Intergovernmental Partnerships

An Operation Guide for County Governments and the USDA Forest Service

DRAFT

Table of Contents

l.	Leadership Messages	4
Me	essage from Forest Service Leadership	2
Me	essage from NACo Leadership	5
II.	Purpose and Introduction	ε
III.	About the USDA Forest Service	7
	How the USDA Forest Service was created	8
	Management structure of the USDA Forest Service	8
	National Forest System:	g
	State and Private Forestry	11
	Research and Development	12
	Figure 2. USDA Forest Service Management Hierarchy THIS NEEDS PROFESSIONAL HELP	13
IV.	Roles and Structures of County Governments	13
	A brief overview of the role of county government	13
	County organizational structures	13
	The role of associations	14
	The National Association of Counties	15
	Other associations	15
V.	Understanding NEPA and National Forest System Land Management Planning Processes	15
	Overview of NEPA	16
	Forest Service Actions Requiring Documentation	16
	Overview of National Forest Management Act and 2012 Planning Rule	17
VI.	. Understanding Cooperation and Coordination	18
	Figure 4. Relationships Matter: It is essential to remember that relationships matter; in the abse consistent and open communication, commitment to learning and integration, and willingness trust each other, no process—formal or informal—will yield results that are satisfying for the lar communities.	o nd or
	Cooperation in the National Environmental Policy Act (NEPA) process	19
	About the Council on Environmental Quality	19
	What is required in cooperation?	20
	What is a cooperating agency?	20
	Who can be a cooperating agency?	20
	What does a Cooperating Agency do?	21

*	**Insert Text Box: What is entailed in being a cooperating agency?***	21
Figu	ure 3. Opportunities and Limitations on Cooperating Agencies Error! Bookmark not defi	ned.
Р	Providing Special Expertise: Including Locally Developed Socioeconomic Profiles in EISs	22
	How does a county become a Cooperating Agency?	22
C	Coordination in National Forest Management Act (NFMA) Planning	23
	What does coordination mean and what is required? Error! Bookmark not defi	ned.
Ε	xamples of Coordination between Counties and the Forest Service	24
VII.	Overview of County Planning Processes	25
C	County Land use and Natural Resource Planning	25
	Connecting with your County's Land Use and Natural Resource Plans	26
	Community Wildfire Protection Plans	26
VIII.	. Best Practices for Counties and the Forest Service to work together	27
]	INSERT TEXT BOX: "Collaborative Processes and Groups"	28
В	Best practices for Forest Service when working with county officials	29
	Engage early and often	29
	Understand histories and priorities	30
	Practice behaviors that build trust	30
	Establish leadership intent	31
(1	Insert side bar on: Guidelines for Forest Service Participation in Local Planning Efforts	31
	Communicate understanding of USDA Forest Service contributions and impacts	31
	***SIDE BAR: Working Together to Manage transitions"	32
***	Text Box: NACO County Explorer ***	37
A.	Appendices	38
Δ	Appendix (need to list in order they are referenced in the document, which I have not done yet)	39

I. Leadership Messages

Message from USDA Forest Service Leadership



Vicki Christiansen
Interim Chief of the USDA Forest Service

health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations. Working together is an important agency principle that promotes customer service, strengthens our relationships with our stakeholders, provides opportunity for shared stewardship, and enables the agency to be good neighbors as we work to

It is the USDA Forest Service's policy to work closely with our public and state and local governments to fulfill our agency's mission of sustaining the

fulfill our mission.

Much of the work that the USDA Forest Service does happens at the local level. The relationships we have with communities and local elected officials and their agencies are vital to our ability to manage National Forests and Grasslands. To support these relationships, the USDA Forest Service and the National Association of Counties have developed this Guide aimed at increasing understanding of how the Agency and Counties can work together more effectively. This intent is embodied in a Memorandum of Understanding originally signed in 2007, between the two organizations. It is my belief that our relationship with Counties and local governments is critical to managing National Forest System lands.

As public servants and local elected officials, we should work together to be problem solvers and towards solutions that are politically and socially durable and ensure the long-term sustainability of communities and the natural resources. It is through working together, at multiple stages of planning and project implementation, that we will achieve true success.

Message from National Association of Counties Leadership



Joel Bousman President, Western Interstate Region

This joint effort between the National Association of Counties (NACo) and the U.S. Forest Service is designed to help agency employees and county officials to better understand our respective roles under the federal planning process. This guide

should serve as a meaningful tool for counties to learn their responsibilities in working as a partner with the federal government.

A major responsibility of local government officials is to understand and support the economy, custom, and culture of the people they represent. In counties with significant public lands, county governments must work closely with local U.S. Forest Service personnel to ensure that the voice of the local population is heard. County officials can bring experience and an informed perspective to public land management and help to bridge gaps between federal agencies and county residents. We also understand the best decisions are made at the local level, when the decision makers are all looking at the same piece of land together and solving problems in a cooperative way.

Counties have a responsibility to offer constructive ideas and solutions that respect the mandates faced by federal officials in the decision-making process. In recognizing and respecting our separate but important roles in this partnership, county governments will have greater opportunities to ensure that residents have a seat at the table in future efforts. NACo stands ready to work with federal land management agencies to help advance our shared goals and solve problems to benefit the landscape and the public. County officials are committed to hold productive dialogues with agency staff to ensure access, improved public lands and a strong relationship between federal and local officials from now into the future.

II. Purpose and Introduction

The purpose for this guide was born out of discussions with county officials and USDA Forest Service ("Forest Service") leadership in an effort to find a common understanding of the roles each have in the management of National Forest System (NFS) lands. The Forest Service is the legal authority for managing National Forests and Grasslands and counties have a vested interest in how these lands are managed in support of their resource-dependent communities.

This Guide is the result of a collaborative effort between the National Association of Counties ("NACo") and the Forest Service. Much of the content in this Guide, such as Best Practices in Section VIII, builds on the experience of officials from counties / local governments and Forest Service employees working together in managing National Forests.

***Insert Text Box: An Opportunity to Strengthen Relationships

County officials frequently state that their opportunities to participate in decisions about natural resource management differs between National Forests, and even between managers within the same National Forest. Moreover, forest leadership turnover often bring about changes in relationships which require time to rebuild. Counties and other local governments seeking to participate in determining management priorities for National Forests and Grasslands often find conflicting information about federal laws and regulations. Therefore, one of the main purposes of this Guide is to improve consistency in the ways Forest Service employees build and maintain relationships with local governments, and to provide a reliable and accurate summary of the Forest Service's statutory and regulatory requirements for engaging with local governments.

Forest Service managers have varying experiences, knowledge, and understanding of county government. At times, Forest Service managers are unsure about how to most effectively engage with local government, when to attend and/or participate in county meetings, and when it is appropriate to reach out and invite county official participation. Further, Forest Service managers experience a significant amount of variation in attitude and expectations from county leaders, often seeing county officials as the bearers of community frustrations. This guidebook is meant to help county officials better understand the constraints of Forest Service managers and take leadership to encourage open dialogue among their communities and the Forest Service and explore solutions and innovations to complex management challenges facing federal land managers.

End Text Box

This Guide is not intended to replace or change current laws or policies, but to increase joint understanding of those laws and regulations that shape the county role in federal land management, the need to work together to achieve mutually beneficial goals and increase civil dialogue. The final product was agreed to through technical reviews and comments from elected officials, including county commissioners, who participate in NACo's Public Lands Steering Committee and Western Interstate Region, and Forest Service staff and land managers.

III. About the USDA Forest Service

The United States Department of Agriculture (USDA), established in 1862, consists of 29 agencies and offices with nearly 100,000 employees. USDA's vision is to provide economic opportunity through innovation, helping rural America to thrive; to promote agriculture production that better nourishes Americans while also helping feed others throughout the world; and to preserve our Nation's natural resources through conservation, restored forests, improved watersheds, and healthy private working lands. The Forest Service is an agency within the USDA.

The Forest Service is a multi-faceted agency with the statutory responsibility to administer the national forest system 'for outdoor recreation, range, timber, watershed, and wildlife and fish purposes,' and "to develop and administer the renewable surface resources of the national forests for multiple use and sustained yield of the several products and services obtained therefrom." 16 USC 528, 529. This statutory responsibility is the basis for our mission statement to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations. "In the effectuation of this Act the Secretary of Agriculture is authorized to cooperate with interested State and local government agencies and others in the development and management of the national forests." 16 USC 530 [note: the secretary is "authorized," not "required." Towards this mission, the Forest Service manages and protects 154 national forests and 20 national grasslands across 43 states and Puerto Rico. In addition, the Forest Service supports an elite wildland firefighting team and the world's largest forestry research organization. Its experts also provide technical and financial help to state and local government agencies, businesses, private landowners and work government-to-government with tribes to help protect and manage non-federal forest and associated range and watershed lands.

Core to the Forest Service's value of providing good customer service and promoting shared stewardship of natural resources, the agency often partners with public and private entities to plant trees, improve trails, educate the public, and treat lands within wildland/urban interfaces and rural areas. Gifford Pinchot, first Chief of the Forest Service, summed up the mission of the Forest Service: " where conflicting interests must be reconciled the question will always be decided from the standpoint of the greatest good of the greatest number in the long run."

A unique relationship has existed between counties and communities and adjacent National Forests since their creation. These counties and communities have, in many cases, an

inextricable cultural, social, and economic relationship with the land and therefore, the designation of National Forest System lands has always held special importance to the health and livelihoods in these towns. The special relationship was recognized by Congress during debates on the creation of the National Forests. Subsequent laws, regulation, and practices have aimed to protect communities, or ensured their sustainability, along with the sustainability of the forests.

The management of federal lands has always relied on an inextricable link between the need for the workforce and physical infrastructure required for forest and range management, processing of wood products, offering recreational services, amongst other local businesses that are part of what enables the USDA Forest Service to steward federal lands in a manner that is economically viable. County government plays a critical role in the relationship between the Forest Service and the local community and businesses. County government and the services they provide are essential to having a healthy community and viable environment for entrepreneurs who work with the Forest Service. Today, the relationship with county government continues to be important. In facing contemporary issues such as the complexity of ecological, economic, and social challenges, the relationship between the USDA Forest Service and county government is essential to the agency achieving its mission, providing good customer service, and fostering shared stewardship.

How the USDA Forest Service was created

Federal forest management dates back to 1876, when Congress created the office of Special Agent in the U.S. Department of Agriculture to assess the quality and conditions of forests in the United States. In 1881, the Department expanded the office into the Division of Forestry. A decade later, Congress passed the Forest Reserve Act of 1891 authorizing the President to designate federal lands in the West into what were then called "forest reserves." Responsibility for these reserves fell under the Department of the Interior until 1905 when Congress transferred their care to the Department of Agriculture's new Forest Service. Gifford Pinchot, who had been the Chief of the Division of Forestry, led this new agency as its first Chief, charged with caring for the newly renamed national forests.

In the decades that followed, the USDA Forest Service developed an exceptionally effective fire suppression program, provided a steady supply of timber and fiber for housing and expanding the Nation, issued grazing permits to ranchers, developed a variety of recreational opportunities for the citizens of America, and discovered ways to manage and preserve wildlife populations.

Management structure of the USDA Forest Service

The USDA Forest Service workforce of approximately 30,000 full-time employees reflects the full range of diversity of the American people. This includes cultural and disciplinary diversity, as well as diversity in skills and abilities. The head of the Forest Service is the Chief. The Chief reports to the Secretary of Agriculture and oversees each of the Forest Service's five primary deputy areas, which are described in Figure 1. Within USDA there is an Under Secretary of Natural Resources who is politically appointed to oversee the Forest Service on behalf of the Secretary of Agriculture.

Figure 1: USDA Forest Service Deputy Areas

National Forest System

- Manages lands known collectively as the National Forest System, that are in 44 States, Puerto Rico, and the Virgin Islands. There are 154 National Forests and 20 grasslands, in nine regions.
- These lands make up 8.5 percent of the total land area in the nation; over 190 million acres.
- •The natural resources on these lands are some of the nation's greatest assets and have major economic, environmental, and social significance for all Americans.

State and Private Forestry

- Reaches across the boundaries of National Forests to States, Tribes, communities and non-industrial private landowners.
- Provides technical and financial assistance to landowners and resource managers to help sustain the Nation's forests and protect communities and the environment from wildland fires.
- Brings forest management assistance and expertise to a diversity of landowners, including small woodlot, tribal, state, and federal, through cost-effective, nonregulatory partnerships.

Research and Development

- Works at the forefront of science to improve the health and use of our Nation's forests and grasslands. Research has been part of the Forest Service mission since the agency's inception in 1905.
- There are seven research stations and 81 experimental forests and ranges. R&D interacts with national forests in nine regions and with the agency's State and Private Deputy Area throughout the United States.

nternationa Programs

- Promotes sustainable forest management and biodiversity conservation internationally.
- By linking the skills of our field-based staff with partners overseas addresses the world's most critical forestry issues and concerns.
- Serves the American forestry community by combating illegal logging, conserving migratory species habitats, protecting our forests from invasive species and bringing important technologies and innovations back to the U.S.

Business Operations

- Provides leadership, direction, quality assurance, and customer service in carrying out agency business and human resource programs, Job Corps, the Senior Community Service Employment Program, and the volunteer program.
- Hires, trains, evaluates, and promotes its employees; pays employees and contractors; acquires office space, equipment and supplies; and acquires, supports, and maintains the computer and communications technology needed to ensure efficient and effective operations.

National Forest System:

The National Forest System consists of nine regions of "units of federally owned forest, range, and related lands throughout the United States and its territories, united into a nationally significant system dedicated to the long-term benefit for present and future generations, and

that it is the purpose of this section to include all such areas into one integral system. ¹" (See Map 1).

Overall management responsibility is exercised by a hierarchy line of officials referred to as "line officers." Regional Foresters broadly oversee decisions across their region and report to the Chief of the Forest Service. Forest Supervisors oversee and make decisions regarding the individual national forest and grassland they are assigned within a region. District Rangers are responsible for the management of resources in their district(s) on an individual national forest. Each of these line officers have key "staff" in the form of Regional Office Directors, Forest Staff Officers, and other key positions. They report directly to the line officers mentioned and are responsible for carrying out the policy and technical side of the management of the National Forests. There are 154 individual National Forests and Grasslands and more than 600 ranger districts within the NFS². The location of Forest Service on-the-ground field offices, field supervisory offices, and regional offices of the Forest Service are generally situated to provide the optimum level of convenient, useful services to the public, giving priority to the maintenance and location of facilities in rural areas and towns near the national forest³. Most of the Forest Service boots-on-the-ground activities occur on the ranger districts, including trail construction and maintenance, operation of campgrounds, and management of vegetation and wildlife habitat.

Map 1. USDA Forest Service Regions (NEED BETTER RESOLUTION OF THIS MAP)

¹ 16 USC 1609 (a)

² https://www.fs.fed.us/about-agency/organization

³ 16 USC 1609 (b)



State and Private Forestry

The State and Private Forestry (S&PF) organization of the USDA Forest Service reaches across the boundaries of National Forests to States, Tribes, communities and non-industrial private landowners. S&PF is the federal leader in providing technical and financial assistance to landowners and resource managers to help sustain the Nation's forests and protect communities and the environment from wildland fires.

Forests cover 766 million acres in the United States and private, community, state, and tribal forest owners manage 445 million acres or two-thirds of these forests. These non-federal forests and their owners as well as the 130 million acres of public urban forests contribute to the quality of life for all Americans and are under increasing pressure to provide, water, fish and wildlife habitat, recreation opportunities, stormwater control, energy conservation, public health benefits, open natural areas, and forest products.

Privately owned and managed forests face many threats, including wildland fire, invasive species, pests and disease, and the permanent loss of working forest land to non-forest uses, and federal, state, and tribal lands face some of these same threats. The Forest Service helps

ensure that forest landowners have the best technical, educational, and financial assistance available to achieve their unique objectives and to keep forests working for all of us.

State and Private Forestry programs are administered through Regional Offices and service centers. State and Private Forestry programs include Conservation Education, Cooperative Forestry, Fire and Aviation Management, Forest Health Protection, Office of Tribal Relations, and Urban and Community Forestry. These programs deliver technical assistance, science delivery, as well as grants and agreements to State agencies, private landowners, Tribes, and other organizations working on mutually shared objectives.

Typically, each NFS Region has a State and Private Forestry Director who reports to the Regional Forester through a Deputy Regional Forester (as all Regional Office Directors do) and has a staff of managers administering various programs aimed at assisting private landowners and working with state forestry and natural resource agencies. While fire management is part of State and Private Forestry, there is a dedicated Fire Director in each Region that oversees fire management issues, especially wildland fires.

Generally, county officials work with their State Forestry (Natural Resource) Agency to access the programs offered through State and Private Forestry; however, it is always worthwhile to understand the programs and how Regional Offices and service centers within State and Private Programs deliver these programs. It is also important to understand what stage a State has reached in developing their State Forest Action Plan. The State Forest Action Plan is a great way to contribute to the Land management planning process on any National Forest.

Research and Development

The research and development (R&D) arm of the Forest Service works at the forefront of science to improve the health and use of our Nation's forests and grasslands. Research has been part of the Forest Service mission since the agency's inception in 1905.

The organization consists of seven research stations and 81 experimental forests and ranges. Each Research Station has a Station Director who reports to the Chief of the Forest Service; a Station Director is a peer to the Regional Forester. Every Forest Service R&D interacts with national forests and with the agency's State and Private Deputy Area throughout the United States. Forest Service R&D also partners with other federal agencies, non-governmental organizations, universities, and the private sector.

Today, about 500 Forest Service researchers work in a range of biological, physical, and social science fields to promote sustainable management of the Nation's diverse forests and rangelands. Their research covers a lot of country, with programs in all 50 States, U.S. territories, and commonwealths.

The work of R&D has a steady focus on informing policy and land-management decisions, whether it addresses invasive insects, degraded river ecosystems, or sustainable ways to harvest forest products. The researchers work independently and with a range of partners, including other agencies, academia, nonprofit groups, and industry. The information and technology produced through basic and applied science programs is available to the public for its benefit and use.

Figure 2. USDA Forest Service Management Hierarchy

Need to insert a Forest Service organizational chart.

IV. Roles and Structures of County Governments

County governments play a vital and essential role in every community in the United States. While the form and function of these governments vary by State, their role as the front line of elected government cannot be understated. As of 2016, there were 3,069 counties, including 64 parishes, and 18 organized boroughs. In addition, there are 11 census areas, 41 independent cities, and the District of Columbia.

A brief overview of the role of county government

Often, states require that counties provide essential services, but no two counties function in the same way. Counties are diverse in structure and how services are delivered to their residents and visitors. County governments are responsible for building and maintaining county roads, recreational facilities and, in some cases, county airports; constructing and operating jails; operating the judicial system; maintaining public records; collecting property taxes; issuing vehicle registration and transfers; registering voters; providing county health and mental health services, and often for developing county land use planning (including natural resource plans), among other services needed by a community.

County organizational structures

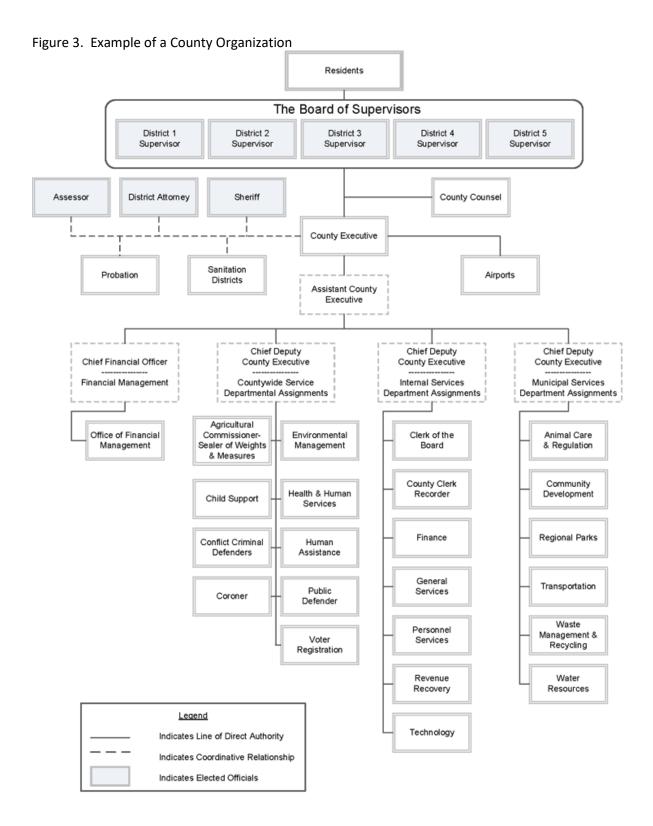
Most local government in the United States take form at the county scale, especially in the West where most of the national forests and grasslands are located.⁴ Counties are one of America's oldest forms of government, dating back to 1634 when the first county governments, known as shires, were established in Virginia.

The organization and structure of today's county governments are chartered under state constitutions or laws and are tailored to fit the needs and characteristics of states and local areas. Forms of local government, as well as the level of authority a local government possesses, vary from state to state. Counties and county governments are often the most fundamental administrative division of the states.

Generally, a county is served by an elected board of commissioners, supervisors, judges or councilmembers. These boards are usually responsible for the county government's budget, management and land use planning. These elected officials are most often the link between a federal agency and county residents. Counties may also have other elected positions, such as a sheriff, clerk, or treasurer. Moreover, counties will, at times, create districts within counties to carry out special duties, like water and sewer districts and weed and pest districts.

Page **13** of **43**

⁴ There are exceptions to the county form of government where it has been eliminated throughout Connecticut and Rhode Island. The Unorganized Borough in Alaska does not operate under a county level government.



The role of associations

Often, counties will form with or join other counties to form associations, provide support, share information and combine resources to advocate on behalf of collective interests. Associations host

conferences and training sessions, create venues for peer learning, conduct training, and develop policy positions, among other activities. Associations operating at regional, state, and national scales often invite federal agencies to attend annual meetings and other gatherings, including the Forest Service.

The National Association of Counties

On a national scale, county governments are represented by the National Association of Counties (NACo), which works with federal agencies and Congress to shape policy on behalf of the nation's counties, parishes and boroughs.

NACo unites America's 3,069 county governments in working towards achieving healthy, vibrant and safe counties across America. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build leadership skills. NACo also helps counties pursue collective solutions to challenges and enriches the public's understanding of county governments and their role in daily life. County officials may work through NACo on congressional testimony, advocating for certain policy proposals with Congress, or the executive branch and on consolidated public comments for federal agencies' proposed rules and regulations.

NACo also holds conferences and training workshops across the country throughout the year. Federal partners, including the Forest Service, attend these conferences, where county officials work to develop policy positions and best practices for interacting with federal agency staff to achieve shared goals.

Other associations

Counties are also served at the state level by organizations like NACo, although those organization may not be officially affiliated with NACo. These organizations hold conferences and training sessions, and often invite federal agencies to attend. These state level associations serve as an opportunity for Forest Service employees to meet and interact with county officials and learn about the needs and concerns of the citizens they represent. **See a list of state and regional level county associations in Appendix X.**

V. Understanding NEPA and National Forest System Land Management Planning Processes

There are many ways counties may engage and partner with the federal government around the assessment, planning, environmental analysis, and monitoring of National Forest System lands. For example, counties can engage by becoming a cooperating agency in the National Environmental Policy Act (NEPA) process, assist in developing land use and natural resource plans by participating in the National Land management planning process, participating in citizen-led forest collaborative groups, or applying to participate in a Resource Advisory Committee (RAC). This section of the guidebook focuses on the role of counties in the environmental analysis and land management planning processes.

Overview of NEPA

The National Environmental Policy Act (NEPA) requires all federal agencies, including the Forest Service, to study and consider the environmental impacts of a proposed federal action that significantly affects the quality of the human environment. 42 USC 4332. NEPA applies to all federal actions, not just projects. There are opportunities for counties to participate in NEPA as cooperating agencies (in addition to the engagement that is offered to the general public) in the development of individual projects as well as during land management planning processes when a forest develops an Environmental Impact Statement (EIS) to assess the impact of a proposed plan.

NEPA was enacted in 1969 for the purpose of promoting harmony between humans and the environment. NEPA requires federal agencies, including the Forest Service, to consider the environmental impacts of proposed actions and to disclose those impacts to the public before a final decision is made. Examples of Agency actions subject to NEPA include land management planning, vegetation management projects, authorization of uses of National Forests, and other permitting. Forest Service NEPA implementing regulations are found in the Code of Federal Regulations, 36 CFR Part 220.

Forest Service Actions Requiring Documentation

Two types of actions are documented through NEPA, programmatic and project-specific. Programmatic actions provide overall direction such as land management plans, with project-specific actions implementing these programmatic decisions. Project level actions include restoration activities (watershed, habitat, vegetation), public services (special use permits, transportation management, recreation), and vegetation management activities (rangeland management, timber sales, fuels reduction).

MAKE A TEXT BOX: Types of NEPA Analysis

The NEPA requires the Forest Service to consider the potential environmental impacts of its proposed actions and any reasonable alternatives before undertaking a major federal action, as defined by the Council on Environmental Quality at 40 CFR 1508.18⁵. Forest Service NEPA direction and guidance can be found in regulations, at 36 CFR Part 220, and the Forest Service Manual (FSM 1950) and Forest Service NEPA Handbook (FSH 1909.15). NEPA does not dictate a particular outcome, but it does require federal agencies to perform an environmental analysis which can take on one of three forms:

An Environmental Impact Statement (EIS) should describe the purpose and need for a proposed
action and contain a discussion of the all environmental impacts of the proposed federal action,
alternatives to the proposed action, and mitigation measures. See 40 CFR 1502.3. An EIS is
prepared when the proposed action has potential significant environmental effects and takes
the most time to prepare;

⁵ As stated in the Forty Most Frequently Asked Questions Concerning CEQ's National Environmental Policy Act, a "Reasonable alternatives include those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant."

- An Environmental Assessment (EA) is a concise public document that helps the agency
 determine whether an EIS is required. The agency prepared a Finding of No Significant Impact if
 the analysis in the EA indicates an EIS is not required. An EA is used if a project does not fit a
 categorical exclusion or if there is uncertainty regarding the significance of the potential effects
 to the environment are not known to be significant and the determination to prepare an EIS had
 not yet been made;
- A Categorical Exclusion (CE) is a category of actions that individually or cumulatively, do not have a significant effect on the environment and therefore do not need EA or EIS A CE applies when the proposed action falls within a category that the Forest Service has previously demonstration does not have significant impact to the environment. Examples include constructing a trail to a scenic overlook or planting native trees following a fire. There are also statutory CEs established by Congress. Examples of statutorily established CEs include one for certain projects promoting resilience to insect and disease infestations and others for specific types of oil and gas development. CEs take the least amount of time to prepare.

End Text Box

NEPA does not require a federal agency to take any particular course of action, serving only as an "essentially procedural" requirement. Generally, when a federal action is expected to have significant impacts on the environment, a lead agency must prepare an environmental impact statement.

NEPA declares that "it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social economic, and other requirements of present and future generations of Americans 42 USC 4331 Sec. 101 (a).

Creating that productive harmony requires considerable effort however, because of the complex jurisdictional and management issues related to Federal lands and the fact that State and local governments as well as Indian Tribes own and manage lands which are often near, adjacent to, or intermingled with Federal lands. As an outgrowth of these land ownership patterns, Federal, State, local and Tribal government entities have increasingly sought to coordinate their decisions as a means of improving land management. By embracing closer cooperation during the environmental analysis process, all levels of government can better assess the context of Federal actions and can better integrate decision-making within their jurisdictions.

Overview of National Forest Management Act and 2012 Planning Rule

The Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act (NFMA), requires the Forest Service to develop a land management plan for each administrative unit of the National Forest System.⁸ It requires the

⁶ Vt. Yankee Nuclear Power Corp. v. Natural Res. Def. Council, Inc., 435 U.S. 519, 558 (1978)

⁷ 42 U.S.C. § 4332(2)(C)

⁸ The administration unit usually means a forest or grassland, or can mean two forests administered by one forest supervisor.

Secretary to issue regulations under the principles of the Multiple-Use Sustained-Yield Act to set out the process for developing and revising such plans, and to ensure the plans meet certain guidelines set out in the Act. 16 USC 1604.

NFMA requires the Forest Service to coordinate its land management planning "with the land and resource management planning processes of State and local governments and other Federal agencies" 16 USC 1604(a).

The current rule for Forest Service land management planning is set out at 36 CFR Part 219. Managers of individual forests and grasslands follow the direction of the planning rule to develop a land management plan specific to their unit. "This planning rule sets forth process and content requirements to guide the development, amendment, and revision of land management plans to maintain and restore NFS land and water ecosystems while providing for ecosystem services and multiple uses. The planning rule is designed to ensure that plans provide for the sustainability of ecosystems and resources; meet the need for forest restoration and conservation, watershed protection, and species diversity and conservation; and assist the Agency in providing a sustainable flow of benefits, services, and uses of NFS lands that provide jobs and contribute to the economic and social sustainability of communities".

VI. Understanding Cooperation and Coordination

This section provides an overview of two important, but distinct ways that the USDA Forest Service and county governments can work together. This section explains first, the provisions provided in the National Environmental Policy Act related to *cooperation* —the process by which federal, state, local and tribal government serving as cooperating agencies can provide special expertise in the NEPA process. And second, the NFMA provisions for *coordination* is the process by which the Forest Service works with State and local governments to consider the objectives of state and local land use plans when developing, amending, or revising land management plans.

It is important to understand how *coordination* and *cooperation* differ. Under NEPA, a lead agency grants "cooperating agency status" to entities that have jurisdiction and/or special expertise to contribute to the process, including counties. However, under the NFMA, there is no designation for an entity to receive "coordinating agency status." Rather, the Forest Service must consider local land use plans regardless of the relationship between the Forest Service and counties.

Note that these statutory and regulatory requirements relate to process only. Their effectiveness depends on the willingness of both the Forest Service and local governments to work within these legal guidelines with a spirit that respects relationships as foundations to success. These different ways of working together can create positive opportunities for the USDA Forest Service and county officials to achieve mutually shared objectives and resolve conflicts.

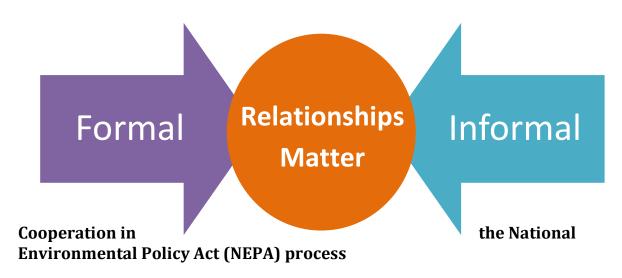
-

⁹ 36 CFR Part 219. National Forest System Land Management Planning: Final rule and record of decision. Summary. Page 1

Understanding when, how and why counties can engage in Forest Service land management planning processes and how the Forest Service must coordinate with local planning efforts and when revising land management plans, can significantly enhance planning, implementation, and monitoring.

The benefits of cooperation among Federal, State, local and Tribal governments are clearly reflected in the Council on Environmental Quality (CEQ) regulations for implementing NEPA (40 CFR 1500-1508). The regulations emphasize timely engagement among cooperating agencies as a means of dealing with interagency issues (40 CFR 1501.6). The regulations also express a desire that Federal agencies avoid duplication with State, local and Tribal procedures and explain inconsistencies between a proposed action and state and local plans and laws, as discussed in more detail below. (40 CFR 1506.2).

Figure 4. Relationships Matter: It is essential to remember that relationships matter; in the absence of consistent and open communication, commitment to learning and integration, and willingness to trust each other, no process—formal or informal—will yield results that are satisfying for the land or communities.



INSERT SIDE BAR: *

About the Council on Environmental Quality

The National Environmental Policy Act (NEPA) established the Council on Environmental Quality (CEQ) within the Executive Office of the President to ensure that Federal agencies meet their obligations under NEPA. The CEQ oversees NEPA implementation, principally through issuing guidance and regulations that carry out NEPA's procedural requirements. CEQ also reviews and approves Federal agency NEPA procedures, approves alternative arrangements for compliance with NEPA for emergencies, helps to resolve disputes between Federal agencies and with other governmental entities and members of the public, and oversees Federal agency implementation of the environmental impact assessment process.

In addition to NEPA implementation, CEQ also develops and recommends national policies to the President that promote the improvement of environmental quality and meet the Nation's goals. CEQ is

also assigned responsibilities under NEPA and other statutes and Executive Orders, including overseeing the Office of Federal Sustainability (OFS).

END SIDE BAR ON CEQ*

What is required in cooperation?

Federal agencies must discuss any inconsistencies between a proposed action and State and local plans and include in an Environmental Impact Statement a description of the extent to which the agency would harmonize its proposed action with the local law or plan. *Id*.

NEPA also requires federal agencies to take an interdisciplinary approach to analyzing impacts of a federal decision. The Forest Service establishes interdisciplinary teams (ID Teams) to satisfy this requirement and can include county representatives with special expertise on ID Teams.

NEPA's implementing regulations, promulgated by the CEQ, require that a federal agency "cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements" by engaging in joint planning processes, environmental research and studies, public hearings and joint environmental assessments. 40 C.F.R. § 1506.2. While is it not very common that state and local planning processes have overlapping decisions because of the separate and distinct jurisdictions, it is worthwhile to engage when these opportunities arise.

What is a cooperating agency?

A cooperating agency is any agency other than a lead federal agency, which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal for legislation or other major Federal action significantly affecting the quality of the human environment. (40 C.F.R. § 1508.5).

By becoming a cooperating agency, counties have the opportunity to contribute their expertise to the environmental analysis process, often bringing needed and relevant insight and data on local economic, social, and community conditions as well as integration opportunities with local natural resource plans and related efforts. While it takes resources (for example, staff hours, information, etc.) to be a cooperating agency, it is an important opportunity to help shape Forest Service planning actions.

Who can be a cooperating agency?

Any Federal, State, local, or Tribal Government which has either *jurisdiction by law* applicable to the environmental analysis or *special expertise* on issues (environmental, social, and/or economic) that should be addressed in the environmental analysis (40 CFR 1508.5). An agency has jurisdiction by law where it has the authority to approve, veto, or finance all or part of the proposal. (40 C.F.R. § 1508.15).

An entity has special expertise if it has:

- Experience regarding statutory responsibility, agency mission or related program expertise (more than an interest in a proposed action)
- Expertise needed to help the lead agency meet a statutory responsibility
- Expertise developed to carry out an agency mission
- Related program expertise or experience
 Expertise regarding the proposed actions' relationship to the objectives of regional,
 State and local land use plans, policies and controls. 40 C.F.R. § 1508.26

What does a Cooperating Agency do?

There is a place for counties in the NEPA process. NEPA provides that it is the "continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations. . . . to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans. 42 U.S.C. § 4331(a)." To this end, under NEPA, counties may qualify as cooperating agencies having jurisdiction or special expertise with respect to potential impacts analyzed in an environmental impact statement. 40 C.F.R. § 1508.5.

The lead agency must provide a cooperating agency with an opportunity for meaningful participation and must allocate responsibilities to them. ¹⁰ Accordingly, a cooperating agency may be asked to help prepare portions of an environmental impact statement about which the cooperating agency has special expertise¹¹. While normally a cooperating agency is to expend its own funds, NEPA provides that the lead agency may assist with costs associated with serving as a cooperating agency to the extent funding is available¹².

Insert Text Box: What is entailed in being a cooperating agency?

Cooperating agencies are able to:

- Attend interdisciplinary team meetings related to their special expertise.
- Help identify the issues that set the scope of the analysis.
- Review and provide feedback on draft documents, such as the draft plan and draft EIS, prior to their public release.
- Help develop the public participation plan and assist the agency in identifying and reaching key constituencies.
- Participate in the creation of a Memorandum of Understanding or Statement of Principles that explains the roles and expectations involved in being a cooperating agency.
- File an objection if they wish.

Cooperating agencies do not:

- Make decisions; the Forest Service retains decision-making authority.
- Have a role in managing the process of or resolving objections.

¹⁰ Int'l Snowmobile Mfrs. Ass'n v. Norton, 340 F. Supp. 2d 1249, 1262 (D. Wyo. 2004).

¹¹ See 40 C.F.R. § 1501.6(b).

¹² 40 C.F.R. § 1501.6(b) (5).

Develop the Record of Decision.

*** End Text Box***

We all recognize that a diversity of perspectives often results in better planning, better decisions and better projects. In the spirit of this recognition, the Forest Service should consider inviting counties in the NEPA process to serve as cooperating agencies as early as possible. In addition, a county should recognize -its right to request cooperating agency status, if an invitation to do so is not provided. In being invited or requesting to be a cooperating agency, a county should carefully consider the opportunity and their own capacity to meet the expectations that taking on cooperating agency status necessitates.

Insert text box on Providing Special Expertise

Providing Special Expertise: Including Locally Developed Socioeconomic Profiles in EISs Local governments often have a better understanding of the socioeconomic characteristics of their communities than anyone else, including federal agencies. Counties can contribute this special expertise to the NEPA process by either working with federal agencies to compile baseline socioeconomic data to be included in an EIS, or by preparing that portion of the EIS. For example, in Sublette County, Wyoming, the Board of County Commissioners, serving as a cooperating agency, prepared a report on the socioeconomic impacts of proposed oil and gas leasing. The final product—Oil and Gas Leasing in Portions of the Wyoming Range in the Bridger-Teton National Forest—served as part of the environmental impact statement, giving the county a significant role in the NEPA process. In addition, many other Wyoming counties have prepared socioeconomic profiles that reflect current conditions in their communities and provide federal agencies, including the Forest Service, ready information for inclusion or consideration in an EIS.

End text box on Providing Special Expertise

How does a county become a Cooperating Agency?

The Forest Service must make requests for the participation of potential cooperating agencies at the earliest possible time¹³. After reviewing the special expertise and/or jurisdiction an entity can provide as a cooperating agency, under NEPA, the Forest Service responsible official is encouraged to consider designating federal and non-federal entities as cooperating agencies. The 2002 CEQ Memorandum on Cooperating Agencies in Implementation of the Procedural Requirements of the National Environmental Policy Act provides guidance on the importance of this cooperating agencies to agency stakeholder involvement, and notes that this type of involvement "neither nor diminishes the decision-making authority of any agency involved in the NEPA process. 14" Cooperating Agency status allows for early and often participation, including developing of proposed actions and reviewing draft documents.

¹³ 40 C.F.R. §§ 1501.6(a) (1), 1501.7(a) (1).

¹⁴ January 30, 2002, Memorandum for the Heads of Federal Agencies from James Connaughton on Cooperating Agencies In Implementing The Procedural Requirements Of The National Environmental Policy Act. https://ceq.doe.gov/guidance/guidance.html

Cooperating agency status is generally conveyed by the Forest Supervisor, who sends a letter, or an email, inviting Counties within the geography to their national forest to participate in the NEPA process for a project or land management planning effort, and explains the participation options. This invitation should be sent as early in the process as possible but can be issued whenever it becomes apparent that their special expertise or jurisdiction is needed. Counties should respond to the invitation in writing and indicate how they would like to participate, including if they are interested in obtaining cooperating agency status. If a county would like to become a cooperating agency, it is helpful when expressing their interest to describe their special expertise and/or jurisdiction that could define their role as a cooperating agency. How Counties choose to participate depends on the interest, capacity, and relevancy of the proposed project and what the county believes it can offer.

Managing the Cooperating Agency Relationships

Once an entity is granted cooperating agency status, the lead agency and the cooperating agencies are to determine roles and expectations in a manner that can be easily communicated even when people transition in and out of their positions. The most common format to codify these responsibilities is through the creation and signing of a Memorandum of Understanding (MOU). An MOU, while not a legally binding document, helps to clarify roles and responsibilities and the process the Forest Service and a county will follow during the planning process. At a minimum, the MOU should clearly describe how the county will participate, when it will participate, and information the county will provide. An MOU may also detail a county's involvement after a decision has been made particularly in monitoring expected outcomes of the plan. CEQ also recommends that agencies "consider developing and using a Statement of Principles in lieu of the more complex and time-intensive process required to adopt a formal Memorandum of Understanding when developing cooperating or participating agency agreements with other Federal, tribal, state, or local governmental entities "See Appendix X for a sample MOU.

Coordination in National Forest Management Act (NFMA) Planning

The NFMA requires the Forest Service to develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest System, coordinated with the land and resource management planning processes of State and local governments and other Federal agencies." 16 U.S.C. § 1604(a). This is generally referred to as the requirement to "coordinate." This requirement is in addition to the NFMA requirement that the Forest Service provide opportunities for *public participation* in the planning process (16 U.S.C. 1604 (d)).

The Forest Service *must review* local government planning and land use policies, along with similar policies of Indian Tribes, other Federal agencies and state government. 36 C.F.R.

Page **23** of **43**

¹⁵ See "Forty most asked questions concerning the National Environmental Policy Act Regulations." 40 CFR 1500-1508

¹⁶ CEQ NEPA Pilot Report and Recommendations. 2015. https://ceq.doe.gov/ceq-reports/pilot-report-and-recommendations.html

§ 219.4(b)(2) when developing its land management plan. The Forest Service is not required to comply with these plans. However, the final EIS must contain results of this review, including consideration of local government objectives, the compatibility and interrelated impacts of Forest Service plan and local government policies, opportunities to contribute to common objectives and ways to reduce conflicts between a Forest Service plan and local policies. 36 C.F.R. § 219.4(b) (2).

The 2012 Planning Rule directs the responsible official (the Forest Supervisor) to coordinate land management planning with other planning efforts; Land management plans developed under the 2012 planning rule need not be consistent with county-level plans; however the Forest Service strives to achieve consistency to the extent it is consistent with laws, regulations, and the Forest Service mission and priorities. ¹⁷ National forests and grasslands often have different missions and land bases than do counties. Land management plans must be flexible to address the diverse management needs on National Forest System lands and regional and national interests on Federal lands. The Forest Service encourages counties to participate throughout the planning process, and where appropriate, to work as cooperating agencies once the NEPA process begins. However, working together prior to NEPA, such as developing the assessment ¹⁸ for the plan, would be extremely beneficial and should be encouraged by all parties.

The NFMA requirements, including the requirement to coordinate, apply to the land management planning, not project planning. These requirements include plan revision, plan amendments (including project-specific plan amendments), related assessments, and biennial monitoring reports. If a project does not require an amendment to the plan, the planning rule does not impose any additional requirements on the project.

The Federal Advisory Committee on the Implementation of the 2012 Land Management Planning Rule wrote a special guide book to assist state, local, and tribal governments in understanding the Forest Service land management planning processes¹⁹. For an in-depth reference you can find that guide here.

Examples of Coordination between Counties and the Forest Service

For coordination to be most effective it is helpful if local planning and land use policies are in place for the Forest Service to consider and review. As discussed above, many counties across the West have developed natural resource plans or resource management plans for their jurisdictions to guide planning of natural resources development and conservation.

As stated in the Planning Rule Frequently Asked Question: "Will responsible officials coordinate land management planning with county planning efforts?" https://www.fs.usda.gov/detail/planningrule/faqs#40
 See "A Citizen's Guide to Forest Planning" for in depth description of the planning process, including the assessment phase of the process.

¹⁹ Understanding Your Opportunities for Participating in the Forest Service Planning Process: A Guide for State, Local, and Tribal Governments. 2016. Prepared by the Federal Advisory Committee on the Implementation of the 2012 Land Management Planning Rule. Web link to this and related publications: https://www.fs.usda.gov/main/planningrule/committee

SIDEBAR FOLLOWS

Taking Natural Resource to the Next Level: Utah State and County Resource Management Plans

In 2016, the Utah State Legislature passed a law requiring each county and the State to complete Resource Management Plans and providing funding for this endeavor. The result is twenty-nine county Resource Management Plans and State Resource Management Plan describing the priorities and objectives for natural resources. The goal of these plans is to "give the State and its counties greater and more meaningful input and direction to federal land use planning for Utah's public lands."

VII. Overview of County Planning Processes

The responsibilities of county governments are numerous. One critical role county governments play is to prepare plans to guide county land use development and natural resource management. Often, such plans are the result of lengthy deliberative processes involving input from the general public and balancing the goals, values and priorities of the community. As discussed in greater detail in section V of this Guide, when creating land management plans, the NFMA requires the Forest Service to coordinate with state and local governments and other federal agencies (16 U.S.C. 1604(a)). Within the agency's land management planning framework, the Forest Service works with state and local governments to address common objectives and create greater synergy between state and local community and agency planning efforts.

County Land use and Natural Resource Planning

Many counties and local governments prepare land use plans to guide development in their communities. Plans differ between states and sometimes even between counties within the same state. Most states require county and municipal governments to develop land use plans that remain in force for 10 years before updating them. For example, since 1973, the State of Oregon has required city and county governments to prepare a comprehensive plan in accordance with a set of state goals. Other states, such as Wyoming, require counties to develop comprehensive plans but allow the individual counties to determine its own goals, blueprints and visions for how a community or region should grow. So, some states establish goals for all counties to adhere to when developing resource plans and others allow those goals to be established at the local level.

Counties may also prepare specific plans that guide the management of natural resources within their borders. While natural resource plans are not often mandatory, many counties prepare them to establish priorities for resource and economic development, recreation and conservation reflective of local needs and values. County natural resource plans can provide an opportunity to collect and distribute data about a county's natural resources, including availability and quality, as well as information on local economic and social conditions that could inform Forest Service land management planning. County plans often address natural

resource management beyond private lands—they also evaluate, consider and prioritize the management of federal lands and resources.

Connecting with your County's Land Use and Natural Resource Plans

Local planning efforts differ from the Federal process, so it is important to understand the local planning and legal framework and how to participate in local planning discussions in a productive manner. Land use plans are available to the public and are often located on a county's website. Usually, the county planning department will be able to provide specific information about their individual plans such as the area they cover, the planning cycle for revision, and any decisions that are made in those plans

Each state, region, county, and community has its own template for making decisions about land use, but in general, they follow similar steps that include:

- Comprehensive plans and growth policies
- Zoning and subdivision ordinances that establish overall standards and criteria, and
- Review of individual proposals.

Each step, in turn, follows a typical path that may include:

- Proposal,
- Technical review,
- · Public hearings or informal reviews, and
- Decision-making

In Arizona, for example, State Statute 11-805, requires all counties to develop, or update county comprehensive plans. These plans are updated every 10 years and are approved by the county board of commissioners after a public involvement process. The Coconino County, Arizona, Comprehensive Plan establishes the County's priorities to coordinate with the Forest Service in its management of the Coconino and Kaibab National Forests. The County's Plan establishes priorities that include forest restoration and the reduction of catastrophic fires. Consideration of these plans when revising the Coconino and Kaibab Land Management Plans helped fulfill the coordination requirements of both the 1982 and the 2012 Planning Rule, resulting in a better plan for the Forests.

Other county plans, such as the one developed by Delores County, Colorado, a county of approximately 1800 citizens, provides very specific priorities for coordinating activities occurring on the San Juan National Forest, and procedures elected officials will follow to guide their participation in certain planning activities for the National Forest.

Guidelines for Forest Service participation in county planning are presented in the Best Practices Section.

Community Wildfire Protection Plans

The Healthy Forests Restoration Act (HFRA) provides communities with a tremendous opportunity to influence where and how federal agencies implement fuel reduction projects on

federal lands. A Community Wildfire Protection Plan (CWPP) is the most effective way to take advantage of this opportunity. A CWPP is a plan that has been developed through a collaborative process aiming to reduce a communities risk from wildfire and restore healthier, more resilient conditions in their surrounding forests; a series of guidebooks were developed by NACO and other partners to assist communities in the preparation of a CWPP and can be found here. Communities with CWPPs in place will be given priority for funding of hazardous fuels reduction projects carried out under the auspices of the HFRA.

A CWPP is generally prepared through a collaborative process. Oftentimes, county governments will lead development of the CWPP. CWPPs are all unique in form as they are written based on the needs of the people involved in their development. CWPPs may address issues such as wildfire response, hazard mitigation, community preparedness, or structure protection—or all of the above.

HFRA has certain requirements for the development and adoption of a CWPP. The minimum requirements for a CWPP as described in the HFRA are:

- 1. **Collaboration:** A CWPP must be collaboratively developed by local and state government representatives, in consultation with federal agencies and other interested parties.
- Prioritized Fuel Reduction: A CWPP must identify and prioritize areas for hazardous fuel reduction treatments and recommend the types and methods of treatment that will protect one or more at-risk communities and essential infrastructure.
- 3. **Treatment of Structural Ignitability**: A CWPP must recommend measures that homeowners and communities can take to reduce the ignitability of structures throughout the area addressed by the plan.

Further, HFRA requires that applicable local government (i.e., counties or cities), the local fire department(s), and the state entity responsible for forest management must all mutually agree to the final contents of a CWPP. These entities are directed to confer with and involve local representatives of the Forest Service (and BLM) and other interested parties or persons in the development of the plan. The process for development of the CWPP is intended to be open and collaborative, as described in the 10-year National Cohesive Wildland Fire Management Strategy, involving local and state officials, federal land managers, and the broad range of interested stakeholders.

While there are no requirements for how long a planning period is covered by a CWPP or when they need to be revised, there are provisions that encourage multiparty monitoring. These plans can be found on each county's web page.

VIII. Best Practices for Counties and the Forest Service to work together

Building effective and efficient relationships between county governments and the US Forest Service allows for sharing of resources and expertise that can lead to stronger communities and healthier ecosystems. There are numerous examples of counties and the Forest Service

working well together to achieve good management decisions for resources on the National Forests, while also supporting the goals of counties and local communities. These situations exist because county and Forest Service officials have found ways to address issues in a constructive manner—through coordination, cooperation and collaboration.

*** SIDE BAR: "Collaborative Processes and Groups"***

Over the last several decades there has been increasing emphasis on the use of collaborative processes to solve seemingly intractable natural resource management problems on NFS lands. The 2012 Planning Rule (36 CFR Part 219.19) defines *Collaboration or collaborative process as 'a structured manner in which a collection of people with diverse interests share knowledge, ideas and resources while working together in an inclusive and cooperative manner toward a common purpose.'20 This definition is very similar to the way in which people describe collaboration or collaborative processes outside of the formal planning process, which is: entities with diverse interests working together to solve shared problems, develop projects, and/or achieve outcomes using open, transparent, and inclusive approaches and decision making that rely on consensus or other general agreements.*

Collaborative processes can be used within an organization, between organizations, in inter- and intragovernmental projects or programs, and between governmental and non-governmental entities.

Generally, good collaborative processes include: 1) Open and transparent decision making, 2) Fair, clear, and inclusive participation and representation, 3) Effective facilitation and management of group processes, 4) Consideration of biological and social sciences, economics, local, and traditional knowledge to inform dialogue, agreements, and decision making, and 5) Commitment to learning through various approaches to monitoring ecological, economic, and community conditions.

The use of collaborative processes does not modify the Forest Service responsibility or authority to make the final decision related to Land Management Plans or related formal decision-making in NEPA or other aspects of project implementation.

Along with the use of collaborative processes, there has been a concomitant emergence of citizen-led forest collaborative groups, particularly across the West where there are large swaths of federal lands. Forest collaborative groups are generally citizen-led, comprised of diverse interests, and focused on finding common ground to achieve shared objectives or resolve commonly perceived problems. Forest collaborative groups are not controlled or led by Forest Service employees, although their active non-voting participation is encouraged by Forest Service leadership and policy, often expected by community members and partners, and needed for success.

The work of these collaborative groups, their processes, projects, and agreements do not supplant formal public involvement requirements or government-to-government (tribal), interagency or intraagency agreements. These forest collaborative groups often do serve to provide meaningful

²⁰ The 2012 Planning Rule definition of Collaboration is one of the forms of public engagement described in the Council on Environmental Quality's publication of October, 2007: *Collaboration in NEPA—A Handbook for NEPA Practitioners*.

opportunities for engagement between diverse interests, particularly in place-based situations, enabling increased understanding, trust, innovation, and problem solving that is broadly supported.

County government participation and leadership in collaborative processes and forest collaborative groups provide important local perspective, expertise, and connection to their broader community. There are numerous examples of collaborative groups that have benefitted from the participation, and in many instances, leadership of county commissioners and officials. When county commissioners participate in citizen-led forest collaborative groups they are able to leverage their leadership role, experience, and networks to garner support, ensure balance, and facilitate important communication between all facets of the local community, state officials and agencies, as well as build relationships with interest groups participating in the process. County government participation in forest collaborative groups, as well as other collaborative processes, is an important ingredient for success.

Using collaborative approaches, and working with collaborative groups, can be particularly effective when issues are complex, extremes of opinions are driving public discourse, and there are opportunities to identify common ground and develop shared ownership of outcomes. Some of the benefits include but are not limited to: 1) Developing deeper understanding of different interests and positions, 2) Leveraging human, social, political, financial, and data resources, 3) Improving project design by better addressing multi-interest concerns and leveraging partner expertise, 4) Improving effectiveness and efficiencies by increasing agreement on highest priority actions, 5) Receiving fewer and withstand legal challenges, and 6) Supporting adaptive management by integrating the results of collaborative monitoring efforts (ecological, economic, and community impacts).

END SIDE BAR on "Collaborative Processes and Groups"

Best practices are points from which to begin. It is critical that both Forest Service and county officials engage each other in transparent and consistent ways to maximize opportunities to find common ground, resolve conflict early, and create space for shared stewardship. These practices, when employed by Forest Service employees and county officials, can greatly enhance and improve relationships, provide a basis for trust and understanding, and create the foundation for relationships that can stand the test of time. The relationship between a county and their local National Forest is, by nature, a long-term endeavor that must endure transitions in leadership, political and economic conditions, and/or environmental threats caused by natural disturbance and other conditions, among other factors.

Best practices for Forest Service when working with county officials

Engage early and often

Central to effective and efficient engagement, and good customer service, is the ability to build and maintain trust over time. Engaging early means reaching out and meeting elected leaders before you need help. There are a variety of practices that help to create trust needed to support planning, project implementation, and monitoring and adaptive management. Equally important is to engage, as appropriate, in county related processes and meetings. By using a variety of approaches that support informal and formal engagement you can build and sustain productive working relationships at the leadership level, as well as between specialists and

other related staff. Establishing relationships early can be done in many ways, including the following:

- Attend county meetings not only when you are presenting, but on a regular basis so you
 can understand what is happening in the community and the role of the agency in that
 landscape.
- Prioritize having Forest Service representatives be a visible and consistent presence at community events, contributing as appropriate to support community education, outreach, and involvement.
- Request a regular check-in meeting with local elected leaders to have time for informal engagement, so you have the space to discuss issues before they become problems.
 These types of regular meetings can occur over coffee or other informal activity, as well as at the office.
- Fully utilize digital and social media to engage with the community, so you have a sustained presence and opportunity to share the work that is happening on your Forest.

Understand histories and priorities

Recognition of the local history, culture, context and the community's relationship to the National Forest and Grasslands are essential in informing current and future land management decisions. In addition, having a clear understanding of how Forest Service, Department, and Congressional priorities line up with the local state and county priorities are critical to finding common ground and socio-political leverage points.

- Ask to review existing project, grant, and related agreements (formal and informal) and talk through the status of those efforts to ensure they remain fresh and relevant
- Be aware of current and forthcoming local and state level planning efforts
- Know and engage with the local formal and informal leaders in the community
- Understand budgets, economic and priority investments for local counties.
- Become familiar with your county's social and economic data through NACo's County
 Explorer see section on Tools, as well as the Headwaters Economics Profile System used
 by USDA Forest Service and other federal agencies.

Practice behaviors that build trust

What you do is as important as what you say. Ensuring that your actions and words are consistent will increase trust, clarify expectations, and assure people that investing their time is worthwhile. Follow-through and complete communication cycles help reinforce this trust over time.

- Be an active listener
- Use plain and accurate language
- Respect expertise and knowledge
- Ask questions to make sure you understand
- Learn from the past, operate in the present, and create space for the future

Share ownership and accountability

Establish leadership intent

It is important for leadership in the Forest Service and county governments to demonstrate their intent to work together more effectively.

- There should be a clear designation of who serves as the primary liaison with each county in their respective national forest.
- Memoranda between the Forest Service and state-wide county associations should be current and work well for both parties and be revised and amended as needed.
- The Forest Service and county government officials should be aware of and honor previous agreements as much as practical and allowed by current policy and law.
- Forest Service leadership should ensure the appropriate level of attendance at annual statewide county association meetings, and present topics of interest if invited to do so.
- Many counties have natural resource plans that describe the importance of public lands to the quality of life for citizens in those counties. Active participation by Forest Service employees in local planning efforts can help provide important technical assistance, analysis, and resources to those efforts and build valuable relationships for future collaborations.

(Insert <u>side bar</u> on: Guidelines for Forest Service Participation in Local Planning Efforts

There are several laws, regulations, and directives that enable Forest Service involvement in local planning efforts. When involved in local planning, Forest Service employees may do the following:

- ✓ Articulate the natural resource consequences of various land use options.
- ✓ Provide science-based information for local decision-makers.
- ✓ Help identify problems and share possible solutions.
- ✓ Bring together people and groups in the interest of developing relationships and partnerships.

(END SIDE BAR: Guidelines for Forest Service Participation in Local Planning Efforts

Communicate understanding of USDA Forest Service contributions and impacts

In many counties, the Forest Service manages a large percentage of the land base. In rural communities, the program of work on the National Forest has often been a significant driver for the local economy and provided important infrastructure needed to support land management, creating an inextricable link between the Forest Service and local communities. Forest Service personnel have long played important roles in the social fabric of adjacent communities—their children attend schools, they participate in local events and organizations, among other contributions. Changes and shifts in the program of work and staffing of a National Forest can have direct impacts on these communities. Understanding what these have been, what they are today, and how new actions will affect the community is important to acknowledge and consider when managing the National Forest.

It is important that Forest Service leadership and employees can demonstrate an understanding of the Forest Service contributions and impacts to a local community; this includes knowing how to:

- Share and use the best available ecological, economics, and social science to inform your decision-making
- Being aware and able to articulate the social and economic contributions of the land management activities in that community, in addition to explaining the environmental conditions of the land
- Listen to and consider local knowledge and expertise

***SIDE BAR: Working Together to Manage transitions"

It is a reality that leadership changes at the National Forest level often and within county elected position, as well. Managing those transitions well can significantly alter their impact. Prioritizing attention to transition processes can help maintain momentum of working relationships, reduce tensions, and set new employees up for better working relationships. When partners commit to help each other through the transition process, the negative impact of those shifts can be minimized.

Work together to ensure continuity and maintain momentum:

Introductions and relationships are best established early between in-coming Line Officers and employees with significant public interface and key county leadership, when transitions occur in either organization. By working together to ensure transitions are smooth and efficient, it is possible to greatly improve the process.

On-boarding new leaders: Scheduling of orientation sessions can greatly improve transitions; some items to include in such sessions can include:

- ✓ Inviting each other to be part of the transition process, as appropriate
- ✓ Sharing of each other's relevant organizational charts, so everyone knows the best person to interface with on any given topic.
- ✓ Providing new leaders with a copy of this Guidebook.
- ✓ Review of current and recently expired agreements (grants, partnership or stewardship agreements, memorandum of understanding, etc.) with each other.
- ✓ An overview by Forest Service leadership of the National Forest, its history in the county, current structure, program of work, and capacities
- ✓ Overview by county officials describing the history of the county to during the first few months of a new Forest Service leader reports for duty.
- ✓ An introduction to NACo's County Explorer database to ensure Line Officers and Program managers have an understanding of county demographic information and an introduction to county officials to Headwaters Economics Profile System used by the USDA Forest Service. .
- ✓ Review of any pertinent county plans such as a county Natural Resource Plan and any up-coming planning processes.

Managing the departure of leaders: When agency or county leader changes jobs or roles in a community, it is worthwhile to manage the exit process to ensure momentum is not lost. Some processes are in place to support these transitions for the Forest Service, and there is

opportunity for county leaders to work with the Forest Service to create a process that supports their on-going work together:

- ✓ A Forest Service manager should prepare a transition memo that documents top issues, relationships, points of contact, and current formal and informal agreements with county and other local governments, as well as other significant partnerships.
- ✓ Whenever possible, time should be taken for overlap between incoming and outgoing Forest Service Line Officers and introductions should be made to secure as smooth a transition as possible.
- ✓ County officials should let Forest Service leaders know when new leadership is in place and how the agency can best support the incoming official.

SIDE BAR BOX*

Use as text box: National Association of Counties and the USDA Forest Service Commitment

National Association of Counties and the USDA Forest Service Commitment. The Forest Service and the National Association of Counties are committed to strengthening the working relationship between Counties and the Agency. NACO and the Forest Service signed a national level 2007

Memorandum of Understanding that describes those commitments which support the existing agreements between State-wide county associations and regional offices of the Forest Service.

End text box National Association of Counties and the USDA Forest Service Commitment

Best practices for County Officials when working with the Forest Service

As discussed above, there are many opportunities for county governments to be involved in Forest Service decision-making. The Forest Service is obligated to coordinate with county planning processes during land management planning and to consider inviting counties to serve as cooperating agencies. With these opportunities come responsibilities to serve as a constructive partner, working in good faith with federal agency counterparts to meet mutual goals.

To effectively use their seat at the table and represent their residents, county officials should strive to maintain constructive dialogue, present ideas and verifiable data that can assist in the planning and analysis processes, and partner with agency personnel to reach workable solutions to problems early.

In this section, you will find best practices for county officials to work with the U.S. Forest Service to achieve the mutually shared goal of a healthy, accessible public lands for all Americans to enjoy. County governments should:

- Collaborate with federal personnel to the greatest extent possible
- Work in good faith with U.S. Forest Service counterparts
- Know and understand the legal roles of and constraints on Federal officials
- Provide data, science and other general local knowledge useful and relevant to land management decisions

Work in good faith with Forest Service Counterparts

Federal land management agencies are under certain legal constraints in developing land management plans and in the day-to-day aspects of managing public lands. Each decision is carefully scrutinized by local residents, governing entities, non-governmental organizations, industry and other interested stakeholders, just as the decisions of county government are reviewed by the same entities. It is imperative for elected county leaders to build a trusting relationship with federal personnel in their area. Counties have a voice in the federal land management process, and it is incumbent upon county governments to engage with agency personnel early and often.

Set up regular meetings with agency officials

- Set-up a regular meeting with a forest supervisor or district ranger to build a trusting relationship early.
- Be open, candid and commit to ongoing dialogue with federal officials to create opportunities to solve problems before they create greater conflict. Use these meetings as an opportunity to provide background and history of the county to Forest Service managers, especially those that are new to the area.
- Provide an introduction on the use of NACo's County Explorer database, discussed in this Section, to ensure managers have an understanding of county demographic information.
- Engage your Forest Leadership so you are aware of and understand current priorities of your local unit and how they connect with the Regions priorities and targets Invite forest supervisors, district rangers, and other agency personnel to county board meetings to present information related to surrounding national forests:
- Understand the Forest Service budget, including funding trends for your forest-district,
- Be familiar with current national priorities by reading the USDA and Forest Service Strategic Plans, which can be found here,
- Inform agency personnel of county public meetings to give the U.S. Forest Service the
 opportunity to update the public and county elected officials on important federal
 deadlines and priorities.

Conduct field visits with Forest Service personnel

- Visiting federal landscapes with federal officials can assist county officials in understanding the perspective of the Forest Service in the planning process. Often, the best decisions can be developed by people looking at the same piece of ground at the same time and coming up with solutions.
- Field visits with agency personnel to both federal and county lands can foster a dialogue, and lead to a greater understanding of and balance in the planning process to address the needs of all affected parties.

Strive toward a constructive dialogue

 Understand and appreciate the complexity of the expectations of serving the public can build rapport and relationships. Federal personnel must answer to their superiors, local

- and state governments, non-governmental organizations, and the general public on a daily basis. Individuals may approach them about any issues within a national forest ranging from access to a facility or trail to major issues with a land management plan that can lead to litigation.
- Counties should be ready to open and maintain constructive dialogue with the federal
 government. Stating concerns in candidly is important and how, where, and the tone
 can affect if those concerns will lead to a constructive dialogue and relationship. Forest
 Service personnel are willing to hear ideas and recommendations from counties to
 improve access and create a strong relationship.
- Constructive dialogue helps to promote shared investment in problem solving and developing long-term solutions. Some of the attributes of constructive dialogue include:
 - o Being clear about your purpose and what you hope the outcome will be, without a hidden agenda
 - o Bringing issues up in a timely and appropriate venue
 - Expressing respect for and the value of differing opinions or perspectives contributes to creating a safe and civil space for dialogue
 - o Being willing to jointly come up with a solution, rather than assigning blame
 - Objectively describe problems, rather conveying judgements on others actions or decisions

Know and Understand the Roles of Federal Officials and Agency Missions

- County governments and the Forest Service may find their separate missions in conflict or
 potential decisions difficult to make because of constraints imposed by federal laws or
 regulations. However, that does not necessarily mean that the Forest Service cannot work
 with county officials to find an agreeable solution to an issue. Federal laws, including NEPA
 and the NFMA, discussed in this Section V, or regulations may require an agency to make a
 decision that is not optimal from the county perspective.
- Request that the Forest Service be as clear as possible on timeframes for analysis and decision-making processes, especially if you are a cooperating agency. Be realistic as the decision-making process is often lengthy because the agency is trying to make the bestinformed, supported decision that satisfies both statutory and regulatory requirements and the demands of the public.

Understand legal role of counties in process

- Federal land planning efforts are governed by landmark laws, including NEPA and NFMA. In
 counties where significant percentages of National Forest lands are present, it is imperative
 that county governments understand these laws and their impact on land management.
 Both laws give county governments an opportunity to work with their federal counterparts
 to achieve consistent processes and documents.
- A seat at the table does not guarantee a desired outcome, but it can create an environment where local priorities and needs can be addressed in creative and satisfactory ways.

• Under NEPA and NFMA, the U.S. Forest Service is required to give counties the opportunity to comment on proposed management plans, coordinate with county resource management plans, and potentially enter into cooperative agency agreements, as discussed more fully above. NFMA does not require the federal government to meet the demands of a county government. It does require, however, that the Forest Service make a good-faith effort to coordinate with a county regarding its land use plans in the federal planning process; and, when the Forest Service land management plans do not align with the objectives of the county plan, to explain why.

Federal-state-local partnerships and agreements can withstand legal scrutiny

• Oftentimes, federal land management plans face lawsuits from individual citizens, concerned issue groups, state or local governments and other interested stakeholders. When county governments are involved in the planning or analysis of a national forest, provide data, work in good faith to develop a collaborative plan that meets the needs of all interested parties, and support the final product, it gives agencies a greater leg to stand on in a legal setting. For example, if a county government provided verifiable, peer-reviewed socioeconomic baseline data to a national forest for the development of a land management plan and/or a NEPA analysis, the federal government will have an easier time defending that portion of a land use plan in a courtroom. When state or local governments stand in opposition to a federal decision, it can lead to a long, drawn-out legal battle that can freeze the planning process and prevent necessary management from being conducted.

Use the Right Tool for the Relationship

- Know what Forest Service agreements your county is a party to. Many counties have entered into various partnership and financial agreements with federal agencies over the years. Some agreements may be active, pending approval from the county or federal government, or expired. County officials should familiarize themselves with the details of existing and expiring agreements between the U.S. Forest Service and county in question. Additionally, county officials should feel free to reach out to land managers to discover possible options for written agreements between counties and the U.S. Forest Service to work collaboratively in improving the landscape.
- Use the Forest Service Partnership Resource Center which has a curated library of resources
 that can help you choose the right mechanism for your situation; you can access the
 Partnership Resource Center here. The Forest Service also has a National Collaboration
 Cadre that works with the agency, as well as county government, to serve as a resource and
 technical support to collaborative efforts, you can find more information about the Cadre
 here.

Provide Data, Science and other General Local Knowledge to Federal Officials

Bring data and ideas to the table

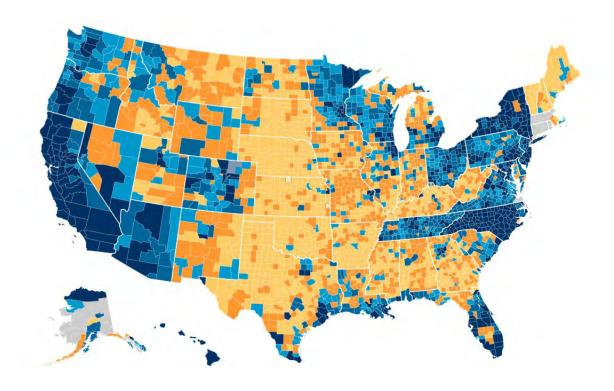
• Federal officials are required to make decisions based on verifiable data and best available science. Counties can assist in this process by conducting socioeconomic analyses of individual counties so that data can be utilized by agency personnel during the planning process. For example, the State of Wyoming has provided limited funds to county governments that wish to produce baseline socioeconomic data. This data is compiled by university professors and is based on various government and private studies that withstand substantial peer-reviewed scrutiny.

Develop local resource management plans

• The existence of a county resource management plan can greatly aid federal agencies in the development of their own land management plans. County officials, working in conjunction with trained scientists and land managers, to develop a resource management plan that synthesizes various species data, customs and culture data, socioeconomic baseline data and scientific analysis of the landscape can provide crucial information that helps create a better-informed Land Management Plan. Some states may make funding available for a county to develop a resource management plan. It would be worth exploring your county's options in order to ensure your residents have an informed voice with strong scientific backing at the table. Counties that have resource management plans should provide these plans and any updates to the Forest Service personnel, and make sure new personnel are provided copies.

***Text Box: NACO County Explorer ***

County Explorer is an interactive data base that provides information on more than 100 data sets for every county in the United States. It allows the user to view information about socio-economics, infrastructure, financing, and administrative details that are important to fully understanding a local community. It can be accessed on NACo's website at: http://explorer.naco.org/. Forest Service and county officials can jointly use this tool to assist in their planning efforts.



END COUNTY EXPLORER Side Bar

A. Appendices

For information about the National Environmental Policy Act visit the Council on Environmental Quality: This site provides detailed information on the law, regulations, guidance, practices, and many publications and reports:

https://ceq.doe.gov/

For information about the USDA Forest Service Planning Rule: This site provides information, guidebooks, and answers to frequently asked questions about the planning rule. https://www.fs.usda.gov/planningrule

For information about working in partnership with the Forest Service, visit the Partnership Resource Center: This site provide information about funding, administrative and legal information, stories about partnerships, and other learning resources. https://www.fs.fed.us/working-with-us/partnerships

Appendix (need to list in order they are referenced in the document)

1. Copy of Forest Service - NACO Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

between the

UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT (BLM)

the

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE (FS) and the

NATIONAL ASSOCIATION OF COUNTIES (NACo)

This Memorandum of Understanding (MOU) is made and entered into by the United States Department of the Interior, Bureau of Land Management, hereinafter referred to as the BLM. the United States Department of Agriculture, Forest Service, hereinafter referred to as the Forest Service, and the National Association of Counties, hereinafter referred to as NACo

I. PURPOSE

The purpose of this MOU is to establish a framework for the BLM, the Forest Service and NACo to work collaboratively on initiatives that mutually benefit each organization's mission and objectives. In so doing, the organizations will strive to build or improve the lines of communication and support between the BLM, the Forest Service and counties having a direct interest in or involvement with public and national forest lands.

II. AUTHORITY

The MOU is entered into pursuant to the authority of Section 307(b) of the FederalLand Management and Policy Act of 1976 (43 U.S.C. 1737(b)), the Intergovernmental Cooperation Act of 1968 (42 U.S.C. 4201), the National Forest Management Act of 1978 (16 U.S.C., Section 7), the Cooperative Forestry Assistance Act of 1978 (92 Stat 365), and the Farm Bill of 1990 (PL 10 1-624, Title 23, Subtitle G, Chapter 2).

III. MISSION STATEMENTS

The BLM is a Federal agency that manages approximately 245 million acres of public land, primarily in the West, and 700 million acres of Federal mineral resources. In addition, BLM is responsible for managing public lands scattered throughout the 31 states bordering on, and east of the Mississippi River. The agency's mission is to sustain the health, diversity, and productivity of these public lands for the use and enjoyment of present and future generations.

The Forest Service is a land and resource management agency of the United States Department of Agriculture responsible for managing and protecting approximately 193 million acres of

public lands. The Forest Service provides leadership in the management of the Nation's state and private forests, forest research, and international assistance for the protection and sound management of the world's forest resources.

NACo is a national organization that represents county governments in the United States. Founded in 1935, NACo provides essential services to the nation's 3,069 counties. NACo advances issues with a unified voice before the federal government, improves the public's understanding of county government, assists counties in finding and sharing innovative solutions through education and research, and provides value-added services to save counties and taxpayers money.

IV. HISTORY OF RELATIONSHIP

The organizations recognize that counties have a unique role and perspective in the management of public lands, with the potential of being significantly affected by the decisions of the BLM and the USFS. Strengthening the intergovernmental relationship across federal and local levels can ensure county officials are integrally involved in agency deliberation and policy and agency leadership becomes keenly aware of community impacts.

V. OBJECTIVES

The BLM Director, Forest Service Chief and NACo Executive Director or their representatives will meet to identify and discuss issues of mutual concern and interest, facilitate cooperation and explore mutual objectives. These meetings will provide the basis for an ongoing, cooperative relationship among the organizations.

The BLM Director and Forest Service Chief, or other agency representatives, will, to the extent practicable, attend NACo meetings and conferences and participate in whatever capacity is deemed beneficial by each organization.

Whenever possible, the BLM, Forest Service and NACo leadership will consult with each other as they are adopting policies or initiatives which are of interest to and which might directly affect each organization.

The BLM, Forest Service and NACo agree to work cooperatively to identify and promote coordination among federal and county public land management systems.

The BLM, Forest Service and NACo agree that federal, local and regional collaboration in stewardship is essential to achieve national policy objectives.

The BLM, Forest Service and NACo will work to identify projects and initiatives at the national, local or regional level to facilitate cooperation among the federal government and counties in implementing land management policies and directives.

The BLM, Forest Service and NACo agree to identify and explore additional opportunities for cooperation including training, educational programs, land use planning, cooperation in land and resource management practices, access management, and interagency staff assignments and exchanges.

V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

FREEDOM OF INFORMATION ACT (FOIA): Any information furnished to the BLM or Forest Service under this agreement is subject to the Freedom of Information Act (5 U.S.C. 552).

<u>PARTICIPATION IN SIMILAR ACTIVITIES</u>: This agreement in no way restricts the BLM, Forest Service, or NACo from participating in similar activities with other public or private agencies, organizations, and individuals.

<u>RESPONSIBILITIES OF PARTIES</u>: The BLM, Forest Service and NACo and their respective agencies and offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each party will carry out its separate activities in a coordinated and mutually beneficial manner.

NON-FUND OBLIGATING DOCUMENT: Nothing in this MOU shall obligate the BLM, Forest Service or NACo to obligate or transfer any funds. Specific work projects or activities that involve the transfer of funds, services, or property among the various agencies and offices of the BLM, Forest Service and NACo will require execution of separate agreements and be contingent upon the availability of appropriated funds, and the mutual consent of each party. Such activities must be independently authorized by appropriate statutory authority. This MOU does not provide such authority. Negotiation, execution, and administration of each such agreement must comply with all applicable statutes and regulations.

ESTABLISHMENT OF RESPONSIBILITY: This MOU is not intended to, and does not create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the United States, its agencies, its officers, or any person.

<u>COMMENCEMENT/EXPIRATION/TERMINATION:</u> This MOU takes effect upon the signature of the BLM, Forest Service and NACo and shall remain in effect five (5) years from the date of execution. This MOU may be extended or amended upon written request of the BLM,

Forest Service or NACo and the subsequent written concurrence of each party. The BLM, Forest Service or NACo may terminate this MOU, upon providing written notice to each party sixty (60) days prior to termination.

THE PARTIES HERETO have executed this agreement as of the last date written below.

APPROVED:	
NEIL KORNZE, Acting Director United States Department of the Interior Bureau of Land Management	Date
TOM TIDWELL, Chief United States Department Agriculture Forest Service	Date
United States Department Agriculture	Date

2. List of State and Regional County Associations and related County Coalitions

Alaska Municipal League	One Sealaska Plaza	Juneau	AK	99801-126	(907)586-1325
Association of County Commissions of Alabama	PO BOX 5040	Montgom	AL	36103-504	(334)263-7594
Association of Arkansas Counties	1415 West Third Street	Little Rock	AR	72201	(501)372-7550
Arizona Association of Counties	1910 W Jefferson St Ste 1	Phoenix	ΑZ	85009-522	(602)252-6563 (222)
County Supervisors Association of Arizona	1905 W Washington St Ste 100	Phoenix	AZ	85009-527	602-452-4514
California State Association of Counties	1100 K St Ste 101	Sacramen	CA	95814-393	(916)327-7500 (545)
Colorado Counties, Inc.	800 Grant St Ste 500	Denver	СО	80203-298	(303)861-4076
Delaware Association of Counties	12 N Washington Ave	Lewes	DE	19958-180	(302)645-0432
Florida Association of Counties	100 South Monroe Street	Tallahasse	FL	32301	(850)922-4300
ACCG – Advancing Georgia's Counties	191 Peachtree Street, NE	Atlanta	GA	30303	(404)522-5022
Hawai'i State Association of Counties	4386 Rice Street, Suite 101	Lihue	HI	96766-181	(808)241-6371
Iowa State Association of Counties	5500 Westown Pkwy Ste 190	West Des	IA	50266-836	(515)244-7181
Idaho Association of Counties	3100 Vista Ave	Boise	ID	83705	208-345-9126
United Counties Council of Illinois	217 East Monroe, Suite 101	Springfiel	IL	62701-174	(217)544-5585
Association of Indiana Counties	101 W. Ohio St Ste 1575	Indianapo	IN	46204-205	(317)684-3710
Kansas Association of Counties	300 SW Eighth Avenue, Suite 300	Topeka	KS	66603-394	(785)272-2585 (302)
Kentucky Association of Counties	400 Englewood Dr.	Frankfort	KY	40601	(502)330-3503
Police Jury Association of Louisiana	707 N 7Th St	Baton Rou	LA	70802-532	225-235-5840
Norfolk County	614 High Street	Dedham	MA	02026-189	(781)461-6105
Maryland Association of Counties	169 Conduit St	Annapolis	MD	21401-251	(410)269-0043
Maine County Commissioners Association	4 Gabriel Dr Ste 2	Augusta	ME	04330-816	(207)623-4697
Michigan Association of Counties	935 N Washington Ave	Lansing	MI	48906-513	(517) 372-5374
Association of Minnesota Counties	125 Charles Street	Saint Paul	MN		(651)789-4330
Missouri Association of Counties	PO BOX 234	Jefferson	MO	65102-023	(573)634-2120
Mississippi Association of Supervisors	793 N. President Street	Jackson	MS	39202-300	(601)353-2741
Montana Association of Counties	2715 Skyway Drive, Suite A	Helena	MT	59602	(406)449-4360
North Carolina Association of County Commission	215 N Dawson St	Raleigh	NC	27603-117	919-715-4369
North Dakota Association of Counties	PO Box 877	Bismarck	ND	58502-087	(701)328-7300
Nebraska Association of County Officials	1335 H Street	Lincoln	NE	68508-274	(402)434-5660 (226)
New Hampshire Association of Counties	46 Donovan Street, Suite 2	Concord	NH		(603) 224-9222
New Jersey Association of Counties	150 W State St Ste 220	Trenton	NJ	08608-110	(609)394-3467
New Mexico Association of Counties	444 Galisteo St	Santa Fe	NM	87501-264	(505)820-8117
Nevada Association of Counties	304 South Minnesota Street	Carson Cit	NV	89703	(775)883-7863
New York State Association of Counties	540 Broadway, 5th Floor	Albany	NY	12207-273	(518)465-1473
County Commissioners Association of Ohio	209 East State Street	Columbus	ОН	43215-419	(614)221-5627
Association of County Commissioners of Oklaho	429 N.E. 50th Street, 3rd Floor	Oklahoma	ОК	73105	405-516-5313
Association of Oregon Counties	1201 Court St Ne Ste 300	Salem	OR	97301-411	(503)585-8351
County Commissioners Association of Pennsylva	PO BOX 60769	Harrisburg	PA	17106-076	(717)526-1010 (3115)
South Carolina Association of Counties	1919 Thurmond Mall	Columbia	SC	29201-237	(803)252-7255
South Dakota Counties	211 E Prospect Ave	Pierre	SD	57501-253	(605)224-4554
County Officials Association of Tennessee	226 Anne Dallas Dudley Blvd.	Nashville	TN	37219	615.253.6700
Texas Association of Counties	PO BOX 2131	Austin	TX	78768-213	(512) 478-8753
Utah Association of Counties	5397 S. Vine Street	Salt Lake (UT	84107-675	(801)265-1331
Virginia Association of Counties	1207 E Main St Ste 300	Richmond		23219-366	804.343.2511
Washington Association of County Officials	206 10Th Ave Se	Olympia	WA	98501-133	(360)489-3043
Washington State Association of Counties	206 10Th Ave Se	Olympia	WA	98501-133	(360)753-1886 (109)
Wisconsin Counties Association	22 E Mifflin St Ste 900	Madison	WI	53703-424	(608)663-7188
County Commissioners' Association of West Virg	2007 Quarrier Street	Charlesto	WV	25311	(304)345-4639
West Virginia Association of Counties	2026 Kanawha Blvd., E	Charlesto	WV	25311	(304)346-0591
Wyoming County Commissioners Association	PO BOX 86	Cheyenne	WY	82003-008	307-632-5409