

Smokey Bear Collaborative Meeting
ENMU-Ruidoso
September 19, 2018

Smokey Bear Working Group Draft Agenda

September 19, 2018
ENMU-Ruidoso
3:00 – 5:00 pm

- Welcome – Laura Doth
- Introductions – ALL (needs to be structured)
- Ice Breaker
- Collaborative Group expectations – Alan Barton
- Ground Rules for participation (one representative for each group etc.)
- Name of Group suggestions and Ground Rules for the meeting- Laura
- Hopes and Dreams for this group – Jodie Canfield
- Draft Charter Discussion and finalization – ALL (facilitated by Laura)
- NEPA 101 – Andrew Ellis
- Introduction of Hale Lake Travel Plan – Jodie
- Next meeting date

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Meeting Minutes

Laura Doth of the South Central Mountains RC&D is the facilitator for the Smokey Bear Collaborative.

Introductions

The meeting began with introductions. Each collaborator told a little about her or himself and also told us something no one in the group knew.

Laura Doth, South Central Mountains RC&D

Laura is the executive director of the SCMRC&D and the facilitator for the Smokey Bear Collaborative; Laura also grew up on a nut farm

Jodie Canfield, Smokey Bear Ranger District, Lincoln National Forest

Jodie is District Ranger on the Smokey Bear District

Andrew Ellis, Lincoln National Forest, NEPA Planner

Andrew works at the Smokey Bear Ranger District, and he is also a rock climber

Wallace Downs, Tours Mountain Bike

Wallace runs a bike shop and also is a retired police detective

Robert Barber, Lincoln County Land and Natural Resources Advisory Committee (LANRAC)

Robert works with LANRAC and also participates in the Mountainair Collaborative on the Cibola National Forest. He is a rancher, a permit holder on the national forest, and also gathers firewood on the forest

Mary Ann Russ, LANRAC & Little Bear Forest Reform Coalition (LBFRC)

Mary Ann is also a "motorcycle mama"

Robert Runnels, Upper Hondo Soil & Water Conservation District (UHSWCD)

Robert is a board member with the Upper Hondo SWCD and a permittee

David Cox, Upper Hondo SWCD

David is a rancher and village fire chief

Clark Taylor, Grazing Permittees

Clark is a rancher and has 32 years working in the federal government; He also was a football team captain

Stephen Carter, EcoServants

Stephen works with EcoServants, an Americorps program in Ruidoso dedicated to improving the natural environment; He also is an actor and is starring in three plays

Dustin Contrell, Backwoods Mountain Bike Tours

Dustin runs bike tours

Mike Buechter, Bicycle Ruidoso

Mike is a contractor and enjoys all kinds of recreation

Knutt Peterson, BLM – ORP/CAVE

Knute is a caver and also a bowler.

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Omar Barnes, Vista del Valle Ranch

Omar is a rancher in the area.

Ron Sena, Village of Ruidoso

Ron is the Assistant City Manager for Ruidoso and is filling in for Rodney at this meeting.

Alan Barton, NM Forest & Watershed Restoration Institute

Alan works at the Forest & Watershed Restoration Institute, located at Highlands University in Las Vegas. The FWRI has specialists working in GIS and mapping, monitoring, and collaboration.

Smokey Bear Collaborative

Laura introduced the collaborative, saying this will be a learning situation for everyone. We all have a different perspective, and we can listen to each other and work things out. We can understand each other's perspectives and where we're coming from.

Alan gave an introduction to collaborative groups around New Mexico, and some of the variation in collaborative groups. Each group is different and it is up to the partners to organize and run their group their own way. Collaborative groups form for various purposes. Most important is sharing information and working together across large landscapes. Conflict resolution is another reason collaboratives form. And, many grant proposals require collaboration, so partners get together to raise money for projects.

Jodie emphasized shared goals as a basis for collaboration. No one wants to see destruction of the land; we want to pass the land on to the next generation and be proud of it. Understanding each other's true interests is important. We'll be talking mostly about recreation on federal lands, which are the people's lands. BLM & USFS lands are the only places you can go and recreate for free. In this collaborative, people can ask questions and provide understanding of the laws and regulations that are part of the management process.

Jodie is a Forest Service line officer (i.e. decision maker) who likes to think outside the box and take risks. She wants the community to support her decisions. She worked previously in Montana, where natural resource management is contentious, and she has found people around Ruidoso and the Smokey Bear District are much more on board with the work of the Forest Service. But it takes communication to maintain support. Jodie would like people in the collaborative to educate the community about what the USFS is doing. There are a lot of myths about what federal agencies can do. Her people work hard for the community – there are no slackers in this ranger district. She wants the people in the communities here to see that.

Unfortunately, one of the Smokey Bear District's key workers is leaving. Dan Ray has been instrumental in creating partnerships around Ruidoso. He's moving to Tucson to work in the training center. The District will work to find a replacement for Dan.

Jodie wants to work with partners to improve the conditions on the national forest, beginning with roads and access on the Smokey Bear District. Right now, fuel reduction management and timber harvest are the overall Forest Service priorities. Jodie likes to get things done. She wants to see projects implemented. One of the problems they have is they can't pay people to work, due to lack of money or due to regulations. Having a group like this helps to raise money – it creates opportunities and makes this group very attractive.

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Laura noted that grant proposals these days require a collaborative group, and the collaborative can help with matching funds for grants.

If we don't have the capacity to do something, let's think about how we can build the capacity.

The Lincoln NF has not revised its travel plan since 1986. So, she wants to take this on as the first priority for this group. Hale Lake is an area where we can really think outside the box. It has some issues, but also doesn't have restrictions (no wilderness, roadless, research area, etc.). Jodie wants help from the Smokey Bear Collaborative in thinking about this issue. She and her staff have inventoried the whole area this summer. She wants to see alternatives that we can take to the public for the Hale Lake area. After the issues in the Hale Lake area are resolved, Jodie wants to move across the highway and do the next area. She also wants input from the community on what the USFS can be working on.

Robert noted that the Lincoln National Forest has a Draft Assessment Report on Ecological, Social, and Economic Sustainability. We need to assess the conditions before we make decisions about how to manage the area. Knowing this would inform the discussions in this group. We should study the assessment to begin, as it would help us know the possibilities.

Andrew said the Forest Service will host a Ruidoso area meeting on the draft assessment on October 3, 6:00 to 8:00 pm at Ruidoso Hotel, across from Sacred Grounds. The Forest Service needs to understand the need for change, and seeks input on this topic at this meeting. Robert said he plans to go to this meeting and he believes it will be a good starting point for understanding the need for change. Andrew noted that the travel management plan doesn't have to be tied to Forest Plan Revision. The two are separate projects.

Jodie said we can make a new map for the travel management plan. Mapping is a good way to link issues together.

Andrew said the Forest Service has a good idea of the conditions and we'll see maps later. However, the Forest Service can't release the maps to the collaborative until it's ready for release to the public.

Organizing the Collaborative

Question: Should meetings be open to anyone?

Laura said that she invited one representative from each entity in the area tied to recreation, broadly defined. If one person from each partnering entity attends the meetings of the Smokey Bear Collaborative, others in the organization can go to their representative and that person speaks for that interest at collaborative meetings. This would facilitate meeting process.

If we operate under the SCMRC&D, we don't have to follow the New Mexico Open Meetings Act or federal public meetings acts and sunshine laws.

Question: How should we advertise meetings?

The group expressed a preference for communication by email, not publicizing the meetings.

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Robert stated we should have flexibility to bring in people with various viewpoints. Laura said she reached out to everyone she thought was a stakeholder in the group. But, if we're missing a constituency and it's important to have that interest represented, then we should invite them to attend.

Question: How formal should the meetings and organization of the Smokey Bear Collaborative be?

The group agreed to start with a more informal structure and meetings, and if it doesn't work, then we can make more rules. But, our aim should be to keep it as simple as possible.

Question: Who was invited and couldn't make it to this meeting?

- Horseback riding
- Game & Fish
- Commercial UTVs
- Tourism – Chamber of Commerce
- Didn't invite Justin, tourism director, invited Becky instead because she deals with visitors.
- Rocky Mountain Elk Foundation
- Wild Turkey Federation
- State Land Office
- Mescalero Apache Tribe

Laura tried to include as many as possible. She contacted about 30 people, which is good, although we probably are going to be working with about 15 people typically.

Question: Do we need a charter? How should we draft a charter?

We have the draft charter/operating principles from the Mountainair Collaborative as a guide.

Action Item: Email Laura with thoughts on the charter. We'll go over it at the next meeting.

Question: How often do we want to meet?

Perhaps we should meet more often at first to get organized, and then go to a quarterly schedule.

NEPA 101

Andrew gave a brief presentation on the National Environmental Policy Act (NEPA).

This group will not be creating any NEPA documents – that is the job of the Forest Service. But, this organization can participate in NEPA processes, during public participation opportunities. Andrew wants to make us aware of how user groups can chime in with NEPA.

History of NEPA – the basic idea of NEPA is that the US government should take a hard look at how projects impact the human environment. This could apply to anything that impacts human quality of life.

NEPA was signed into law on Jan. 1, 1970. The US had more emphasis on environmental protection at that time, and this was one of the policies that changed how we look at the environment.

Any time the Forest Service takes on a project that includes ground disturbing activities, the agency must do some sort of NEPA analysis. These could be thinning projects, trailhead work – the Smokey Bear Ranger District has been doing these types of projects lately. All of the information on these projects is publically available, as required by NEPA. The other side of NEPA is public involvement in decisions. The Forest Service seeks input from the public, and takes comments from the public into consideration. Public input is not binding, but it does inform Forest Service decisions and activities.

There are three levels of NEPA compliance.

(1) A Categorical Exclusion (CE) means a particular category of activity has been evaluated at the national level, and Congress or officials in Washington have determined that the activity requires only a minimal level of analysis at the local level. A CE can be sufficient to comply with NEPA if the decision maker is confident she can predict the outcomes, and there will not be a significant environmental impact. If there are no extraordinary circumstances (e.g. endangered species), a CE is appropriate. CEs can be completed in a shorter time.

CEs involve public involvement. The first stage is scoping; a process that involves public input to define the scope of the project. The line officer (e.g. the District Ranger) decides how to do scoping for each project. This can involve full public involvement or just working with interested parties.

The Smokey Bear Ranger District has a projects page on its website, and this is updated for every project.

(2) An Environmental Assessment (EA) requires data collection, analysis and public participation. If there is an extraordinary circumstance or if the project doesn't fit into a CE category, then an EA is appropriate. An EA typically requires more public involvement, more detailed scoping, and more analysis than a CE. An EA is appropriate if the project will not result in a significant environmental impact.

(3) An Environmental Impact Statement (EIS) is necessary for NEPA compliance if the proposed project will have a significant impact on the environment. One thing the agency can do is to modify the project so there is not a significant impact. Or, the agency can do a full EIS, which typically requires lots of analysis and public input. Generally, an EIS takes the most time and requires the most work of the three options. Another thing the agency can do is drop the project.

The key language that triggers an EIS is "significant impact." Significance is hard to define as it is used NEPA. The Forest Service needs more direction from the Council on Environmental Quality (CEQ). The CEQ is the federal agency that governs NEPA.

The Hale Lake project doesn't fit into a CE category. For the Hale Lake project, the Forest Service will try to mitigate all the potential significant impacts, and complete the project under an EA.

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Jodie said that EAs and EISs are a lot of work. In NM, the Forest Service can use CEs a lot which is great. But a CE won't work for Hale Lake.

Andrew noted that in addition to the NEPA analysis of the environmental impact, the agency must also consult with the State Historic Preservation Office (SHPO), who will do an analysis of cultural and archeological resources. The Forest Service must also consult with the US Fish & Wildlife Service to assess if there are endangered species in the project area, and what the Forest Service must do to protect those species if any exist.

In Region 3, the USFS has a programmatic agreement with the SHPO and this doesn't take much time. The Forest Service can mitigate around archeological or endangered species issues by moving the project area.

NEPA Process

Wildlife, botany and heritage analyses are part of every project, and each is unique. There may be other concerns as well, and the Forest Service also may sit down with other groups to see what else they may need to look at as part of the NEPA analysis.

For the Hale Lake project, the EA process begins with an assessment of current conditions. The Forest Service has mapped out the condition in the Hale Lake project area already. The product they have shows they've taken a hard look at what is going on with travel resources in the area.

Next they need to do an analysis that will require a lot of thought to develop a proposed action in the Hale Lake area.

Jodie noted that nationally, the Forest Service is trying to simplify the NEPA process. One way to do this is to use more categorical exclusions. Another is to scope the purpose and need, rather than to scope the proposal. This takes a more open-minded approach for the Forest Service. This is what the Forest Service will do with the Hale Lake project with the SBC.

Andrew said a good NEPA analysis takes a hard look at the project, but it also informs the public about what the Forest Service is doing, and takes comments from the public on what they are planning to do.

As part of defining the project, the Forest Service carries out scoping. The Forest Service must scope the project. For an EA there is no formal time limit, but they usually take at least 30 days. This is part of every EA.

There will also be a public comment period for 30 days once the Forest Service has a list of alternatives. They put the alternatives out for public comment. The document shows the alternatives, the preferred alternative, the mitigation the Forest Service will use, and all aspects of the project.

Comments can range from one sentence to huge comments. There are instructions on what makes a good comment.

Once they get all the comments and review them, they write the Final EA, followed by a 45-day objection period. There is guidance on this process – you have to have been involved in

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previous aspects of the project in order to file an objection. A statement like “I don’t like this project” does not provide constructive input and is not helpful. The whole point of the process is so the line officer can make an informed decision.

NEPA is not a vote. It is a voice.

Jodie & Robert put on a workshop earlier this year on how to write a substantive comment. When the Forest Service puts together an alternative, they base them on substantive issues. In the end, the Forest Service can mix and match alternatives – the Forest Service has analyzed each alternative, and can mix them in the end if they want. They must consider the effects of mixing them, but it is fine to do that.

A proposed action is not set in stone. The process is iterative. This process exists so that the Forest Service can’t say “we’re going to do this because we said so.”

If the Forest Service gets objections at the end of a NEPA process that can extend the time it takes to finish. The Regional Office gets involved in reviewing objections, and may direct the line officer to make changes, or may support the process and notify the objector that they’ve considered their objection and describe the outcome.

The objection period has been added to avoid lawsuits.

Hale Lake

Jodie has taken an interest in this area, and she got permission from her boss to look at travel management in the Hale Lake area. This is a true multiple use area. In the Hale Lake area, there is hunting, no non-motorized trails, a gun range, horseback riding, some potholes for mudbugging, and they’re developing a wildlife area there.

As far as the purpose and need, there is uncontrolled, unmanaged motorized recreation there. And, there is no non-motorized area. The area is a free-for-all.

The Forest Service did an analysis of the area over the summer. Andrew showed a map - not a formal Forest Service map - it is just for looking at the project. The map is not for public scoping. Once they are ready to start scoping, they’ll release the map to the public, and then it will be available to the Smokey Bear Collaborative.

They will put up the map with a photo tour and the purpose and need (not proposed action, but purpose and need). They will add new info as it comes out.

The map is on Arc-GIS online. This is a user friendly and interactive format. The user can change the background to image, topo, etc. and can also zoom in and create printable versions of the map at any scale. All maps include all the legend info and the scale.

The map shows trails, the main road through Hale Lake, high clearance vehicle roads, a dispersed camping corridor, user created routes (travel by public off trail), and Forest Service access roads (not open to public, for fire and other purposes).

The map has boxes that open up that shows info on roads if you click on the road.

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This map is not the final version. The Forest Service has a process they have to go through before they can release the map to the public. Andrew can have a map made if you contact him, but they can't release it to the public.

Notes

The Lincoln National Forest has a new facebook page.

The next meeting date will be Wed. Oct. 24. We'll meet at ENMU in Ruidoso.

Laura will send a link for the draft assessment report (Forest Service) as well as the spreadsheet with everyone who has been invited.

The FWRI will host a website for this group as well.