

Understanding How Forest Service Planning Relates to County Plans

for

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The 2012 Planning Rule

The Forest Service instituted a new planning rule in 2012 that tells us how to implement the coordination requirements found in law. The new rule seeks to foster a more collaborative approach to land management planning.

Requires the Forest Service to:

- Actively seek to engage state, local and tribal governments, including encouraging them to seek cooperating agency status where appropriate
- Coordinate with related planning efforts
- Review the relevant planning and land use policies of other government entities and consider the relationship of those policies to the unit and the planning process



Overview of the Land Management Planning Process (Forest Plan Revision)

The Forest Plan Revision process consists of three major phases:

- 1) Assessment (Humboldt-Toiyabe National Forest scheduled to begin around 2020)
- 2) Plan Development
- 3) Monitoring (ongoing during implementation)

The 2012 Planning Rule emphasizes public involvement through every step of the planning process and specifies working with State, local, and tribal governments.



Benefits of Early Engagement

- Local government agencies provide a distinct and vital perspective that is not diminished by the fact that their views are advisory rather than decisional.
- Carried out properly and with mutual respect for the rights and responsibilities of each government, can result in more robust land management plans that meet the needs of those governments
- Allows governments to more effectively coordinate the best use of limited resources, staffs, and budgets, as they work cooperatively to manage forest resources on lands across multiple jurisdictions.



Four Ways To Engage:

Collaboration
Cooperation
Coordination
Cooperating Agency Status

Most relevant to today's topic of county natural resource plans?
Coordination and Cooperating Agency Status



USFS County Coordination Requirement – Basis in Law

The regulations pertaining to the U.S. Department of Agriculture's Forest Service's primary responsibilities to coordinate with counties can be found in the National Forest Management Act (NFMA) and the National Environmental Policy Act (NEPA).

Under NFMA and its implementing regulations, the Forest Service is required to coordinate land management planning for the National Forest System (such as the amendment and revision of forest plans) with land management planning conducted by State and local governments.

This coordination allows the Forest Service to take into account and consider the State or county's proposed management for lands under their jurisdiction, and vice versa.



The Role of Coordination

The Planning Rule emphasizes coordination by requiring that the Forest Service review and consider State, local, or tribal land use plans and policies during the planning process and assess the interrelated impacts of these plans when developing proposed plans.

Although the Forest Service is not mandated to comply with these other plans, it must consider and review them during the planning process.

Successful coordination depends on each party taking the time to understand each other's management objectives and working to find and include mutually beneficial and coordinated direction in final plans.



USFS Review Responsibility

Review of other jurisdictions plans includes:

- (i) The objectives of [these entities], as expressed in their plans and policies;
- (ii) The compatibility and interrelated impacts of these plans and policies;
- (iii) Opportunities for the plan to address the impacts identified or contribute to joint objectives; and
- (iv) Opportunities to resolve or reduce conflicts, within the context of developing the plan's desired conditions or objectives (36 CFR 219.4 (b)(2)).



“Nothing in this section should be read to indicate that the responsible official will seek to direct or control management of lands outside of the plan area, nor will the responsible official conform management to meet non-Forest Service objectives or policies (36 CFR 219.4(b)).”



What is Cooperating Agency Status?

The Planning Rule directs the responsible Forest Service official to encourage governmental entities to request cooperating agency status where appropriate when they have “special expertise” or “jurisdiction by law” and can meet the cooperating agency requirements outlined in the regulations.

Cooperating agency status is made available to State, local, and tribal governments (as well as other Federal agencies) under the National Environmental Policy Act (NEPA) and thus only applies to planning that occurs during NEPA.

(Roles and responsibilities are typically outlined in a Memorandum of Understanding)



Tips for Effective Engagement

Governments should consider principles and practices critical to successful participation at all levels. These include:

- a philosophy that planning is a collaborative partnership with the Forest Service;
- designation of one or more individuals as liaison(s) to the Forest Service planning team;
- a commitment to constructive participation in all meetings applicable to the role of governmental entities;
- a commitment to continuing involvement in implementation, monitoring, and adaptive management; and
- a commitment to serving as connections between citizens and the Forest Service.

*Advice from the Federal Advisory Council on
the 2012 Land Management Planning Rule*



An Example from Wyoming

Wyoming Coalition of Local Governments

Four counties and five conservation districts in western Wyoming formed the Coalition of Local Governments in 2004 to pool resources and coordinate comments on the revisions for BLM and National Forest land use plans. In addition, the local governments requested cooperating agency status for all major projects in the region.

While the focus has been to protect local land use plans and interests, the Coalition has shaped the economic debate by introducing a more regional economic focus and has shaped the environmental debate by identifying and addressing issues that may be of concern. The Coalition members routinely seek information from the industries important in Wyoming, including agriculture and energy.

Above all, the Coalition efforts have served to inform agency officials of local government concerns and challenges which, in turn, will maximize the potential over the years that new Federal initiatives will be adjusted to reflect local government plans.





Thank you for your time and attention!

If you have questions at any point, please contact me at chevalgabor@fs.fed.us, 775-224-2777

