

# United States Forest Service Implementation Plan for the NEPA Air Quality MOU

Among the U.S. Department of Agriculture, U.S. Department of the Interior, and U.S. Environmental Protection Agency Regarding Air Quality Analyses and Mitigation for Federal Oil and Gas Decisions through the National Environmental Policy Act Process

February 2016



**\*\*DRAFT OF 12 February, 2016\*\***

A memorandum of understanding (MOU) signed by U.S. Department of Agriculture (USDA), U.S. Department of the Interior (DOI), and U.S. Environmental Protection Agency (EPA) officials on June 23, 2011 (the “NEPA Air Quality MOU”), establishes a framework that five participating agencies will use, within the National Environmental Policy Act (NEPA) process, to analyze and mitigate potential impacts to air quality and air quality related values (AQRVs) associated with oil and gas development on Federal lands. The participating agencies are: the Bureau of Land Management (BLM); the U.S. Fish and Wildlife Service (FWS); the National Park Service (NPS); the U.S. Forest Service (USFS); and the EPA. (This plan uses the term “Agency” or “Agencies” to refer to all five participating in the MOU, consistent with the definitions in section III of the MOU (p. 5).)

The MOU consists of three items: (1) the interagency agreement, or the MOU, itself; (2) an appendix that includes two tables and a matrix that describes air quality models; and (3) an example design of a reusable modeling framework for air quality modeling. These are available at: <http://www.epa.gov/nepa/air-quality-guidance-national-environmental-policy-act-reviews>

## **I. Goals, Principles, and Implementation Structure**

By September 22, 2011, the MOU calls on the Agencies to develop Agency and joint plans for implementing and disseminating the MOU and to develop appropriate joint training efforts and materials. National, senior-level managers designated to oversee MOU implementation are to approve the implementation plans. This document is the Implementation Plan for the USFS. It complements and supplements the “NEPA Air Quality MOU Implementation Plan for Oil and Gas Decisions on Federal Lands” (draft of September 21, 2011) and the “Joint Agency Implementation Plan” or “Joint I-Plan,” which was prepared by the Joint Agency Implementation Team, by providing additional details unique to the USFS mission, organizational structure, and operations.

### **A. Goals of the USFS Implementation Plan**

The primary goal of the USFS Implementation Plan is to provide everyone who works on Federal oil and gas decisions at the USFS with a one-stop reference guide for information necessary to implement the MOU—from Regional Foresters to line officers to resource specialists in the field, including air resource specialists, planners, and oil and gas permitting staff. Senior leaders within both the USDA and the USFS are committed to successful implementation of the MOU. The USFS Implementation Plan offers a practical, “living” guide for such implementation. It outlines: (1) the steps the USFS followed to get the MOU “up and running” in 2012 and early 2013; (2) the process for implementing the MOU on a daily basis when working on specific planning efforts (including forest plans (FPs), FP amendments, FP revisions, and programmatic environmental impact statements (EIS), leasing decisions, and field development decisions; and (3) mechanisms for tracking and evaluating MOU implementation and for fostering learning and improvement over time.

In addition, this plan incorporates the Agencies’ shared goals as set forth in section I (Purpose) of the MOU and section II.A (p. 1) of the Joint Agency Implementation Plan.

## **B. Implementation Principles**

The following principles, which reflect those in the Joint Agency Implementation Plan (section II.B, p. 1), guide the USFS's implementation of the MOU.

1. The MOU is recognized as a “win-win” scenario for all Agencies.
2. Implementation of the MOU is a joint effort among Agencies, consistent with its successful development.
3. Open communication and sharing of documents and information among Agencies are the norm.
4. A set of general resources developed jointly by all Agencies is available to anyone within the Agencies who wants them.
5. Implementation begun by the USFS and the other Agencies will be followed by outreach to partners, including state, tribal, and local governments, and stakeholders such as environmental, industry, and local community groups.
6. It is important to document and track the application of the Air Quality MOU to environmental impact statements (EISs) and environmental assessments (EAs) for specific FPs and projects in order to have a basis for evaluating the MOU's effectiveness in meeting its intended goals.
7. Continual learning facilitates improvement in all MOU procedures over time.

## **C. Joint Agency Implementation Structure**

As described in the Joint Agency Implementation Plan, an interagency steering group and four joint agency teams coordinate implementation and training.

1. A designated **Senior Management Team** made up of representatives of all participating agencies is responsible for approving the MOU implementation plans and meeting annually “to confirm the effectiveness of the MOU and discuss and document any challenges, concerns, or opportunities for improvement” (section X.B of the MOU, p. 16). This team held its first conference call on August 9, 2011, and meets annually. Operating guidelines attached to the Joint I-Plan describe the team's governance and operations.
2. A **Joint Agency Implementation Team** (comprised of an Air Quality Program Managers Steering Committee, Technical, Governance, Legal, and Mitigation sub-teams, which formally replaced the “I-team”)

addresses implementation and operational issues associated with the MOU.

- a) The **Air Quality Program Managers Steering Committee**, comprised by the national program managers of the five agency air programs, provides oversight and direction for the Air Quality Oil and Gas NEPA MOU.
- b) The **Governance Team**, comprised of air specialists from all signatory agencies, works to improve MOU implementation, project tracking, communication of MOU successes, and early resolution of disputes.
- c) The **Mitigation Team**, comprised of air and engineering specialists from the agencies, identifies mitigation technology options and applicable regulatory/legal requirements for mitigation under NEPA.
- d) The **Technical Team**, comprised of the air modelers and, to date, air specialists who developed the MOU Appendix, reviews technical implementation documents, tools, and training materials on an as-needed basis.
- e) The **Legal Team** consists of one or two Solicitors or Agency attorneys from each Agency. The team is available as needed to provide advice on legal issues associated with MOU implementation. Areas of assistance may include developing guidance, working with stakeholders, or addressing legal issues that arise during dispute resolution.

The USFS representatives on the above-listed teams and the USFS mitigation advisors, i.e. its Air Resource managers and specialists, are listed at the end of this plan (pp. 18-24).

#### **D. USFS Implementation Structure**

USFS participants facilitate the implementation of the MOU across the USFS. This section identifies the key players and their responsibilities.

2. The **USFS Members of the Joint Agency Implementation Team** will serve as liaisons between the joint agency teams (i.e., the Air Quality Program Managers Steering Committee and its subgroups), the Mitigation Advisors, the USFS's Designated Senior Manager, and all those involved in implementing the MOU throughout the USFS. The responsibilities of the USFS Members of the Joint Agency Implementation Team, consistent with duties described in the Joint I-Plan, are to:
  - a. Communicate joint agency information about the MOU, implementation plans, and training programs to the agency, including the Regional Air Program Managers, Air Resource

Specialists, and line officers in all USFS offices that authorize oil and gas development.

- b. Advise the USFS's Designated Senior Manager on MOU implementation in support of the joint agency Senior Management Team.
- c. Develop a spreadsheet or similar system for tracking information (e.g., USFS ARM Program intranet site) on USFS planning efforts and projects that are subject to the MOU, including progress on and outcomes of MOU implementation as described in section IV of this plan.
- d. Share information about the USFS's MOU implementation with the Joint Agency Implementation Team.
- e. Organize interagency forums for information-sharing and discussion of MOU implementation, including as needed interagency panel sessions to answer questions from the field, as described in the Joint I-Plan.
- f. Coordinate with the relevant USFS-Washington Office (WO) staff and with the relevant USDA Offices to identify and develop any additional policy and guidance needed to implement the MOU.

3. **The USFS line officers with responsibility for Federal oil and gas decisions on public lands and supporting NEPA analyses:**

- a. Guide and support their staff and advise and support the appropriate USFS decision-makers to implement the key procedures and decisions under the MOU. They ensure that planning and project timelines account for completion of necessary air quality modeling. The key procedures and decisions include those outlined in three flow charts attached to the Joint Agency Implementation Plan: "Lead Agency Decision Steps Re: Modeling," "Additional Lead Agency Decision Steps when AQRVs Are Involved," and "Dispute Resolution Steps."
- b. Communicate any requests for formal guidance, concerns, or suggested improvements related to MOU implementation to the USFS Air Management Team and to the USFS Designated Senior Manager.
- c. Assist in securing resources for MOU implementation.

4. **The USFS Air Resource Specialists or Regional Air Program Managers** are the primary points of contact (POCs) for MOU implementation within their respective offices. In forests or zones without an Air Resource Specialist, the Regional Air Program Manager or designated Air Resource Specialist will be the primary POCs for MOU implementation. The USFS representatives of Joint Agency Implementation and Technical Teams may assist them, if needed, on a case-by-case basis. The responsibilities of the USFS Regional Air Program Managers and Air Resource Specialists are to:
  - a. Advise implementation of the MOU for specific planning, leasing, and field development decisions in their respective states, and organize technical work groups.
  - b. Coordinate interagency technical work groups to plan project actions in their states, unless other arrangements are made.
  - c. Coordinate, as needed, with the relevant USFS member(s) of the USFS Joint Agency Implementation Team; and serve as liaisons between this team and USFS field office staff.
  - d. Distribute announcements and information about MOU training opportunities to USFS offices within their regions and encourage participation in trainings and implementation efforts.
  - e. Coordinate with the appropriate planning and environmental coordination staff to document regional MOU implementation and provide updates on MOU implementation during USFS ARM Executive Team calls or separate calls.
  - f. Brief USFS Regional Office officials and regional or national USFS Air Resource Management staff, as appropriate, on MOU implementation information needed by the USFS Designated Senior Manager.
5. **District Office and Forest Office Planning and Environmental staff** in coordination with appropriate Regional Forest Office staff are responsible to integrate MOU procedures, where applicable, into land use planning, oil and gas leasing, and field development decisions, in coordination with the appropriate Regional Office Air Program Manager or Air Resource Specialist and the appropriate oil and gas specialist(s). Regional Office Planning and Environmental Coordination staff also coordinate with the WO Ecosystem Management Coordination Staff.
6. **Minerals Specialists** in District, Forest and Regional Offices throughout the USFS are responsible for implementing the MOU procedures concerning mitigation measures and design features, where applicable.

They should coordinate with the appropriate NEPA planning and Air Resource Specialists, and with the WO Minerals and Geology Staff. In addition:

- a. The WO Minerals and Geology Director will assign an oil and gas specialist in the WO to assist as needed with questions that arise relating to mitigation measures, including best management practices (BMPs) and associated policy and guidance questions.
- b. The assigned oil and gas specialist also will serve as the USFS's Mitigation Advisor, assisting as needed with interagency discussions of MOU implementation questions relating to mitigation measures.

7. **The USFS Staff Directors for Ecosystem Management Coordination and Minerals and Geology** routinely will share information with the USFS's Designated Senior Manager and the USFS Members of the Joint Agency Implementation Team regarding regulatory or policy developments that may affect MOU implementation. Staff Director responsibilities are to:

- a. Receive periodic updates on MOU implementation from the USFS's Designated Senior Manager or the USFS Members of the Joint Agency Implementation Team and share them with internal staff who have MOU relevant duties.
- b. Support the USFS Members of the Joint Agency Implementation Team in their efforts to identify new guidance or policy needs and to develop new guidance or policy, coordinating as appropriate throughout the USFS and with the USDA.
- c. Ecosystem Management Planning: Assign a planning analyst in the USFS-WO to assist as needed with questions relating to the planning and NEPA process and associated policy and guidance questions.
- d. Ecosystem Management Planning: Track Forest Plan revisions affected by the Air Quality MOU in standard Forest Plan revision status tables.
- e. Ensure that preparation for Forest Plan revisions include appropriate Air Quality MOU implementation actions. These will serve as tools for cross-checking information gathered on MOU implementation.

## **II. Implementing the MOU for NEPA Analyses**

## **A. Relationship to Other Authorities**

The USFS is responsible for the surface management of 193 million acres of National Forest System lands, portions of which are covered by federal oil and gas leases that grant exclusive rights for exploration and development. The USFS also evaluates National Forest System lands for potential oil and gas leasing. The 1977 CAA Amendments protect visibility and other Air Quality Related Values (AQRVs) in Class I areas from the adverse impacts of air pollution. The USFS reviews permit applications and NEPA documents for proposed new industrial facilities (or modifications to existing facilities) on or near USFS administered lands, to determine whether air pollution from these sources would affect USFS administered lands.

The MOU changes neither existing laws nor the implementation of their associated regulations and guidance. The MOU provides that all Agencies will follow the Council on Environmental Quality (CEQ) NEPA regulations and guidance, and their own NEPA procedures. (See MOU section II.A.3, p. 4.) The MOU is intended “to refine existing Agency guidance and procedures” for assessing impacts to air quality and AQRVs. (See MOU section II.A.1, p. 4.) Thus, the USFS’s planning and NEPA guidance remains applicable and should be followed consistently with the MOU procedures.

However, the MOU does articulate policy goals that affect implementation. Specifically:

1. In the MOU, the Agencies acknowledge that federal statutes, including the Clean Air Act and the Federal Land Policy and Management Act provide authority for protecting and improving air resources (section I, p. 3). The Agencies further commit to “strive to ensure, to the maximum extent practicable, that Federal decisions relating to oil and gas will not cause or contribute to exceedances of the National Ambient Air Quality Standards, nor adversely impact AQRVs in Class I Areas, or sensitive Class II Areas” (MOU section I, p. 3).
2. In the MOU, “the National Forest Management Act (NFMA) affords the FS the opportunity to consider sustainable management of National Forest System ecosystems and the interrelationships among air, plants, animals, soil, water, and other environmental factors. Further, “the Agencies with Federal land management responsibilities acknowledge that air resources are important and merit protection within their respective legal authorities” (MOU section I, p. 3).

## **B. Initiating Communications with Other Agencies: In-Process NEPA Analyses, New NEPA Analyses, and Planned NEPA Analyses**

Early communications with other Agencies is an important element of the MOU. Section V.E.1 of the MOU (p. 9) commits the Lead Agency to discuss key aspects of NEPA air quality or AQRVs analyses with the other Agencies “[e]arly in the NEPA process.” Outlined here are suggestions for beginning early communications in common situations. Exactly when early communications should begin will vary depending on the nature and timing of a proposed action.



When in doubt, initiate a conversation about a proposed action with the other Agencies as early as possible.

1. For planning actions and projects that already are in progress—in other words, those for which the USFS is the Lead Agency and has begun the NEPA analyses in September 2011 (whether a draft EIS or a final EIS is being prepared)—discuss the air quality or AQRVs analyses with the other Agencies as soon as possible to: (a) ensure that work that has been completed is consistent with the MOU procedures; or (b) if not, to integrate the MOU procedures into the ongoing analyses.
  - a. The USFS members of the Joint Agency Implementation Team are available to answer questions or assist in initiating such discussions, which may need to begin before MOU trainings are offered in order to avoid delays in planning or project analyses.
2. For planning actions and projects where the USFS is the Lead Agency but has not yet begun the NEPA analyses, the MOU procedures will apply to the air quality or AQRVs analyses at the outset.
  - a. If the USFS, as a Lead Agency, knows early in the NEPA process (e.g., before public scoping) that a planning action or project has the potential to significantly impact air quality or AQRVs, it is advisable that the USFS begin discussions with the other Agencies before scoping and consider relevant scoping comments once they are available. (See section V.E.1 of the MOU, p. 9.)
    - 1) On the other hand, if the USFS believes that air quality or AQRVs will not be significantly impacted by a proposed action, it is advisable that the USFS also initiate pre-scoping discussions with the other Agencies to confirm that understanding or identify any issues to explore through scoping. For example, this situation might arise when an EIS is being prepared for a FP due to potentially significant impacts on water resources and wildlife, but air quality or AQRVs are not expected to be significantly impacted.
  - b. As a Lead Agency, the USFS should discuss the NEPA air quality or AQRVs analyses with all four other Agencies—either in an initial conversation or a follow-up to an earlier discussion—once the Forest Service has received public comments during NEPA scoping and is evaluating the issues that merit analysis in the NEPA document.
  - c. *Note:* As a Lead Agency, the USFS also will need to discuss the application of the modeling criteria in sections V.E.3 and V.E.4 of

the MOU (pp. 10-11) with the other Agencies, because the MOU defines many of the terms used in those criteria with respect to conferring with the other Agencies (see section III of the MOU, pp. 5-7).

3. Forest and Regional Offices and Agencies may be able to plan for and realize efficiencies in air quality and AQRVs analyses, including the use of regional air quality modeling analyses, if they communicate their intention to amend or revise Forest Plans to each other as early as possible. Regional Forest Offices are encouraged to coordinate with their Forest and District Offices and to schedule long-term planning meetings with all other Agencies to discuss objectives, needs, and available resources (e.g., air quality monitoring data) for upcoming air quality and AQRVs analyses.
  - a. Regional Offices may choose the appropriate level of contact to arrange such meetings, provided that the appropriate USFS Regional Air Program Manager or Air Resource Specialist participates.

The Agencies' contacts for MOU implementation are listed in the Joint Agency Implementation Plan (beginning on p. 18). USFS contacts can also be found at the end of this document.

**C. Communication Channels for Specific Planning Actions and for Project level Environmental Impact Statements.**

To initiate discussions of NEPA analyses for planning or project Environmental Impact Statements (EISs) subject to the MOU:

1. The planning or project lead in a District or Forest Office should contact the Designated Air Resource Specialist in his or her Regional Office or USFS Air Regional Air Program Manager
  - a. If there is no Air Resource Specialist in a Regional Office or Air Program Manager, the planning or project lead should contact the USFS representatives of Joint Agency Implementation and/or Technical Teams.
2. The planning or project lead in a District or Forest Office, in coordination with the appropriate USFS Regional Air Program Manager or Air Resource Specialist and Minerals or NEPA Specialist, will convene a conference call or meeting to discuss the air quality or AQRVs analyses and, to the extent applicable, the modeling criteria in section V.E.3 of the MOU (p. 10), in order to prepare for an interagency discussion under

section V.E.1 of the MOU (p. 9). The discussion should include the aspects of the analysis listed in that section.

3. The USFS planning or project lead, in coordination with the appropriate USFS Regional Air Program Manager or Air Resource Specialist and oil and gas permitting specialist, should then contact the appropriate contacts at the other Agencies to schedule a conference call or meeting to discuss the air quality or AQRVs analyses (section V.E.1 of the MOU, p. 9).
  - a. The other Agencies' contacts are identified by name and office in the Joint Agency Implementation Plan (beginning on p. 18).
  - b. All five Agencies must be included in the initial contact, even though some may not have an apparent interest in a planning action or project. (See section V.E.1 of the MOU, p. 9.) The reason is to provide all Agencies an opportunity for early input on a NEPA analysis, recognizing that some Agencies' interests in a proposed action may be stronger than others and that Agencies' interests may change over time.
  - c. Interagency discussions may be conducted in person, by webinar or online meeting, or by conference call, provided that all Agencies are able to participate and amenable to the format.
  - d. If questions about what the MOU means or what its procedures involve arise in internal or interagency discussions, the USFS planning or project lead or the USFS Air Resource Specialist should contact the relevant USFS members of the Joint Agency Implementation Team. The USFS team member will coordinate with the Implementation Team to provide answers.

#### **D. Environmental Assessments**

The MOU provides that the Lead Agency will consider following the MOU procedures when preparing an environmental assessment (EA) for a federal oil and gas decision where air quality or AQRVs are issues warranting NEPA analysis (MOU section V.B, p. 8). This provision extends to decisions at the planning, leasing, or field development stages (e.g., plan amendments). The USFS planning or project lead should discuss the MOU procedures with the appropriate USFS Air Resource Specialist, USFS oil and gas permitting specialist, and USFS line officer(s) when deciding to prepare an EA. If the USFS decides to follow the MOU procedures, the USFS planning or project lead, in coordination with the USFS Regional Air Program Manager or Air Resource Specialist, the USFS oil and gas specialists, and the appropriate USFS line officer(s), should contact the appropriate contacts at the other Agencies. The other Agencies' contacts are listed in the Joint Agency Implementation Plan (beginning on p. 18).

#### **E. Documenting MOU-Related Communications**

All MOU-related communications (including phone calls, meetings, e-mails, and other electronic and written communications between agencies) should be documented and maintained consistent with NEPA, CEQ regulations, and related guidance, including guidance from CEQ, USDA, and the USFS. In addition, all MOU-related communications generally should be included in the administrative record for a proposed planning or project decision. Interagency discussions of multiple planning or project analyses should be documented in the files and administrative records for each relevant planning action or project NEPA document.

Contact the appropriate Office of the General Counsel or the members of the interagency Legal Team providing assistance with MOU implementation if any questions arise about including MOU-related communications in the administrative record.

### **III. Tools to Assist in MOU Implementation**

#### **A. Emission Inventory Information**

The Forest Service developed the “Desk Reference for NEPA Air Quality Analyses” (insert hyperlink). Several chapters in the Desk Reference will be useful to calculating emissions of traditional air pollutants associated with oil and gas development. The desk reference guide can be accessed at the following location:

<https://www.wilderness.net/air/index.cfm?fuse=share&categoryID=76>

#### **B. Modeling Resources**

The USFS WO/Region 2 is supporting the Western Regional Air Partnership (WRAP) in the development of a West-wide air quality model, known as the Western States Data Warehouse Project (formerly known as the WestJump Air Quality Modeling Study). Once completed, the model will be available to inform smaller-scale air quality or AQRV analyses for planning or project decisions.

The USFS Atmospheric Modeling Coordinator has developed and offers training for national and regional planning and ARM staff on air quality modeling basics for Oil and Gas NEPA and provides operational guidance and technical support in the development of air quality analyses for NEPA.

#### **C. Mitigation Information**

As described in the Joint Agency Implementation Plan, interagency Mitigation Advisors will compile existing information about best practices for mitigation across the Agencies. The advisors also may host question and answer sessions (e.g., as live webinars or on-line meetings). The USFS ARM developed a document detailing air quality best management practices for oil and gas development (available at <http://www.fs.fed.us/air/documents/EmissionReduction-072011x.pdf>).

### **IV. Tracking and Evaluating MOU Implementation**

#### **A. Value and Importance**

It is important to track MOU implementation over time to evaluate progress with respect to the purpose and goals described in section I of the MOU (p. 3). These activities inform resource needs for implementation in future years, provide a foundation for any necessary changes to improve the MOU, and can be used to identify lessons for future collaborative efforts in other areas.

## **B. Information to be Maintained and Shared**

In coordination with USFS members of the Joint Agency Implementation Team, the lead regional or zone air specialist will maintain a system for tracking information relevant to MOU implementation, such as a spreadsheet posted on the USFS Air Resource Management Program intranet site (described in section I.D.2 of this plan). The information, which may be shared with all Agencies, will list all NEPA analyses subject to the MOU and, for specific planning, leasing, and field development decisions, include:

1. Outcomes of the MOU procedures, including the type(s) of air quality and AQRVs analyses performed to inform planning, leasing, and field development decisions, the type(s) of mitigation measures or design features applied in different situations, and success stories;
2. Whether or not a technical workgroup was convened, and if so, what kind of group was used (e.g., an existing stakeholder group, cooperating agencies, or another group) and how it worked;
3. Whether existing modeling was re-used or whether regional modeling was available, referenced, tiered to, or otherwise used;
4. Agency working relationships throughout the NEPA process;
5. The effect of the MOU procedures on planning and project schedules;
6. The cost of the air quality and AQRVs analyses if the USFS bore the costs (e.g., to support planning-level decisions);
7. Dates of EPA comment letters and EPA ratings of USFS NEPA documents that follow the MOU procedures;
8. Associated protests, appeals, and litigation; and
9. Whether the Agencies used the MOU's dispute resolution procedures, and if so, their effectiveness.

The Regional Air Program Manager or Zone Air Resource Specialist, will routinely update the tracking system by identifying and describing the status of NEPA air quality and AQRVs analyses for all Resource Management Plan efforts, Master Leasing Plans, leases, and field development decisions subject to the MOU for which the USFS is the Lead Agency. The system shall be updated at least once every 3 months and prior to the Senior Management Team's annual call on MOU implementation.

## **C. Regular Updates on MOU Implementation within the USFS**

1. During USFS Air Resource Management Program Executive Team or separate calls held at least quarterly, the USFS members of the Joint Agency Implementation Team and/or Technical Team will request and the

USFS Regional Air Program Managers and Air Resource Specialists will share updates on MOU implementation, including the information described in section IV.B of this plan, as applicable.

2. During regularly scheduled Regional Office VTC/calls, the USFS Air Management Team members will provide periodic updates on MOU implementation. The Regional Offices will share successes, concerns, and questions for the USFS Air Management Team members to relay to the USFS's Designated Senior Manager.
3. The USFS Designated Senior Manager may elect to provide updates or solicit feedback on MOU implementation during Forest Service Leadership calls or meetings.

#### **D. Updates on MOU Implementation to the USDA and Other Agencies**

1. The USFS Designated Senior Manager will provide updates on MOU implementation to USDA officials and will update other Agencies through the Senior Management Team.
2. The USFS members of the Joint Agency Implementation Team will provide updates to their counterparts and will assist the USFS Designated Senior Manager in preparing updates for the USDA as needed.

### **V. Training**

#### **A. Importance of Training and Joint Approach**

Training on the NEPA Air Quality MOU is important for everyone involved in Federal oil and gas planning, leasing, and field development decisions. The MOU has instructed the five participating Agencies to develop appropriate joint training efforts and materials (MOU section X.B., pp. 15-16). The joint approach helps to ensure that all Agencies use consistent interpretations and approaches in all aspects of MOU implementation.

#### **B. Four Distinct Trainings**

The Joint Agency Implementation Plan describes a set of four distinct trainings, designed for different audiences, as “the backbone of the Implementation Plan.” The trainings are described in an attachment to the Joint Agency Implementation Plan (pp. 9-13) and are titled as follows:

1. *Air Quality MOU Basics: What, Why and How* for Frontline and Field Personnel.
2. *Air Quality MOU Procedures and Decisions Training* for Managers.
3. *Technical Implications and Applications of the MOU* for Air Quality Specialists.

4. ***Workshops with Scenarios and Situations*** for Interagency Regional Teams Who Work Together.

### **C. Critiques and Feedback on Training Courses**

Timely consideration of critiques and other feedback on NEPA Air Quality MOU trainings are important to the implementation principle of continual learning and to delivering effective trainings as needs change and issues arise over time. Prior to conducting MOU training sessions, the USFS members of the Joint Agency Implementation Team work with the other team members to develop a common mechanism for collecting critiques and feedback on the trainings. Participants in all MOU trainings are asked to provide critiques and other feedback on the trainings. The purpose is to facilitate the systematic evaluation of the trainings in order to improve them over time.

The USFS members of the Joint Agency Implementation Team also work with the Joint Agency Implementation Team to perform such evaluations and to share the results with the joint agency Senior Management Team.

### **D. Continuing Education Credit and AgLearn**

The USFS members of the Joint Agency Implementation Team Team work with the USDA National Training Center to determine whether continuing education credit can be offered for MOU trainings and whether USFS participants in MOU trainings may use the AgLearn system for purposes of tracking progress and refining training courses and materials.

### **E. Identifying Training Needs and Updating Training Materials**

Coordinating with the Joint Agency Implementation Team, the USFS members of the Joint Agency Implementation Team and Technical Team will use the information collected pursuant to section IV of this plan to identify additional training needs and update training materials. USFS recommendations for new training will be discussed with the Joint Agency Implementation Team for possible presentation to the Senior Management Team.

### **F. Updating the USFS Implementation Plan**

Based on information received through the updates described in section IV.C of this plan and the annual Senior Management Team meeting, the Designated Senior Manager may determine, in consultation with the USFS Air Management Team, that the USFS Implementation Plan should be updated.

1. At the request of the Designated Senior Manager, the USFS members of the Joint Agency Implementation Team and Technical Team will draft updates to the plan for the Designated Senior Manager's review and approval. Updates will be prepared in coordination with the Joint Agency Implementation Team in order to maintain consistent implementation of the MOU across Agencies.

2. Updates to the USFS Implementation Plan should be consistent with the Joint Agency Implementation Plan.

## **VI. External Outreach, Briefings and Presentations**

Consistent with the Joint Agency Implementation Plan, the Agencies' MOU implementation efforts first will focus on the Agencies themselves and then will turn to external outreach. Outreach efforts include the following.

### **A. Rollout and Dissemination of the MOU**

1. On June 24, 2011, the DOI coordinated the roll-out of the MOU with calls at various levels to Governors, state air agencies, industry, and environmental organizations. The calls included offers to brief the state environmental agency executives (in Colorado, Montana, New Mexico, North Dakota, Utah, and Wyoming) who participated in interagency phone briefings on the MOU in spring 2011, as well as their counterparts in Alaska and California.
2. On October 25, 2011, the Chief Tidwell transmitted to the Regional Foresters and other Forest Service leadership a letter announcing the MOU and its supporting documentation. .

### **C. Professional Conferences, Meetings, and Newsletters**

1. Professional oil and gas conferences, professional air quality and planning meetings and conferences, and technical symposia on air quality offer opportunities to raise awareness of the MOU. It is anticipated that USFS Air Program Managers and Air Resource Specialists in Regional and Forest Offices and the Washington Office each will participate in such conferences and meetings in their respective locations, coordinating with one another and with other USFS specialists and managers as necessary.

### **D. Requests for MOU Presentations or Trainings**

1. Other organizations may request information, presentations, or training sessions on the MOU as well. The USFS Regional Air Program Managers or Air Resource Specialists and others should share external requests for presentations or trainings with the USFS members of the Joint Agency Implementation Team, who will coordinate with the other members of the Joint Agency Implementation Team to respond to such requests.



## VII. Milestones and Projected Schedule

Milestones and projected schedules from September 2011 to June 2012 are identified in section IV of the Joint Agency Implementation Plan (pages 4-5).

## VIII. Attachments and Other Accessible Information

Listed below are key sources of information to assist in MOU implementation, and where to find them. Additional information, such as training schedules and materials and Agency newsletter articles, will be posted on the USFS Air Resources Management Program Intranet site.

- A. **Background Information** (“Air Quality Memorandum of Understanding (MOU) Questions and Answers”) on the MOU, **the NEPA Air Quality MOU** itself, the **Appendix**, an **Example Design of a Reusable Modeling Framework** for Air Quality Modeling are available on the USFS ARM Program intranet site under the Oil and Gas FARM Team Final MOU and Appendices subdirectory. The NEPA Air Quality MOU (BLM MOU WO-200-2011-04) is also available on the USFS ARM Program intranet site under the Oil and Gas FARM Team Final MOU and Appendices subdirectory..
- B. **Talking Points** prepared by the joint agency implementation team for use by all Agencies, including a summary of the MOU and examples of successful case-by-case collaboration to date, will be posted to the USFS ARM Program intranet site.
- C. The **Joint Agency NEPA Air Quality MOU Implementation Plan for Oil and Gas Decisions on Federal Lands (September 21, 2011)**, prepared by the Joint Agency Implementation Team (the “Joint I-Plan”), is available on the USFS ARM Program intranet site under the Oil and Gas FARM Team Implementation subdirectory. It includes:
  - 1. Flow charts that illustrate key decision steps of the MOU process (see Attachment 3, pp. 14-17).
  - 2. Lists of the members of the “Joint Federal Teams for Implementing AQ MOU” and Agency Regional Contacts for the USFS and the other four Agencies (see Attachment 4, beginning on p. 18). Agencies will periodically update the lists over time.
- D. **FS laws, regulations, manuals, and handbooks** can be accessed at: <http://www.fs.fed.us/forestmanagement/aboutus/lawsandregs.shtml>.
- E. **Information on Best Management Practices (BMPs)** for oil and gas development is available at: <http://www.fs.fed.us/air/documents/EmissionReduction-072011x.pdf>.

The Mitigation Advisors will compile additional information relevant to mitigation, consistent with the Joint Agency Implementation Plan. It will be made available through the USFS ARM Program intranet site.

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SEPTEMBER 2011**

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