

**From:** [Jonathan Olson](#)  
**To:** [Tracy Melbihess](#)  
**Subject:** RE: Work Plan Agreement  
**Date:** Friday, August 30, 2013 4:17:13 PM

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I just got off the phone with Jess Carey. I think I'll look at this after a three day weekend.

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**From:** Alex Thal [mailto:[ajthal@wildblue.net](mailto:ajthal@wildblue.net)]  
**Sent:** Friday, August 30, 2013 3:49 PM  
**To:** [tracy\\_melbihess@fws.gov](mailto:tracy_melbihess@fws.gov)  
**Cc:** [jonathan\\_j\\_olson@fws.gov](mailto:jonathan_j_olson@fws.gov); [vanessa.burger@fws.gov](mailto:vanessa.burger@fws.gov); [sherry\\_barrett@fws.gov](mailto:sherry_barrett@fws.gov); [john\\_oakleav@fws.gov](mailto:john_oakleav@fws.gov); Glyn Griffin; DARR SHANNON; Tink Jackson  
**Subject:** Work Plan Agreement

Dear Tracy,

For your review and consideration, attached is the County-FWS proposed Agreement, as we discussed at breakout meeting on Aug. 9<sup>th</sup>. during the Kick Off work sessions in Albuquerque. We appreciate your suggestions at our meeting.

Catron County is submitting the attached agreement, *Work Plan Agreement Between the US Fish and Wildlife Service and the Catron County Commission for Joint EIS for the Proposed 10-J Rule*, pursuant to 40 CFR§1506.2.

This cooperative work plan agreement is in lieu of the MOU for cooperating agency, 40 CFR§1501.6. Instead of pursuing the Cooperating Agency MOU, the County will pursue the §1506.2 section of NEPA, which is more in line with Catron County Commission. It can help in the 10-J Rule EIS; and, at the same time, §1506.2 complies with the County's ordinance on this subject matter. It also curtails further delays, issues and confusions around the FWS draft MOUs that remain unresolved.

After your review, please consider signing the attached work agreement and send it back to me and I will submit it to Catron County Commission for their signature at their next regularly held public meeting on Sept. 12, 2013. If you have any questions, please provide it in writing to me, or, accept the County's invitation to come to the next Catron County Commission on Sept. 12<sup>th</sup>. to discuss any questions you may have. It may help speed up the decisions by the County and by FWS if you bring your NEPA specialist and your legal counsel.

As the County FWS liaison for the EIS process, I look forward to receiving the draft agreement. Feel free to make any changes. If you wish to change the name of this interagency agreement to a memorandum of agreement or of understanding. The County Commission will consider your suggestions to improve the prospects for cooperation to meet the goal of full disclosure in the EIS process.

For your reference, I have attached related documents CEQ 40 CFR§1506.2, CEQ's 40 Most Questions, and, Catron County's environmental planning and review ordinance.  
I attached materials for reference: 1506.2, 40 Questions, and Catron County Environmental

Planning and Review Ordinance.

Thank you for your attention on this matter.

Alex Thal, Ph.D., Catron County Natural Resources Coordinator  
(575) 388-7987

cc Glyn Griffn, Chairman, Catron County Commission

Darr Shannon, Hidalgo County Commissioner

Tink Jackson, Chairman, Luna County ESA Committee