

**Tri-County Commissioners Meeting  
Colville National Forest Plan Revision  
Three Rivers Ranger District Office  
September 10, 2015**

**Present:**

Mike Blankenship (Ferry County Commissioner)  
Steve Kiss (Pend Oreille County Commissioner)  
Steve Parker (Stevens County Commissioner)  
Rodney Smoldon (Acting Colville National Forest Supervisor), Amy Dillon (CNF Plan Revision Team Lead), Debbie Kelly (Plan Revision Public Affairs Specialist), Craig Newman (CNF RELM Staff Officer), Eric McQuay (CNF Recreation Staff/Acting Republic District Ranger), Jon Day (CNF Silviculturist), Kate Day (CNF Hydrologist), Marcy Rumelhart (note taker).

Commissioner Parker acknowledged the quad county letter sent to the FS and thanked everyone for making the meetings happen.

Rodney stated that Regional Forester Jim Peña was sending a representative to the meeting on Friday. Her name is Debbie Hollen.

Commissioner Parker – realize it was a formal letter with formal language, but the counties have a high level of interest in entering a formal coordination process with the FS and would like to see that it has been given weight by the RO. Would like to know if the formal status is going to be recognized. Would like to have an open discussion with the FS but would prefer to avoid doing that in a public meeting.

Rodney – the requirement for management planning is to ensure we have alignment with the county plans, but would rather have a face-to-face conversation instead of just reviewing plans. Want to ensure relevancy and ensure a shared understanding.

Commissioner Kiss agreed that we are close but need a better understanding of the plan revision documents. Appreciate the opportunity for the meetings.

Commissioner Blankenship discussed the 1988 plan and that it never met timber yield sustainability goals. Main concern is - what will the FS do to ensure the future economic growth of Ferry County? He feels the new plan does not address sustainability either, or water quantity/quality, or wildlife habitat. Ferry County needs to be able to use all of the land. It can't sustain any other losses.

Commissioner Parker brought three documents to share, for the record. One was a 1994 MOU between the FS and the counties. A second document was an MOU recently signed by Regional Forester Jim Peña. His point in reviewing the documents with the group was to show the counties have worked out local agreements with the FS in the past. The third document was a copy of the Stevens County Comprehensive Plan Elements (attached at the end of this document).

Commissioner Blankenship stated the counties missed the boat on early commitment to forest plan revision. They weren't as aggressive as they should have been at the beginning of this process, and don't blame the FS.

Commissioner Parker agreed. We do have good intentions and want to overcome past misconceptions. We are committed to stewardship and want to work with everyone. He considers the FS experts in stewardship, but the counties will promote the economic piece heavily to be sure it's acknowledged.

September 10, 2015

Rodney stated one common thread is the missing middle, or silent majority. They are a large part of the population and it is frustrating (not to have that involvement).

**Agenda topics were provided by the county commissioners (items that need follow-up are in italicized text):**

### **National Forest Access System – Craig**

Commissioner Parker – main concern is for safety and maintenance of the transportation system, before accessibility. Do support repairing structures to protect resources, but not at expense to public.

Eric – there are national (trend) numbers that don't necessarily meet what happens on our forest, don't have good numbers from a trend perspective. Horse use is generally down but those users still want trails. We know we have a mountain bike component out there even though we don't have exact numbers. The motorized use fluctuates based on a given year. We have a vocal group that wants solitude, and just as many folks that want the opposite. Because of that his recreation analysis is not based totally on national trends.

Rodney – we just don't have the attractions here that some forests do, to keep people here beyond a 3 day weekend. Much of the use comes from Spokane area.

Commissioner Blankenship – have tried to get motorized use here in Ferry County. Most of the motorized use is out and back with no loops and it is frustrating from a standpoint of balanced use. If Alternative P is approved then the recreation opportunities in Ferry County are really diminished. Every place shown as back country motorized you can hike and ride horses, how is that balanced when you can't do the opposite.

### **Scenery/Scenic Byways - Eric**

Commissioners are concerned about impacts and restrictions from the national scenic trails.

Eric discussed the national scenic trail and the comprehensive plan (CP) being worked on. The trail has a buffer for the viewshed and within that buffer are restrictions for purposes and uses. Those things will be identified in the CP. There could be restrictions on timber sales within the buffer. The CP will dictate how we manage within the trail corridor. The trail was designated by congress. When it comes time to develop the CP, would like to encourage county involvement in that.

### **Renewable Forest Products/focused & general restoration – Jon & Kate**

Timber production: discussion covered projected volumes and the commissioners want to make sure that timber output listed in the new forest plan is not a restriction based on current funding and/or staffing levels. Discussion covered how three different volumes were calculated: based on current funding levels; based on sustainable harvest levels; and based on long-term sustained yield.

There was a discussion about production levels for the Forest listed in chapter 1 and if that included more than just sawtimber (such as firewood). Commissioners asked if that could be broken out by timber harvest and ancillary (firewood, etc.). This information is broken out in the vegetation specialist report and identifies that approximately 10% is something other than sawtimber.

Rodney stated chapter 1 is mainly an introduction and offered to *add a clarifying statement to distinguish between mill generating jobs and the other ancillary part*, to help paint the picture.

September 10, 2015

Commissioner Kiss – also might be interesting to include with that *timber offered for sale, but not sold*.

There was discussion about how much of the forest is available for timber production, without management restrictions. The Commissioners asked that the proposed plan be clear about how much is available and how much is removed due to restrictions. Some of the restrictions may be due to boundary issues instead of landscape issues and if the plan is clear about that would avoid confusion with the public.

Commissioner Blankenship – also consider that the part of the forest that is removed from timber production also excludes recreation (motorized).

Rodney – it is part of the multiple use piece and finding balance. He agreed we should be *clear about the suitability and the reasoning behind choices made for land management allocations (how it ties to constraints)*. It is all part of story.

Fire Management as a tool: the Commissioners asked about the recent fires and how that would impact the forest plan. Since the proposed plan states that fire is used as a tool, the Commissioners would like the plan to *incorporate the benefits of fire*.

The Commissioners felt the Community Wildfire Protection Plans seem to match the proposed plan fairly well and were pleased to see that factored in. Although it will require a level of maintenance that is uncertain, given funding constraints.

Rodney stated the public received the Proposed Action during the scoping period in 2011. Comments received were the basis for developing the other alternatives. In discussions with the regional office it was decided that Alternative P will be identified as the preferred alternative in the draft EIS for the comment period. Alternative P is an attempt to balance all comments/concerns.

Amy – the public hasn't seen these alternatives yet, but they will see it during the comment period.

Age of the proposed plan: The commissioners were concerned about the length of time the proposed plan has been in development, how dated the analysis and material is, and that the comments received from the public during scoping contain a 10-yr old mindset. People may feel differently now.

Amy stated the specialists on the team have redone their reports within the last year, and their analysis is based on current science.

Overlapping management direction: commissioners discussed management area (MA) desired conditions (DC) and concern/confusion about overlapping management direction.

Amy explained how this mainly applies to small administrative sites such as a radio tower or ranger district office. There may be situations where more than one MA overlaps and in that case, the MA with the tighter direction and/or restrictions would take precedence.

Eric provided an example of two MAs that overlap – the scenic byway MA and the wilderness MA. Since there are more restrictions, or tighter direction, with wilderness management, the wilderness MA would take precedence over the scenic byway MA direction.

The commissioners asked to *consider changing the wording in the plan, to provide more clarity on what that actually means*.

Other general suggested clarifications from the commissioners:

September 10, 2015

- Air quality DC - propose to boost more fire prevention and fuel treatment activities.
- FW-DC-VEG-03. Human Disturbance – in last sentence *consider acknowledging DCs may sometimes be impaired but will mitigate.*
- FW-STD-VEG-04. Timber Production - *make it clear what the components are, need to clarify and define this better for general public. What are suitable lands vs other areas.*
- FW-STD-VEG-09. Harvest Systems – *need some clarity here, sounds like there is nothing on the forest that is not feasible to log.*
- FW-OBJ-RFP-01. Planned Sale Quantity – commissioners would like the *LTSY added to this.*

The commissioners asked about number of roads in key watersheds and why numbers were specified for decommission/recondition. Kate explained desired conditions, objectives, standards and guidelines for water resources for some clarification. Key watersheds are where we want to focus restoration and minimize risks. The biggest risk is from the road system. Decommissioning a road is closing a road and removing all effects to the hydrologic system from the road. It can include a suite of activities. Hydrologically decommission doesn't necessarily mean maintaining the road. The DC gets to decommissioning.

The next level is the objective, how we see we're moving toward the DC. We are not bound to do objectives, but they are logical things. The number ties to the low value/high risk roads. The 78 miles of road represents about 2% of total roads on the forest, and removal of the individual roads would require going through project level NEPA analysis.

### **Focused Restoration MA**

Road density: Commissioner Kiss presented a concern about the road density restriction of 1 mi/sq. mi in the focused restoration MA.

Kate provided some background. Roads are an impact to hydrology and wildlife. The focused restoration areas are key aquatic and wildlife habitat. Desired conditions are a blanket statement about what we want to see. It is a number we arrived at that we'd like to achieve and any projects in those areas would move us a little closer to that goal. It is calculated at the watershed scale which is generally 40,000 to 250,000 acres. FS roads, open and closed, are divided by square miles of FS land within the watershed, within the MA. At the project scale we will be looking at removing low value and high risk roads, and the public would have ability to comment. Examples of watersheds are San Poil, Le Clerc Creek, and Chewelah. The same guidelines would apply for the general restoration MA, but with a higher road density of 2 mi./sq. mi. This does not include temp roads, only FS system roads (open and closed).

At the project level there is an attempt to achieve no net increase in road density. We can still build roads for a project, with a goal of a net decrease in road density by the end of project. This helps move toward the DC.

Commissioner Parker stated the road density issue is a concern for the counties, and they are not supportive of the desired condition. From an economic and public safety standpoint, it is not feasible and not supported. Putting any number on it is not good.

Amy provided additional background. The idea of using numbers came up about 10 years ago. For wildlife road density comes into play with grizzly bear and caribou recovery areas in Pend Oreille

September 10, 2015

County. It includes total and open road density. Some roads are still there, but closed to general public access (some have seasonal closure; some are year-round closure). Those types of restrictions come from coordination with the US Fish and Wildlife Service and mostly apply to Sullivan Lake Ranger District.

The commissioners feel it should not be applicable forestwide. To prescribe an artificial road density limit across the entire forest takes away integrity. The counties can't support this and it should be rewritten to match the county plans. The proposed plan should speak to specific roads and not have a blanket restriction across the forest.

Amy discussed the challenges in making changes at this point in the process. What she would like to see during the public comment period is suggestions as to what to change, then the Forest could create a new alternative that blends all suggested changes, such as possibly combining the two restoration areas into one, and only imposing restrictions in designated habitats like bull trout.

All agreed the issue of road density will need further discussion.

Special Interest Area (SIA): there was a suggestion to *change the recommended wilderness on the Kettle Crest in Alternative P to a special interest area*. Commissioner Blankenship felt that is what the people of Ferry County would rather see, but would like to know more about it.

Eric said a management plan would be required to be developed for the SIA. The focus would be to enhance recreation opportunities within the SIA including motorized and nonmotorized use. Would have to develop a justification for the SIA, but it would not be an MA, but more of an overlay. The management plan would have to focus on a special feature such as recreation. The management plan could propose adding trailheads and looking to enhance the recreation experience. It is a way to provide types of uses people enjoy while maintaining the backcountry feeling, but it is not wilderness. Can have the same experience but without the name. Adding the SIA name to our maps may attract more public to the area.

Rodney – we will *bring that forward to Jim Peña*.

### **Research Natural Areas – Amy & Rodney**

Discussion about whether these areas are actually used research, but no major concerns from commissioners. The FS is strongly directed to have these areas available for research. They have to be unique, but don't really take away from forest production areas because they are already in either wilderness or inventoried roadless areas. Does not take away from other uses.

### **Wrap-up**

Briefly discussed the plan for the meeting on September 11. The commissioners asked for another review of how to suggest changes to alternatives during the comment period, such as adding the SIA to Alternative P, and discuss at the next meeting.

The meeting ended at 2:30.

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Tri-County Commissioners Meeting

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September 10, 2015

Attached agenda was provided prior to the meeting by the Tri-County Commissioners.

Other attachments provided by Stevens County Commissioner Steve Parker.

MEMORANDUM OF UNDERSTANDING (MOU)  
BETWEEN  
STEVENS COUNTY COMMISSIONERS, STEVENS COUNTY, WASHINGTON  
(hereinafter called "the County")  
and the U.S.D.A. FOREST SERVICE, COLVILLE NATIONAL FOREST  
(hereinafter called "the Forest")

SECTION I.        STATEMENT OF PURPOSE

The purpose of this Memorandum of Understanding (MOU) is to establish a mutually harmonious and productive planning relationship between the County and the Forest. This MOU addresses how and when each agency participates in Forest and County planning processes. The parties hope that successful implementation of this MOU encourages positive intergovernmental relationships.

SECTION II.      BACKGROUND

- A.    WHEREAS, it is recognized that the Forest Service manages the National Forest in accordance with the Forest Reserve Organic Act of 1897, The Multiple Use Sustained Yield Act, and the Forest and Rangeland Renewable Resources Planning Act as amended by the National Forest Management Act, and makes decisions in accordance with the procedures established by the National Environmental Policy Act, and;
- B.    WHEREAS, These acts require management of National Forest System lands for multiple uses on a sustained basis to ensure a continued supply of goods and services to the American people in perpetuity, and;
- C.    WHEREAS, The County and Forest policies seek to fully consider the impacts of proposed actions on the physical, biological, social and economic aspects of the human environment, to involve each other in planning and monitoring of ultimate decisions made, to give early notice of upcoming proposals to interested and affected persons, and to give timely notice to each other regarding environmental planning documents, and;
- D.    WHEREAS, the Forest and the County desire to enter into this MOU and have the authority, through the Forest Supervisor and the County Commission, to do so, and;
- E.    WHEREAS, it is mutually recognized that:
  1.    This MOU shall not be construed to affect the jurisdiction of Federal, State, County or other local

governmental agencies which exists as a matter of law, and;

2. The Forest has two administrative units in the County known as the Colville Ranger District and the Forest Supervisor's Headquarters, and;
  3. These offices are staffed by Forest employees who may be County residents who are dependent on the economic, social and cultural stability of the County, and;
  4. The County and Forest desire that their planning and enforcement activities appropriately consider the impacts of various decisions on the economic and social stability and culture of the County and its residents during planning.
- F. WHEREAS, there are County and Forest planning activities which require different levels of documentation prior to decision making and implementation, and;
- G. WHEREAS, for the Forest, these planning levels are mandated or recommended by various Federal laws, regulations and guidelines including, but not limited to the National Environmental Policy Act, the National Forest Management Act, Forest Service policies, procedures and regulations, and;
- H. WHEREAS, the County has planning activities mandated by State and local laws, and;
- I. WHEREAS, it is understood that the Forest has responsibility and authority for decisions on matters within its jurisdiction, and;
- J. WHEREAS, it is understood that the County has responsibility and authority for decisions on matters within its jurisdictions.

**SECTION III. STATEMENT OF JOINT OBJECTIVES**

- A. WHEREAS, both agencies desire to develop processes and procedures to ensure that the County and the Forest are able to efficiently and effectively meet their responsibilities as public entities, and;
- B. WHEREAS, both agencies desire to openly communicate and provide a conduit for free exchange of information on common issues and problems, and;

- C. WHEREAS, both agencies desire to provide a framework to fully consider the social, economic, and cultural impacts of public land and resource management decisions as part of the overall planning and decision making processes, and;
- D. WHEREAS, both agencies desire to work cooperatively on monitoring Forest Plan implementation, and;
- E. WHEREAS, both agencies desire periodic review of this MOU for evaluating its effectiveness, and;
- F. WHEREAS, both agencies desire a conflict resolution process, and;
- G. WHEREAS, both agencies desire to provide conflict resolution processes at the lowest administrative level without resort to judicial review.

NOW, THEREFORE BE IT UNDERSTOOD THAT the parties shall work in good faith to implement the following:

SECTION IV. PROJECT LEVEL PLANNING UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

A. Initiate Planning

- 1. The processes set forth in this MOU are intended to portray the most complex, interactive analysis which the agencies may be required to undertake in complying with their respective responsibilities. Many actions proposed by the Forest, either initiated by the Forest or from an applicant, including the County, may be processed and final disposition made using fewer procedural steps than this process provides.
- 2. The Forest Responsible Official ensures compliance with all matters pertaining to the National Environmental Policy Act (NEPA) and consistency with the Forest Plan pursuant to the National Forest Management Act (NFMA).

B. Schedule of Proposed Actions

- 1. The forest will mail the quarterly schedule of proposed actions to the Chair of the County Commission. This schedule provides the status of all on-going and proposed environmental analyses on the Forest.
- 2. The County will monitor the schedule of proposed actions and be prepared to act promptly upon receipt of Scoping letters or other documents from the Forest requesting County actions.

C. Scoping

1. The Forest shall mail, at the earliest possible time, the scoping letter or other documents which may include a draft report which includes a statement of purpose and need, a description of the proposed action, preliminary issues, and decisions to be made for any project planning activity to be addressed in a manner which requires a Decision Memo for a Categorical Exclusion, a Decision Notice for an Environmental Assessment or a Record of Decision for an Environmental Impact Statement. If appropriate, this report may also request that the County be either a cooperating agency or joint lead in the planning effort. The scoping report will be sent to the Chair of the County Commission.
2. The County will evaluate the scoping letter and will, within the response time specified in the scoping request, either provide written comments on the proposal or inform the Forest in writing of one of the following:
  - a. The County has no outstanding concerns with a the proposal and does not intend to comment further. The County may request to receive the Environmental Assessment (EA) or Environmental Impact Statement (EIS) even though they have expressed that they have no outstanding concerns. This request must be made in writing.

Lack of response or other expression of interest in the proposal may cause the County to lose standing to appeal the decision under the Forest Service appeal regulation (36 CFR 215.15(a)(5)).
  - b. If the County desires additional information it may request the Forest to meet with the Board of County Commissioners with the advisory committee(s) and other County staff. This meeting shall be a public meeting conducted in accordance with State and local law. Issues, alternative and/or mitigation measures may be presented to the Forest by the County at this time.
  - c. If the County is interested in participating in the project, the response will include suggested issues, alternatives and/or mitigation measures and its desired role and participation activities.
3. In response to the scoping report, the County will make a good faith effort to raise any and all issues it deems important in as specific a manner as possible. The County shall describe applicable State and local laws and

local plans and policies which may apply to the proposal or have an effect on the decision.

4. The Forest or the County may request a meeting to clarify individual project goals and objectives and/or pertinent issues. The County will, to the greatest extent possible, organize and conduct these meetings to keep the subject focused on the specific issue and project. The County will cooperate with the Forest on scheduling these meetings and providing adequate notice in compliance with State law. Both agencies may request persons with special expertise to attend such meetings to present and discuss information.
  5. The Forest Responsible Official shall mail the description of significant issues raised by the County to be considered in detail in the analysis to the Chair of the County Commission and request validation of the issue statements as written. The Forest Responsible Official may request further information from the County which he/she feels may assist in the analysis. The County shall respond to this validation request in writing and in a timely manner, normally fifteen days, with any specific changes needed. The County should also recommend appropriate mitigation measures and alternative pertinent to their issue(s) at this time.
  6. Both agencies are responsible to ensure that all available information pertinent to the County's issues is specific and accurate prior to the comment period and preferably as early as possible in the scoping process.
- D. Development and Evaluation of Alternatives/Mitigation Measures
1. The Forest Responsible Official will mail to the County a description of the alternatives to be considered in detail.
  2. The County will provide quantified information and data analyzing the impacts of the alternatives and the relationship of the alternatives to County plans and policies to the Forest in a timely manner. The County shall promptly inform the Forest if it is unable to provide information requested.
  3. The Forest shall fully consider in their documentation, County plans and policies to the extent that these have an effect on the issue raised by the County. Any inconsistencies between the proposed action and such plans and policies will be fully evaluated and discussed in the EA or EIS.

E. Notification and Comment Procedures

1. At this point in the process, procedures identified in the Forest Service appeals regulations for comment and decision notification (36 CFR 215) will apply.
2. The Forest Responsible Official shall mail a copy of any EA, EIS and notices of availability to the County for any projects for which it has indicated an interest.
3. The Forest Responsible Official shall mail written notice of decisions to the County on all actions for which it has indicated an interest.

SECTION V. JOINT AND COOPERATIVE PLANNING

A. Joint Planning

1. The Forest Responsible Official and the County shall agree when joint planning is appropriate and how such planning shall be conducted.
2. Joint planning may be used for:
  - a. Activities for which the County has subject matter jurisdiction (40 CFR 1506.2(b)), or;
  - b. Activities for which the County has environmental planning requirements comparable to NEPA (40 CFR 1506(c)).
3. When the County requests to conduct joint planning (40 CFR 1506.2), it shall demonstrate that joint planning is required or appropriate. A critical element for determining when joint planning is warranted is whether a decision or independent approval is required by both agencies.
4. The demonstration justifying joint planning must clearly show that:
  - a. The County has undisputed authority to make a decision directly related to the proposed action in accordance with 40 CFR 1506.2(b), or;
  - b. There is statutory authority both for the County's decision making responsibility and for the joint planning activity requested. The County must cite the specific laws and regulations when providing the basis for the request.

5. If the requirement for joint planning is in dispute, the County and the Forest Responsible Official will use the process outlined in Section X CONFLICT RESOLUTION.

B. Cooperating Agency Status

1. The Forest Responsible Official shall have the authority to grant cooperating agency status (40 CFR 1508.5). The County has the same authority for initiating cooperative planning with the Forest for County decisions under appropriate provisions of its local ordinances or regulations.
2. Cooperating agency status is appropriate when it would serve to assist both agencies in complying with their respective authorities and planning needs (40 CFR 1508.5 and 40 CFR 1501.6).
3. The Forest Responsible Official may ask an agency with expertise regarding specific issue pertinent to the analysis to be a cooperating agency at any time when it will facilitate the analysis (40 CFR 1508.5 and 40 CFR 1501.6).

C. Procedures Common to Both Joint Planning and Cooperating Agency Status.

1. The agencies will use the procedures outlined in Section IV. - PROJECT LEVEL PLANNING UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT to initiate and conduct joint planning or cooperative planning.
2. Any request from either agency requesting joint planning or cooperating agency status shall be made in writing to the Forest Responsible Official or Chair of the County Commission as applicable. Each agency shall respond in writing in a timely manner to such a request given the scheduling needs of the requesting agency.
3. It is recommended that when the agencies are entering into formal relationship (joint planning or cooperating agency status), a supplemental MOU should be executed which identifies the respective roles and responsibilities of each party as regards that specific project planning process.

SECTION VI. ECOSYSTEM MANAGEMENT PLANNING

- A. Watershed assessments, done as part of Ecosystem Management Planning, is a Forest Service analysis process that may occur between Forest Plan

Decisions and project level decisions. Its purpose is to identify a desired condition for a defined area on the Forest. This process does not involve NEPA decisions. The process serves as a source of proposals. It is not a prerequisite for either Forest-level planning (NFMA) or for project-level planning (NEPA).

- B. Participation by the public, State and local government, and Indian tribes helps in defining the watershed assessment area to be analyzed, compiling pertinent data for the existing conditions, developing the desired conditions for the area, and identifying possible management practices.
- C. There are three basic "products" developed for each ecosystem management unit as a result of this process:
  - 1. Description of Existing conditions.
  - 2. Description of desired conditions.
  - 3. List of possible management practices.
- D. The Forest will give notice to the County and provide the appropriate opportunities for full participation by the County in development of the three products of ecosystem management planning listed above (Section VI.C).
- E. The County may participate as it determines appropriate, within the timeframes set by the Forest Service. County participation in this process does not affect in any way County participation in either Forest-level planning (NFMA) or project-level planning (NEPA).

**SECTION VII. FOREST LEVEL PLANNING UNDER THE NATIONAL FOREST MANAGEMENT ACT (NFMA)**

- A. The Forest is committed to implementing the requirements for coordination with the County according to 36 CFR 219.7 at the time that the revision for the Colville National Forest Land Management Plan (hereinafter known as the "Plan") or significant amendments to the current Plan are initiated.
- B. The Regional Forester is the Responsible Line Officer for revisions of or significant amendments to the Plan (36 CFR 219.10). However, all procedural requirements of 36 CFR 219 will be performed by the Forest Supervisor (36 CFR 219.10).
- C. According to 36 CFR 219.7 the Forest Supervisor shall:
  - 1. Mail notice of the preparation of the Plan to the Chair of the County Commission at the same time the Notice of Intent is published in the Federal Register, along with a general schedule of anticipated planning activities:

2. Cooperate with the County to review the Stevens County Land Use Plan to determine the County's planning objectives, to assess the interrelationship of the Forest Plan and the Stevens County Plan, and other pertinent Federal, State and local land use plans, and to consider means for resolving any conflicts identified. The results of this review will be displayed in the EIS;
  3. In addition to the Forest Plan scoping for the Environmental Impact Statement (EIS), at a minimum meet with the County three (3) times: 1) at the beginning of the forest planning process to develop procedures for coordination; 2) to validate issues which the County has identified; and 3) prior to recommending the preferred alternative in the draft EIS;
  4. Seek input from the County to help resolve issues and identify areas where additional research is needed;
  5. Cooperate with the County to conduct appropriate monitoring and evaluation of Forest activities undertaken in implementing the Plan. This monitoring shall include evaluation of the effects on land, resources, and communities adjacent to or near the Forest and nearby lands under County jurisdiction.
- D. In addition to 36 CFR 219.7, the above process will also include the following:
1. The County and Forest may solicit public input for the Plan either individually or jointly using methods including, but not limited to, holding public hearings or meetings, public service announcements, open houses, etc. This input will be ~~mailed~~ available to the Forest Service. *made E*  
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  2. The County shall coordinate with the Forest, utilizing any available resources, including universities, to develop meaningful and useful social, economic and cultural data and information which will assist the Forest in evaluating the impact that Plan revision and significant amendments thereto would have on those resources.
  3. The Forest shall monitor its plan implementation to predict possible social, economic and cultural impacts which may occur as a result of its decisions or pending decisions and inform the County in as timely a manner as possible.

4. Based on the results of monitoring, the County may request that the Plan be revised or significantly amended. The Forest Supervisor has authority to determine if the Plan will be significantly amended or revised (36 CFR 219.10(f)).

**SECTION VIII. FOREST INVOLVEMENT IN COUNTY PLANNING**

- A. It is recognized that the Forest administers a large portion of the land base of the County, and that Forest employees are members of the community and contribute greatly to the economic stability of the County. As such, the Forest and the County are interdependent both economically and socially. Therefore, both agencies desire that the Forest participate, to the extent appropriate, in County planning process, including, but not limited to:
  1. Sale and purchase of Lands adjacent to the National Forest
  2. Long Term Plans/Planning for Lands/Land Management Issues
  3. Ecosystem Management Planning
  4. Recreation Development Plans
  5. Road Construction adjacent to or within the National Forest
  6. Road Maintenance plans, road closures, general access issues which may affect the national Forest
  7. Lease of Lands/Concessionaire Agreements adjacent to the National forest
  8. Environmental Mitigation for Land Development adjacent to the National Forest
  9. Joint Mapping Efforts/Data Exchanges/G.I.S.
  10. Wildlife Management Plans
  11. Historical and Cultural Preservation
  12. Adjacent Development Notification
  13. Timber Sale Notification
  14. Requests for variances to existing plans or permits adjacent to the National Forest
  15. Short or long term transportation plans
  16. Other activities which the County feels might directly or indirectly effect the management of National Forest lands
- B. The County will give timely written notice of proposed ordinances, policies and procedures to be considered by the County which may be of interest to the Forest. At a minimum, the County will mail or fax the agenda of any County meeting to the appropriate Responsible Official(s). The County shall also provide earlier notice, either by telephone or in writing, of any such activities.

- C. At the request of the County or its advisory committee(s), the Forest will provide information and participate in the County's planning process to the fullest extent practicable.
- D. The County will provide to the District Ranger and the Forest Supervisor copies of any County ordinances, policies or procedures or activities that might be pertinent to the Forest Service at the time they are approved by the Commission.

**SECTION IX. MISCELLANEOUS**

- A. If either agency learns of proposals which may have an impact on the other, it shall inform the other in a timely manner.
- B. In the case of an action with a short deadline for decision making for which these procedures cannot be followed, one party will contact the other promptly.
- C. The Forest and the County shall meet in October and March of each year to exchange information. Each agency will determine who should attend these meetings.

**SECTION X. CONFLICT RESOLUTION**

In the event of disagreement over the implementation or interpretation of this MOU, either agency may request a meeting between the District Ranger within the County and County officials to attempt to resolve the dispute. Both agencies shall have the opportunity to present their concerns and will strive to reach a consensus.

**SECTION XI. GENERAL PROVISIONS**

- A. This agreement is subject to being terminated by either party upon sixty (60) days written notification of such intent. This notification must be made by registered mail, return receipt requested, to the Forest Supervisor or the Chair of the County Commission as appropriate.
- B. Each agency will provide a list of point of contact for their organization within 15 days of execution of this MOU and within 15 days of a change in points of contact.
- C. No member or Delegate to Congress or local official shall be admitted to any share or part of this MOU, or any benefit that may arise therefrom; but this provision shall not be construed to extend to the MOU if made for a corporation or its general benefit.
- D. Supplements or amendments to this MOU may be proposed by either party and shall become effective upon approval by both parties.

- E. In implementing this MOU, there shall be no discrimination against any person because of race, religion, color, sex or national origin.
- F. Nothing in this MOU shall be construed as obligating the parties in the expenditures of funds or for the future payment of money in excess of appropriation authorized by law.

IN WITNESS THEREOF, the parties hereto have executed this Memorandum as of the date below.

Edward J. Schult  
 Forest Supervisor  
 Colville National Forest

5/23/94  
 Date

Sean Benjamin 6/6/94  
 Chairman Date  
 Stevens County Commission

Allen J. Erik 5/23/94  
 Commissioner Date  
 Stevens County Commission

Tom McKern 5-23-94  
 Commissioner Date  
 Stevens County Commission

ATTEST:

Bruce Buchner  
 County Clerk

F.S. needed  
 orig.

**MEMORANDUM OF AGREEMENT (MOA)  
AMONG  
REGION SIX, USDA FOREST SERVICE  
OREGON/WASHINGTON, USDI BUREAU OF LAND MANAGEMENT  
AND THE  
WASHINGTON STATE ASSOCIATION OF COUNTIES,  
REPRESENTING WASHINGTON COUNTY GOVERNING BODIES**

Definitions:

“WSAC” means Washington State Association of Counties.

“County” means a county in Washington that has a national forest or public land administered by the Bureau of Land Management within its boundary.

“USFS” means Region Six, USDA Forest Service, including its National Forests in Washington.

“BLM” means Oregon/Washington, USDI Bureau of Land Management, including its Districts in Washington.

Preface:

1. The BLM and USFS, under the laws of Congress, executive orders, and federal regulations, are responsible for the management of the federal public lands, national forests, and their resources. The BLM and USFS have a responsibility to sustain the health, diversity, and productivity of these federal public lands and national forests for the use and enjoyment of present and future generations.

2. WSAC serves all of the 39 Washington counties and the 139 elected, bonded, and audited County Executives, Council members, and County Commissioners, as well as 9 affiliate and associate organizations. WSAC works with federal, state, and local governments to improve the ability of county government to serve Washington’s citizens efficiently and effectively.

Statement of Purpose:

The USFS, BLM, and counties share a long history of partnership with respect to federal public lands and national forests in Washington, including conferring on management direction and projects, sharing resources and revenues, and fully participating in the social, environmental, and economic vitality of local communities.

The purpose of this MOA is to establish a means of communication between the USFS, BLM, and county governing bodies that occurs often as a general practice. This regular communication is intended to maximize trust and communication between the USFS, BLM, and county government, minimize misunderstanding and potential conflicts, produce USFS, BLM, and county actions that are as a consequence better end products for all Washington citizens, and enhance community support for those actions.

It is agreed that:

1. Upon implementation of this MOA:
  - a. The governing body of each county shall designate a county contact for the USFS and BLM.
  - b. The USFS Regional Forester shall designate a USFS contact for each county it serves.
  - c. The BLM State Director shall designate a BLM contact for counties it serves.
  
2. When any significant land management actions or significant personnel actions resulting in downsizing or reorganization are contemplated in a county by USFS or BLM, the federal agency contact shall notify the appropriate county contact. Actions that are considered significant in the county shall be defined among the parties. The notice shall provide sufficient substance and give enough time for the county governing body to study and respond to the contemplated action. Notice of sufficient substance and time to the county shall be defined among the parties. In keeping with federal policy, the federal agency will consider the county's response before taking any action. If the action is different from the county recommendations, the federal agency will explain the rationale of their decision.
  
3. When any action that will change the law is contemplated by a county that may significantly impact the operation of USFS or BLM, the county contact shall notify its respective federal agency contact. Actions that are considered significant to the USFS or BLM shall be defined among the parties. The notice shall provide sufficient substance and give enough time for the federal agency to study and respond to the contemplated action. Notice of sufficient substance and time to the federal agency shall be defined among the parties. The county will consider the federal agency's response before taking any action. If the action is different from the federal agency recommendations, the county will explain the rationale of their decision.
  
4. The USFS Regional Forester, BLM State Director, and WSAC Timber Counties Committee Chair shall convene, as appropriate, representatives of the USFS, BLM, and county governing bodies to discuss and resolve issues related to land management in Washington.

Limitations:

The USFS, BLM, and county governing bodies recognize that this MOA is not intended to create a forum for resolution of all issues between a county and the USFS or BLM. Nor is it intended to replace presently existing lines of communications, such as Resource Advisory Committees, federal or county workgroups, and informal or formal policy meetings between the USFS or BLM, and WSAC or a county.

Nothing in this MOA shall require the USFS, BLM, WSAC or a county to violate or ignore any laws, rules, directives, or other legal requirements imposed by law.

This MOA is adopted to enhance communication and mutual cooperation between the USFS, BLM, and counties. It does not create any right to administrative or judicial review, or any other right, benefit, or responsibility, enforceable by any party against the USFS, BLM, WSAC or county governing bodies, their agencies, officers, employees or any other person.

This MOA becomes effective upon signature of all parties.

This MOA is expected to continue for five years, after which it will expire, unless canceled, extended, or renewed. This MOA may be extended or renewed prior to expiration if all the participants agree that there is a continuing need for this agreement. The terms or conditions of such extension or renewal will be in writing and require the signature of BLM, USFS, and WSAC.

This agreement is neither a fiscal nor a funds obligation document. Any endeavor to transfer anything of value involving reimbursement or contribution of funds between the parties to this agreement will be handled in accordance with applicable laws, regulations, and procedures including those for Government procurement and printing. Such endeavors will be outlined in separate documents that shall be made in writing by representatives of the parties and shall be independently authorized by appropriate statutory authority. This agreement does not provide such authority. Specifically, this agreement does not establish authority for noncompetitive award to the cooperator of any contract or other agreement.

FREEDOM OF INFORMATION ACT (FOIA). Any information furnished to the agencies under this instrument is subject to the Freedom of Information Act (5 U.S.C. 552).

MODIFICATION. Modifications within the scope of the instrument shall be made by mutual consent of the parties, by the issuance of a written modification, signed and dated by all parties, prior to any changes being performed.

**PARTICIPATION IN SIMILAR ACTIVITIES.** This instrument in no way restricts the agencies or the Cooperator(s) from participating in similar activities with other public or private agencies, organizations, and individuals.

**TERMINATION.** Any of the parties, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration.

**ESTABLISHMENT OF RESPONSIBILITY.** This MOA 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.

**AUTHORIZED REPRESENTATIVES:** By signature below, the cooperator certifies that the individuals listed in this document as representatives of the cooperator are authorized to act in their respective areas for matters related to this agreement.

Principal Contacts for this MOA are:

**USDA-US Forest Service**

Shoni Pilip-Florea  
Director, Public & Legislative Affairs  
Pacific Northwest Region  
Portland, OR [Smpilip-florea@fs.fed.us](mailto:Smpilip-florea@fs.fed.us)

Shandra L. Terry  
Regional Public Involvement Coordinator  
Public & Legislative Affairs  
Pacific Northwest Region  
Portland, OR [sterry@fs.fed.us](mailto:sterry@fs.fed.us)

**USDI-Bureau of Land Management**

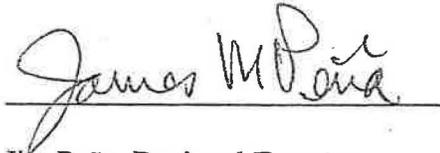
Stephen Bakker  
Communications  
BLM Oregon/Washington State Office  
Portland, OR [sabaker@blm.gov](mailto:sabaker@blm.gov)

**Washington State Association of Counties**

Laura Merrill  
Timber Program Manager  
Olympia, WA [lmerrill@wacounties.org](mailto:lmerrill@wacounties.org)

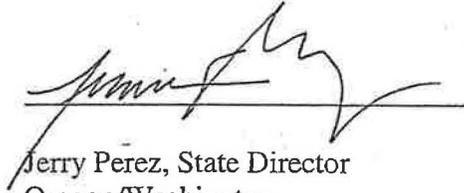
Agreement:

U.S. Department of Agriculture  
Forest Service

A handwritten signature in cursive script, appearing to read "James M Peña", written over a horizontal line.

Jim Peña, Regional Forester  
Pacific Northwest Region

U.S. Department of the Interior  
Bureau of Land Management

A handwritten signature in cursive script, appearing to read "Jerry Perez", written over a horizontal line.

Jerry Perez, State Director  
Oregon/Washington

Washington State Association of Counties

A handwritten signature in cursive script, appearing to read "Eric Johnson", written over a horizontal line.

Eric Johnson, Executive Director  
Washington State Association of Counties

Comp Plan Elements – Forest Plan Revision

1.1 General Goal:

- Assert constitutional rights
- Stewardship of public land
  - Enhance economic opportunity
  - Customs & culture
  - Early participation on planning
    - Our commitment to public
    - Our expectation of you

1.2 GP-2 evaluation carefully effects on constitutionally protect rights – life, liberty, pursuit of happiness

GP-5 build and strengthen relationship with cities, counties and state, federal and local agencies in support of coordinated planning and interjurisdictional partnerships

2.1 Economic Development: Support the businesses and industry that exist

2.2 Policies:

- ED-1 retention and expansion of existing local business and industries
- ED-4 encourage economic growth / protect the rural character
- ED-5 ensure development regulations do not unduly restrict diversification of the economic base
- ED-7 include economic development as one consideration in land use
- ED-9 encourage coordination at the local and regional level

Land Use Element

3.1 Land use Goal 2 – General Development: Provide or support opportunities and incentives for quality development in the cities, small communities and rural resource areas of Stevens County within a framework that reduces urban sprawl, provides necessary infrastructure, maintains the overall character of Stevens County and responds over time to changing conditions.

4.0 Natural Resources: Maintain and enhance natural resource based industries .....  
....., and provide for the stewardship and productive use of forest, mineral and agricultural lands.

**Thursday Sept 10** – Three Rivers RD conference room. Commissioners scheduled to attend: Parker, Blankenship, Kiss  
National Forest Access System –Craig  
Scenery/Scenic Byways – Eric M.  
Renewable Forest Products/focused & general restoration – Jon, Kate & Karen H (would expect that this topic won't start until about 10:00  
Research Natural Areas – Amy & Rodney

**Friday Sept. 11** – Three Rivers RD conference room. Commissioners scheduled to attend: Dashiell, Blankenship, Kiss or Manus  
Livestock grazing – Travis  
Minerals/Lands & Special Uses – Karen N  
Heritage – Alicia B  
Recreation/ Admin & Rec sites/ backcountry/backcountry motorized/nationally designated trails – Eric M  
Public Awareness – Rodney, Amy & Deb

**Thursday Sept 17** – location to be determined (based on whether fire team is still here). Commissioners scheduled to attend: McCart, Blankenship, Skoog  
Air/soil – Rodney & Amy  
Vegetation – Jon D  
Water Resources/ Riparian management areas – Kate D, Karen H  
Wildlife Habitats – Bill G  
Wild & scenic rivers – Eric M  
Wilderness (designated & recommended) – Eric M  
Monitoring/Maps – Amy