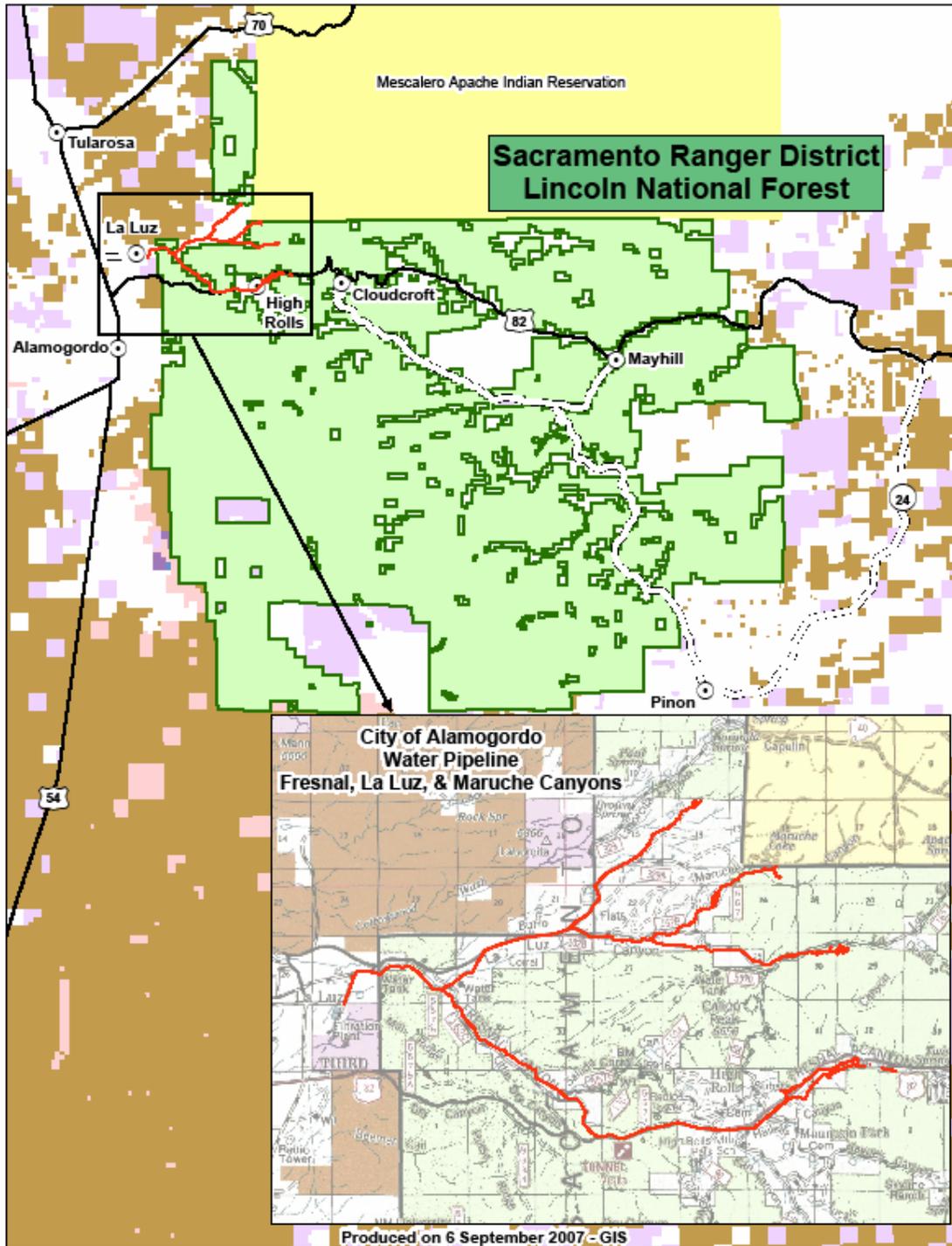
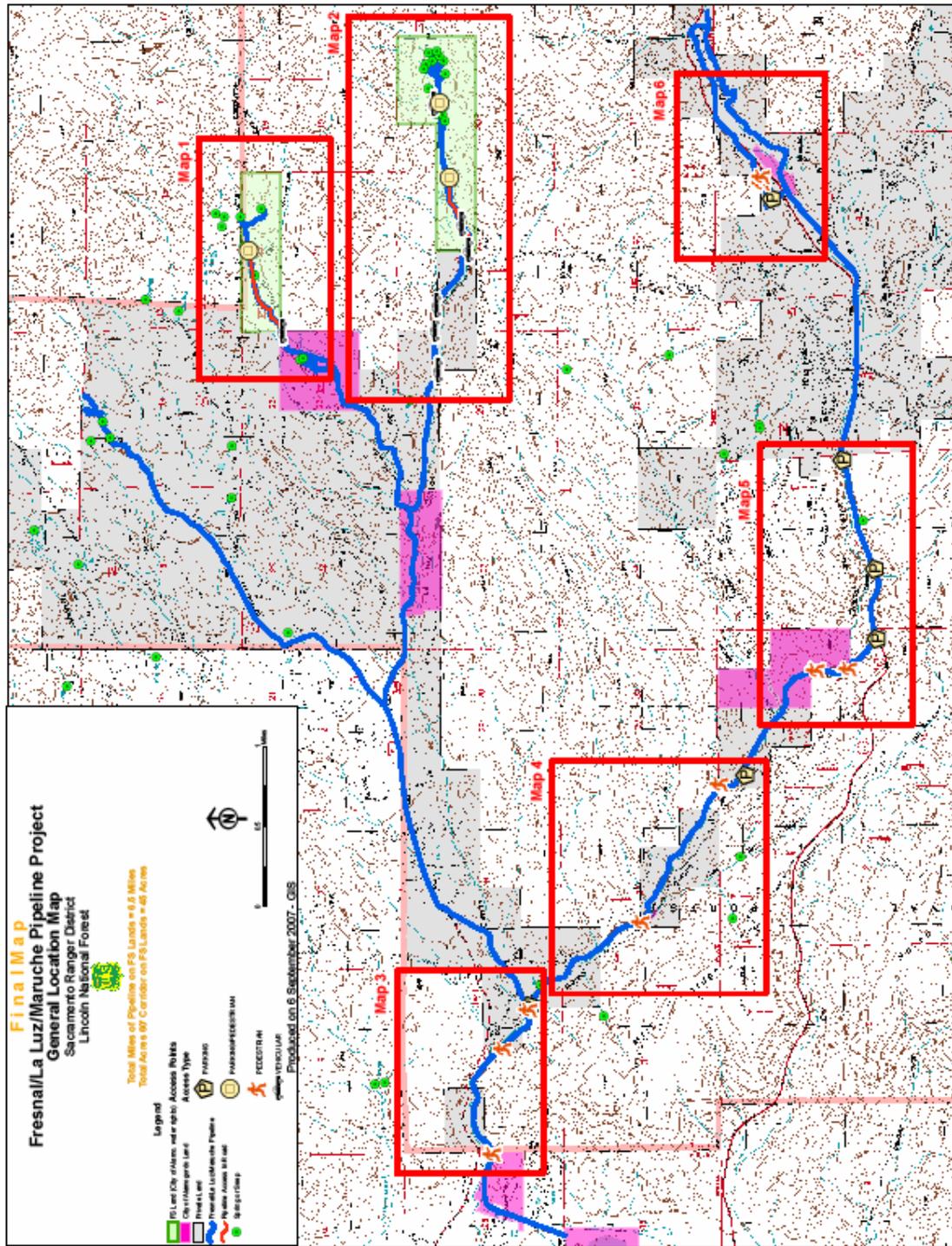
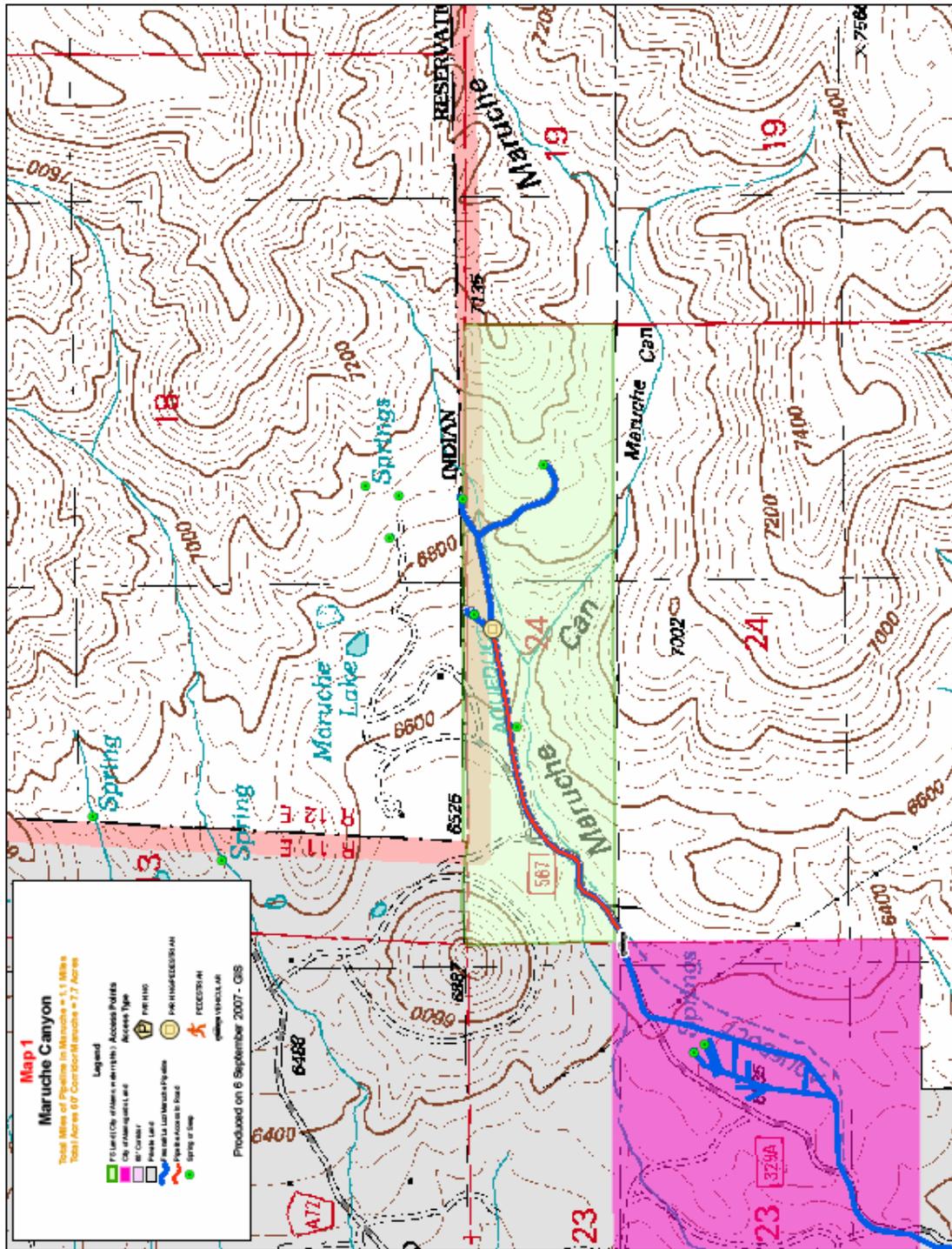
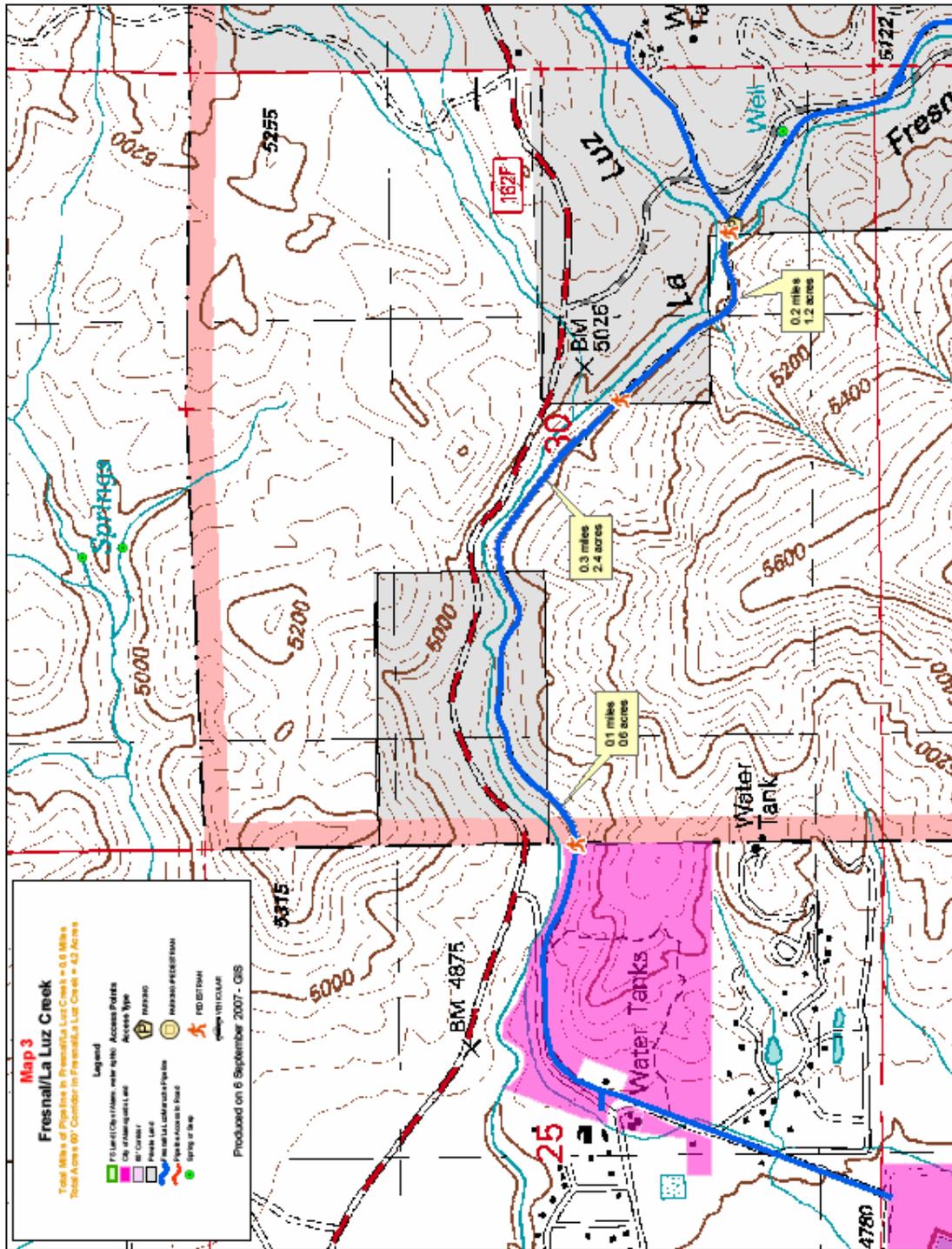


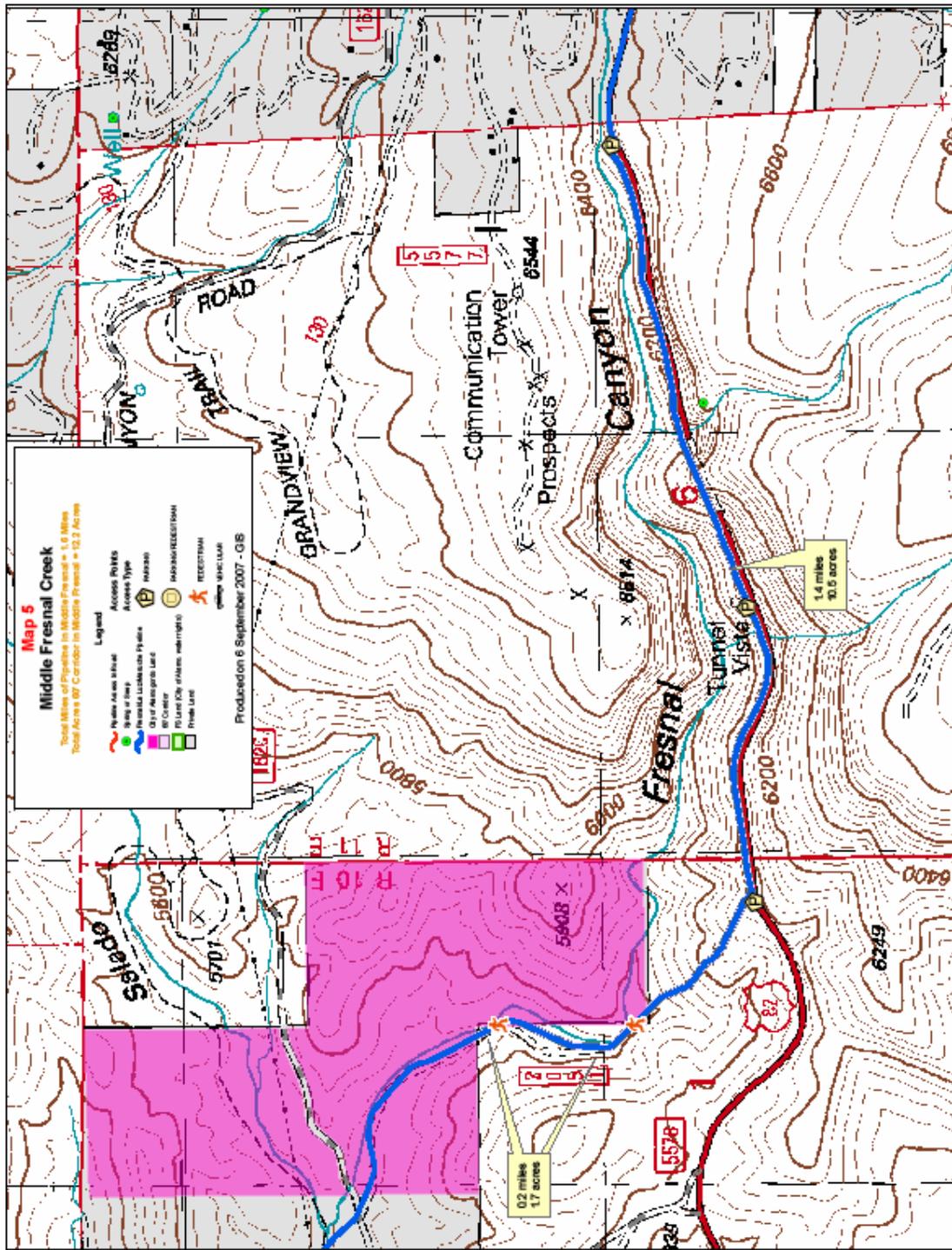
APPENDIX A – Maps

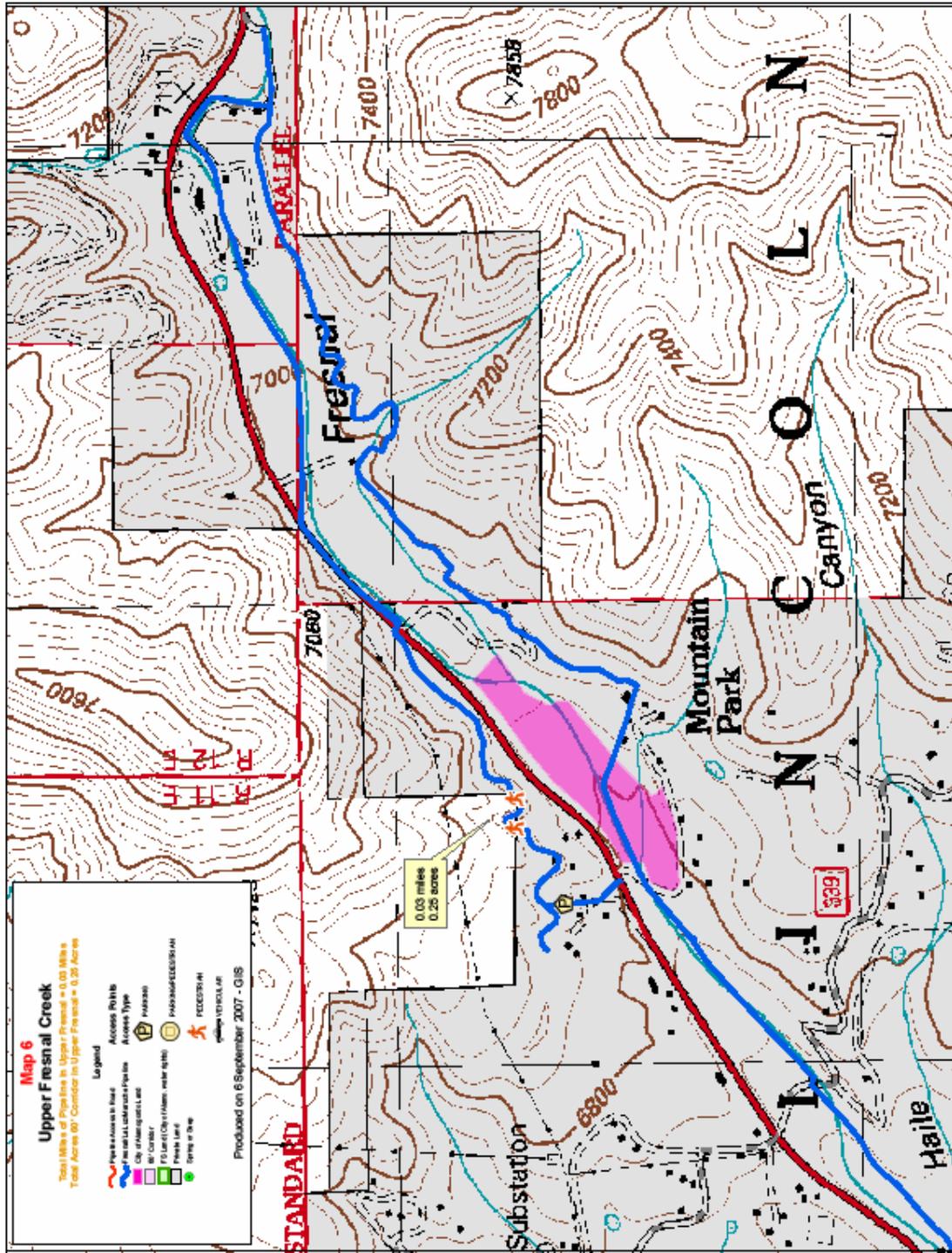












APPENDIX B – Operation and Maintenance Plan

Operation and Maintenance Plan

City of Alamogordo Water Pipelines

In Fresno, La Luz, and Maruche Canyons

on the
Lincoln National Forest

Prepared Jointly by:

/s/ Brian Cesar
Brian Cesar
City of Alamogordo
Public Works Director

/s/ Mark A. Cadwallader (for)
Marcie Kelton
Special Uses Administrator
Sacramento Ranger District

8/20/2007
Date

08/16/2007
Date

Approved by:

/s/ Pat McCourt
Pat McCourt
City Manager

/s/ René A. Wood (for)
S.E. “Lou” Woltering
FS Supervisor

8/20/2007
Date

08/16/2007
Date

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This Operation and Maintenance Plan (Plan) is attached to and made a part of the Special Use Permit issued to the City of Alamogordo (City) on **XX/XX/XXXX** and expires on **XX/XX/XXXX** (Special Use Authorization i.d. number **XXXXXXXX**). The terms of this plan provide details on how the terms and conditions found in the Special Use Permit (SUP) will be agreed to and implemented. In the event there is a conflict between this plan and the SUP, the latter will prevail.

I. Introduction

There is a mutual benefit for the City of Alamogordo (City) and the Forest Service (FS) to cooperate in order for both to fulfill their respective obligations to the citizens of the City and the public, at large. The City's water consumers and the general public are the ultimate beneficiaries of this partnership. Based on this premise, this plan seeks to:

- Promote better communication between the City and the FS.
- To document in sufficient detail the policies and procedures for implementing the terms and conditions of the Special Use Permit (SUP) for the water conveyance pipeline and its associated facilities and structures (water conveyance system) crossing National Forest System (NFS) lands in Fresnal, La Luz and Maruche Canyons.
- Improve the ability of the FS to respond to the City's needs for water conveyance system operation, maintenance and repair activities.
- Facilitate the City's compliance with applicable laws and regulations related to the use of NFS lands as permitted through their SUP.
- Improve customer satisfaction.

A. Purpose and Need for Operation and Maintenance Plans

The SUP establishes terms and conditions which authorize the use of NFS lands. The SUP in and of itself does not address in sufficient detail all the procedures necessary to effectively implement the operations, maintenance, and/or repair of the water conveyance system that are authorized by the SUP (see Sections IV., V., and VI.). The water conveyance system is complex and requires regular maintenance, upgrades, extensions, and other modifications. The SUP requires that the FS give approval prior to undertaking any activities associated with the water conveyance system on NFS lands. This plan provides the framework under which the City may operate and maintain the water conveyance system on a routine basis, and establishes the criteria under which the City must obtain additional approval from the FS in order to undertake desirable or needed improvements, maintenance and repairs occurring on NFS lands that are not considered routine.

Routine operations and maintenance will include those activities that are required to ensure that the water conveyance system is functioning properly, including minor maintenance and repair. These activities will include such things as periodic access to roads and trails to check the pipeline, diversion structures, valves, meters and water troughs for functioning condition, as well as scheduled maintenance and unscheduled repairs of the water conveyance system that do not require ground disturbance or the use of heavy equipment. These activities will be presented in writing by the City, discussed and approved en masse, following an annual meeting between the City and the FS to be held each December.

Major repairs and improvements to the water conveyance system occurring on NFS lands will include those that require ground disturbance and/or the use of heavy equipment. These may be proposed and scheduled either during the annual meeting in December, or may occur on an emergency basis. This Operations and Maintenance Plan provides guidelines for the proposal or notification, and approval of such activities.

The consequences of not obtaining prior approval for non-routine use and maintenance activities are potentially negative impacts to other NFS resources and possible conflicts with other users of NFS lands. Therefore the work needs to be planned and scheduled in such a way that it is compatible with other FS resources and activities.

The responsibilities, requirements and agreed to actions in this plan are applicable to the water conveyance system located on NFS lands and associated with the SUP held by the City for Fresno, La Luz and Maruche Canyons.

B. System Location and Description

The City's surface water collection system is located on the western slope of the Sacramento Mountains in Fresno, La Luz, and Maruche Canyons. The main spring areas include Upper and Lower Maruche Springs, Springer Springs and Snow-Smith Spring (See map 1). The water transmission system in Fresno, La Luz, and Maruche canyons consists of approximately 95,000 feet of water transmission lines, 5 creek diversion structures and their related infrastructure.

The entire water conveyance system is located on or runs through NFS lands (subject to the terms and conditions of the SUP), public rights-of-way, lands owned by the City, and privately owned land on which the City retains permits, easements, or rights-of-way. These permits, easements, and rights-of-way allow the City access to operate and maintain the springs, diversions, transmission lines, and associated facilities and structures.

C. Infrastructure Applicable to Fresno, La Luz and Maruche Canyon Pipelines

Infrastructure	Number	Location	Comments
Piping of various diameters (1" to 18") made of plastic, steel, cast iron, ductile iron, and asbestos cement.	95,000 ft	See map 1	The pipelines occur both above and below ground.
Springs/Wetlands: metal spring boxes, lids, locks, vaults, underground perforated pipe for water intake, shallow wells, and security chain link fencing.	42	See map 1	All springs will have some or all, of the listed infrastructure.
Valves of various sizes.	100		These are air vacuumed from time to time.
Mainline water meters.	7	See map 1	
Small domestic water meters.	8	See map 1	Private individuals through an agreement with the City tap into the City pipeline for water and pay the city.
Creek diversion structures.	5	See map 1	Only 3 in use; on private land in Fresno Canyon.
Wildlife and cattle watering troughs.	Several	See map 1	Many associated with the FS allotments and cared for by permittee

II. City Responsibilities

A. Organization

For the purpose of implementing this Operation and Maintenance Plan, the City designates the authorities and responsibilities to the following individuals (see Appendix A for names that correspond with titles):

Official(s) with responsibility to work with the FS in the planning, development, and implementation of the yearly work activities for the water conveyance system:

- Project Manager
- Public Works Director

Official with responsibility to implement and approve the Operation and Maintenance Plan and the work activities for the year:

- City Manager.

Other individuals authorized to conduct business with the FS:

- City Manager
- Public Works Director
- Project Manager
- Authorized representatives of the City Manager, Public Works Director or Project Manager

B. Yearly Work Planning Process

The City is responsible for ensuring that all proposed activities on the water conveyance system, including use, maintenance, repair, and improvement occurring on NFS lands, for a given calendar year are planned, communicated with, and approved by the FS in a timely manner as provided by this Operation and Maintenance Plan. This includes, but is not limited to the following activities:

- Any ground disturbing activities;
- Replacement of facilities and structures;
- Addition of facilities and structures;
- Securing of applicable federal, state, and local permits;
- Cleaning and removal of any hazardous materials;
- Anticipated and planned routine maintenance and repairs; and
- Any activities that may not be in compliance with National Environmental Policy Act (NEPA), ESA, and the National Historic Preservation Act.

The City is responsible for preparing annual and four-year work plans, and presenting them in writing to the FS at the annual meeting to be held in December of each year.

If any personnel changes have occurred during the previous year, the City will provide the FS with an updated list of contacts at the annual December meeting to be attached to this Operation and Maintenance Plan.

If decisions requiring additional disclosure under NEPA are needed for activities related to the water conveyance system in advance of the FS planning schedule, the City may, at its

expense contract for FS approved environmental consultants to accomplish the needed NEPA analysis and disclosure documentation.

The City may meet and confer with the FWS annually, and accompany the FWS during periodic access to those lands owned by the City and those lands on which the City holds easements or rights-of-way for the water conveyance system in Fresno, La Luz and Maruche Canyons. Any such access will be for the purpose of conducting surveys for the Sacramento prickly poppy (*Argemone pleiacantha* ssp. *Pinnatisecta* (ARPLP)) or its habitat where it occurs on those lands. If updated maps are produced showing locations of Sacramento prickly poppy plants and/or its occupied habitat as a result of these surveys, the City may utilize them in planning and implementing operation and maintenance of the water conveyance system to avoid impacts to the plant where it occurs on these lands.

C. Policy Changes

The City of Alamogordo Commission or City Manager may from time to time create new regulations, policies, or statutes affecting the maintenance and operation of the water transmission system. The City Manager and/or Public Works Director will work with the FS to facilitate understanding and implementation of the new regulations, policies, or statutes in a timely manner.

The City will notify the FS as soon as possible before any of the above described changes are enacted to afford the FS time to participate in the development of the proposed changes.

D. Approvals and Authorizations

Maintenance and scheduled repairs to the water conveyance system occurring on NFS lands will be proposed at the annual meeting in December. The City's Project Manager or Public Works Director will work with the FS to obtain the appropriate level of approval.

In the event the City determines there is a need to modify this Operation and Maintenance Plan, the authorized City officer will meet as soon as possible with the FS and provide in writing the necessary information for the modification.

In the event the City determines there is a need to modify any scheduled activities agreed to or approved at the annual meeting in December, the authorized City officer will meet as soon as possible with the FS and provide in writing the necessary information to justify the modification of those activities necessary for operation and maintenance of the water conveyance system.

Work activities on the water conveyance system affecting NFS lands or resources, except for emergency situations described in Section II.E., will not be initiated until approval is received in writing by the City from the FS.

E. Emergencies

The City will notify the FS, specifically the District Ranger or District Natural Resource Manager (see Appendix A for names that correspond with titles) within 24 hours of any emergency situation that requires immediate actions that involve ground disturbance, new

access, and/or use of heavy equipment. Emergencies involving the water conveyance system include the occurrence of one the following activities occurring on NFS lands:

- A break/leak in the pipeline where 15 gallons of water per minute are being released.
- Failure of a diversion, spring box, well or water meter such that water is not able to flow or to be measured.
- Damage caused by natural disasters such as floods, tornados, earthquakes, fire, etc.
- Any unforeseen combination of circumstances that calls for immediate action to ensure the integrity and continued operation of the water conveyance system.

Activities scheduled, agreed to or approved at the annual meeting held each December will not be considered emergencies and will require no notification of the FS by the City prior to initiation, unless the annual agreement calls for the FS to perform activities prior to initiation, such as survey and flag resources that should be avoided.

III. FS Responsibilities

A. Organization

For the purpose of implementing this Operation and Maintenance Plan, the FS designates the authorities and responsibilities of the following individuals (see Appendix A for names that correspond with titles):

Official with responsibilities to authorize the Operation and Maintenance Plan:

- Forest Supervisor.

Official with responsibility to authorize the modifications of the Plan:

- Forest Supervisor
- Sacramento District Ranger
- District Natural Resource Manager.

Official with responsibility to implement the Operation and Maintenance Plan:

- Sacramento District Ranger
- District Natural Resource Manager

Other individuals authorized to conduct business with the City:

- Sacramento District Ranger
- District Natural Resource Manager
- District Timber Staff
- District Wildlife Staff
- Forest Archeologist
- District NEPA Staff

B. Yearly Work Planning Process

The FS is responsible to ensure that all proposed activities including maintenance or repair activities occurring on NFS lands identified at the annual December meeting are planned and carried out in accordance with the provisions of NEPA and other laws including ESA, and the National Historic Preservation Act.

After the City presents annual and four-year work plans to the FS in writing at the annual December meeting, the District Ranger will determine the level of FS planning required by NEPA and other applicable laws. The FS will prepare and submit to the City a planning schedule for all proposed activities related to the water conveyance system, including the level of FS planning determined to be required, for that calendar year within 10 working days after the annual December meeting.

If any personnel changes have occurred during the previous year, the FS will provide the City with an updated list of contacts at the annual December meeting to be attached to this Operation and Maintenance Plan.

Any proposed non-routine maintenance, repair, improvement and ground disturbing activities occurring on NFS lands must be analyzed to determine whether the action may have an effect on any plants, animals or their habitat that are threatened, endangered or proposed for listing under the ESA. In the event an activity may affect one or more of these species or their habitat, the FS is required to consult with the FWS.

It is the responsibility of the FS to conduct the Biological Assessment (BA) for a given activity and to initiate the required consultation with the FWS. In the event the FS is unable to complete a BA in a timely manner, the City may hire, at its expense, an FS-approved environmental consultant to conduct any necessary surveys and prepare reports to be submitted to the FS for approval.

The FS will provide the City with an updated map showing areas of Threatened and Endangered plants and animals and their habitat occurring on NFS lands, including but not limited to the Sacramento prickly poppy, at the annual meeting in December.

C. Policy Changes

Congress, the Secretary of Agriculture, and the Chief of the FS may from time to time create laws, regulations, or policies affecting the SUP and this Operation and Maintenance Plan. The District Ranger and/or staff will explain any such changes to the City and work with the City to facilitate any needed modification of the SUP or this Operation and Maintenance Plan required to implement such changes in a timely manner.

The FS will notify the City as soon as possible before any of the above described changes are enacted to afford the City time to participate in the development of the proposed changes.

D. Approvals and Authorizations

The authorized FS officer will provide necessary approvals and authorizations as quickly as possible for requests to modify this Operation and Maintenance Plan, or to modify any scheduled activities agreed to or approved at the annual meeting in December.

The Forest Supervisor will be the responsible official for approving all decisions requiring a modification to the SUP.

E. Emergencies

Once the FS is notified of an emergency situation occurring on NFS lands, the FS will determine what if any resources might have been impacted. The FS will make this determination within 24 hours of notification of the emergency situation. The FS will then outline what, if any actions will need to be taken to analyze and document the potential impacts. This may include informing and consulting with the FWS, State Historic Preservation Office, Corp of Engineers, Native American Tribes, implementation of resource protection measures such as flagging of Sacramento prickly poppy, structures for erosion protection, use of hand tools for minimization of impacts to wetlands etc.

Emergencies include the occurrence of the following:

- A break/leak in the pipeline where 15 gallons of water per minute are being released.
- Failure of a diversion, spring box, well or water meter such that water is not able to flow or to be measured.
- Damage caused by natural disasters such as floods, tornados, earthquakes, fire etc.
- Any unforeseen combination of circumstances that calls for immediate action to ensure the integrity and continued operation of the water conveyance system.

Activities scheduled, agreed to or approved at the annual meeting held each December will not be considered emergencies and will require no notification of the FS by the City prior to initiation, unless the annual agreement calls for the FS to perform activities prior to initiation such as survey and flag resources that should be avoided.

IV. Access, Maintenance, and Repair Procedures on NFS Lands

A. Procedures for Access and Road Maintenance Activities

The following are required of the City for access to implement approved road/trail maintenance/repair activities on NFS lands:

- Access to NFS lands for inspection purposes is limited to what has been identified on the updated map at the annual meeting in December (See map 1).
- Access may be severely limited during extreme fire danger.
- Access for road/trail maintenance will require site specific approval from the FS before any work is performed.
- Any and all conditions set within the Special Use Permit by the FS shall be followed.
- Specific guidelines and procedures may be set by the FS that include identifying areas of access, specifying the type of equipment to be used, and actions necessary to minimize impacts to NFS lands and resources such as soils, wildlife and plants.
- When transporting supplies to work sites the City will coordinate with the FS to help determine the best access and mode of transportation to minimize impacts to plants, animals and their habitat. This may include limiting access to horseback, mules, helicopters or walking.
- Steps shall be taken to protect the environment and clean the site of all debris (such as old pipeline) upon completion of work.

- All areas of ground disturbance will be re-vegetated as appropriate with an FS-approved weed-free seed mixture, except as described in Section V.A.2. regarding specific re-vegetation activities in Sacramento prickly poppy habitat.

B. Infrastructure Repair and Maintenance Procedures

- Access procedures into the various areas shall be followed as outlined in Section IV. A. of this plan.
- All maintenance and repair activities occurring on NFS lands shall be identified and disclosed during an annual meeting in December to coordinate projects for that year and to update the four-year plan.
- At the annual meeting the City will provide a written report of the maintenance and accomplishments of the previous year.
- Maintenance and repair shall be performed in a professional manner and shall comply with City and FS standards and regulations. The City shall submit applications at the earliest possible date allowing ample time for environmental analysis to be completed. The more complex the project, the more time the FS will need to process the request.
- All materials used shall be new and will comply with the latest American Water Works Association and ASTM Standards.
- Pipelines are installed under and above ground. Underground lines typically have three feet of soil cover. Any pipe replacement or repair activities will be analyzed in accordance with the FS NEPA process.
- When repairs involve excavation, this activity will be kept to a minimum. Upon completion of the excavation, the area shall be back filled, cleaned, and returned as appropriate, to its natural state.
- All areas of ground disturbance will be re-vegetated as appropriate with an FS-approved weed-free seed mixture, except as described in Section V.A.2. regarding specific re-vegetation activities in Sacramento prickly poppy habitat.
- Mainline and domestic meters are installed inside metal cans or vaults. If maintenance or replacement is needed the work will be done by hand. In the event that excavation is required the FS will be notified before any ground disturbing action is taken.
- Individual springs may require cleaning of the perforated piping, spring-can replacement, fencing repairs, and site mowing. In the event that the perforated piping needs to be repaired every effort shall be made to clear by roding (snake) or flushing. Excavation shall be used as a last resort. If excavation is needed, the FS shall be notified prior to any ground disturbance.

- Site clearing and mowing shall be done by hand or mechanical means. The use of herbicides is not allowed at any of the sites.
- Clearing and mowing within NFS lands require site specific permission from the FS before any actions are implemented.
- Open burning in all areas requires prior approval from the FS, County, City and State.
- All fencing repairs shall be done using similar materials and same height as the original.
- All wildlife troughs are concrete structures that require minimal maintenance. Minimal excavation may be required to repair the feeder lines. The FS will be consulted before any ground disturbing activities occur.
- There are watering troughs located in the Fresno Canyon System. Maintenance is the responsibility of the allotment permittee. All maintenance activities will be disclosed in the permittee's Annual Operation Instructions for that year. The FS will be responsible to make sure that the activities are approved in the permittee's plan and the City is informed.
- Creek diversion structures are located along the Fresno System. They are made of concrete and typically require surface cleaning after major storms. Any diversions located on NFS lands will require FS approval for the use of any equipment and actions prior to any ground disturbing activities. These structures can be accessed by the current road system.
- Disposal procedures and cleanup of asbestos cement will be done per Occupational, Safety, and Health Administration (OSHA) standards (Technical information for asbestos-Non-Mandatory Occupational Safety and Health Standards 1910.1001 App.)

V. Environmental Protection and Mitigation on NFS Lands

The following will be implemented as appropriate, as will any other environmental protections identified in the Decision Memo for the SUP:

A. Endangered Species Act Compliance

All non-routine activities, including ground disturbing activities for the water conveyance system on NFS lands must be analyzed to determine whether the proposed action(s) may affect any plants, animals, or their habitat, that are threatened, endangered, or proposed for listing.

It is the responsibility of the FS to prepare the BA for proposed activities and to initiate the required consultation with the FWS as required under ESA. If the FS determines that there will be no new effects, then consultation will not be required with the FWS. If any new proposed activity results in potential effects to listed or proposed plant or animal species, then consultation will be required with the FWS.

1. Sacramento prickly poppy

- Sacramento prickly poppy (*Argemona pleiacantha* ssp. *Pinnatisecta* (ARPLP)) plants found during water conveyance system inspections and maintenance surveys will be flagged to avoid impacts or disturbance to the plants.
- If at any time during routine operation and maintenance of the water conveyance system unforeseen changes in the work activities are required, the FS will be informed of those changes as soon as possible. The FS will provide approval in writing to the City before implementation.
- When the water conveyance system is being inspected from a road, any parking or pulling off the road will not occur in known Sacramento prickly poppy locations. These locations are identified on the updated map showing areas of Threatened and Endangered plants and animals and their habitat, provided at the annual December meeting.
- During emergency situations, if the FS is not able to be on the ground in a timely manner to identify specific mitigation measures, the City shall not be required to implement specific Sacramento prickly poppy mitigation measures. If the actions fall within the SUP definition of maintenance, then all Sacramento prickly poppy mitigation actions must be implemented.
- If emergency repair of the water conveyance system is necessary, the FS will be notified within 24 hours. The FS will contact the FWS to inform and consult as appropriate, on needed actions and documentation. In no case shall response to an emergency be delayed due to the FS inability to contact the FWS.
- Natural re-vegetation will be the preferred re-vegetation method for disturbed areas in Sacramento prickly poppy habitat. If natural re-vegetation does not occur or the erosion rate exceeds FS standards, then the FWS will be contacted to discuss reseeding of the disturbed area(s) with an FS-approved weed-free seed mixture.

2. Mexican Spotted Owl (MSO) Primary Activity Areas (PAC)

- Any activities in an MSO PAC during breeding season (April 1st through August 31st), will require clearance by the FS.
- Any MSO survey will fall within Region 3 protocol standards.

B. Cultural Resources

- All ground-disturbing activities that involve any equipment will require cultural resource clearance in advance of any ground disturbance.
- The FS will be responsible for review and approval of all clearances. In the event the FS cannot accomplish the surveys and reports in a timely manner, the City may hire an FS-

approved professional archaeologist at the City's expense, to conduct necessary surveys and prepare reports to be submitted to the FS for approval.

C. Soil, Air and Water

- Best Management Practices will be employed in the repair and maintenance of water conveyance system and during any ground disturbing activities.
- Re-vegetation and/or rehabilitation of disturbed sites will be done after consultation with the FS authorized officer. See Section V. B. for specific re-vegetation activities in Sacramento Prickly Poppy habitat.
- Water bars and other erosion-prevention techniques will be used as appropriate prior to any ground disturbing activities, to minimize erosion.
- Vehicle use in wetlands and wet meadows will be avoided at all times. Excessively muddy roads (ruts created when traveled) will not be traveled until conditions improve.
- Water trucks will be used to spray water on dusty roads during repair and maintenance activities as needed.

D. Recreation

- There are no developed recreation sites or system trails within the water conveyance system corridor. There are however, some recreation opportunities such as site seeing, hiking (non-trail), hunting, and some unmanaged Off Highway Vehicle (OHV) use. The OHV use is currently being analyzed in the Travel Management process on the FS.
- The City is responsible for reporting any un-authorized OHV use in the area of the water conveyance system.
- The FS is responsible for developing, through the Travel Management Rule process, ways of dealing with the un-authorized OHV use.

VI. Fire Prevention and Control on NFS Lands

A. Seasonal Restrictions

The FS authorized officer may impose restrictions on City activities during periods of extreme fire hazard. These restrictions include, but are not limited to:

- Fire Patrols. During “Red Flag” windy days, the FS authorized officer will advise the City to conduct fire prevention patrols after the use of chainsaws or other equipment that may cause a fire including welding machines, motor vehicles, weed eaters, and other combustion equipment.
- Burning Period Restrictions. When deemed necessary by the FS authorized officer, the City may be restricted to early morning or late evening work schedules during periods of

high mid-day fire hazard. The City may be required to have a fire truck or other fire suppression equipment on site.

- Work Suspensions. In the event the City is unable to provide for adequate fire prevention and suppression acceptable to the FS authorized officer, it may be necessary to impose a partial or total suspension on maintenance until the extreme fire danger abates. In most cases, however, the City may continue to inspect the water conveyance system for potential fire hazards.

B. Wildfire Procedures.

- The City shall cooperate with fire suppression officials during a wild fire event by providing information and/or equipment that may be useful in fire suppression.
- The City shall not undertake maintenance or any other work activities within the perimeter or immediately adjacent to a wildfire without the approval of the FS authorized officer.
- FS officials shall advise the City about expected fire activity and potential damage to City owned facilities and structures.

Appendix A – List of Contacts

Official with responsibility to authorize and modify the permit:

S.E. Lou Woltering, Forest Supervisor (lwoltering@fs.fed.us) 505-434-7200

Other individuals authorized to conduct business with the City:

Sacramento Ranger District – 505-682-2551

Frank Martinez, District Ranger (frmartinez@fs.fed.us)

Marcie Kelton, Natural Resource Manager. (marciekelton@fs.fed.us)

Brian Long, Natural Resource Manager. (bplong@fs.fed.us)

Kathy Wallace, District Timber Staff (kwallace@fs.fed.us)

Mickey Mauter, Assistant Timber Staff (mmauter@fs.fed.us)

Rene Guaderrama, Wildlife Staff (rguaderrama@fs.fed.us)

Individuals authorized to conduct business with the FS:

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1376 E. Ninth Street

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