

Forest and Watershed Restoration Act FY20 Report

Prepared by
Energy, Minerals and Natural Resources Department, Forestry Division
December 2019

The Forest and Watershed Restoration Act (FAWRA) was created by House Bill 266 and signed into law by Governor Michelle Lujan Grisham on March 15, 2019. FAWRA allocates funding annually to the Energy, Minerals and Natural Resources Department, Forestry Division with the purpose of restoring forests and watersheds in the state of New Mexico. It also establishes a Forest and Watershed Advisory Board to evaluate and recommend projects. The Forestry Division is charged with administering, implementing, and reporting on the projects.

Governor Michelle Lujan Grisham named the public members to the FAWRA Advisory Board in early July 2019. See attached roster of the Advisory Board members. To date, the Advisory Board has held three meetings. A summary is provided below and the meeting minutes are attached.

- July 9 the Advisory Board met to review the Act, establish criteria to score candidate projects for FY20 funding, and set up a timeline for reviewing, scoring, and recommending projects.
- August 6 the Advisory Board met to review the project scores and make recommendations for project funding to the Forestry Division. A few projects were postponed pending supplemental information.
- November 13 the Advisory Board met to review the revised scores based on the supplemental information, make final recommendations for FY20 project funding to the Forestry Division, and finalize guidelines for FY21 project selection (see attachments).

The FY20 projects were selected from a pool of projects totaling more than \$17 million through a request for nominations to the Forestry Division District Offices. Forestry Division, Resource Management Bureau staff determined which projects met the eligibility requirements and provided these to the Advisory Board for their July 9 meeting.

Projects for FY20 Funding:

Encino Vista Landscape Restoration Action (\$500,000)

- Final phase of planning under the National Environmental Policy Act (NEPA) for an area of the Santa Fe National Forest that is adjacent to Rio Puerco de Chama and Abiquiu Reservoir.
- Funds will be used for cultural resource surveys that will enable 106,040 acres to be approved for restoration with thinning and prescribed fire.

Gallinas Watershed Restoration Phase V (\$500,000)

- Watershed restoration project is part of the Gallinas Municipal Watershed Wildland Urban Interface Project.

- To date approximately 4,900 acres have been treated within the project area and this project will add another 500 acres to protect the drinking water for the City of Las Vegas, New Mexico from degradation by severe wildfire.

Northside-Rio Hondo Source Water Protection (\$200,000)

- Thinning project to protect 200 acres around Bull of the Woods spring and in the Rio Hondo corridor that was identified as a key component of the Taos Valley Watershed Coalition's Landscape Restoration Plan.
- Bull of the Woods Spring is one of three springs that provides drinking water to the Village of Taos Ski Valley and the Rio Hondo corridor provides access in and out of the Taos Ski Valley.

Red Cabin 2019 Watershed Restoration (\$500,000)

- Watershed restoration project located on the southern part of the Mescalero Apache Reservation.
- This project will help to improve water reliability for the Mescalero Apache Tribe and people in adjacent communities. The project will also provide wood supply to local businesses.

Santa Clara Creek Wetland Restoration (\$44,400)

- Wetland restoration project that will work to restore seeps, springs, and riparian areas along Santa Clara Creek that were severely damaged by Las Conchas fire in 2011 and post-fire flooding.
- The wetland restoration will help protect Santa Clara Pueblo from future fire and post-fire flooding events and enhance the water quality for communities downstream of the confluence of Santa Clara Creek and the Rio Grande.

Small-Diameter Wood Products Business Planning (\$25,000)

- Economic development and feasibility study to determine the viability of a wood products cooperative in Taos County.
- This project could improve the cost efficiency of forest restoration projects in areas that supply water to more than 300 acequias, three reservoirs, and drinking water providers and private well owners across Taos County.

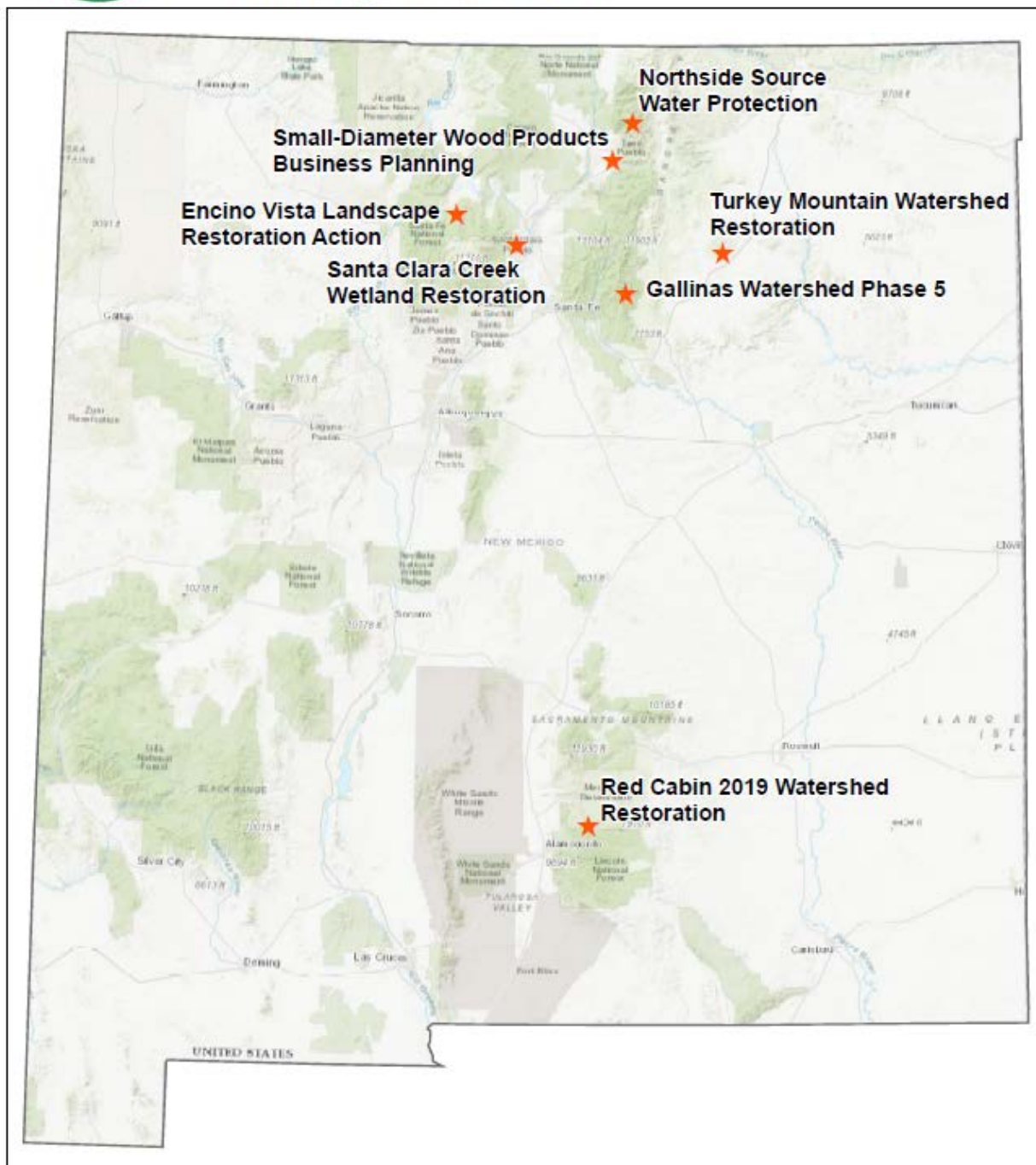
Turkey Mountain Watershed Restoration (\$220,000)

- Watershed restoration project in the Turkey Mountains that is based on a multi-landowner fire management plan for the entire mountain range.
- This project will help protect the watersheds that supply the Mora and Canadian Rivers which feed into Conchas Dam reservoir and Ute Reservoir.

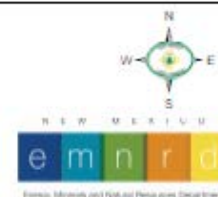
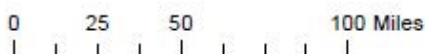
FAWRA requires annual distributions be made to the Forest Land Protection Revolving Fund from the Rio Grande Income Fund and the New Mexico Irrigation Works Construction Fund, totaling \$2,000,000.00. The funds were transferred to the Energy, Minerals and Natural Resources Department, Forestry Division in early December 2019 and project implementation will begin as soon as possible.



FY20 Forest and Watershed Restoration Act Project Locations



Cartographer: Randall Fowler
Data Source: NM State Forestry
Coordinate System: NAD 1983
UTM Zone 13N
Scale: 1:3,000,000
Date: 11/25/2019



FOREST AND WATERSHED RESTORATION ADVISORY BOARD -- ROSTER (07/09/2019)

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Appointed Public Member, Industry

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Forest and Watershed Restoration Advisory (FAWRA) Board

Meeting Minutes

July 9, 2019

1. Opening

A meeting of the Forest and Watershed Restoration Advisory (FAWRA) Board was called to order at 9:00 a.m. on July 9, 2019 in Santa Fe by Laura McCarthy, State Forester, Energy, Minerals & Natural Resources Department (EMNRD), Forestry Division.

Advisory Board Members and Delegates Present

Sarah Cottrell Propst, Cabinet Secretary, Energy, Minerals & Natural Resources Department
Todd Leahy, Deputy Cabinet Secretary, Energy, Minerals & Natural Resources Department
Laura McCarthy, State Forester, EMNRD, Forestry Division
Andrew Frederick, Resource Management Bureau Chief, EMNRD, Forestry Division
Mark Myers, Forester, State Land Office
Molly Magnuson, Water Use & Conservation Bureau Chief, Office of the State Engineer
Lucia Sanchez, Interstate Stream Commission
Abe Franklin, New Mexico Environment Department Surface Water Quality Bureau
Stewart Liley, Chief of Wildlife, New Mexico Department of Game & Fish
Carrie Wells, Project Coordinator, Economic Development Department
Randy Varela, Deputy Fire Marshal, Fire Service Support, Fire Marshal's Office
Kathy Holian, Public Member
Brent Racher, Public Member
Steve Hernandez, Public Member

Invited Federal Agencies Present

Elaine Kohrman, Deputy Regional Forester, Southwestern Region, United States Department of Agriculture, Forest Service
Xavier Montoya, State Conservationist, United States Department of Agriculture, Natural Resources Conservation Service
Kristin Graham Chavez, Deputy State Conservationist, United States Department of Agriculture, Natural Resources Conservation Service

2. Welcome

The Board, public members and guests were recognized by EMNRD Cabinet Secretary Sarah Cottrell Propst. Secretary Cottrell Propst expressed her appreciation for the representatives on the Board who will be working to help implement the new Forest and Watershed Restoration Act. She also highlighted the connection of this Advisory Board's work to Governor Michelle Lujan Grisham's Climate Change Executive Order. Following the Secretary's introduction, the FAWRA Board members, invited non-voting participants, and members of the public introduced themselves.

3. Overview of the Forest and Watershed Restoration Act

Laura McCarthy presented an overview of the Forest and Watershed Restoration Act. Her presentation covered the purpose of the Act; responsibilities of the FAWRA Board under the Act; and the funding source for projects. She also covered the connection of this Advisory Board to the existing Forest and Watershed Management Coordinating Group, noting that the Coordinating Group will function as a stakeholder group performing staff-level work that will assist the FAWRA Board to foster partnerships and cooperation and co-funding and leveraging of priority projects.

Laura McCarthy provided copies of the Agenda, Forest and Watershed Restoration Act, and supplemental documents.

4. Advisory Board Business

- **Appointment of FAWRA Board Chair**

The meeting then proceeded to the election of the FAWRA Board Chair.

Brent Racher nominated Laura McCarthy as Chair. Kathy Holian seconded the nomination. After discussion, Lucia Sanchez moved for nominations to cease and that Laura McCarthy be approved as Chair. Brent Racher seconded the motion. The FAWRA Board approved the motion.

Upon nominations duly made and seconded, Laura McCarthy was unanimously elected as Chair of the FAWRA Board. Laura McCarthy thereupon assumed the role of Chair of the FAWRA Board.

- **Approval of Open Meeting Resolution**

The meeting then proceeded to the approval of the Open Meeting Resolution. Steve Hernandez moved to approve the Resolution as written. Kathy Holian seconded the motion. The Open Meeting Resolution was unanimously approved and distributed.

5. Proposal for Project Recommendation Criteria and Ranking

FAWRA Board Chair Laura McCarthy proposed a process for selection of projects with the first year of funding, given that the Act went into effect on July 1 and the field season is already half over. She explained that the Forestry Division staff prepared eight priority projects for FAWRA Board consideration. These projects were chosen by Forestry Division staff from more than 30 projects submitted through the Division's district offices, in coordination with the USDA Forest Service, other agencies and local partners. The total cost of these eight projects is \$2.7 million, which exceeds the \$2 million available, and thus some projects will need to be eliminated or funded at a reduced amount. Laura McCarthy suggested that after the FY20 funds are allocated, the FAWRA Board could review the process and design an improved protocol for FY21. For example, the calls for proposals could take place October to December for the following fiscal year. From

January to March, the FAWRA Board could review the projects and make funding recommendations. The final project selection could be made by the end of the prior fiscal year so that on July 1 Forestry Division staff could move forward with contracts for the work to proceed.

- **Discussion of Criteria and Using a Scoring or Ranking System for Recommendation of Priority Projects**

The FAWRA Board discussed and made edits to some of the 11 criteria proposed by the Forestry Division to rank the proposed projects.

- **Motion to Recess**

Laura McCarthy proposed to recess for 15 minutes. Steve Hernandez motioned to recess for 15 minutes. Brent Racher seconded the motion.

The FAWRA Board unanimously approved the motion to recess. The FAWRA Board and non-members returned to continue the meeting after 15 minutes.

- **Approval of Criteria and Using a Scoring or Ranking System for Priority Projects**

The FAWRA Board discussed using a 0-5 scoring system compared to a ranking system. FAWRA Board Chair Laura McCarthy proposed the FAWRA Board make a motion to adopt changes to the project criteria for recommending projects and incorporate a scoring system.

Stuart Liley moved to adopt the criteria and scoring as presented on the screen (tv in conference room displays the updated criteria that can be seen by the FAWRA Board and non-members present). Mark Myers seconded the motion. The new criteria and 0-5 scoring system for recommending projects was unanimously approved and will be distributed.

6. Rapid Overview of Proposed Projects

Laura McCarthy used the story map, available at <http://arcg.is/14m9GK0>, to provide a high-level summary of each project and distributed paper copies of the written project summaries. Each project received brief discussion. Leverage and co-funding opportunities were also highlighted and discussed by the FAWRA Board.

7. Recap of Next Steps

The FAWRA Board chose the date of August 6, 2019 for its next meeting. In between, each FAWRA Board member will rank the eight recommended projects and submit their scoring sheet to the Forestry Division by July 30, 2019. The staff will compile the scoring sheets in preparation for the August 6 meeting, whose purpose is to finalize the FY20 project recommendations. In addition, the FAWRA

Board set November 13, 2019 as another meeting date, for the purpose of evaluating the FY20 process and preparing guidelines for recommending FY21 projects.

- **Adjournment**

A motion to adjourn was duly made and seconded at 12:00 p.m. by Lucia Sanchez and Brent Racher. The next meeting will be at 9:00 a.m. on August 6, 2019, in Santa Fe.

Minutes submitted by: Wendy Mason

Approved by: Laura McCarthy

Forest and Watershed Restoration Act (FAWRA) Advisory Board

Meeting Minutes

August 6, 2019

1. Call to Order

A meeting of the Forest and Watershed Restoration Act (FAWRA) Advisory Board (Board) was called to order at 9:00 a.m. on August 6, 2019 in Santa Fe and presided over by Laura McCarthy, State Forester, Energy, Minerals and Natural Resources Department (EMNRD), Forestry Division.

Board Members and Delegates Present

Laura McCarthy, State Forester, EMNRD, Forestry Division, FAWRA Chair
Andrew Frederick, Resource Management Bureau Chief, EMNRD, Forestry Division
Molly Magnuson, Water Use and Conservation Bureau Chief, Office of the State Engineer
Mark Roper, Division Director, Economic Development Department
Rebecca Roose, Director, Environment Department, Water Protection Division
Abe Franklin, Environment Department, Surface Water Quality Bureau
Stewart Liley, Chief of Wildlife, Department of Game and Fish
Kathy Holian, Public Member
Steve Hernandez, Public Member

Board Members Absent

Mark Myers, Forester, State Land Office
Randy Varela, Deputy Fire Marshal, Fire Marshal's Office, Fire Service Support
Brent Racher, Public Member

Invited Federal Agencies Present

Lisa Bye, State Fuels Specialist, United States Department of the Interior, Bureau of Land Management, New Mexico
Kris Graham Chavez, Assistant State Conservationist, United States Department of Agriculture, Natural Resources Conservation Service

2. Welcome

Laura McCarthy, State Forester and FAWRA Chair, recognized the Board, public members, and guests. Board members, invited non-voting participants, and members of the public introduced themselves via round robin.

3. Board Business

- **Approval of Agenda**

The meeting proceeded to the approval of the agenda. Steve Hernandez moved to add “other business” as an item to the agenda. Mark Roper moved to approve the agenda as amended. Kathy Holian seconded the motion. The Board unanimously approved the amended agenda.

- **Approval of Minutes**

Kathy Holian moved to approve the minutes of the July 6, 2019 meeting, which was seconded by Rebecca Roose. The Board unanimously approved the minutes.

4. Review of FY20 Project Recommendation

The Board recommended funding four projects, denying FAWRA funding for two projects, substituting one project for another that was not NEPA-ready, and revisiting two projects with supplemental information.

- Mark Roper moved to recommend FAWRA funding for projects 2, 3, 4, and 6:

2. Red Cabin 2019, No Name Springs #1
3. Encino Vista Landscape Restoration
4. Santa Clara Creek Wetland Restoration
6. Gallinas Watershed Restoration Phase 5

Kathy Holian seconded the motion. The Board unanimously recommended FAWRA funding for projects 2, 3, 4, and 6.

- Steve Hernandez moved to not recommend FAWRA funding for projects 1 and 8:

1. Valencia County Bosque Fuels
8. Indian Springs Fuel Break

Mark Roper seconded the motion. The Board unanimously did not recommend FARWA funding for projects 1 and 8.

- Steve Hernandez moved to recommend replacing project 8 with project 9.

8. Indian Springs Fuel Break
9. Northside

Rebecca Roose seconded the motion. The Board unanimously recommended replacing project 8 with project 9.

- Projects 5 and 7 were discussed and the Board requested the Forestry Division provide supplemental information before the Board votes on recommending these projects at the next meeting. The supplemental information will include clearer deliverables and identification of the fiscal agent for project 5 and clearer identification of landowner commitments for project 7.

5. Small Diameter Wood Products

7. Turkey Mountains Watershed Restoration

5. Initiate Planning for FY21 Guidelines and Process

A brief after action review of the process to date included considerations of project scale and impact, ideas for drafting the FY21 guidelines, and offers to send examples of other state agency's processes.

6. Other Business

- a. Other business will be added to each future agenda.
- b. Agencies on the FAWRA were asked to review the names of colleagues on the FAWRA email distribution list and provide updates if needed.
- c. Steve Hernandez asked about the FAWRA reporting requirements. Laura McCarthy replied that the Forest and Watershed Restoration Act specifies a report is due 45 days before the start of the session, typically in November. Steve recommended a review of the Water Trust Board reporting requirements and asked that the Board consider semi-annual reporting.

7. Recap of Next Steps

The Board chose November 13, 2019 for its next meeting. In between the following next steps were reviewed:

- a. by October 14 the Forestry Division staff will send the Board:
 - 1) supplemental information for projects 5 and 7 and project 9 information;
 - 2) draft guidelines for FY21;
 - b. Board will score projects 5, 7 and 9 by November 5.
- **Adjournment**

Rebecca Roose moved to adjourn, and Kathy Holian seconded at 11:14 a.m. The Board unanimously voted to adjourn. The next meeting will be at 9:00 a.m. on November 13, 2019 in Santa Fe.

Minutes submitted by: Wendy Mason

Approved by: Laura McCarthy

Forest and Watershed Restoration Act (FAWRA) Advisory Board
Meeting Minutes
November 13, 2019, DRAFT

1. Call to Order

A meeting of the Forest and Watershed Restoration Act (FAWRA) Advisory Board (Board) was called to order at 9:00 a.m. on November 13, 2019 in Santa Fe and presided over by Laura McCarthy, State Forester, Energy, Minerals and Natural Resources Department (EMNRD), Forestry Division.

- **Board Members and Delegates Present**

Laura McCarthy, State Forester, EMNRD, Forestry Division, FAWRA Chair

Andrew Frederick, Resource Management Bureau Chief, EMNRD, Forestry Division

Molly Magnuson, Water Use and Conservation Bureau Chief, Office of the State Engineer

Mark Myers, Forester, State Land Office

Abe Franklin, Environment Department, Surface Water Quality Bureau

Stewart Liley, Chief of Wildlife, Department of Game and Fish

Kathy Holian, Public Member

Steve Hernandez, Public Member

Brent Racher, Public Member

- **Board Members Absent**

Randy Varela, Deputy Fire Marshal, Fire Marshal's Office, Fire Service Support

Mark Roper, Division Director, Economic Development Department

- **Invited Federal Agencies Present**

Elaine Kohrman, Deputy Regional Forester, US Department of Agriculture (USDA), Forest Service

Kris Graham Chavez, Programs Director, USDA, Natural Resources Conservation Service

2. Welcome

Laura McCarthy, State Forester and FAWRA Chair, recognized the Board, public members, and guests.

Board members, invited non-voting participants, and members of the public introduced themselves via round robin. Laura presented preliminary details on using FAWRA funding to help ease some of the impacts from the prolonged shutdown of projects related to the Mexican spotted owl injunction on National Forest System lands. The impacts are to people who work in the forest, businesses that rely on the wood supply from forest projects, and residents who use forest products.

3. Board Business

Approval of Minutes

Steve Hernandez moved to approve the minutes of the August 6, 2019 meeting, which was seconded by Kathy Holian. The Board unanimously approved the minutes.

4. Water and Natural Resources Interim Committee meeting and panel discussion update from October 8, 2019

Public member Steve Hernandez reviewed the Water and Natural Resources (WNR) Interim Committee meeting and panel discussion on October 18, where he represented the Board. Steve spoke about the Board's work on transparency and their suggestions to improve the process and create policies for project selection.

Laura summarized additional information provided by two other panelists before the WNR, including Kevin Groenewald from the New Mexico Rural Electric Cooperative Association who spoke about right of way clearings to help prevent wildfires started by power lines, and Kent Reid of the New Mexico Forest and Watershed Restoration Institute at Highlands University who spoke about reforestation. Steve pointed out that legislators were most concerned about the impacts of the Mexican spotted owl injunction, including local economic and social effects, and people who have lost work on projects.

Public member Brent Racher added that Laura conveyed to legislators that New Mexico has options that were not available during past federal shutdowns of projects located in Mexican spotted owl habitat. For example, the State now has funding for restoration projects through FAWRA and capital outlay that can keep contractors and wood-using businesses working.

Elaine Kohrman, Deputy Regional Forester, USDA Forest Service updated the Board on the status of the Mexican spotted owl injunction. She informed the Board that the USDA Forest Service has filed one new biological opinion for the Cibola National Forest per the court order, and they are hopeful the judge will rule before Christmas.

5. Review of supplemental project information, project scoring and recommendations for funding

Laura provided updates on projects to the Board. The Valencia County Bosque Fuels Project, which the Board decided at its last meeting not to fund with FAWRA money, will instead be funded by the Forestry Division through capital outlay money. Laura also mentioned that the Forestry Division is waiting on a funding transfer to begin the Red Cabin Project, which is expected soon. The Red Cabin Project is located on the Mescalero Apache Tribal land in the southern Sacramento mountains. Laura pointed out that there is a second "spring" project on Mescalero land that could be on the bench.

Laura informed the Board that the Encino Vista Planning Project on the Santa Fe National Forest is not impacted by the Mexican spotted owl injunction and is moving forward. It will be in the procurement stage as soon as the funding transfer is complete.

Andrew Frederick, Resource Management Bureau Chief, EMNRD, Forestry Division updated the Board on the Santa Clara Creek Wetland Project, which is on tribal land. This project is pending the funding transfer and has the prescriptions and workplans in progress.

Laura informed the Board that the Gallinas Watershed Restoration Phase 5 Project, in the watershed that supplies the City of Las Vegas' water, is among those shut down due to the Mexican spotted owl injunction. Laura highlighted the Zuni Mountains as one of the top areas in the state that is in need of alternative projects during the shutdown. If the shutdown continues it will make sense to look at substituting a project in the Zuni Mountains for the Gallinas Watershed Restoration Phase 5 Project.

Laura provided slides to summarize the scoring for supplemental projects. Abe Franklin, Environment Department, Surface Water Quality Bureau recommended the Board discuss each of the supplemental projects individually.

The Board reviewed scoring and made recommendation to fund the following projects

- a. Northside/Rio Hondo Corridor Restoration

b. Small-Diameter Wood Products Business Planning

c. Turkey Mountains Landscape Restoration

Steve Hernandez moved to accept the project scoring and recommendations for funding the supplemental projects and Kathy Holian seconded the motion. The Board unanimously approved the scoring and recommendations for funding the supplemental projects.

6. Review and revise the draft FY21 Guidelines

The Board reviewed the draft of the FY21 Guidelines and made the following changes to the draft.

NEPA

The Board determined that information on Mexican spotted owl habitat and restrictions will need to be included when NEPA compliance is considered.

Evaluation Criteria

Abe Franklin, speaking on behalf of Rebecca Roose, Director, Environment Department, Water Protection Division who was not in attendance, pointed out some punctuation edits for the Evaluation Criteria section need to be remedied and suggested the Board discuss how to weigh the four criteria. He suggested that criteria reflecting the purpose of the program should be assigned more points.

Stewart Liley, Chief of Wildlife, Department of Game and Fish suggested heavier weighting for the first two criteria.

Laura recommended that criteria 4 be listed as the 3rd criteria and points be allocated in descending order. The Board agreed the points would be assigned as 30/30/25/15 to the respective criteria. The Board also decided to add “and/or prescribed fire” after “thinning” in criteria 1a.

Project review process and project submission process

The Board determined the Forest and Watershed Coordinating Group will be taken out as a pathway under the Project Review Process.

Abe drafted a sentence that remedied wording concerns by the Board under the Submission Process section. The wording “must work with District staff” will be added.

Set spring meeting dates included in the draft FY21 Guidelines

The Board discussed and made edits to the Timeline for Review Process and set May 27, 2020 as the next meeting date of the Board where the agenda will include project presentations by a District Forester and partners, followed by the FAWRA project recommendation meeting on June 25, 2020.

Reporting

The Board removed “at the November 13 meeting” added “90 days before the legislative session” to first sentence under Reporting.

Abe Franklin motioned to approve the draft FY21 Guidelines as amended and Stewart Liley seconded the motion. The Board unanimously approved the draft FY21 Guidelines as amended.

7. Adjournment

Kathy Holian moved to adjourn, and Steve Hernandez seconded. The Board unanimously voted to adjourn. The next meeting will be at 9:00 a.m. on May 27, 2020 in Santa Fe.

Minutes drafted by: Wendy Mason