

**Resource Advisory Committee  
Medicine Bow-Routt National Forests  
May 26, 2010**

**RAC Members:**

Rick Wyatt	Doug Monger	Win Dermody
Ty Wattenberg	John Rich	Jerry Paxton
Linda Fleming	Jack Berger	Jim Ficke
Ron Iversen	Arla Strasser	Sonya Macys
Barbara Vasquez	Jerry Schmidt	Jeff Fry

**Public Attendees:**

Don Brinkman  
James Rinehart

**Forest Service:**

Phil Cruz  
Diann Ritschard  
Larry Sandoval  
Steve Best  
Melissa Martin

**MEETING DECISIONS**

- This RAC will have a Chairperson as well as a Vice Chairperson (Jerry Paxton and John Rich, respectively).
- The RAC unanimously decided to adopt the Charter for the Rocky Mountain Region.
- The RAC unanimously decided to adopt modified Operating Guidelines.
- Travel reimbursement will be incorporated into the RAC Operating Guidelines.
- The RAC unanimously decided to use the Medicine Bow-Routt form for project solicitation.
- Projects submitted from the public are due July 9, 2010. Diann will send a news release.
- **Next Meeting:** July 22, 2010 (Thursday) at 9:30 a.m. in Steamboat Springs, CO – Location TBD

**INTRODUCTION AND WELCOME – PHIL CRUZ**

Phil introduced himself and provided some background on his involvement in RACs. He then provided a brief overview of the RAC roles. The Forest Service will organize the group initially, provide administrative support, implement decisions, and help to monitor results of project implementation. RAC members will review and recommend projects, represent interests for which they were appointed, and help monitor projects. Phil mentioned that the Act (Secure Rural School and Community Self-Determination Act of 2000, updated in 2008) contains specific language regarding how project dollars may be spent.

### Questions:

♣ How many committees are meeting across the United States? (Win D.) **Response:** Over a hundred RACs are already operating, just starting, or waiting to be approved by the Secretary's office.

♣ Does each county need to have a certain percentage of public lands before RACs can be established? (Win D.) **Response:** No, all that is needed are receipts that come from the Forest Service and that go to counties. A lot of rules and formulas go into determining how much money each RAC will get (qualifying amounts).

♣ Are Grasslands included or just Forests? (Linda F.) **Response:** Grasslands are part of National Forest System lands, but they are not part of the RAC process. The RAC for the Medicine Bow-Routt National Forests includes members from four counties: Albany, Carbon, Jackson, and Routt. A decision was made to form one RAC for the four counties instead of one for each county due to limited Forest Service staff and the relatively small populations of each county. This seemed like the best way to have a successful RAC for these areas.

♣ Do grazing leases figure into receipts? (Barbara V.) **Response:** Yes.

Phil indicated that the receipts received from the four counties are pretty comparable. Therefore, when establishing this RAC, the Forest Service attempted and was successful at obtaining an even member representation from each county.

### **PURPOSES OF THE ACT**

The purpose of the Secure Rural School and Community Self-Determination Act is to restore stability and predictability to the annual payments made to States and counties containing National Forest System lands and public domain lands managed by the Bureau of Land Management. Historically, counties have received payments from the government to offset lost taxes from federal lands. These payments, or receipts, got destabilized in 1990s. Consequently, the Act tries to: re-support the needs of counties (stabilize and transition payments to states for schools and roads), invest in land and create employment opportunities; and improve cooperative relationships among people who use and care for National Forests. The Act was first passed in 2000 and was reauthorized in 2008. Since this RAC was recently formed, we have some catching up to do in terms of identifying and implementing projects. Currently, the group has two years worth of monies to allocate and spend.

### **RAC PURPOSES**

The purposes of the RAC are to: improve collaboration among those who enjoy and care for National Forests, provide advice to the Forest Service about projects to invest in, and create employment opportunities in the affected counties. Counties may spend their 'payments to counties' monies in the following manner:

### **Title II projects:**

- Road maintenance and decommissioning
- Stream and watershed restoration
- Land health and water quality
- Forest ecosystem stewardship

- Control of noxious or exotic weeds
- Maintaining infrastructure, including trails
- Other projects including fish and wildlife habitat and restoring native species.

Title II project can occur either on or off federally managed lands, but the projects must, in some way, benefit resources on Federal lands. The legislation states that at least 50% of all Title II funds should be spent on road maintenance and watershed restoration projects.

### **ROLES AND RESPONSIBILITIES OF THE RAC**

Phil mentioned that face to face meetings are generally the best way to conduct business; however, they can pose a hardship given the need for members to travel. There are numerous opportunities to stay in touch that don't require travel: Conference calls, VTC (TV monitor), emails, etc. If these formats are used, the group will need to make sure that the public has an opportunity to participate, as the meetings are open to the public.

RACs have been organized and formed by the Secretary of Agriculture to advise National Forests on projects that are of interest to affected counties. RAC members recommend projects to the Forest Service who then has the authority to approve them for the Secretary. RAC members should try to achieve consensus on the recommended projects prior to submitting them to the Forest Service.

### **RAC DUTIES**

- Review projects
- Recommend projects and funding
- Coordinate with designated FS official
- Encourage public participation
- Monitor projects
- Recommend changes based on monitoring

### Questions:

♣ Will projects need to be completed within a specific timeframe for money to be available? (Linda F.) **Response:** Allocated dollars from 2008 – 2010 must be obligated (e.g. under contract or initiated) by September 30 of 2011 to show good faith effort. In general, monies from a particular year must be obligated by September 30<sup>th</sup> of that year.

### **KEY RAC PLAYERS**

- RAC chair/vice chair (in our case)
- Members
- Replacement members: These are people who have been selected by the Secretary to take the place of an actual member in the event that the 'member' can't make it to a meeting. Members cannot select just anyone to take their place. RAC participation must be approved by the Secretary of Agriculture. This group currently has one replacement (alternate) member with Secretary approval, and two pending approval.
- Designated Forest Service Official (DFO): This is Phil Cruz, Acting Forest Supervisor. A DFO does not have to be a Forest Supervisor or Deputy; they can be a District Ranger or staff member. Phil was selected because of his knowledge and experience with other RACs.

- County officials: These members are ‘key’ to whole process; they will help guide the process and they know the needs and desires of the affected counties.
- Community/partners: Everyone at the meeting represents the community. This is a public process; therefore, others can attend and observe. However, only RAC members can vote and make decisions.
- FS support

**RAC Chairperson – 1 year term**

The RAC Chairperson is elected by other RAC members. Their responsibilities are to:

- Open, conduct, close meetings and be a point of contact
- Review agendas
- Open/close the forum
- Coordinate with the DFO and RAC members
- Sign Title II forms for recommended projects

**RAC members (need a minimum of 8 members present to vote and make decisions)**

- Participate in the process – Members can be removed for nonparticipation
- Represent the interest for which they were appointed (e.g. fuel protection, hazard trees, etc.)
- Review and recommend projects
- Monitor projects
- Provide advice

Questions:

♣ Can money be used to partner with other groups? (Arla S.) **Response:** Yes. National Forests can contribute money to supplement projects as can other groups (e.g. conservation districts, foundations, etc.)

♣ Are there criteria that qualify projects? (Arla S.) **Response:** Yes. Congress and the Secretary have established some sideboards (see page 2); however, the group can further define the criteria to better meet their specific needs. It is preferable to focus on projects that have already been authorized and have NEPA (National Environmental Policy Act) clearance. Generally RACs like to implement projects on-the-ground; they try and leave the planning to the government as project implementation is thought to be a better use of the money. However, the group does have the discretion to pay for planning or a portion of it if they so desire. The Forest Service will provide the group with a list of projects that are already or close to being NEPA cleared. **NOTE:** Projects that aren’t on the National Forest would have to go through the NEPA process due to funds being federalized.

♣ Are any projects covered by “blanket” NEPA (e.g. noxious weeds)? (Doug M.) **Response:** We may have some of those situations, although none come to mind at the moment. However, there may be some routine maintenance projects that could be implemented relatively quickly.

**Replacement members** (In the event that an actual member can’t attend – these individuals are also selected by the Secretary – currently we have one approved and two pending replacement members) Replacement members are encouraged to:

- Attend meetings
- Participate in discussion
- Review projects
- Informally provide advice
- They do not have voting authority. However, they can weigh in and be persuasive.

### **Designated Forest Official**

- Know the Act and provide guidance
- Identify staff support
- Work closely with the RAC Chairperson/Vice Chairperson
- Interact with county officials, ranger districts, and stakeholders
- Liaison with Forest Service approving officer and staff

### **County Officials**

- Annual allocations among Titles II and III (required every September)
- Notify the Secretary of Title III projects (required annually)
- Interact with the Forest Service on projects
- Representation on RAC

### **Community / partners / FS**

- Submit project proposals – projects can be submitted from a variety of places (group that you represent, foundations, etc.)
- Work with appropriate line officers
- Follow federal regulations during implementation when projects are approved
- Report accomplishments

### **Forest Service**

- RAC coordinator – Diann Ritschard
- Fiscal management
- Project tracking
- Public involvement
- Accomplishment reporting
- Monitoring

### Questions:

♣ Are we governed by other Federal rules regarding decision making and participation? (Win D.) **Response:** We have to operate under FACA (Federal Advisory Committee Act) requirements. Meetings must be open, published in the Federal Register, and advertised. Generally speaking, Federal officials can't have non-Forest Service people participate in decision-making; we can, however, accept recommendations. (FACA rules) The RAC is a little different since members have been designated by the Secretary. The Forest Service will make sure that the public can participate if we have conference calls, etc. The group can figure out how to handle emails if information is disseminated in that fashion. Jerry Paxton indicated that Wyoming law requires that emails from groups like these be retained and available to the public.

♣ Groups sometimes have subgroups – how would we handle that? (Barbara V.) **Response:** The group would have to decide how to make that work.

♣ Can dollars be spent on private land if they benefit the Forest? (Jack B.) **Response:** Yes. As an example, there may be situations where there are erosion issues with roads on private land that also contribute erosion on the National Forest. The group could recommend replacing culverts and stabilizing the roads on private land because there would be a direct benefit to Forest land.

♣ Is it our prerogative to elect a sub-chair in case the chairperson can't attend a meeting? (Doug M.) **Response:** Yes – this is your group and your process.

### **APPOINTING A CHAIR/CO-CHAIR**

The group deliberated prior to selecting Jerry Paxton as the Chairperson and John Rich as the Vice Chairperson. Some thoughts included selecting:

- A County Commissioner as the Chairperson;
- A person who has the time and capacity to be able to communicate frequently with the Forest Service;
- A person who has good facilitation skills and the ability to run efficient meetings;
- Someone somewhat centrally located for good geographic representation.

#### Question:

♣ Will Phil attend all of the meetings? (Win D.) **Response:** That's the plan; the Forest Service is here to provide help and support so that the Chair position isn't so daunting.

#### **Suggestions:**

The group should select both a Chair and a Vice Chairperson – these individuals could share the commitments and better represent the varying geographic areas. One individual should be from Wyoming and the other from Colorado. Consensus was reached on this suggestion.

#### **Nominations:**

Linda F. nominated Jerry Paxton (Carbon County) as either the Chair or Vice Chairperson: Jerry has accomplished a great deal of work on projects in Encampment; he's an "on the ball" kind of guy; he comes with knowledge and contacts; he has fiscal knowledge; he has ability to run meetings; he is retired and doesn't have another job, so he has time.

Doug M. nominated either John Rich or Doug Monger. Doug can run a good, efficient meeting; he runs a tight ship and moves things along. John has good DNA (damn nasty attitude); he runs good, tight meetings; he has been chairman of many groups; he has time; he is in the middle of the geographic group; he uses common sense; he won't dominate and is a good listener; he is currently Secretary of the Colorado bark beetle organization.

Win D. nominated Jerry Paxton as Chair and John Rich as Vice Chairperson

**Vote:** The vote was unanimous for Jerry Paxton as the Chairperson and John Rich as the Vice Chairperson.

## **OPERATIONAL GUIDES, CHARTER**

Tab 4 in your RAC book contains the Charter for the Rocky Mountain Region. Prior to adopting the Charter, the group had the following discussion:

**Page 3 – Forest Service Operational Costs:** These costs are generally absorbed by the FS and have been included to display the overall cost of RAC administration. If they so desire, the RAC could decide to pay those costs.

**Page 6, Item 10g – Vacancies and Replacements:** This RAC currently has one (1) alternate and two (2) pending positions that can be selected from in the event that a primary member cannot fulfill their duties.

**Page 3, Item 6b – Per Diem and Travel Expenses:** It was suggested that the RAC incorporate travel expenses to reimburse members who have to travel; some people can bill supporting agencies but others can't. The group would like to adopt reimbursement. This can be done in the RAC's Operating Guidelines.

**Vote:** Sonya M. moved to adopt the Charter without amendments; Doug M. seconded. Jerry Paxton put the motion to adopt the Charter on the floor – it was unanimously accepted.

## **RAC OPERATING GUIDELINES**

The group reviewed guidelines from other RACs to see if they would work for them. Diann Ritschard incorporated suggested changes during the meeting. No notes were taken.

**Vote:** Jerry Paxton motioned to accept the guidelines as modified during the meeting – the group unanimously accepted the modified guidelines. Diann will send the changed guidelines to the RAC so that they can be replaced in the RAC book.

## **PROJECT SOLICITATION**

The group discussed how projects would be solicited. Currently the Act indicates that 50% of dollars should go to road work and soil/watershed projects.

### Question:

♣ What information do we need to generate a list of projects? **Response:** Where NEPA's been done or is close to being done is preferable. Phil will solicit NEPA information from the Districts. We (the Forest Service) will identify where we already have funding and where we're falling short. This information will be used as a starting point. Sonya M. also suggested that there may be opportunities to do "public outreach" projects (i.e. brochures, interpretive signs) that don't require NEPA.

Jerry S. suggested that the Rangers come to the next meeting and give their best pitch of NEPA completed projects, where we'd like to do projects but don't have sufficient time or funds, etc. Good idea!

Linda F. suggested the following ideas for project identification (with group input):

- 1) NEPA approved or can be done quickly with priorities attached
- 2) Projects that don't need NEPA
- 3) County projects

4) Public projects – both the Forest Service and the counties should have a pretty good idea of what the public wants

Within that list, the RAC needs to consider socio-economic issues; public safety; figure out where employment opportunities can be generated, etc. The RAC needs to figure out how there will be an equitable distribution of funds among the counties (Jerry Paxton).

Phil indicated that once the list of projects has been generated, the RAC will need to figure out where emphasis areas should be (i.e., Where do you want your time and energy to be focused?)

#### **GROUP CRITERIA FOR PRIORITIES (RANKING)**

Sonya M. suggested that the RAC develop some type of matrix to help prioritize projects (e.g. projects that have outside funding, those that are cleared, those that will create employment, etc.). All projects should go through the same filters. Some factors to consider include:

- 1) Projects that stimulate employment – socio-economic benefit
- 2) Projects where we can leverage matching funds or that already have matching funds
- 3) Whether or not the project fits the 50% funding (roads/watershed improvement)
- 4) Where it fits in with Ranger/County priorities
- 5) Projects that can be implemented in phases (do not attach a dollar limit) – so they can be initiated even if all of the funding isn't available at one time.

#### **TAB 7 – NEWS RELEASE**

Diann Ritschard asked for comments on the News Release that will be sent out to solicit projects from the public. Suggestions included:

- Change the project submittal date from June 4 to July 9
- Include a website where all project proposal information can be found
- Include the Secretary's list of projects (page 2)

#### **PROPOSAL FORMS**

The RAC book includes two example forms; one from the Medicine Bow-Routt (MBR) National Forests and one from Crook County. The group preferred the MBR form because it requires more detail.

Linda F. motioned to accept the MBR form; Sonya M. seconded.

**Vote:** The RAC unanimously agreed to use the MBR form for project submittals.

The next meeting will be on July 22, 2010 at 9:30 a.m. in Steamboat Springs, CO. The location is TBD.

Meeting adjourned.