



July 13, 2011

Maria Garcia  
Forest Supervisor  
Santa Fe National Forest  
11 Forest Lane  
Santa Fe, NM 87508

Dear Ms. Garcia,

We write to you today out of grave concern for our beloved Santa Fe National Forest, the water it provides and wildlife that reside within its boundaries. The Santa Fe National Forest has now experienced the largest fire recorded in New Mexico's recent history, the Las Conchas Fire. At this time the perimeter of this fire includes 146,353 acres. The area within the fire perimeter will be sensitive during its recovery and wildlife is extremely vulnerable.

First, We want to express deep gratitude to all of your staff for ensuring such an orderly response to this significant natural disturbance.

We also want to request that you take three actions in a timely manner to ensure no additional damage to the precious resources of the Santa Fe National Forest. We are concerned that the fire area must be treated with the utmost care in the period immediately following. In particular watersheds are highly vulnerable post-fire as are wildlife populations. Unmaintained roads and trails can exacerbate the problems especially if they are used under the current conditions. In addition, under the severe drought circumstances, we cannot risk any further ignitions that might result from motorized recreational use of the Santa Fe National Forest this year. We ask three things of you as Forest Supervisor:

**1. Issue an Indefinite Emergency Closure Order to Motorized Recreational Vehicles and Cross-Country Motorized Travel within the Fire Perimeter.**

We request that you issue an indefinite emergency closure to motorized recreational vehicles - including ATVs and motorcycles - and cross-country motorized travel for the entire Las Conchas Fire area. As the forest supervisor you have a responsibility to immediately close motorized routes to off-road vehicles that are causing considerable cumulative adverse effects on soil, vegetation, wildlife, wildlife habitat and cultural or historic resources until such time as you determine that such adverse effects have been eliminated and that measures have been implemented to prevent future recurrence. 36 C.F.R. §§ 261.50 (a) and 261.50(b).

Such orders are not exceptional; a special closure order was issued on the Pike National Forest following the Hayman Fire in 2002 for the protection of public health and safety due to extreme hazard conditions. See Oder attached.

The soils and watersheds within the Las Conchas Fire area are extremely vulnerable to compaction and erosion in the period following the fire and allowing any motorized vehicle access off of arterial roads will exacerbate an already fragile and tenuous watershed condition. Further, the wildlife in the fire area is extremely susceptible and sensitive to disturbance post-fire and any off-road motorized activities could cause irreversible effects on wildlife.

## **2. Effectively Enforce Existing Closure Orders in the Santa Fe National Forest.**

The SFNF published its first off-road vehicle management plan in 1977. This plan either banned, restricted to existing routes, or established seasonal closures for motorized use on nearly 382,000 acres to protect sensitive resources and reduce user conflicts (USDA/SFNF 1987:87). The SFNF Forest Plan ("Forest Plan") expanded these restrictions to 993,941 acres (USDA/SFNF 1987:133). The Forest Plan provided additional authority to establish closures and restrictions based on the assumption that management flexibility would resolve anticipated future conflicts (USDA/SFNF 1987:134). By 2006 the Jemez Ranger District alone had ordered twenty-five road and off-road closures and restrictions, including six in the Las Conchas Fire area.<sup>1</sup>

These closures are especially important in light of the Las Conchas Fire. Much of the burned area will now be subject to increased erosion and soil movement. To ensure the health of the watersheds, there can be no motorized recreational use that would exacerbate these potential impacts.

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<sup>1</sup> These Jemez Ranger District closures and restrictions include Los Utes Road #288; Medio Dia Canyon Trail; Peralta Ridge Electronic Site 281; Obsidian Ridge Road 287; and Forest Roads 144, 376, 10, 268, 289, 378 and 269.

### 3. Issue the Final Decision on the Travel Management Plan and MVUM.

It is imperative that you finalize a Motorized Travel Management Plan and publish a Motorized Vehicle User Map for the Santa Fe National Forest as soon as reasonably possible considering the circumstances of the Las Conchas Fire and the considerable resources you will expend on recovery of the burned area. It has been a half-decade since the SFNF commenced the travel management planning process. You've received considerable public input, spent significant resources on environmental analyses and an Environmental Impact Statement.

We believe that issuing a decision immediately will reduce confusion on the post-fire landscape about where motorized travel is permitted and will free your time, your staff, and your resources to focus on the Los Conchas Fire recovery efforts. We believe if you do not issue this decision and MVUM now, it may be greatly postponed further due to other priorities related to the Las Conchas fire. If it becomes apparent that the Las Conchas fire area requires a new and separate travel management plan because of changed circumstances that planning process can be undertaken at a later date, again, as was done after the Hayman Fire on the Pike National Forest in Colorado.

Sincerely,

Bryan Bird  
Wild Places Program Director  
**WildEarth Guardians**

Carol Johnson  
La Cueva  
SFNF Resident

Sarah Peters, Staff Attorney  
**Wildlands CPR**

Oscar Simpson - Chair  
**NM Sportsmen**

Kevin Stillman  
Chochiti Mesa  
SFNF Resident

Tom Gorman  
Northern Group  
**Sierra Club**

Francois-Marie Patorni  
Glorieta Mesa  
SFNF Resident

Bob Funkhouser  
Glorieta Mesa  
SFNF Resident

Veronica Egan, Executive Director  
**Great Old Broads for Wilderness**

Kurt Menke, GISP  
Bird's Eye View, Inc.

Sarah Hyden  
**Santa Fe Watershed Watch**

Sam Hitt  
**Wild Watershed**

Judy Calman  
Staff Attorney  
**New Mexico Wilderness Alliance**

Thomas Seamster, Ph.D. and  
Teresa Seamster  
**Wildlife Habitat of New Mexico**

ORDERSPECIAL CLOSURE  
PIKE NATIONAL FOREST

Pursuant to 36 CFR 261.50(a), and 36 CFR 261.50(b), the following act is prohibited on all lands in the Pike National Forest administered by the USDA Forest Service in the Hayman Fire area located in the following counties in the state of Colorado: Douglas, Jefferson, Park, Teller and El Paso. This closed area is depicted on the attached map, hereby incorporated into this Order as Exhibit A.

The following act is PROHIBITED by this order.

1. Going into or being upon the closed area. 36 CFR 261.53(e).

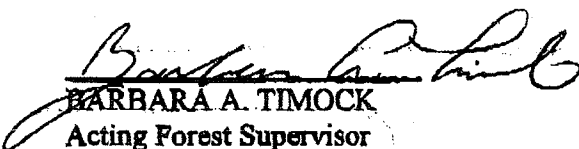
Pursuant to 36 CFR 261.50(e) the following persons are exempt from this order:

1. Persons with a burn area entrance permit specifically authorizing the otherwise prohibited act or omission.
2. Residents, owners and lessees of land within the restricted area their contractors or others as approved by the residents, for access to their associated sites.
3. Any Federal, State, or local officer, or member of an organized rescue or firefighting force in the performance of an official duty.
4. Persons utilizing open State highways, County roads, and municipal streets and;
5. Any other person meeting the exemption requirements specified in this order.

This closure is being implemented ~~because~~ for the protection of public health and safety due to the extreme hazard conditions in the Hayman Fire area.

This order is in effect beginning 12:01 AM, MDT, July 19, 2002, and until Rescinded or October 1, 2002, which ever occurs first.

Done in Pueblo Colorado this 19<sup>th</sup> day of July 2002.

  
BARBARA A. TIMOCK  
Acting Forest Supervisor  
Pike/San Isabel National Forests  
Comanche/Cimarron National Grasslands

Violations of these prohibitions are punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C.551 and 18 U.S.C. 3559 and 3571).