

Using the Coordination Process to Stop 30x30 at the Local Level

Coordination is a process found in federal statutes that require federal, state and local governments to resolve conflicts and harmonize plans and policies for the purpose of achieving consistent policies across the three branches of government.

This is the only tool available to local governments that requires the federal agencies to work towards developing and implement federal plans consistent with state and local plans. They must do this by directly coordinating these issues with the governing bodies of States and local governments, prior to exercising planning decisions.

Can Coordination Help States and Local Governments Stop 30x30?

Yes - 30x30 is being implemented at the local level, directly impacting the existing plans, policies and priorities of states and local governments. Coordination requires the federal agencies to resolve conflicts between its activities, including those implementing 30x30, with states and local governments.

Are Federal Agencies Required to Coordinate?

Yes - There are federal laws that specifically direct the agencies to coordinate, such as the Federal Land Policy and Management Act, the National Forest Management Act, and the National Environmental Policy Act. However, all federal agencies can and should coordinate with states and local governments, as there is nothing in federal law that precludes them from doing so.

What is the Difference between Coordination and Cooperative Agency Status?

Most states and local governments are familiar with “cooperating agency” status, as this is the process federal agencies prefer to use when involving state and local governments in their planning process. Seldom will they extend an offer to “coordinate” the issues, as this requires more accountability from the federal agencies.

However, Cooperating Agency Status is a limited process, beginning and ending with the preparation of an environmental study under the National Environmental Policy Act (NEPA). Further, the purpose of cooperating agency is to prepare the analysis of the proposed action, not to challenge or make consistent the action itself with state and local plans.

The Coordination process, in contrast, is a continual relationship with the federal agency. It is established to address the substantive differences in policies between the federal, state and local governments, not just during the development of a management plan and environmental analysis, but continuing through the implementation of that plan.

Importantly, the purpose of Coordination is to resolve planning conflicts, where the federal agency is required to work towards making its policies consistent with the local policies, and not just ignore those that do not align with the current Administration.

Can Pre-Decisional Planning Documents be Shared in the Coordination Process?

Yes - Nothing precludes the Deciding Officer from providing states and local governments the same access to planning documents they would have in the Cooperative Agency process. Sharing these is a choice made by the Deciding Officer. States and local governments need to challenge the federal agencies' good faith efforts to comply with the coordination requirements, if they are refused this access.

What Issues can Coordination be used to Resolve?

The applications of coordination are endless. There is nothing in federal law that precludes a federal agency from coordinating with states and local governments. Additionally, there are federal laws that specifically require the federal agencies to do so (see above).

Twenty-two members of Congress, along with the Counties of Chaves (NM), Garfield (CO) and Kane (UT), helped prepare and advance a draft Executive Order to President Trump that would have required more federal agencies to coordinate with states and local governments. Unfortunately, the order was never acted upon. Nevertheless, the draft

order is ready to be considered by future administrations.

How do You Begin the Coordination Process?

1. Pick-up Resources to Learn More

The Guide to Policy Coordination for Local Governments was written and published by *American Stewards* and provides the background, laws, and tools to help local governments implement the coordination process.

2. Attend a Coordination Training

American Stewards will come to your community to train commissioners, county staff, special district directors, local leaders, and federal employees on how to implement the process. The Coordination Class is a one-day program that can be scheduled by calling ASL.

3. Ask for Help Initiating the Process

Beginning the process is the most difficult step because the federal agencies try to avoid engaging with local governments in coordination. *American Stewards* will work with your local government to help bring the federal agencies to the table and develop a working relationship that holds the agencies accountable to the local needs and priorities.

We offer a professional services contract for a more formal relationship with counties and special districts when appropriate.

Contact ASL for more information.