

**Zuni Mountain Landscape Collaborative
Charter and Operating Protocols
2015**

I. Purpose and Vision

The purpose of the Zuni Mountain Landscape Collaborative (ZMLC) is to provide recommendations for actions concerning the use and management of lands and waters within the Zuni Mountain Landscape in west-central New Mexico. The ZMLC will work closely with Cibola National Forest on the Zuni Mountain Collaborative Forest Landscape Restoration project and other projects in the landscape, multi-jurisdictionally, as they arise in the future.

Our vision is to improve, enhance, restore, and protect the ecological and economic resiliency of the grasslands, woodlands, forests, riparian corridors, and communities within the Zuni Mountain Landscape by working collaboratively across a diversity of interests.

More specifically, we support management actions to

- Reduce the risk of uncharacteristic wildfire,
- Restore natural fire regimes,
- Increase forest diversity and old growth characteristics,
- Utilize woody by-products,
- Improve fish and wildlife habitat,
- Improve water quality and watershed functions, and
- Mitigate climate change impacts.

II. ZMLC Approach

The Collaborative will approach its deliberations as a collaborative problem-solving body seeking to produce recommendations that address, insofar as possible, the practical needs and interests of all participants. As necessary, the group will work jointly to educate and build understanding regarding the participants' values and interests related to the issues, while also developing a baseline understanding of essential information and identifying zones of agreement.

Collaborative problem-solving is most successful when parties agree that their major interests have been heard, considered meaningfully, that other participants have made every effort to address their interests in any final recommendations, and that the final recommendations accurately characterize any outstanding differences.

The USDA Forest Service and the ZMLC can work together to consider purpose and need, proposed action, and other phases of the NEPA process – up to, but not including, the agency's final decisions made by the relevant Line Officer (CEQ Handbook, p. 13). The Forest Service will also consider the issues raised during the formal public scoping, comment periods, and objection process in accordance with the 2012 Planning Rule (36 CFR 219) and the Council for Environmental Quality's Regulations for Implementing NEPA (40 CFR Parts 1500 – 1508). The New Mexico Forest Restoration Principles provide guidance for collaborative processes that can inform the work conducted by the ZMLC.

III. ZMLC Composition

The Collaborative shall consist of the members listed in Attachment A who have indicated their support and acceptance of the ZMLC Charter and Operating Protocols by signing onto the charter. The ZMLC is inclusive and this charter does not grant cooperating agency status to any member of the charter. Two Forest Service representatives will serve on the ZMLC to ensure collaboration during planning, implementation, and monitoring of CFLR projects, in keeping with the intent of the Forest Landscape Restoration Act of 2009. One Forest Service representative will liaise directly with the co-chairs for the life of the CFLR project.

IV. Participant Roles and Governing Structure

Participants

Collaborative members will be expected to:

- Attend all full collaborative meetings,
- Adhere to the protocols adopted by the group,
- Engage in collaborative problem solving to address the range of interests brought to the table,
- Work with their own groups, organizations, and constituencies to understand and articulate their interests, to secure their on-going input and, as appropriate, to build support for final proposals,
- Nominate Co-Chairs of the core team that represent a balance of interests,
- Nominate subcommittees for which the Collaborative member is an active participant, and
- Have decision-making authority.

ZMLC Co-chairs will be expected to:

- Serve on and coordinate the core team,
- Ensure continued operation of the Collaborative,
- Serve as liaisons for the Collaborative,
- Manage web page content, and
- Manage meetings of the full Collaborative, in concert with a facilitator as appropriate.

Co-Chairs will serve staggered 2-year terms. Co-Chairs will be selected by consensus of the collaborative. If consensus is not possible, a majority of votes is required to serve as Co-Chair. The first term will commence upon approval of the Charter and Operating Protocols.

ZMLC Subcommittees (in addition to the core team) could include:

1. Landscape Restoration, Multiparty Monitoring, and Adaptive Management
2. Rural Economies
3. Outreach, Education, and Public Engagement
4. Or other subcommittees as deemed important by the collaborative partners

See Attachment B for current Co-chairs and core team members. Subcommittees will select a member or members to serve as a coordinator and communication officer.

Core Team and Subcommittee Membership

Partners who provide a letter of commitment in support of the Charter and Operating Protocols will be eligible to serve on the core team and all subcommittees. All ZMLC members will be considered de facto members of all subcommittees. ZMLC members are encouraged to seek full understanding of the issues prior to decisions.

The Core Team:

- Is made up of between 5 and 10 individuals from different sectors and interest groups.
- Will serve as the administrative guiding body of the Collaborative, will consider addition or removal of members, will review and comment on ZMLC agendas, and will conduct other administrative tasks as required.
- Vacancies and absences will be addressed on an as-needed basis.

Congressional Liaisons:

- Function as a resource to the ZMLC, and
- Work with the ZMLC Co-Chairs to facilitate advancement of collaboratively identified goals.

Federal Advisors

- Serve in a technical partnership capacity representing their agencies.

Forest Service Forest Supervisor or his/her designee:

- Avoid engaging in group decision making during formal National Environmental Policy Act periods.
- Attend all full Collaborative and Core Team meetings, or send a designee,
- Serve as a resource to the participants by explaining Forest Service process, budget and legal constraints and flexibilities, sharing information about the subjects of interest to the participants, and arranging for presentations by subject matter experts as requested by the group, and
- Answer questions or offer opinions as requested by the participants.

The Role of Science

Planning, management, monitoring, and adaptive management actions and decisions will be grounded in the current best available science. Whenever possible, the ZMLC will work with geographically appropriate primary studies that are peer-reviewed prior to publication, as this process generally imposes the rigor that filters out opinion. Other primary sources include annual agency reports such as regional forest insect and disease conditions, and GIS layers produced by agencies or third parties. The ZMLC will also use peer-reviewed secondary sources synthesize findings from the primary literature. The ZMLC recognizes that different treatment-site combinations will favor some organisms and community conditions over others. Where there may be disagreement on specific treatments, we will rely on the collaborative process outlined in this document to agree upon a recommended set of treatments.

No Surprises

ZMLC members will make good-faith efforts to inform the full Collaborative (including technical advisors) of any imminent or likely actions that are within, related to the purpose of the ZMLC, or that may directly impact other members of the ZMLC. ZMLC members, through their letters of commitment, are committing to work out differences within the collaborative first and foremost. ZMLC members will inform the ZMLC of concerns or issues in advance any formal request for administrative review.

Departure from Collaborative

Prior to withdrawal, Collaborative members will provide written notice 30 days in advance to the Core Team, including the reasons for withdrawal. The Core Team will forward the resignation notice to all Collaborative members and will solicit nominations for a replacement.

Where the Core Team finds that a member is in violation of the protocols or unable to fulfill their commitment to the Collaborative, the Core Team will notify the member, issue a time-based warning (i.e. 30 or 60-day review) of dismissal and provide an opportunity for a discussion with the member. If the situation does not improve within the specified time frame, the Core Team can decide to remove a member. 5 In cases of flagrant violation of the protocols, the Core Team can remove a member without a time-based warning (i.e. immediate removal from the Collaborative).

V. Meetings

Observers and Public Participation

All meetings of the Collaborative will be open to the public.

The Collaborative will make available up to 30 minutes of oral comment at every meeting of the full Collaborative, comments should focus on agreement/disagreement with the issues at hand, basis for agreement or disagreement, and a recommendation for an alternative. Upon the request of a collaborative member, the co-chairs will provide public comment opportunities prior to critical decisions. Co-chairs will make it clear at each full meeting that they welcome public comment. Time limits will be determined by Co-Chairs.

Subcommittee chairs will provide opportunities for engagement by members of the public. Agreements and consensus decisions will be deliberated and voted upon by Collaborative members. The Collaborative will also accept written comments from the public. Co-Chairs or subcommittee chairs will ensure comments are distributed to all Collaborative members.

Quorum

A quorum is required for decisions and is defined as 40% of the active membership plus one. This requirement applies to meetings of the full Collaborative, Subcommittees, Core Team and any special committees. Active membership is defined as regular attendance and participation at meetings.

Alternates

Upon request of a ZMLC member, and where special circumstances warrant consideration (i.e. family and medical leave, armed forces deployment, contractual engagements, etc.), the Core Team will consider temporary replacements on a case-by-case basis. The temporary replacement must

agree to all listed operating protocols and will be expected to not block consensus processes and will have the ability to vote.

Attendance

Members should make every effort to attend each meeting. It is acknowledged that there will be circumstances that force a member to miss a meeting. A time will be set in a future agenda for that missing member to provide comments, to accommodate for these circumstances if requested by a member.

In the rare circumstance where an entire interest block is unable to make a meeting, they can request a change in the agenda relevant to their concerns. If a member who misses a meeting has an idea/concept, and can present it to the group before the official meeting notes are distributed, the Core Team can decide whether to consider that idea, and whether a follow-up conversation is required.

Facilitation

Meetings of the Collaborative will be facilitated on an as-needed basis. Co-Chairs, in consultation with the Steering Committee will determine whether facilitation is warranted.

Ground Rules

The Collaborative's protocols and interaction assumptions are as follows. Participants will:

- Operate in good faith,
- Conduct themselves professionally and courteously,
- Work to find ways to resolve differences as they occur,
- Work together to study process and substance of proposals,
- Be encouraged in discussions to “explore without committing,” (This further frees up the group to explore potential solutions without viewing those explorations as formal proposals),
- Neither initiate nor undertake any action outside of the Collaborative process intended to undermine the process,
- When speaking to the public media, members will the confine remarks to consensus views, or make clear that comments represent only a personal point of view
- As pertains to specific discussions, Collaborative members agree to:
 - Disclose interests;
 - Listen fully to understand;
 - Look for ways to address not only your own interests, but those of others as well;
 - Participate, share the floor, be concise;
 - Look ahead—acknowledge the past but don't rehash it; and
 - Be explicit and factual—ask for clarification if confused.

Forming Decisions and Agreements:

For purposes of the Collaborative, consensus is defined as, at a minimum, “no objections” or as being able to “live with” an outcome, perhaps in light of how it fits into a larger whole (“Lack of Sustained Opposition”). The goal is for support of consensus decisions. Votes will be conducted via thumb-raising, full support (thumb up), can live with (thumb sideways), opposition (thumb down).

Where participants vote thumb sideways they will be encouraged and provided the opportunity to explain their concerns or reservations, and they will be duly noted. When participants vote thumb

down, they will be required to explain their vote and provide an alternative, as discussed below. A sideways thumb cannot be interpreted as the intent to defer or delay a decision. Consensus agreements will be built by those present.

All decisions are considered final, unless significant new information surfaces requiring reconsideration. The Co-Chairs of the appropriate committee have the responsibility to determine if a decision is to be re-examined.

If a member is not present during the formulation of a consensus recommendation, that member cannot subsequently block it. Skipping a meeting shall not be used as a blocking strategy. The principle is “play or pass.”

Characterizing Differences

If unable to reach consensus, the notes/decision document will characterize differences as opposed to creating a minority report.

Meeting Notes

Meeting notes will attribute comments to individuals or organizations. If a Collaborative member wishes for a comment to *not* be attributed, they can request it. Collaborative members will have a chance to review and edit meeting notes prior to finalization. Finalization will generally occur at the next full collaborative meeting.

Meeting notes will be circulated to Collaborative members one week before the next full Collaborative meeting, or as soon as practicable. Any edits or corrections must be identified prior to, or during the next scheduled Collaborative meeting.

Meeting Schedule and Location

The Core Team will establish the meeting dates, times, and locations for all Collaborative meetings that will accommodate the majority of Collaborative members with as much advance notice as possible.

Financial Plan, Development, and Fiscal Agent Relationship

The ZMLC may appoint a fiscal agent, based on a quorum decision, to manage any operating funds received by the collaborative. The ZMLC will appoint one of its core team members to serve as the ZMLC fiscal point of contact. That person shall assist in the preparation of the annual budget for approval by the ZMLC and will review financial reports and report annually to the full Collaborative on the financial condition of the ZMLC. The ZMLC will work to document in-kind donations of time and resources, match, and leverage.

Budget

The annual operating budget for the Collaborative will be considered and subject to approval by the full Collaborative. At a minimum the budget will disclose operating costs, revenues and expenditures. The budget will be reviewed and approved each year.

Protocol Review

An annual review of the operating protocols will be initiated each year by the Core Team. Any changes must be agreed to by the full Collaborative.

Building Support from Participating Organizations

It is the responsibility of each Collaborative member to serve as a conduit for information and support with their respective organization or interest group. This includes sharing meeting information, ZMLC progress and garnering support for agreements and outcomes.

Media Relations and Outreach

The Co-Chairs will designate a spokesperson for the Collaborative who will initiate contact with media outlets as appropriate and serve as the point of contact for the press. This may be a member of the Outreach, Education, and Public Engagement subcommittee.

At the end of each Collaborative meeting, accomplishments and agreements will be recapped. If a member of the press contacts someone other than the spokesperson, they should limit their comments to final consensus recommendations, if any, but not provide any attribution. Full Collaborative members should only speak for their own organization.

