

# PACIFIC NORTHWEST NATIONAL SCENIC TRAIL ADVISORY COUNCIL SUMMARY OF MEETING

*November 2, 2023*

The National Advisory Council for the Pacific Northwest National Scenic Trail (PNT) was convened for its fifth meeting at 9:00 A.M. on November 2, 2023, on Zoom. Acting Designated Federal Official (DFO) Richard Pringle, PNT Administrator, opened the meeting with a welcome to the new and returning Advisory Council members.

In accordance with the provisions of the Federal Advisory Committee Act (PL 92-463), the meeting was open to the public from 08:30 A.M. to 12:30 P.M PST, without active microphone and video functions. The Microphone and video functions were activated to allow for public participation during the designated Public Comment period.

## **Council Members Present\*:**

Diane Barlow (Chair)	Dan Dinning	Michael Lithgow
Glenn Blakeslee	Leah Dobey	Michael Liu
Frank Bob	Melinda DuPree	Soisette Lumpkin
Jeffrey Chapman	Molly Erickson	Elizabeth Nelson
Michael Cuffe	Clifford Kipp	Adam Sowards
Mike Dawson Michael	Jeff Kish	Diane Priebe (BLM)
DeCramer	Michael Kroschel	Erik Frenzel (NPS)

## **Council Members Not Present:**

Randy Beacham	Robert Kendall	Ashley South
Callum Cintron	David Kennedy	Shelly Stevens
Luke Fisher	Kevin Knauth (FS)	Elizabeth Thomas
Philip Hough	Justin Kooyman	

**Forest Service staff present for meeting operations and technical support were:**  
Valery Serrano-Lopez, Olivia Tong, and Rick Pringle

\*Attendance varied through the meeting and throughout the day due to schedule conflicts and technological challenges. As members moved in and out of the meeting, Forest Service staff worked diligently to capture movement and ensure quorum prior to any sensing or voting actions.

## **MEETING BASICS**

Prior to the 9 a.m. start time, the meeting facilitator, Tom Krekel took attendance of audience participants and held a brief technology check; reminding everyone of Zoom functions: the audio and camera options, participant view, chat box, how to raise the hand, and using reaction tools.

Acting DFO, Rick Pringle, gave introductions. Before the 9 A.M. start time, two comments were raised. There was concern that there was not enough time to review the objection resolution response letter that was released the day prior to the meeting. A question was asked if the objection review resulted in changes to the plan.

A letter and objection response document was sent directly to objectors. The document was shared via email to the advisory council during the meeting. The timing of the release was anticipated before this meeting. Some of the resulting changes to the comprehensive plan were discussed later in the meeting.

See: Handout 1: PNT Final Objection Response

## **INTRODUCTION**

The meeting facilitator, Tom Krekel, explained the purpose of the meeting to the advisory council and briefly reviewed agenda items. The Advisory Council was asked to think about what the future of the Council would look like.

## **COUNCIL CHAIR REMARKS**

Advisory Council Chair, Diane Barlow, began the meeting and thanked audience members for attending. She provided council members a draft memorandum requesting the establishment of a new advisory committee and draft charter for review. She then established that a quorum was present.

See: Handout 2: Draft Memorandum Requesting new PNT Advisory Committee  
Handout 3: Draft Charter

## **APPROVED MINUTES FROM AUGUST 24, 2023 MEETING**

Council member Mike Dawson motioned to approve the meeting minutes for August 24, 2023, Seconded by Jeff Chapman.

Motion passed unanimously.

## **NO PUBLIC COMMENTS RECEIVED FOR TODAY'S MEETING**

## **STATUS OF COMPREHENSIVE PLAN AND OBJECTION PROCESS**

There were a total of 12 objections received by the close of the objection period on August 28, 2023 that included various topics: tribal treaty rights, visitor use management, corridor width, and NEPA. Several objectors did not want to see changes made to the final Comprehensive Plan. The objection resolution meeting between the Forest Service and those that filed objections occurred on October 10, 2023. The objection review document and instructions were sent to objectors on November 1, 2023. The review document provides a summary of the objection, the agency's review and conclusion, and recommended instructions to complete before finalizing the decision notice, environmental assessment, and comprehensive plan. The timeline for finalizing the decision notice and submission of the comprehensive plan is on track.

The objection review document was sent directly to the individuals that objected, and the PNT Administrator shared it with the council via email during the meeting.

A summary of objection instructions and their resolution are in the final Decision Notice.

## **DISCUSSION ON EXTENDING TIMEFRAME OF PNT ADVISORY COUNCIL**

Advisory Council Chair, Diane Barlow began the discussion on extending the timeframe of the PNT Advisory Council with a brief overview of the statute establishing the PNT and the Council's history. The statutory authority for the council terminates in May 2024. This is 10 years after the first charter was established in 2014 but less than six months after the submission of the comprehensive plan. If the statutory timeline set forth by Congress had been followed, the PNT Advisory Council would be in place for eight to nine years after the submission of the comprehensive plan. One way to remedy this situation is to use a "discretionary" authority to establish a new but similar advisory council. The council needs to decide if it would like to take this approach and whether to make a formal request for establishment of such discretionary council.

Acting DFO, Rick Pringle, shared a presentation on considerations for establishing a new PNT advisory committee. The content of the presentation covered the existing status of the PNT advisory council, expiration date of the charter, statutory authority, and council membership. Alternatives for engagement in trail management regardless of council status could include participation in NEPA scoping and comment periods for projects and land management plans, continued tribal consultation, and organization of more focused collaborative groups. For the council to continue past the 10-year "statutory" authority period ending in May 2024, a new "discretionary" authority FACA council would have to be established. The purpose of council must be clearly communicated. It will require a new charter and Department of Agriculture level approvals. The presentation touched on differences between collaborative groups and FACA councils.

See: Handout 4: Presentation - Considerations for PNT Council

Comments from the general discussion:

- There is strong interest from members to continue serving on the Advisory Council and to pursue continuation of a similarly structured FACA Council.
- There is a great knowledge base within the current council membership.
- The National Trails System Act states that an Advisory Council should be established within one year of the trail's designation and expire 10 years from the date of establishment. Per the National Trails System Act, the comprehensive plan should be completed two years from the establishment of the trail. Barlow suggested that the appointment of an advisory council should be in place for eight to nine years after the submission of a comprehensive plan and thus play a significant role in the implementation of the comprehensive plan.
- The council should anticipate that it will not continue past May, 2024 and determine what needs to be accomplished by then.
- Consider whether the Advisory Council's input on implementation could be fulfilled through collaborative efforts, NEPA participation, etc. Implementation will occur at a local level. A trail-wide council may not be the right fit for some tasks.
- There were concerns with establishing a collaborative group and whether it would provide the best forum for diverse interests and perspectives and maintain openness to the public.
- The continuance of an advisory council would not preclude or displace establishment of localized collaborative efforts but would compliment localized collaborative efforts.
- A FACA council may carry more weight or authority than a non-FACA collaborative group. It depends on the topic. There might be a place for both an advisory council and multiple collaborative groups.

There were then discussions on deciding the Advisory Council's next steps with regard to seeking establishment of a discretionary advisory council under FACA after the expiration of the current Advisory Council. Diane Barlow reviewed the draft memorandum to the FS requesting the appointment of a FACA-chartered committee and welcomed input on the memorandum should the Council decide to pursue such request. As per the memo, the Council is meant to have input on "administration of the trail", which is a broad statement but Barlow pointed out that such broad language is taken directly from the statute establishing the current Advisory Council. Council members expressed support for the establishment of a formal federal advisory council created under FACA and managed by the agency rather than forming a similar non-federal collaborative group. The Council members concluded that this approach fulfilled Congressional intent and would serve the public interest.

Some Council members expressed the need to identify with as much specificity as possible what the purpose of the new FACA council would be and to communicate such purpose(s) to the FS before deciding whether it needs to continue.

**Advisory Council Members were asked to vote:**

*Do the members of the council believe it is important to continue a PNT Advisory Council past May 2024?*

<b>Supported</b>	15
<b>Opposed</b>	0
<b>Abstained/ No Position</b>	2

Overall, there is support for the continuation of an Advisory Council. Three council members who were not present shared their support for a continued advisory council via email prior to the meeting. These were not included in the vote count. The National Park Service representative also needed to step away during the meeting, did not vote, but expressed being a willing participant if another council was to be established.

After the voting, discussion continued regarding the memorandum to establish a new PNT Advisory Committee. One proposed edit to the memo was that it should emphasize that the current council membership be allowed to continue with the new council. Barlow indicated that such edit would be made before the memo was submitted to the FS.

Further discussion ensued on the general topic of trail administration. One such question was: *How do the communities impacted the most by these decisions have input?*

The response from the FS was that most of these decisions are local specific issues and it is dependent on the projects in the specific community. Interested community members could engage through representation on the Advisory Council, participation in public comment periods, and working closely with local units that more directly engage with partners and the surrounding communities. There are many places across the trail that are off federal lands and need local community engagement. The Olympic Discovery Trail collaborative group was shared as an example addressing PNT needs at the local level.

An Advisory Council member expressed concern that *Tribal concerns were not adequately addressed in the Comprehensive Plan.*

In response, it was pointed out by the FS and other Advisory Council members that Tribal treaty rights and reserved rights was an objection point and edits were made to the comprehensive plan to address such concern. This is further discussed in the final objection response document. The “Nature” statement was changed to highlight the importance of treaty rights and reserved rights. One instruction recommends that local units monitor impacts to treaty rights and resources. It is difficult to provide specific direction in the comprehensive plan because the types of resources impacted, tribes and their treaty rights and resources, and landownerships vary across the trail.

**Advisory Council Members were then asked to vote:**

Council member Libby Nelson motioned, Seconded by Clifford Kipp.

*Approve and accept that the memorandum be sent to the Chief of the Forest Service?*

<b>Supported</b>	19
<b>Opposed</b>	0
<b>Abstained/ No Position</b>	0

The motion to approve and accept that the memorandum as revised be sent to the Chief passed.

There was some discussion about how many times the Advisory Council could meet before its May 2025 expiration date. Some on the council expressed a willingness to meet more often outside of council meetings and communicate more openly via email. It was pointed out, however, that compliance with FACA regulations requires that meetings be open to the public except when developing the agenda for a meeting. Meetings require that a federal register notice be posted 15 days prior to the meeting, or the meeting must be cancelled. The Forest Service must submit a request to publish a federal register notice 45-60 days prior to the meeting. Thus, there is a limited capacity to conduct more frequent meetings. Decisions and discussion that might occur via email are not open to the public and therefore not permitted.

**DISCUSSION ON THE ADMINISTRATIVE STRUCTURE AND PROCESS FOR PNT IMPLEMENTATION OF PRIORITY ACTIONS**

Diane Barlow introduced the topic of administrative structure and process for comprehensive plan implementation. She asked Rick to describe the agency's staffing plans to implement the comprehensive plan and whether the same personnel who drafted the plan would be active in the implementation process. In response, it was pointed out that the PNT exists, people are hiking it, maintaining it and there are aspects of implementation that are already occurring. The comprehensive plan provides tools and a framework for optimal location reviews and relies on additional forest level planning and management to address local level resource issues. At this time, there are no plans for the agency to change staffing for the PNT going into the implementation stage. Existing forest level staff would manage the trails on their unit. Other agencies would need to manage it similarly on their units. Agreements and contracts could be used in some cases to increase capacity. Implementation is more ground-up - relying on local involvement, than top-down. This is emphasized in the comprehensive plan.

Development of agreements between the Forest Service and other agencies and landowners should be a priority after the comprehensive plan is finalized.

There are implementation items for trail projects and potential relocations that have been discussed since the trail was designated but have not moved forward because the

Comprehensive Plan was not complete. Having the plan in place will help these projects move forward.

It was noted that the advisory council could have an important role for prioritizing which trail segments and lands need to be focused on. They could also play a role in forest planning processes.

### **COUNCIL NEXT STEPS**

Continue discussions on implementation of the comprehensive plan in future meetings. Appendix G – Recommended Priority Actions in the Comprehensive Plan could be referenced for potential next steps to implement the comprehensive plan. It is not an exhaustive list, but these items were envisioned to occur after completing the plan.

The Advisory Council will be informed when the Comprehensive Plan is finalized.

Council Chair Diane Barlow will finalize edits to the memorandum to the FS requesting the establishment of a discretionary advisory council in order to continue the work of the existing council and approve a charter similar to the draft provided.

### **MEETING WRAP UP AND CLOSE OUT**

There were concerns on the lighter attendance of Council Members at this meeting. It was suggested to avoid all day meetings and that two, half-day sessions would be easier to fit into a workday.

The next meeting is tentatively planned for January and a small subcommittee will develop an agenda. The Council suggested scheduling two or three meetings before the end of the council's authority in May 2024. The proposed meeting format is two half-day meetings with 8:30AM PT start time in January and March, with potential for another meeting in April or May.

The temporary assignment as PNT Administrator and DFO for Rick Pringle will end in mid-November. He will continue with the PNT in a limited capacity until the end of the year to ensure completion of the comprehensive plan.

### **MEETING ADJOURNED**

## **HANDOUTS**

Handout 1: PNT Final Objection Response

Handout 2: Draft Memorandum Requesting new PNT Advisory Committee

Handout 3: Draft Charter

Handout 4: Presentation - Considerations for PNT Council

## **MINUTES CERTIFIED BY**

A handwritten signature in black ink that reads "Diane Barlow". The signature is written in a cursive style with a large, looped initial "D".

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**DIANE BARLOW**

**Council Chair**