

HB 266: Forest and Watershed Restoration Act

Frequently Asked Questions

1. What is the Forest and Watershed Restoration Act?

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 and establishes a Forest and Watershed Advisory Board to evaluate and recommend projects. When projects have been selected and approved, the New Mexico Forestry Division will administer, implement, and report on the projects.

2. How is the Forest and Watershed Restoration Act funded?

Funding for the FAWRA is provided through two funds in the Land Grant Permanent Fund, the Rio Grande Income Fund and the New Mexico Irrigation Works Construction Fund, deposited into the Forest Land Protection Revolving Fund. These funds are to be distributed annually in the amount of \$2 million, with \$1 million each coming from the Rio Grande Income Fund and the Irrigation Works Construction Fund.

3. How is the Forest and Watershed Advisory Board set up?

The Forest and Watershed Advisory Board is administratively attached to the Energy, Minerals, and Natural Resources Department. The board consists of the following members:

- The New Mexico State Forester
- The State Engineer or the Engineer's designee
- The Commissioner of Public Lands or the Commissioner's designee
- The Secretary of Economic Development or the Secretary's designee
- The Secretary of Environment or the Secretary's Designee
- The Director of the Department of Game and Fish or the Director's designee
- The State Fire Marshal or the Fire Marshal's designee
- Three public members appointed by the Governor:
 - One of whom shall be a representative of the forest products industry
 - One of whom shall be a representative of local government interests
 - One of whom shall be a representative of an academic or nonprofit conservation organization with a focus on ecological restoration science

Additionally, representatives from the United States Forest Service, Bureau of Land Management, Natural Resources Conservation Service, National Park Service, and Bureau of Indian Affairs will be invited to participate as non-voting members.

4. What is the role of the Forest and Watershed Advisory Board?

The roles of the Advisory Board include:

- Recommending guidelines, protocols, and best management practices for projects

- Fostering partnerships and cooperation among other agencies, tribal entities, political subdivisions of the state, the forest products industry, and public or private organizations dedicated to forest and watershed conservation and restoration programs/projects, wildlife conservation or habitat improvement programs/projects. These partnerships serve the purpose of co-funding or leveraging funding for priority projects.
- Evaluating and recommending projects to the Forestry Division

5. What is the role of New Mexico State Forestry?

The roles of the New Mexico Forestry Division include:

- Seeking and accepting all public and private funds and gifts, devises, grants and donations from others to carry out the provisions of the Forest and Watershed Restoration Act
- Providing partial or full funding for approved projects and facilitating and coordinating funding from multiple sources for projects
- If needed, adopting rules to carry out the purpose of the Forest and Watershed Restoration Act

6. What is the relationship of the new Advisory Board to the existing Forest and Watershed Management Coordinating Group?

The Forest and Watershed Management Coordinating Group has been meeting quarterly since October 2006. The Coordinating Group is hosted by the New Mexico Forestry Division and includes participants from federal, state, local, and tribal governments, NGOs, and other partners and stakeholders. The Coordinating Group will provide input to the Advisory Board and beginning in Fiscal Year 2021, will have the opportunity to work with the District Foresters to draft proposals for priority projects for consideration by the Advisory Board. For more information about the Coordinating Group, contact Collin Haffey at collin.haffey@state.nm.us.

7. What kind of work will be funded by the FAWRA?

FAWRA funds may be used for:

- On-the-ground restoration treatments
- Project planning
- Economic development programs to advance the use of small-diameter trees and woody biomass
- Workforce development for wood utilization projects

8. What makes a project eligible for funding?

A project is eligible for funding if it:

- Is for a public benefit
- Part of a current state forest and watershed health plan or forest action plan, a community wildfire protection plan, other comprehensive forest and watershed treatment plan or wildlife conservation improvement plan approved by the Advisory Board
- It incorporates actions recommended by current plans or, where new plans are developed, seeks to integrate forest, fire, and water management with community and economic development plans
- Protects watersheds that are a source for drinking or irrigation water. This includes the Rio Grande and its tributaries, as well as any watershed directly upstream of a reservoir or an irrigation or acequia system

- Targets an area at high risk of catastrophic wildfire
- Has obtained all state and federal permits and authorizations necessary to initiate the project

9. Will any projects be given priority over others?

Yes, projects that are eligible for funding shall be given a priority for funding if the project:

- Leverages other funding sources
- Is in an area with a wood supply that can be used for biomass energy production, where small diameter trees may be put to commercial use, or where traditional forest products may be used
- Is clustered around priority areas that can supply a useful amount of wood products for industry
- Creates incentives to increase investment by other entities

10. What lands can funds from FAWRA be used on?

Projects must be on public land, or if on private land comply with Article IX, Section 14, the anti-donation clause, of the New Mexico Constitution and be administered by the Forestry Division.

11. What are the reporting requirements for projects that are funded?

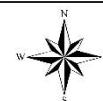
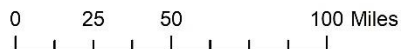
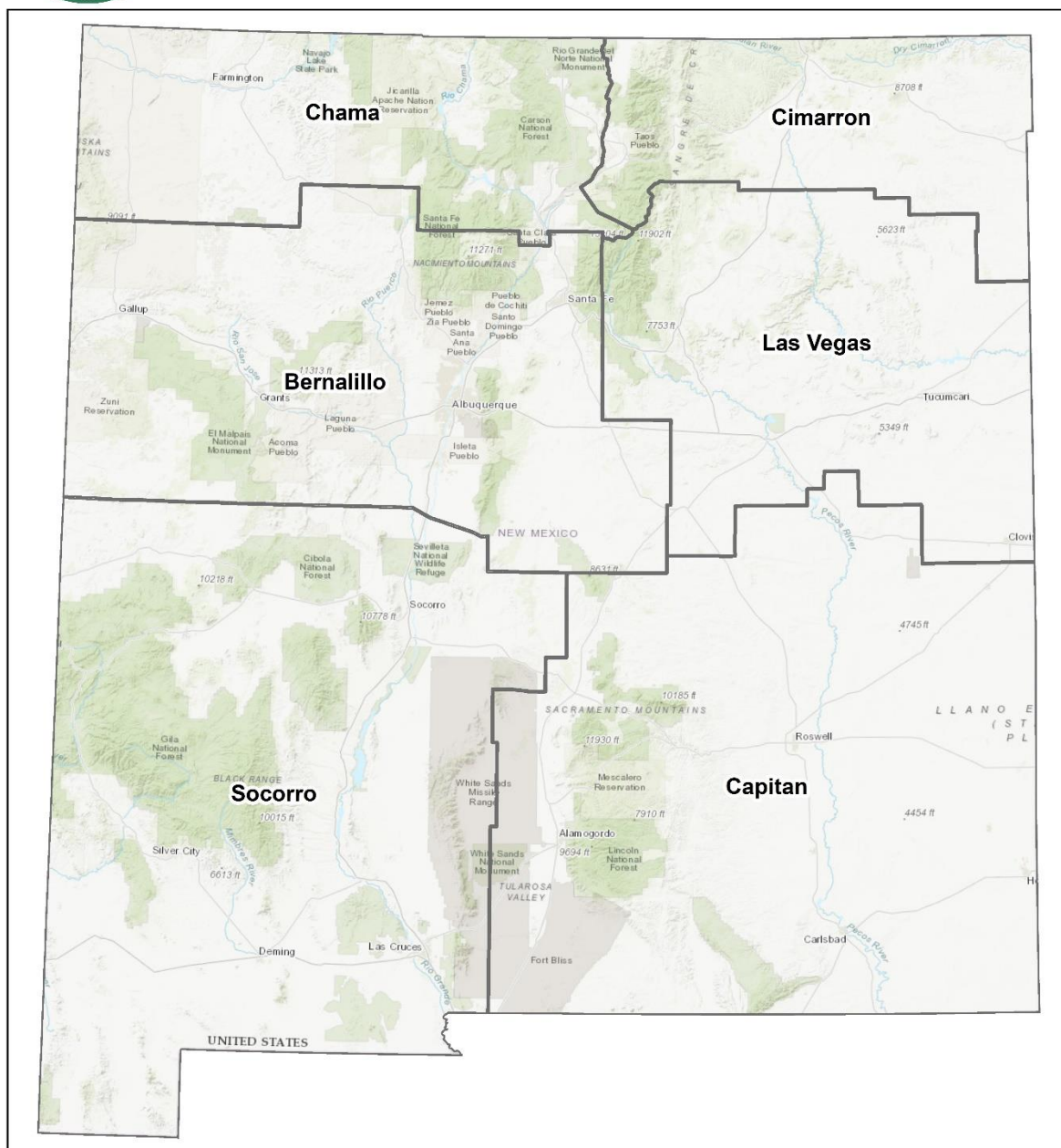
The New Mexico Forestry Division is responsible for reporting on projects that are funded. All projects are tracked in a spreadsheet that includes the project name, land ownership, Forestry Division district, amount of state funding allocated, match/leverage (if applicable), funding expended, target acres, and completed acres. This spreadsheet will be updated quarterly. Additionally, the New Mexico Forestry Division will produce an annual report containing a brief narrative of each project with fiscal year and amount funded, project status, highlights of the project, and photos of completed work.

12. How do I apply?

Funding is directed to projects through the New Mexico Forestry Division. Please contact your District Forester if you have a project you think is eligible for funding. If you are unsure what District the project is in, please see the map below or go to the contacts page on the Forestry Division's website <https://www.emnrd.nm.gov/sfd/>. If you would like to be considered, please contact your local District Forester. In addition, the New Mexico Forestry Division will pilot a collaborative process for District's to set priorities and to get input on statewide priorities through the Forest and Watershed Health Coordinating Group.



New Mexico Forestry Division Districts



13. Here are some links you may find useful:

- State of New Mexico, Energy, Minerals and Natural Resources Department, Forestry Division- <http://www.emnrd.state.nm.us/SFD/>
- New Mexico Vegetation Treatments – <http://www.vegetationtreatments.org>