

APPENDIX 3: COOPERATING AGENCY AND TRIBAL COORDINATION SUMMARY

Cooperating Agencies

Cooperating Agency status is typically utilized during the NEPA process and applies at the beginning stages of a NEPA project. The CEQ regulations addressing cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5) implement the NEPA mandate that Federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local governments" and other agencies with jurisdiction by law or special expertise. (42 U.S.C. §§ 4331(a), 4332(2)).

For Forest Plan Revision, in the spirit of the 2012 Planning Rule, the Forest is applying Cooperating Agency status to the full Plan Revision process, beginning with the Assessment Phase, through the Plan Development Phase and ultimately, the NEPA Phase.

By regulation, Cooperating Agencies are government entities that have either legal authority or special expertise in land management planning or related resource areas. In fulfilling its requirement to coordinate land management plans with local, state, tribal, and federal plans, the Manti-La Sal National Forest has signed 21 Cooperating Agency Agreements with partners to participate in Plan Revision:

Eight counties: Carbon, Grand, Juab, Montrose, San Juan, Sanpete, Sevier, and Utah

Seven Utah Conservation Districts (CD): Grand CD, Juab CD, Price River CD, San Juan CD, Sanpete CD, San Rafael CD, and the Sevier CD

Three cities: Blanding, Monticello, and Castle Valley

Two federal agencies: Bureau of Land Management (BLM), the National Park Service (NPS).

The State of Utah's Public Lands Policy Coordinating Office (PLPCO)

Purpose of a Cooperating Agency Status

The ultimate intent of engaging Cooperating Agencies is to improve efficiencies in planning efforts and lead to more consistent implementation of NEPA decisions. This is achieved through the sharing of information and resources between agencies, including disclosing relevant information early in the analytical process. An additional significant benefit is to build relationships between agencies that will extend beyond the Forest Plan Revision process and through implementation of the plan.

Cooperating Agency Meetings

In order to facilitate this exchange of information meetings are to be held with Cooperating Agencies at key stages in the planning process. The first of these meetings was held in late October 2016. While the meetings were open to the public, their primary intent was to facilitate an exchange of information between the Forest and its Cooperators and set the stage for coordination throughout the planning process. Meeting agendas, handouts, and notes can be found on the Forest Plan Revision Website (<https://www.fs.usda.gov/detail/mantiLaSal/landmanagement/planning>)

Benefits of Cooperating Agency Status

- The benefits of utilizing Cooperating Agency status during Forest Plan revision are many including:

- Building relationships based on trust and communication across agencies
- Addressing intergovernmental issues and avoiding duplication of effort,
- Facilitating the use of local knowledge of economic, social and environmental conditions, as well as Federal, State, Local and tribal land use requirements
- Enhancing the local credibility of plans
- Ensuring better, more informed decisions

Tribal Outreach

The Forest Service's government-to-government relationship with federally recognized Indian Tribes is often based on treaties and intergovernmental agreements and requires consultation. Consultation during the planning process is in accordance with FSH 1509.13, American Indian and Alaska Native Relations Handbook, chapter 10, Consultation with Tribes.

Executive Order 13175 and Department of Agriculture (DR 1350-002) and Forest Service policies (FSM 1560 and FSH 1509.13, ch 10) require agency officials to pursue regular and meaningful consultation and collaboration with Tribal officials in the development of Federal policies that have tribal implications and to strengthen the United States' government-to-government relationships with Indian Tribes.

Many of the tribes who consider the Manti-La Sal National Forest an important place, both spiritually and culturally, have a strong interest in the management of the natural resources on the forest. Involvement with federally recognized Tribes during the Forest Plan Revision process has been ongoing. Meetings have been held with tribal governments to inform them of the forest planning process including:

- Utah State Tribal Leaders Meeting – Wendover, Nevada – 14 November 2016
- Ute of the Uintah Ouray Business Council Meeting – 21 December 2017
- Utah Navaho Commission Meeting – 17 February 2017
- Utah State Tribal Leaders Meeting – Ft. Duchesne, Utah – 10 March 2017

The Forest initially invited all Federally Recognized Tribes with historical, cultural, or spiritual connection to the Forest to participate as Cooperating Agencies in the Plan Revision process. While no Tribes responded to this invitation the Forest has decided to provide the same level of coordination and information sharing with the Tribes as it does Cooperating Agencies. The Forest is also pursuing formal consultation at key points during the Plan Revision process and providing updates to Tribal governments during regularly scheduled meetings as appropriate.

The Navajo Nation has requested formal consultation on draft documents through their Historic Preservation Department. An initial meeting is likely to be scheduled with the release of the Draft Assessment Report. The Utah State Tribal Leaders group has agreed to utilize their meetings as a platform for consultation beginning with the June 2017 meeting and the review of the Assessment Report.

The Manti-La Sal National Forest will continue to engage and involve the tribes throughout the planning process, to learn, consider, and respect their ecological, social, and cultural needs and concerns.