

Mountainair Collaborative
August 16, 2018, 1:30–3:30 pm
Edgewood SWCD, Moriarty, NM

Joe Zebrowski facilitated the meeting. He began by reviewing the meeting agenda and purpose.

Introductions

16 in attendance

Joe Zebrowski, NM Highlands University, Facilitator
Gizelle Hurtado, NM Dept. of Agriculture
Steve Hattenbach, USFS, Cibola NF, Forest Supervisor
Jay Turner, USFS, Cibola NF, Mountainair District Ranger
Cheri Lujan, Manager, East Torrance SWCD
Art Swenka, Estancia Basin Resource Association
Steve Guetschow, Torrance County, Planning & Zoning
Sarah Browne, USFS, Cibola NF, Forest Planner
Robert Barber, Lincoln County LANRAC
Dee Tarr, Manager, Claunch-Pinto SWCD
Julia Padilla, USFS, Cibola NF, Public Relations
Carrie Romero, NM Council of Outfitters & Guides
Andrew Ellis, USFS, Lincoln NF, Smokey Bear Ranger District
Susan Ostlie, Great Old Broads For Wilderness
Bonnie Long, Central NM Audubon
Alan Barton, NM Forest & Watershed Restoration Institute

Cibola NF Revised Forest Plan Soft Release

Jay Turner, Sarah Browne and Steve Hattenbach reported on the plan revision process.

The Cibola NF is moving towards a soft release of the revised forest plan. The soft release means the landscape teams or the collaboratives have an opportunity to weigh in on the plan while the plan is being reviewed by the USFS Region 3 office. The intent is to initiate the soft release during the week of September 4. **The draft plan, DEIS and maps should be on the web by Sep. 4 or shortly thereafter.** They may be available up to one week prior to that date. After the soft release there will be an opportunity for feedback from the collaboratives and landscape teams.

The soft release means that the plan is not being issued with a full scoping period. But, the Cibola NF is sharing information with the public and with the collaboratives/landscape teams. It has been awhile since the national forest has put info out to the public. A lot has changed since 2016 in the plan language and DEIS.

The Cibola NF would like to have open-house–style meetings along with collaborative meetings. The ranger districts are working on these meetings, and they will occur towards the end of September. The USFS will take the lead on running the open house meetings, including providing support facility rental fees and other costs. At this time, the intent is to schedule one meeting per ranger district. When the full draft is released, there will be additional meetings – more than one per district. Sarah Browne will be the contact for planning the meeting, including coordinating payments to rent a space.

The national forest would like the meetings to be open-house–style, with tables set up so USFS staff can address specific topics with the public. The collaboratives will help with scheduling the meetings and local arrangements. The best time for these meetings would be the end of September. That way, people will have some time to review the draft plan prior to the meetings. During the month of September, while the public will be able to review the draft plan, the same document will be going through a review with the USFS Regional Office. Following that, there will be a review by the USFS Washington Office.

The latest date for these meetings is the first week of Oct. After that, the schedule would be disrupted too much.

The collaborative should make their best effort to make sure the members come to the meeting and ask questions.

From now on, the Mountainair Collaborative will be the main local entity working on plan revision. The Mountainair District wants to dissolve the Mountainair Landscape Team. There will be an email to this effect soon.

While the landscape team will no longer meet, the MOUs between the Cibola NF and the cooperating agencies are still active and are still binding for cooperation with the agencies that have signed on. This is a continuing process. The cooperating agencies still have an operational MOU.

Agencies with an MOU have opportunities to submit a formal comment on the DEIS, something the public won't be able to do. The MOUs are in effect until the final determination on the plan. However, the collaborative is preferable to the landscape teams, as the collaborative brings in new parties, and helps with NEPA concerns on CEs and EAs.

Joe noted that at a meeting of the landscape team this morning, the recommendation was to roll the forest plan comment process into the collaborative, as the collaborative is a longer term entity that will be involved in plan implementation. Since the collaborative is already up and running, it made sense to roll the planning process into the collaborative now rather than later.

Cooperating agencies can make a formal comment during the soft release, but there is no mechanism for the public to make formal comments during the soft release. There isn't time to go through public comments at this time – it would delay the release by 6 months to a year. The Cibola NF is in line with other national forests for reviews, and if the Cibola delays, they go to the back of the line, further delaying the release.

The draft plan is a “rough cut,” and people get a preview of this. There will be changes all along through the process. But Steve Hattenbach wants to get this out to the public for review. This will give people a chance to think through issues and make better comments during the formal comment period.

The Cibola NF wants the public to see what the national forest staff have been working on and to be able to formulate effective comments that could help them change the plan direction or language. The most effective comments are those that are very constructive and point to a particular spot in the plan to edit and improve, as opposed to opinions. The soft release helps to solicit constructive comments.

The Santa Fe NF and Carson NF have had open-house–type meetings for the past couple of years. The Cibola wants to do the same thing. The soft release allows some observations and changes before the plan goes to Washington, and this is advantageous.

Until the Cibola NF gets the documents back from the USFS Regional Office and the Washington Office, each of which will take about a month, they won't really know what changes are expected. After that, they'll issue the **Formal Notice of Availability of the draft plan with changes from Regional Office & Washington Office**, and then the formal **90-day comment period will begin**. This should start in **January, 2019**, if everything goes smoothly and as planned.

Joe asked how the USFS will take into account the feedback that they will get during the soft release. Steve replied that this will be an informal process. The comments are not "off the record." If a change is made, it will be in the record with an explanation of why the change was made. But it will be informal – meaning if someone sends an email with an objection, they wouldn't have formal standing that would allow them to file an administrative appeal. That could only happen during the 90-day formal comment period. During that period, if someone provides a written comment with their name, this will give them standing for future objections.

Gizelle asked about the status of the MOUs with cooperating agencies. Steve said **an MOU provides an opportunity for written comments on the initial draft and EIS, which will come out on Sep. 4**. The Cibola NF will send info out to the 43 cooperating agencies. This info won't go out on the web and the national forest won't ask for comments from the public. The draft will be available to the public, but only the cooperating agencies can make comments at this time. You don't have to make a comment, but if you do, it would be helpful to get comments before 30 days. Ideally, the cooperating agencies should attend the open house and ask questions, then go to the collaborative and discuss issues. Then, they should submit their informal comments. Cooperating agencies that submit comments on the soft release, before the formal comment period opens, won't have standing based on their informal comments. But, the informal comments will be noted and addressed in the final plan.

Dee asked if it will be possible for someone to make a comment if they want during the open houses. Steve replied that at the initial open house at the end of September, submitting a comment won't give anyone standing. During the 90-day process, submitting a comment with a name will give standing for an objection or appeal.

The planning team has discussed the possibility of showing the public how to submit comments using an online forum. They may try to have someone at the open house to show people how to use this, if it is feasible. Dee noted that this would demonstrate transparency in the process. Steve said that the main reason for not doing this during the informal comments is that there won't be a direct response. But this would be good idea during the formal comment period, when the USFS will reply to comments.

Susan asked a logistical question. If someone submits a comment and a response is written, is the questioner notified that the response is there? Sarah said the responses will come out in the final EIS. The EIS will list all questions and the responses. This is required in the 2012 Planning Rule. Steve noted that the draft plan/DEIS does not include responses to questions and comments, because the USFS doesn't have all the comments until the final EIS.

Joe clarified that the desired role for the collaborative for the open house is to get the word out that the draft plan/DEIS is online and to advertise the open house, and to show up and participate in the open house. Steve responded that if there is coordinated feedback from the

collaborative, that would be helpful as well. If the collaborative has a response to a contentious issue, Steve would love to hear it.

Susan asked if the plan issued in January would be a final EIS or a draft EIS. Sarah responded it would be a draft EIS.

Joe wanted to know what will be happening between October and January. Sarah said the planning team will be doing a lot of internal work revising the plan, after the national forest gets responses and edits from the Regional Office. The Cibola NF has committed to doing the edits in 2 months. Then, they also have to produce several briefing papers for the Washington Office. The planners and Regional Forester Cal Joyner will go to Washington to brief USFS leaders on the plan. Then, they have to do additional edits based on comments from the Washington Office, before they can issue the draft plan and publish the Notice of Availability.

Joe then wanted to clarify exactly when the public comment period will start. Steve replied that it starts when the draft plan and DEIS are published in the Federal Register. There will be advance notice of when it starts, and this will be communicated to the collaboratives. Once the Washington Office gives the go ahead, the Cibola NF can send the plan in for publication. It may about a month after Washington Office approval to publish the plan and DEIS. Then, **once the Notice of Availability is published in the Federal Register, the clock starts on the 90-day comment period.**

Steve noted that people from the Cibola NF Supervisor's Office will continue to attend collaborative meetings in Oct. through Jan., as they continue to revise the draft plan.

Gizelle asked when the comments from the cooperating agencies with MOUs will be sent in. Steve said the national forest will receive those comments at the same time the Region 3 Office is reviewing the plan. If possible, submitting comments earlier is better, because at some point they have to send the document to the printer and then comments cannot be incorporated in the draft.

Robert suggested that the open house should be in the 3rd week of September, and then the collaborative should meet again within a week after that to prepare informal comments to submit to the national forest. Steve said that sounds great.

Members discussed possible dates for the Mountainair Open House. Sarah noted dates that are already reserved, either by another Cibola collaborative or by another northern New Mexico national forest. The Sandia Ranger District has their open house scheduled for Sep. 20, and the Magdalena Ranger District will have their open house on Sep. 26. Other blackout dates include dates when the Carson & Santa Fe National Forests have open houses scheduled. These are Sep. 10, 11, 12, and 19 for the Carson NF, and Sep 11 and 27 for the Santa Fe NF.

So, the dates that are available are Tues. Sep. 18, Tues. Sep. 25, Thurs. Sep. 13 is available, but the State Fair will be going on at that time. Dates in Oct. include the 2, 3, 4, or 9, 10, 11 (both sets of dates are Tue., Wed. & Thu.).

Robert suggested we try to hold the meeting in September. It squeezes us if we move it into October, as we won't have time for the collaborative to meet and prepare comments.

The group agreed that **Sep. 25 is the best date for the Mountainair Collaborative Open House.** The most convenient times for these meetings are **4:00 to 7:00 pm**, so that is when we'll hold

our open house. We will have it at the Robert Saul Community Center in Mountainair. It is a big stone building one block north of the post office.

Following the open house, the collaborative will meet on Thursday, Sep. 27, 1:30 to 3:30 pm at Edgewood SWCD to formulate comments to submit to the national forest.

Steve decided that he would like to have all comments submitted by Friday, Oct. 5.

Joe asked what happens during the formal comment period. Steve said that finishing the plan will remain a priority for the national forest. Funding for the plan revision process ends in 2019, so the Cibola NF has to get it done before then.

After the comment period, the national forest develops responses to comments and edits to the plan. These have to be approved by the Washington Office. Then, once the plan is issued, there is a formal objection period that usually lasts about a year. So, the final plan will be issued sometime between one and two years from now, depending on objections and litigation.

Jay said that once the plan is in place, the collaborative can take up issues of funding, priority areas, and the collaborative can focus on areas where work needs to be done.

Joe asked what we want to do as a collaborative. The Forest Service would appreciate thoughtful feedback – should we do this as a collaborative? Every entity can provide individual feedback, but is there value in providing coordinated feedback from the collaborative?

Robert said this would be a good time to demonstrate how we can work together as a group. As we've discussed at previous meetings, we can report on consensus plus minority opinions.

Jay recommended focusing on the big picture issues, and not getting mired in wordsmithing and such details. There will be opportunities to fix these things. The collaborative can be more strategic by commenting on issues.

Steve said what the national forest is really looking for is major things that the Forest Service may have missed, and serious flaws in the draft plan. These are the things that would be most helpful.

Steve G. said this should work really well. There is a lot going on at the County office this time of year, but the dates will work well.

Joe asked if there was any other discussion.

A question came up as to where the Cibola NF stands with respect to other New Mexico national forests in terms of completing their plans.

Steve said the Cibola NF is slightly ahead of the Santa Fe NF and the Carson NF, although both of these other national forests have already put out a release of their plans. The Gila NF is a little behind the Santa Fe NF & the Carson NF. The Lincoln NF is substantially behind the other four national forests. This should work out fine, as there is an advantage if not all the national forests issue their plans at the same time.

Joe then adjourned the meeting.