i></p>
Source	TH – Wagon Mound, NM
Subject	Scope of the Analysis
Quote	<i>“The NPV and cost benefit...” This analysis includes improvements that go beyond maintenance and are tangential, not essential, to a domestic livestock grazing program.”</i>
Response	The infrastructure of the Preserve is an “inherited debt”. While the infrastructure must be improved (as noted by the comment) in order to manage a livestock program in concert with other programs and activities on the Preserve. The performance requirements do not require annual programs to return revenues sufficient to address deferred maintenance, only the cost of operations. However, the economic analysis does take into account the deferred maintenance needs as a part of the robust economic analysis as they vary between alternatives and are helpful in decision making. The EA sufficiently qualifies the information.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	<i>Strike sentence beginning “Thus, the any additional economic.....”</i>
Response	This sentence merely states that the overall income and employment benefits within the socioeconomic impact area do not measurably vary between alternatives C1, D1 and C2, D2.
Quote	<i>Strike the sentence beginning “Similarly, under the nonlocal (not a word) grazing alternatives”. There are no alternatives that forbid or preclude participation by operators within the defined “local” area.</i>
Response	The text is misquoted in the comment. The actual wording is “allocations” rather than “alternatives”. The context of the text indicates that overall employment and income within the socioeconomic area remain the same whether grazing opportunities go to local or nonlocal (meaning from an unspecified or undetermined location or source) producers. This is determined by analyzing the

	<p>amount of money and jobs and its likely circulation within the socioeconomic impact area. The take home message from the EA is that within the socioeconomic impact area the greatest effect the alternatives are predicted to have on jobs is an overall increase of .0002 percent across all employment sectors.</p> <p>While no alternative would result in a program exclusive to local producers, the analysis looked at the potential for programs for forage use on the Preserve to <i>significantly</i> impact producers within the socioeconomic area. The socioeconomic analysis considered the greatest intensity of impact possible to make a determination regarding significance.</p>
Source:	TH – Wagon Mound NM
Subject:	Effects Analysis - Socioeconomic
Quote:	[Page 200 Table 39] <i>Makes no sense. Apparently the purpose of the table is to demonstrate that if improvements and maintenance issues are addressed under any alternative the effect on the local economy would be consistent. It would be easier to just state this fact in text.</i>
Response	The first paragraph under <i>Employment and Income</i> states that “Interestingly all grazing alternatives would support a similar level of jobs if implemented”. The text and tables which follow are used to quantify that statement.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Sensory Resources
Quote	Page 208, last paragraph <i>Numbers provided for lottery chances are misleading when hunting and fishing data are combined.</i>
Response	Previous revenue information represented a total income from hunting and fishing. This sentence only refers to lottery sales.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis – Sensory Resources
Quote	[Page 210, First paragraph] <i>“Local livestock producers.....”. This appears to be a highly sentimental view and quite biased. It could be ventured that anyone who has ever owned livestock has looked over the fence with equal ardor. Historic uses of the lands of the caldera include producers, such as the King Brothers, who transported cattle from far beyond the narrowly-defined “local area”.</i>
Response	Local livestock producers, through attendance at public scoping meetings, numerous public meetings of the Board of Trustees, and through written comment have articulated their personal connection to the Preserve. This connection is also document in Anschuetz, Kurt F., and Tom Merlan. <i>Valles Caldera National Preserve Land Use History</i> , General Technical Report, Fort

	Collins: Rocky Mountain Research Station, 2007, referenced in the EA. The quote was specific to their “sense of place” as communicated; their comments are in the administrative record. This sentence is presented in context with the varying ways people value the Preserve. And acknowledges that the “sense of place” regarding the Preserve is as varied as the people who are connected to it.
Source	TH – Wagon Mound, NM
Subject	Effects Analysis - Socioeconomic
Quote	<i>“Under Alternative D, there would be a deliberate selection made by the Trust to favor larger producer....” This is an inflammatory statement with no basis in truth. Under Alternative D, the Trust would be setting rates for grazing programs by considering the existing market conditions. There is no reason ‘local’ producers could not participate, either as individuals or as members of a cooperative.</i>
Response	The sentence does not stand alone but is qualified with additional information and basis.
Source	TH – Wagon Mound, NM
Subject	Editorial
Quote	[Page 220, List of Preparers, followed by lists of contributors] <i>It is revealing that no Board member is mentioned as having contributed to the preparation of the document.</i>
Response	Input and comments provided by the Board of Trustees are retained in the administrative record. There is no list of contributors; the list of preparers is followed by Works Cited.
Source	Caldera Action – Santa Fe, NM
Subject	2008 grazing program
Quote	[From page 140 of the EA, section 3.3 Wildlife] <i>“To date, the Preserve has taken a conservative approach, stocking less than 700 head of livestock...” This is inconsistent with the 1950 head run in 2008. This error raises questions about the accuracy of the overall document as the basis for decision-making</i>
Response	The wildlife report was prepared prior to the 2008 grazing season. The effects analysis was based on the proposed allocation of forage and considered the capacity for 1500 AUs.
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis – Aquatic Species
Quote	<i>Why is there no discussion of the impact of the alternatives on non-TES species such as</i>

	<i>rainbow and brown trout?"</i>
Response	Brown and rainbow trout were not discussed as a key issue. Current condition and effects to fisheries habitat were discussed in 3.1 Watershed and 3.4, Aquatic species.
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Recreation
Quote	<i>The interim grazing program has demonstrated several times over that these conflicts cannot be minimized. Analysis should demonstrate how these conflicts will be minimized</i>
Response	<p>Comment does not identify the “several times” therefore we can only address the conflicts which occurred in 2008 which are discussed in the EA. In 2008, the Trust used a combination of infrastructure and herding to maintain cattle on the San Antonio benches. The infrastructure was inadequate to control the type of cattle and a portion of the herd was persistently in the fishing beats. When the herd spread out the number of herders was not adequate.</p> <p>The proposed action and purpose and need for action both identify the need to improve infrastructure to protect resources and effectively manage livestock.</p> <p>Several comments compared the 2008 fishing experience with past experience, including the quote, “...saw a few cattle, really not a problem while fishing”. Past years have not indicated a problem based on public feedback.</p>
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Recreation
Quote	<p><i>Page 213, Section 3.8.2 Environmental Consequences, Alternative A</i></p> <p><i>“Under this alternative, there would be no change to the current interim recreation program.”</i></p> <p><i>Changes to the interim recreation program are both necessary and expected, and must be considered in context with the development of a grazing and forage program. As noted on page 212, Section 3.8.1 (first paragraph), “Opportunities to enjoy spontaneous recreation activities are limited...” The absence of cattle in Alternative A would certainly permit greatly expanded recreation opportunities and eliminate current cattle conflicts.</i></p>
Response	There are no proposed changes to the Interim Recreation Program. There are no limitations on the interim recreation program due to grazing. The current limitations are due to a lack of available infrastructure (Valles Caldera Trust, 2007). The EA discusses the effects to recreation experiences as a result of not continuing programs for domestic livestock grazing.

Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Recreation
Quote	<i>“Under Alternatives C and D, interpretive messages can be used to create a positive perception regarding livestock programs...”</i>
Response	Interpretive information is helpful in gaining support for a variety of management actions on public lands. Use of prescribed fire, closing a campground while improvements are being implemented, closing popular roads for resource protection are a few examples where providing information and increasing understanding of management issues are effective tools reducing conflicts.
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Significance
Quote	This section fails to identify or summarize which of the impacts described in the preceding 160 pages are significant impacts.
Response	This section addresses items determined by CEQ as important in measuring significance that are not discussed previously in the analysis. The introductory information does not adequately explain this to the reader. The EA will edit to clarify the purpose of this section. The edit will be identified along with other minor edits in Appendix D.
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Significance
Quote	<i>“Economic uncertainties are mitigated through performance requirements that limit long-term commitments...” Up to 10-year contracts are permitted in the Act, which hardly seems like effective mitigation for risk and economic uncertainties.</i>
Response	The uncertainties in the market are well identified and managed through performance requirements as stated in the EA. The action alternatives can be adjusted at a variety of scales in time and space.
Source	GP-P, Ponderosa, NM
Subject	Comments
Quote	<i>“I would very much appreciate it if the ...Trust would not summarize my public comment on the [sites document] but would print it in its entirety as follows:</i>
Response	The entire comment has been entered into the Administrative Record (the original

	and scanned electronic version).
Source	GP-P, Ponderosa, NM
Subject	Introduction
Quote	[Requests the following be included in the description provided in 1.1.1] <i>“Jemez River System breached”</i> in reference to the caldera.
Response	The Preserve’s geology is briefly summarized and the East Fork of the Jemez River is described in detail in Section 3.1 Watershed.
Source	GP-P, Ponderosa, NM
Subject	Executive Summary
Quote	<i>The phrase “preserve-wide” in the aforementioned statement on page 6, line 25 inadvertently negates the phrase “at any scale” on the aforementioned statement page 6 line 33-35.</i>
Response	This section of the Executive Summary notes that effects were considered at various scales and that the effects resulting from maintenance activities on the buildings were negligible at any scale.
Source	GP-P - Ponderosa, NM
Subject	Appendix
Quote	<i>“The appendix releasing the Valles Caldera Cultural Resources Clearance Process was inadvertently omitted.”</i>
Response	The Cultural Resources Clearance Process was not included in the appendix. The form used to complete an interdisciplinary review (Interdisciplinary Clearance Process) prior to implementing activities on the ground was provided in Appendix A.
Source	Wild Earth Guardians - Santa Fe, NM
Subject	Compliance
Quote	<i>“The impacts of livestock grazing on the East Fork Jemez Wild and Scenic River (WSR) were not considered a key issue in the development of alternatives for the proposed action.” ... “In 1990, the U.S. Congress designated portions of the East Fork of the Jemez River as a wild and scenic river pursuant to the Wild and Scenic Rivers Act, 16 U.S.C. § 1271-1287 (“WSRA”).”</i>
Response	The designation applies to the East Fork of the Jemez River from the boundary of the VCNP downriver to its confluence with San Antonio Creek at Battleship Rock. The East Fork of the Jemez within the Preserve’s boundary is not so

	designated.
Source	Caldera Action
Subject	Issues and Alternatives
Quote	<p>[Quoting from the EA] “<i>Domestic livestock grazing programs can conflict with, or affect visitor activities and experiences.</i>”</p> <p><i>The EA further notes that trying to optimize a particular goal—a ‘working ranch’—“is likely to affect the level and timing” of achieving other management objectives. The Trust has been investing in grazing to the exclusion of other resource uses for too long—a product of its piecemeal management, fixation on the “working ranch” elements of the Preserve...</i>”</p>
Response	<p>The EA does not specify working ranch in the issues statement regarding balancing goals. It only addresses the challenges in balancing goals in general.</p> <p>The comment regarding the investments in domestic livestock grazing are not supported by budget or staffing information which is publically available annual reports to Congress prepared by the Trust and publically available. More time and money have been invested in planning and implementing programs for public access and use than any other budget item. Operational costs associated with recreation are second only to administrative costs (which include all rent, utilities, communications, insurance, executive salaries and support of Board meetings and activities).</p> <p>One of the purposes identified in the interim grazing strategy was to develop a “model” for a comprehensive strategy. The Trust has operated a variety of programs and collected systematic data on utilization, production and ecosystem responses to use by elk/wildlife and livestock as influenced by climate and administrative activities. The proposed stewardship action proposes to continue domestic livestock grazing and includes connected activities identified during the interim period. The systematic approach to adaptive management supported by goals, objectives, and outcomes identified for systematic monitoring is not a piecemeal approach to planning but rather a commitment to ongoing adaptive management.</p>
Source	Caldera Action – Santa Fe, NM
Subject	Effects Analysis - Watershed
Quote	<p><i>“Alternatives C and D would maintain or continue to improve ecological conditions.”</i></p> <p><i>There is no documentation in the EA to support this assertion.</i></p>
Response	<p>Section 3.1 Watershed, notes the measured improvements that have occurred since federal acquisition and in concert with the implementation of annual programs for domestic livestock grazing, similar in scale to the proposed allocation and use of forage. The environmental consequences are supported by site-specific</p>

	data and scientific information relevant to the Preserve’s montane ecosystems
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis - Watershed
Quote	[Referring to a 2001 inventory documented in a 2002 report prepared by the Santa Fe National Forest. <i>“Further, “in terms of habitat characteristics, the average sediment levels in riffles throughout the entire river are far exceeding allowable levels, giving it a not properly functioning rating.”</i>
Response	The EA details the condition of the East Fork of the Jemez River including stream inventories and condition assessment completed 2000-2002, comparing these results with repeat assessments (same team, locations, and methodology) completed in 2006. Details are provided in 3.1 Watershed, Affected Environment on pages 65-67; both narrative and tabular information is provided.
Source	WildEarth Guardians
Subject	Effects Analysis - Watershed
Quote	<i>“We are also concerned about the ecological and hydrologic impacts of upland water developments on the hydrology of the East Fork watershed.”... “Based on our rudimentary review of current U.S. Geological Survey maps, there are at least half a dozen existing impoundments within the East Fork of the Jemez watershed.”</i>
Response	Repair and maintenance of earthen tanks for resource protection are identified in the purpose and need for action; all action alternatives include the repair and maintenance of earthen tanks. Figure 43, page 148 of the EA displays the earthen tanks on the Preserve (functional and non-functional).
Source	WildEarth Guardians – Santa Fe, NM
Subject	Compliance
Quote	No quote – a lengthy discussion implying the proposed action and alternatives would be in violation of the Clean Water Act, including a table of 2001 TMDL’s.
Response	The EA uses site specific monitoring data 2002 -2006, including TMDL’s, as well as analysis by resource specialists (hydrology, range, and soils) to conclude that all alternatives would support continued progress towards objectives for water quality in support of overall goal attainment. The analysis is documented in section 3.1 of the EA.
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis - Wildlife

Quote	<i>“Has the VCNP Trust thought about its stewardship obligations to the meadow jumping mouse?”</i> Comments also included a discussion regarding beaver and provided extensive background information on beaver, its habitat needs, and effects from trapping and habitat loss in North America. Specific comments regarding the proposed or alternative actions on beaver on the Preserve were not provided.
Response	The New Mexico meadow jumping mouse was identified in the EA as a sensitive species requiring analysis. Its habitat (existing condition) on the Preserve as well as direct, indirect, and cumulative effects and determination of effect for each alternative are contained in the EA in section 3.3, pages 110-113.
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis - Fire Ecology
Quote	<i>“We believe it is scientifically unsound to allow for livestock grazing within ponderosa pine or mixed conifer forests without—at a minimum—understanding what livestock forage utilization levels, timing, and frequency are appropriate, if any, to allow for a healthy fire regime.”</i>
Response	Effects on fire ecology are contained in the EA in section 3.2 Fire Ecology. General statement did not include comments specific to the analysis in the EA.
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis – Recreation and Wildlife
Quote	<i>“Elk have been shown to socially avoid areas that are being grazed by domestic livestock. We request the analysis provide a thorough discussion and analysis of the impacts of cattle grazing on opportunities for wildlife watching and native ungulate feeding patterns.”</i>
Response	The effects to recreation were addressed through the alternative development, specifically alternative B, which minimized allocation of forage to domestic livestock grazing or other uses to 5%. In addition each alternative includes infrastructure management appropriate to the proposed scale of grazing to improve the control and distribution of livestock. The EA includes effects to both people’s perception of the Preserve (visual as well as “sense of place”) and to recreation activities in sections 3.7 and 3.8. Effects to elk are included in section 3.3.
Source	WildEarth Guardians
Subject	Effects Analysis – Wildlife
Quote	General comments regarding potential threats to songbirds from parasitism by cow

	birds.
Response	<p>No specific comments relating to the proposed or alternative actions or analysis in the EA.</p> <p>Fragmentation of forest habitats in North America has resulted in a great increase in the edge habitats favored by cowbirds, and a reduction (and in many places an elimination) of forest-interior habitats that cowbirds do not penetrate. As a result, a number of species of forest birds are now subject to increasing parasitism by cowbirds. Cowbird parasitism may be one cause in the general decrease in numbers of songbirds in North America. These factors are not relevant to the proposed or alternative actions being considered and were not analyzed.</p>
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis - Wildlife
Quote	<p><i>“Studies have shown that livestock grazing may facilitate the conversion of grassland to shrubland ... This brush encroachment may limit prairie dog expansion and preclude some areas from prairie dog restoration.”</i></p> <p><i>“Further, the Trust’s claim that effects of livestock grazing on threatened and endangered species, like the Gunnison prairie dog, are not of sufficient concern to warrant addressing in the development of alternatives is absurd”</i></p>
Response	<p>Paragraph 1 – Effects to vegetation including shrub encroachment are described in section 3.1 Watershed. Page 83 under environmental consequences includes the relationship between <i>overgrazing</i> and expansion of shrubs. Effects to Gunnison’s prairie dogs are described in section 3.3, Wildlife.</p> <p>Paragraph 2 - The EA makes no statement as implied in the comment. Section 3.3 describes the existing condition and environmental consequences of threatened, endangered, and sensitive species that have been to occur or suspected to occur (including having the presence of suitable habitat) on the Preserve including Gunnison’s prairie dog.</p> <p>The purpose and need for action, proposed action and range of alternatives including the no action alternative address key issues including effects to sensitive habitats and wildlife.</p>
Source	WildEarth Guardians – Santa Fe, NM
Subject	Effects Analysis - Wildlife
Quote	<i>“Many of the listed and sensitive species in the Forage Use EA are assumed to be unaffected by any of the action alternatives simply due to a lack of potential habitat or extirpation from the VCNP.”</i>
Response	This allegation is not supported by the information provided in the EA. For example, the Mexican spotted owl (MSO) has not been detected in surveys conducted on the Preserve. The Preserve is at or above the maximum elevation

	for suitability and does not contain the topographical features suitable for the MSO. However the effects analysis assumed that the MSO could occupy the Preserve based on its presence or the presence of habitat in the adjacent National Forest System land. The Rio Grande cutthroat trout was extirpated from the Preserve through predation by introduced species with the last recorded report of occurrence in 1892 as described on page 158 of the EA. The effects analysis focused on the effects to the habitat of the RGCT on pages 158-160.
Source	GM – Las Vegas, NM; Northern New Mexico Stockman’s Association (NNMSA)
Subject	Quality of Data/Information
Quote:	... I asked a friend to read the EA and comment. She has a positive opinion of grazing. There is newer science that takes a different approach than Mr. Parmenter. Wouldn't it be good to do some science on the positive effects of grazing that actually supports the mission of the Trust?
Response	<p>Paragraph 1 – The attached letter written by a professor of literature Sul Ross State University, in Alpine Texas suggested references including Allan Savory’s book <i>Holistic Management</i>, (Island Press 1999). While the overarching theory provided by Savory are applicable, i.e. to consider the system as a whole, the examples put forward in the letter of comment were taken from grasslands in Africa and North American prairies and are not applicable to upper montane grassland ecosystems found on the Preserve.</p> <p>The letter criticized the use of Crider’ 1954 study on root stoppage resulting from clipping in support of allocating 60% of the Preserves forage to ecosystem services. Crider’s 1954 work remains a benchmark today. Further studies have only supported his original work which evaluated a variety of grasses under both controlled greenhouse and open field conditions. Species tested included Arizona Fescue and Kentucky bluegrass, primary and secondary components in the upper and lower montane grassland ecotypes, dominant in the Preserve’s grasslands.</p> <p>Other references in the EA include Michunas’ 2006 report, <i>Responses of Plant Communities to Grazing in the Southwestern United States</i> published by the USFS Rocky Mountain Research Station; reports by Vavra et al. published by the Society of Range Management, and Loeser in a 2007 issue of <i>Conservation Biology</i>. Site specific reports include a report on the condition and capacity of the Valles Caldera National Preserve prepared by Dr. Kris Havstad, Joranada Experimental Range Station in 2002, and a Forest Service interdisciplinary team existing condition report prepared in 2007.</p> <p>Because the allocation of forage forms the basis for the proposed and alternative actions and subsequent analysis, the Trust reviewed additional literature in response to these comments. One such publication, <i>Livestock Management in the American Southwest, Ecology, Society, and Economics</i> edited by Roy Jamison and Carol Raish of the USFS Rocky Mountain Research Station, Albuquerque, New Mexico and published by Elsevier Science B.V. 2000, included a chapter on the montane grasslands of New Mexico and Arizona. This chapter reviews scientific</p>

	<p>data on grazing in montane ecosystems and concurs with the EA on effects to species and the system as a whole. It specifically concurs with the recommendation of 40% utilization as a maximum standard, and the phases of degradation which result from overgrazing as cited in the EA on page 85. In the Society for Range Management publication, <i>Rangelands</i>: 22(3), June 2000, Jerry Holecek³ and Dee Galt⁴ published <i>Grazing Intensity Guidelines</i>. They include guidelines for mountain grassland rangelands in New Mexico. Guidelines for conservative grazing intensity (EA 1.2.4 Purpose and Need) are 31-40% utilization.</p> <p>Research, inventory and monitoring programs on the Preserve, overseen by Dr. Parmenter, are not implemented to “support” a desired outcome. They are conducted to monitor the direct, indirect, and cumulative effects of management actions, to test hypothesis, or to learn new information.</p>
Source	GM – Las Vegas, NM;
Subject	Effects Analysis - General
Quote	<i>The document entertains no possibility that livestock grazing could actually be of benefit to the resource and to wildlife.</i>
Response	The EA includes (page 84) conclusions that light to moderate grazing as proposed, improve diversity and resistance to invasive plants.
Source	GM – Las Vegas, NM
Subject	Proposed Action – Infrastructure Management
Quote	<i>“It doesn’t seem the preparer is familiar as to what is needed to conduct a successful livestock operation. The deferred maintenance and infrastructure improvements are very specific to each alternative, yet are not based on need.”</i>
Response	Proposed infrastructure management includes maintaining fences throughout the Preserve under alternatives C and D and removing much of the fences under B when grazing by domestic livestock would be minimal. The “need” is based on fences causing resource damage, posing a risk to wildlife, and providing adequate control of livestock. Proposed infrastructure management is based on inventory as well as feedback and experience through the interim grazing program.
Source	GM – Las Vegas, NM
Subject	Effects Analysis - Recreation
Quote	<i>“Improving the large reservoirs on the Preserve for both domestic and wild stock does</i>

³ Professor of Range Science, Department of Animal and Range Science, New Mexico State University, Las Cruces, New Mexico.

⁴ Private range consultant

	<i>not make them unusable for recreation."</i>
Response	Correct – in reference to Alternatives C (and D), the EA accurately states, <i>"This alternative includes the repair and maintenance of larger tanks that could be developed for recreation as described under Alternative B. Under this alternative, the tanks would be important tools for distributing cattle away from sensitive areas and recreational opportunities associated with the improvement of tanks may be limited."</i>
Source	GM – Las Vegas, NM
Subject	Alternatives
Quote	<i>This document implies that one alternative can be educational and scientific; I believe that education and science can be applied to all alternatives.</i>
Response	No alternatives preclude education or scientific activities. Under alternative C education or scientific benefits may be valued as equal to greater in importance than monetary return.
Source	GM – Las Vegas, NM
Subject	Elk Population
Quote	<i>"The document states that the elk population is 2500+/- 1000, that is a significant variation in numbers. I believe that this number can be adjusted at the whim of those that would like to see grazing disappear from the Preserve. Are there any checks and balances in the monitoring system to keep this from happening?"</i>
Response	Elk population estimates are provided by New Mexico Department of Game and Fish. Adaptive management includes the systematic monitoring of certain outcomes including utilization. Actual utilization data from the interim grazing program was used to validate the methodology proposed for determining capacity as described in the EA on pages 78 and 79 (Capacity, Methodology)
Source	TK – Datil, NM
Subject	Effects Analysis - General
Quote	<i>I strongly support responsible grazing in The Valles Caldera. The reasons I support grazing are as follows: Responsible grazing of cattle will help with the natural process of grazing which once was done by native bison and large herds of other grazing animals, no longer in abundance. Grazing is part of our natural eco system. Grazing benefits the soils and the rangeland health. The vegetation that is grazed, will help in reduction of fire hazard, a proven fact, though often opposed by environmental groups with bias agendas.</i>
Response	While the EA notes the potential benefits of moderate grazing as proposed, the Valles Caldera did not evolve under the pressure of grazing by bison. Grazing, as considered in the EA, would be managed to maintain fuel levels necessary for allowing the use of fire. Naturally occurring wildland fire was the primary presettlement disturbance in the Jemez Mountains ecosystems.

3. Comments FONSI, Summary Response to Comments

Source	Form Letter – Various
Comment	<p><i>“I believe Congress needs to do several things immediately to remedy the situation at the Preserve:</i></p> <p><i>* Appropriate adequate funds for law enforcement, infrastructure, and protection of this wild area for 2010.</i></p> <p><i>* Hold hearings on a new management system for the Valles Caldera National Preserve.</i></p> <p><i>* Review the current legislation and be receptive to changes offered by the conservation community.”</i></p>
Response	Outside the scope of the EA
Source	Form Letter - Various
Subject	Scope of the Analysis
Quote	<i>“...an Environmental Impact Statement (EIS) should be prepared rather than an EA because of the significant impact of grazing on the resources of the Valles Caldera National Preserve.”</i>
Response	The comment suggests that an EIS should be prepared <u>instead</u> of an EA. An EA is prepared, in part, to determine whether the proposed action warrants the preparation of an EIS. It is also prepared to aid in decision making and compliance with NEPA when an EIS is not required. The comment does not specify what effects identified in the EA the commenter(s) believe to be significant.
Source	Form Letter – Various
Subject	Effects Analysis - General
Quote	<i>“...the EA analysis white washes some of the severe conflicts between livestock grazing and fish and wildlife and recreational values.”</i>
Response	The EA specifically addresses potential conflicts between domestic livestock grazing and other values in the purpose and need for action, the proposed action key issues, and alternatives. The effects analysis basis conclusions on: site specific data systematically collected and analyzed during the interim grazing program from 2002-2007, data available immediately following the 2008 season, a review of relevant scientific publications, and a review of public comment received during public meetings, workshops, and in response to interim grazing activities. Actual and potential adverse as well as beneficial effects were disclosed and described

	<p>relative to context and intensity to determine the overall significance of any potential effects.</p> <p>The commenter(s) did not identify specifically what effects they believed were not adequately disclosed.</p>
Source	EJ – Los Alamos County, NM
Quote	<i>Based on what is written in Valles Caldera Trust -- National Environmental Policy Act Procedures for the Valles Caldera National Preserve, the Responsible Official may seek public review of a FONSI. One would think a "draft" version would circulate only internally. It is assumed that this document on the web is the FONSI</i>
Response	The document is a draft of the findings available for public review and comment.
Source	EJ – Los Alamos County, NM
Quote	<p><i>Because the proposed action, continued summer grazing of domestic cattle on the Preserve in accordance with various alternatives, obviously cannot have a significant impact on the human environment, the only reason to make the FONSI available for public review is to assist the Responsible Official in making a "final determination whether to prepare an environmental impact statement..." --101.53(d)</i></p> <p><i>Too much time and effort by VCNP staff, paid for by taxpayers, has already been spent satisfying real or imagined requirements to allow summer grazing. Just do it for another summer, any alternative or combination of alternatives, without an EIS, and get on to other more important things.</i></p>
Response	No response required
Source	EJ – Los Alamos County, NM
Quote	<p><i>In 3.2.2 of the FONSI, it is stated that "The EA did not find that domestic livestock grazing, at the the levels considered in the alternatives (or no action), would be a significant factor in the Trust's attainment of financial self-sufficiency." And, that "As programs and facilities continue to develop, income from grazing is likely to become even less significant."</i></p> <p><i>As has been discovered since the public purchase of Baca Location No. 1, it has features unique on planet earth, none of which are related to the production of domestic livestock. Preserve resources, if any, spent to support domestic livestock grazing should be the absolute minimum possible.</i></p>
Response	No response required
Source	EJ – Los Alamos County, NM
Quote	<i>If an EA and a FONSI are all that is required to graze 2000 yearlings on the Preserve, it should be a simple matter to permit free-range day hiking on the Preserve within 1000 yards or meters of the Preserve's boundary with Santa Fe National Forest and the Preserve's boundary with Bandelier National Monument. Comment also notes that certain activities including short-term backcountry recreation or special use actions such as: Day-use hiking; are permitted without an environmental document.</i>

Response	Short-term backcountry recreation or special use actions are currently permitted under the interim recreation program (including hiking; free use, guided, and unguided). Interim recreation (including summer recreation, hunting, and winter recreation) have been permitted without the preparation of an EA or EIS in accordance with the Trusts NEPA procedures.
Source	Caldera Action – Santa Fe, NM
Quote	<i>The FONSI at 3.1 seems to suggest that there is an ambiguity as to whether an EIS is required or whether a lesser EA would be adequate, stating that the "proposed MUSY-Forage does not fall clearly in either an action requiring an EIS or an action that could normally be implemented following the preparation of an EA." But we don't believe there is any ambiguity: an EIS is, by default, required to create and support a long-term program for the management of livestock. Although annual livestock authorizations may proceed on the basis of a lesser EA, this option does not obviate the Trust's duty to develop the foundation of the livestock program through an EIS. The Trust's excuse for not preparing an EIS is too clever by half and creates an untenable exception that swallows the general rule requiring an EIS.</i>
Response	There is no ambiguity – the preparation of an EA in order to determine whether to prepare an EIS is consistent with NEPA and with the NEPA procedures of the Trust. The act exempts the Trust from the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended (16 U.S.C. 1600 et seq.).
Source	Caldera Action – Santa Fe, NM
Quote	<i>We add to our original comment that, in addition, the Framework, which the Trust apparently relies on as an element of its comprehensive management program for the Preserve, was never vetted through the NEPA process.</i> <i>The Framework thus cannot serve as a decision document because any decision to commit the Preserve to livestock grazing would have constituted a major federal action significantly affecting the quality of the environment and thus would have required preparation of an EIS. The Trust's untenable position raises a very troubling situation in which the Trust appears to be making decisions in violation of federal law. Insofar as the Preserve was established to experiment with different land management philosophies, the enabling legislation did not exempt the Trust's decisions from NEPA.</i>
Response	The EA references the Framework appropriately as background information. The EA makes no statements indicating “the Framework” is an environmental document, or a decision document. There is no reference in the EA that attributes authority to the Framework or tiers to the Framework in the manner that “tiering” is defined in the “Regulations for Implementing the Procedural Provisions of NEPA” (§1508.28).
Source	Caldera Action – Santa Fe, NM
Quote	<i>Notably, the controversy here is not simply a disagreement of the Trust's intent to authorize grazing. Rather the controversy pertains to the scope of the proposed action and its degree of impact on the VCNP, as well as the Trust's related failure to develop a NEPA-compliant comprehensive management program that responsibly balances the Trust's complicated mission and the public's interest in the Preserve. The Trust has</i>

	<p><i>taken a myopic approach to the Preserve, emphasizing a narrow interpretation of the Preserve's enabling legislation that fixates on the notion of a "working ranch" to the exclusion of broader restoration and quiet-use recreation values. The consequences of fixating on livestock grazing instead of those broader restoration and quiet-use recreation values are significant, consisting of opportunity costs that have set back the Preserve's ability to serve as a crown jewel of the Jemez Mountains. This is a substantial, long-standing dispute that cannot be resolved by an EA.</i></p>
Response	<p>The NEPA procedures of the Trust, effective on July 17, 2003, define comprehensive management of the Preserves as: “<u><i>The comprehensive management of the lands, resources, and facilities of the Preserve includes all stewardship registers, the State of the Preserve, and the strategic guidance adopted by the Board of Trustees.</i></u>” <u><i>These documents depict the management of the Preserve and provide timely references for interested citizens.</i></u>” The procedures refer to comprehensive management as multiple documents and a dynamic process as opposed to a single planning document.</p> <p>The purposes included in the 2002 EA, for the “Interim Grazing Strategy” included “to provide a scientific basis for development of a comprehensive “Model” Grazing Strategy”. The proposed action, although similar in scale to the interim program reflects a comprehensive approach to the multiple use and sustained yield of forage resources guided by goals, objectives and monitored outcomes which also provide the basis for a systematic approach to adaptive management.</p> <p>The proposed multiple use and sustained yield of forage in no way limits future uses of the Preserve for recreation or future planning for landscape restoration. Programs for forage use including the management fences, gates, cattle guards, and other similar ranch infrastructure can be adjusted at a variety of scales to accommodate future decisions regarding the management of the Preserve.</p> <p>We disagree with the statement that the Trust is fixated on livestock grazing instead of other values and considerations. This statement is not supported by information contained in the annual reports to Congress (http://www.vallescaldera.gov/about/trust/trust_refreport.aspx) nor the 2002-2007 State of the Preserve (http://www.vallescaldera.gov/about/trust/docs/trust_SOPDecember2007.pdf). These documents demonstrate an emphasis (funding and staffing) to plan and implement programs for public access and use, to manage and maintain infrastructure in support of public access and use, as well as a continued investment in quantifying and understanding the systems of the Preserve (composition, structure and function) at a variety of scales in support of management decisions.</p>
Source	YD – Los Alamos, NM
Quote	<i>Per these same procedures (Section 101.53 (d)), this 30 day public review is to include "... state and area-wide clearinghouses ...". What state and area-wide clearinghouses did you notify of the availability of the FONSI for public review?</i>
Response	The primary method of notification was via direct email to a standard mailing list of 295 individuals, agencies, organizations, local, county, state, and federal

	agencies and representatives; Tribal stakeholders, and various media/news organizations. Additional emails were sent to individuals and organizations that had not previously been on our mailing list but had sent comments electronically. The notification was posted on our website homepage and published as a legal notice in the Albuquerque Journal. The actual documents (FONSI and Summary Response to Comments) were available at the March 12, 2009 public meeting of the Board of Trustees and sent via surface mail to individuals who have requested a preference or need to receive information via surface mail.
Source	YD – Los Alamos, NM
Quote	<i>As defined in the MUSY-Forage EA, short-term is 0-3 years and long-term is 10+ years. The FONSI mentions the limited scope of the action as one of the factors key to the finding of no significant impact. But in the EA's own words, the Trust is going from an interim program, commonly understood as short-term, of livestock grazing to a comprehensive program, commonly understood as long-term, of "... multiple use and sustained yield of the Preserve's forage resources ...". In other words, this is not just another annual, seasonal, on the ground grazing plan but, rather, a comprehensive, long-term plan to determine how to best allocate the forage resources of the Valles Caldera National Preserve (Preserve).</i>
Response	<p>“Comprehensive” is not interchangeable with “Long-term”. As described in the purpose and need for action and all action alternatives the proposed comprehensive MUSY – Forage consists of short- to mid-term decisions subject to adjustments at various time frames based on the evaluation of monitored outcomes, environmental conditions, market conditions, new information, or in response to other programs or activities.</p> <p>Under all action alternatives, the multiple use of forage is being proposed as an activity <i>consistent with</i> all management goals from the act, and other programs and activities on the Preserve as opposed to any adjustment of other programs and activities to make <i>them</i> consistent with the MUSY – Forage.</p>
Source	Caldera Action – Santa Fe, NM
Quote	<i>[Re:] Long-term programs for access and use of the Preserve including development cannot be identified to a reasonable foreseeable degree." Supplemental Comment: The mish-mash of individual actions that the Trust self-styles as its comprehensive management program has undermined the Trust's accountability, transparency, and, fundamentally, legitimacy. The Trust has forgotten that it is merely a steward of the Preserve and ultimately accountable to the public, not a private enterprise or the Trust's personal property. The fact that the Trust cannot identify "long-term programs for access and use" raises, by definition, a substantial question mandating preparation of an EIS.</i>
Response	The Trust is currently managing “interim” programs for recreation using existing facilities and infrastructure. In December, 2006 the Trust initiated planning for comprehensive public access and use including the development of facilities and programs. The Proposed Stewardship Action provided that phase one of the planning effort would include hosting a series of public workshops, market analysis, site assessment and social analysis. All these components are nearing completion setting the stage to enter into phase two, planning and decision-

	<p>making under NEPA.</p> <p>While the allocation and use of forage is proposed at a scale similar to interim grazing, public access and use will determine whether to construct permanent facilities for visitation and use on the Preserve’s landscape as well as the location and scale of such development. Permanent visitor facilities require large investments in capital and long term commitments in operation and maintenance costs. The time and investments required in advance of proposing an action are commensurate with the scope of the action and pending analysis.</p> <p>Decisions regarding short- to mid-term allocations and use of forage and programs, which can be adjusted annually or as needed are not comparable in scope with decisions to develop the Preserve for access and use. That it takes less time to move from an interim to comprehensive program regarding the use of forage and maintaining fences as opposed to developing permanent facilities in support of public access and use, is a factor of scope, not priority.</p>
Source	Jemez Pueblo
Quote	<p><i>In our February 12, 2009 correspondnace, we mention our people's historic use of livestock (cattle, horses, and sheep) grazing within this landscape and our desire to maintain this use. We strongly urge the Trust to develop a grazing set-aside program for Jemez Pueblo. While this option was not a consideration in the EA, the Pueblo maintains its strong recommendation of Alternaitve C – where domestic livestock programs are required to be economically sustainable but relative benefits are given equal of greater consideration.</i></p> <p><i>Alternative C would support the goals of the Preserve expresses in the Congressional Act to support local communities and economies. If given another grazing opportunity, the Pueblo of Jemez intends to partner, once again, with local livestock producers within northern New Mexico.</i></p> <p><i>While Alternative D would bring moderate increases in economic return from grazing, in any form, would not make or break the program. Also, Alternative D would not benefit local producers or communities, only out of state producers.</i></p>
Response	No response required