

**A Strategy for Bringing the Allegheny National Forest Administration  
And County Governments Toward a More Effective Relationship**

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**Warren County Courthouse  
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## **1.0) Executive Summary**

Until recently, federal and county governments have had an arm's length relationship pertaining to the Allegheny National Forest. However, a number of eroding influences impacting the county level are forcing commissioners to address the performance of the Allegheny National Forest and to coordinate with the management of that asset toward the highest and best use for their communities.

To be clear, the ultimate authority for managing the Allegheny National Forest rests with the federal government. The Department of Agriculture's Forest Service is responsible for administering all vegetative management and land use, but they must do so within the context of a number of federal regulations. Within those regulations, specific involvement is allocated to county governments, and it is the purpose of this document to utilize these regulations so the four counties of the Allegheny National Forest can coordinate with the federal administrators.

Elk, Forest, McKean, and Warren Counties must take a strong leadership role at the Commissioner level on this issue. This may best be accomplished through the formation of a four-county coalition responsible for formulating consensus based positions. In addition, this coalition could provide coordinating planning activities with the ANF administration as permitted by federal regulations. The end result of county leadership will be more effective and efficient communication between local officials and the federal administrators.



## 2.0) Introduction

Warren County is one of four contiguous subdivisions of the Commonwealth of Pennsylvania whose relationship with the federal government includes a national forest. Elk, Forest, McKean and Warren Counties serve as a collective host for a federal asset that measures over a half-million acres.

Counties	Acreage	ANF Acreage	Percentage ANF Owned
Elk	530,336	111,846	21.09%
Forest	275,840	119,116	43.18%
McKean	628,205	135,346	21.54%
Warren	565,120	147,018	26.02%

By virtue of its geographic size alone, the Allegheny National Forest (ANF) deserves the attention of the Commissioners; more than one-fourth of the total acreage of the four counties is controlled through the ownership of the United States Government and this through the Department of Agriculture's Forest Service. When the monetary impact of the affiliated industries is considered, the Commissioners can easily justify giving the ANF priority status in their executive and legislative decision-making, but county government abilities are quickly challenged whenever they face the task of interfacing with a multi-billion-dollar federal bureaucracy that abides by a myriad of strident regulations. Ultimately, the question before us is how can county government be assured that its local issues are being considered or accommodated by this monolithic agency? To date, no formally adopted position pertaining to the interplay of local interests against federal management has been received by the ANF administration, nor is there a protocol for interfacing with those federal administrators. *The challenge in rectifying these*

*deficiencies lies on two levels: 1.) any formally adopted position reflecting the local needs vis-à-vis the Allegheny National Forest must be inclusive regarding the various items of local concern, and it must be specific in detailing those issues; and, 2) to be effective, communication protocols must be created and administrated in a manner consistent with local, state, and federal guidelines.*

## **2.0) Recent History of the ANF Administration and County Governments**

The need for an official local position is beyond question, and that was never more apparent than during the development of the recent forest plan. As a forest plan is in process, federal regulations require the forest supervisor to solicit input, on an early and frequent basis, from local officials who have jurisdictional authority within a national forest. The language in the Code of Federal Regulations is very clear on this matter. 36 CFR 219.14 reads as follows:

### ***Involvement of state and local governments***

*The responsible official must provide early and frequent opportunities for state and local governments to:*

- (a) Participate in the planning process, including the identification of issues; and,*
- (b) Contribute to the streamlined coordination of resource management plans or programs.*

In spite of the “early and frequent” requirement, the ANF planning team developed a scope of issues as they formulated their Notice of Intent without the strategic involvement of local officials.

The Notice of Intent, the document submitted to the federal register to initiate the forest planning process, was filed on September 23, 2003. One of the objectives of creating a Notice of Intent is to identify the preliminary issues which need addressed, and, in accordance with 36 CFR 219.14 (a), the input of local governments is required to identify them. However, nowhere in the “Government Participation” section of the Notice of Intent is local government involvement identified; only State and Federal agencies are specifically listed.

After the Notice of Intent was filed, numerous concerned citizens and elected officials repeatedly asked then Forest Supervisor Kevin Elliot about the role of local governments in the forest planning process. He publicly directed their efforts toward the Collaborative Learning Approach, and on numerous occasions he upheld that same process as the method through which input would be received. Many of the same individuals chastised Mr. Elliot regarding the ineffectiveness of the Collaborative Learning Approach as they strongly felt it was an inappropriate forum for elected officials to communicate with the ANF administration. In fact, they asked him if their communication efforts were placed on equal footing with those who maintained “fringe” positions of a micro-minority. He affirmatively answered this question, and he indicated that if the local leadership did not participate in the Collaborative Learning Approach, that was their choice to do so. He did not offer any other alternative modes for local governments to participate in the planning process.

Mr. Geoff Chandler followed Mr. Elliot in an interim appointment to the forest supervisor’s position. The same questions were posed to him relative to local leadership involvement, and he responded in a much different fashion. He referenced his experiences at other national forests where local officials had a greater participatory role. He also provided specific regulations which mandated the U. S. Forest Service’s embracing local governments at the earliest opportunity during the planning cycle. This new position by ANF top-level management signaled an opportunity for local government involvement, but local officials also expressed an underlying concern that it



may already be too late. Even still, local leaders were conservatively encouraged, and they became more directly involved.

Kathleen Morse picked up on the initiative of Mr. Chandler during the Summer of 2005 as she assumed her role as forest supervisor. County commissioners, County planners, township supervisors, school board members, and others were provided an opportunity to outline their standing to the ANF planning team. One of the earliest meetings for this purpose was held on September 19, 2005, almost two years after the initial filing of the Notice of Intent. My notes taken at that meeting read as follows:

*“The largest procedural issue I have with the current planning process is timing: the counties are strategically disadvantaged due to our recent involvement. At this point, the counties should be asserting our preferred alternative. Instead, the counties are playing catch-up to the ANF regarding our engagement and dialogue.*

*Their timeline continues while the counties become educated. Until a correcting measure is affected onto their timeline, the counties will be unable to present their preferred alternative.”*

By that time, the public sector’s lacking of an opportunity to prepare for this issue became glaringly obvious. While the vast majority of local government officials shared consensus-based positions, our ability to contribute to the planning activities was compromised, because a codified public position at the local level was not in existence. Furthermore, even if a position were available, the framework by which we could effectively participate in the planning process was limited due to the ANF planning team not involving local officials on an “early and frequent” basis as required by law. We were forced to communicate to the planning team through means largely designed by the local ANF administration resulting in a dialogue that was reactionary rather than

participative in nature. *In short, we didn't know what to say, nor did we know how to say it.*

The most furtive attempt to officially communicate a local position to the ANF planning team came in the form of a twelve-point resolution. The efforts leading up to the creation of the resolution involved numerous township supervisors, county commissioners, school board members, industry groups, planning agencies and others, and a sizeable number of those involved formally approved the twelve-point resolution at their regular public meetings.

Of particular note are the activities of the local development districts (LDD's) surrounding the ANF in their handling of the twelve-point resolution. LDD's are the regional agencies within the Appalachian Regional Commission. This multi-state, federally chartered organization is located within the Eastern United States ranging from Southern New York to Alabama, and its fundamental charge is planning. Within the Commonwealth of Pennsylvania, county officials maintain seats on the boards of LDD's, and they use the planning and development resources of these organizations to communicate local concerns to any number of government agencies. Southern Tier West (3 counties, New York), the Northwest Commission (8 counties, Pennsylvania), and the North Central Commission (6 counties, Pennsylvania) encompass the perimeter boundaries of the Allegheny National Forest as well as a man-made lake within the ANF, the Kinzua Reservoir. All three of these LDD's formally considered the twelve-point resolution at separate, respective board meetings. The Northwest and Southern Tier West

Commissions both unanimously adopted the resolution; North Central Commission formally adopted the resolution as their official position with only one dissenting vote.

The lack of coordination between the LDD's and the ANF planning team is another topic worth mentioning. As stated earlier, the Appalachian Regional Commission is a federally funded, multi-state agency that is charged with planning. The three LDD's that encompass the perimeter of the ANF are fully engaged with their respective counties and municipalities, and the Northwest, North Central, and Southern Tier West Commissions could have played a much greater role throughout the entire forest planning process. In fact, 36 CFR 219.14 (b) specifically charges local governments to be involved in the planning process in an effort to "streamline coordination of resource management plans or programs". These respective LDD's could have significantly bolstered the forest planning efforts with their resources, but they were not mentioned in the Notice of Intent nor were they brought into the planning discussions until much later; one federally funded agency, the ANF, did not significantly involve another federally-funded agency, the ARC, in order to make them an "early and frequent" contributor even though the latter agency's core charge is planning.

Warren County acted as the repository for those who approved the twelve-point resolution, and the collated documents were then forwarded to the ANF for their consideration. In spite of these regional efforts, the ANF administration gave the submitted twelve-point resolutions not much more than a cursory acknowledgement in their draft release of the new forest plan.

In May of 2006, a Draft Environmental Impact Statement of the forest plan was released. In the summary documentation under the “Alternatives Considered But Eliminated” section, the ANF planning team acknowledged receiving the twelve-point resolution. In their comments, they stated some points are responsive to several of the points recommended, other points simply are not feasible, and some are outside of the scope of the plan revision. The final comment pertaining to “outside the scope” issues begs the question: if local governments were involved at the earliest opportunity, as clearly stated in 36 CFR 219.14, then is it beyond reasoning that the original scope of issues of the 2003 Notice of Intent could have been more inclusive of local government sentiments?

The forest plan, the comprehensive guiding document which will serve as the basis for land use plans on the ANF for the next decade or more, was put into effect Spring 2007, but, to date, discussions pertaining to communication mechanisms between county officials and ANF administration are on going. Due to this arrangement, while decisions by ANF administration pertaining to the forest plan or any other significant activity on the ANF may be communicated to local officials, no coordinated efforts between the two parties have been officially established. They are currently performed on an “ad hoc” basis, and this was evidenced as the planning activities of the ANF administration addressed their recreation plan.

Among the multiple-use nature of the Allegheny National Forest is recreation. Primitive and developed campsites, hiking trails, hunting, scenic overlook areas, and designated

motorized trails are only some of the many activities that are enjoyed on the Allegheny National forest, and the U. S. Forest Service maintains authority over these uses and the development of them. No small amount of local benefit is realized as visitors patronize our communities while they pursue their pastimes, and with that in mind, the counties have a vested interest in seeing that the ANF is successful in managing desirable recreational venues.

Similar to the overall forest planning process, the ANF administration is required to create a recreational plan with the specific purpose of setting objectives for recreational use on the forest. The ANF administration initiated their efforts with an “open-to-the-public” forum on January 29, 2008. No formal pre-planning was performed with the counties prior to this meeting as required by 36 CFR 219.14.

ANF officials met with the counties throughout the recreational planning process, and they appeared to be more sensitive to county issues. However, the quality of the planning procedure was severely undermined due to an accelerated timeline. The recreational planning process in other national forests has taken up to three years to perform; however, the County Commissioners were made aware by the ANF administration that they were required to have the recreational plan completed in less than one year. Their explanation for this mandated timeline was that due to the protracted cycle of the forest plan, the recreational plan was delayed.

Further complicating the ability of the Counties to interface with the ANF administration is the rapid turnover of personnel in the top-levels of the ANF management. For example, from 2003 until present day, no less than six individuals have held the forest supervisor's position on a permanent or interim basis. Similar staff positions within their organization have also experienced turnover exacerbating local officials in their attempts to communicate with the ANF administration. *In the absence of a recognized memorandum of understanding which would detail communication protocols between the U. S. Forest service and local governments, the engagement between the two parties is heavily favored to the arbitrary sentiments of the local forest supervisor.*

The churning of upper-management staff creates additional complexities aside from lack of continuity: it calls into question their ability to render benevolent decisions at the local level due to their lack of "not knowing the neighborhood". A forest supervisor, within the U. S. Forest Service, may come from anywhere in the country. While that individual may understand the bureaucracy and the national-level issues, s/he will have limited knowledge of current local issues. The Allegheny National Forest is a forest that is as plentiful in complexity as it is rich in resources, and someone from outside of the area, absent a tie to leadership at the most intimate jurisdiction, is affected by a learning curve as s/he determines the sentiment and priorities of local concerns. A common theme expressed among local leadership is ANF administrators - who make sweeping policy decisions - do not have any "skin in the game"; they make their decisions and move on while the citizenry within their jurisdiction must deal with the results.

The preceding issues are examples of how the existing relationship between local and county government quickly becomes strained whenever the two parties enter into strategic discussions. The dynamics creating the dysfunction are many and varied, but if we fail to learn from the past we are destined to repeat it. *We can be assured that the ANF administration will be required to perform planning activities in the future; how will county governments prepare themselves to effectively and efficiently interface with the ANF administration when that time arrives?*

Until the four counties of the Allegheny National Forest organize themselves into a consensus based unit, our individual efforts will be sub-optimized. The commissioners must regularly meet and discuss to assess the current issues of the ANF within their respective counties, and then support each other as they forward their positions to the ANF. An emphasis must be placed on pro-active, forward thinking solutions which are coordinated between county governments and the federal administrators.

### **3.0) Proposed Strategy**

#### **RESOLUTION**

OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WARREN  
WITHIN THE COMMONWEALTH OF PENNSYLVANIA

RESOLUTION ASSERTING LEGAL STANDING AND FORMALLY REQUESTING  
COORDINATION WITH ALL FEDERAL AGENCIES MAINTAINING  
JURISDICTION OVER LANDS AND/OR RESOURCES LOCATED  
WITHIN WARREN COUNTY

**WHEREAS,** Warren County is a public unit of local government within the Commonwealth of Pennsylvania and a three-member elected Board of Commissioners serves as its chief governing authority; and

**WHEREAS,** Warren County Board of Commissioners is charged with supervising and protecting the tax base of the county and establishing comprehensive land use plans (including, but not limited to the County Comprehensive Plan) outlining present and future authorized uses for all lands and resources situated within the county; and

**WHEREAS,** the Warren County Commissioners have designated the Warren County Planning and Zoning Commission as the lead agency for land use planning within Warren County, and the Planning Director serves as the chief point of contact and facilitator for those functions; and

**WHEREAS,** Warren County is engaged in the land use planning process for future land uses to serve the welfare of all the citizens of Warren County; and

**WHEREAS,** Warren County is comprised of approximately twenty-six percent (26%) federally held lands that are in the jurisdiction of the U.S. Forest Service; and

**WHEREAS,** many citizens of Warren County historically earn their livelihood from activities reliant upon natural resources, and land which produces natural resources is critical to the economy of Warren County; and

**WHEREAS,** the economic base and stability of Warren County is dependent upon commercial and business activities operated on federally owned, managed, and/or regulated lands that include, but are not limited to recreation, tourism, timber harvesting, oil, gas and mineral extraction, and other commercial pursuits; and



- WHEREAS,** Warren County desires federal agencies to inform the Board of Commissioners of all pending or proposed actions affecting local communities and citizens within Warren County and coordinate with the Board of Commissioners in the planning and implementation of those actions; and
- WHEREAS,** coordination of planning and management actions is mandated by federal laws governing land management including the Federal Land Policy and Management Act, 43 US § 1712, regarding the coordinate status of a county engaging in the land use planning process, and requires that the “Secretary of the Interior [Secretary] shall...coordinate the land use inventory, planning, and management activities...with the land use planning, and management programs of other federal departments and agencies and of the state and local governments within which the lands are located”; and
- WHEREAS,** the coordination requirements of Section 1712 provide for special involvement by government officials who are engaged in the land use planning process; and
- WHEREAS,** Section 1712 sets forth the nature of the coordination required with planning efforts by government officials and subsection (f) of Section 1712 sets forth an additional requirement that the Secretary “shall allow an opportunity for public involvement” (including local government without limiting the coordination requirement of Section 1712 allowing land or resource management or regulatory agencies to simply lump local government in with special interest groups of citizens or members of the public in general); and
- WHEREAS,** Section 1712 also provides that the “Secretary shall...assist in resolving, to the extent practical, inconsistencies between federal and non-federal government plans” and gives preference to those counties which are engaging in the planning process over the general public, special interest groups of citizens, and even counties not engaging in a land use planning program; and
- WHEREAS,** the requirement that the Secretary “coordinate” land use inventory, planning, and management activities with local governments, requires that assisting in resolving inconsistencies to mean that the resolution process takes place during the planning cycle instead of at the end of the planning cycle when the draft federal plan or proposed action is released for public review; and
- WHEREAS,** Section 1712 further requires that the “Secretary shall...provide for meaningful public involvement of state and local government officials...in the development of land use programs, land use regulations, and land use

decisions for public lands”; and, when read in light of the “coordinate” requirement of Section 1712, reasonably contemplates “meaningful involvement” as referring to on-going consultations and involvement throughout the planning cycle, not merely at the end of the planning cycle; and

**WHEREAS,** Section 1712 further provides that the Secretary must assure that the federal agency’s land use plan be “consistent with state and local plans” to the maximum extent possible under federal law and the purpose of the Federal Land Policy and Management Act and distinguishes local government officials from members of the general public or special interest groups of citizens; and

**WHEREAS,** the Environmental Protection Agency, charged with administration and implementation of the National Environmental Protection Act (NEPA), has issued regulations which require that federal agencies consider the economic impact of their actions and plans on local government such as Warren County; and

**WHEREAS,** Since NEPA requires federal agencies to consider the impact of their actions on the customs of the people as shown by their federal beliefs, social forms, and “material traits,” it reasonably follows that NEPA requires federal agencies to consider the impact of their actions on the rural, land and resource-oriented citizens of Warren County who depend on the “material traits” including recreation, tourism, timber harvesting, oil, gas and mineral extraction, and other commercial pursuits for their economic livelihoods; and

**WHEREAS,** NEPA requires federal agencies to consider the impact of their actions on the customs, beliefs, and social forms, as well as the “material traits” of the people; and

**WHEREAS,** it is reasonable to interpret NEPA as requiring federal agencies to consider the impacts of their actions on those traditional and historical and economic practices, including commercial and business activities, which are performed or operated on federally managed lands (including, but not limited to recreation, tourism, timber harvesting, oil, gas and mineral extraction, and other commercial pursuits); and

**WHEREAS,** 42 U.S.C. § 4331 places upon federal agencies the “continuing responsibility...to use all practicable means, consistent with other considerations of national policy to...preserve important historic, culture, and natural aspects of our national heritage”; and

**WHEREAS,** Webster’s New Collegiate Dictionary (at 277, 1975) defines “culture” as “customary beliefs, social forms, and material traits of a group; the

integrated pattern of human behavior passed to succeeding generations”;  
and

**WHEREAS,** in 16 U.S.C. § 1604, the National Forest Management Act, requires the U. S. Forest Service to coordinate its planning processes with local government units such as Warren County; and

**WHEREAS,** federal agencies implementing the Endangered Species Act, the Clean Water Act, the Clean Air Act, and the Outdoor Recreation Coordination Act (16 U.S.C. § 460I-1(c) and (d)) are required by Congress to consider local plans and to coordinate and cooperate directly with plans of local government such as Warren County; and

**WHEREAS,** the coordinating provisions referred in this resolution require the Secretary of Interior to work directly with local government to resolve recreation, tourism, timber harvesting, oil, gas and mineral extraction, and other commercial pursuits with regard to uses of the federal lands; and

**WHEREAS,** the regulations issued by the federal agencies in this resolution are consistent with statutory requirements of coordination and direct cooperation and provide implementation processes for such coordination and direct consideration and communication; and

**NOW THEREFORE BE IT RESOLVED** that the Warren County Commissioners do hereby assert legal standing and formally requests coordination status with all federal agencies maintaining jurisdiction over lands and/or resources located within Warren County.

**BE IT FURTHER RESOLVED** that the Warren County Commissioners shall cause a copy of this Resolution to be transmitted to local, regional, state and/or national offices of all federal and state agencies maintaining jurisdiction over lands and/or resources located within Warren County and to all federal and state elected representatives serving Warren County.

**BE IT FURTHER RESOLVED** that the Warren County Commissioners are authorized and hereby directed to publish a copy of this Resolution in the Warren Times Observer, a newspaper of general circulation printed and published in the County of Warren, State of Pennsylvania.

ADOPTED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF  
WARREN ON THIS DATE.

John E. Eggleston  
Chairman

Terry L. Hawk  
Vice Chairman

John R. Bortz, Jr.  
Secretary

Attest:

Pamela Matve  
Chief Clerk

***Protocol for Coordination  
Between Allegheny National Forest  
And  
Allegheny County Coalition***

**Introduction:**

The Allegheny National Forest, (ANF) and the Allegheny National Forest County Coalition (herein referred to as Coalition) have engaged in discussions regarding governmental interaction between ANF and Coalition. However, there had previously been no official protocol setting forth the process by which Coalition and ANF will engage in timely and meaningful process to work on issues of mutual concern.

Both parties believe that it is important to execute a protocol documenting their commitment to an open, effective, government-to-government relationship. In addition to fulfilling the coordination of requirements set forth under federal statutes, the two entities hope to make better decisions, achieve efficiencies, enhance understanding and facilitate trust. It is their hope that this protocol will establish a means by which the two entities can work productively over time, as players and issues change and evolve.

This protocol sets forth the process by which the Coalition and ANF expect to coordinate on issues of mutual interest and concern. It provides a venue for the Coalition and ANF to have direct communications and interactions. It also sets forth the process for making future adjustments to the protocol that is needed and mutually agreeable.

**Mandate:**

This protocol has been established to provide a forum for accomplishment of the USFS-to-local government coordination requirements of a variety of federal laws, regulations and executive orders.

Federal coordination requirements can be found in several federal laws including the National Forest Management Act, Rangeland Renewable Resources Act, FLPMA and others, and in regulation.

*NFMA, 43 USC sec 1712 ©(9) provides that the preparation of forest plans will be "coordinated with the land and resource management planning processes of State and Local Governments"*

*40 CFR, 1502.16©, 1506.2 requires the Forest Service to revise the Forest Plan not less than every 15 years and goes on to say.*

- (a) *The responsible line officer shall coordinate regional and forest planning with the equivalent and related planning efforts of other Federal Agencies, State and Local Governments and Indian Tribes.*
- (b) *The responsible line officer shall review the planning and land use policies of other Federal Agencies, Local Governments, and Indian Tribes. The results of this review shall be displayed in the environmental impact statement for the Plan. The review shall include:*
  - (1) *Consideration for the objective of other Federal, State, Local Governments and Indian Tribes as expressed in their plans and policies.*
  - (2) *An assessment of the interrelated impacts of these plans and policies:*
  - (3) *A determination of how each Forest Plan should deal with the impacts identified and;*
  - (4) *Where conflicts with forest planning are identified, consideration of alternatives for their resolution.*
- (c) *In developing land and resource management plans, the responsible line officer shall meet with designated State Official (or Designee) and representatives of other Federal Agencies, Local Governments and Indian Tribal Governments at the beginning of the planning process to develop procedures for coordination. At a minimum, such conferences shall also be held after public issues and management concerns have been identified and prior to recommending the preferred alternative.*

A program of monitoring and evaluation shall be conducted that includes consideration of the effects upon National Forest management of activities on nearby land managed by other Federal or other Government Agencies or under the jurisdiction of Local Governments.

The Coalition and ANF also recognize that there may be occasions when the plans, studies, or management activities of ANF also invoke Federal Laws that also require coordination with the Coalition. Congress most clearly defined it's will for coordination between agencies and local governments at 43 U.S.C. 1712. It mandated that agencies "shall...coordinate the land use inventory, planning, and management activities" with local government. The definition requires the agencies, to the extent practical, keep apprised of all local land use plans (i.e. County Comprehensive Plans), assure consideration is given to the local plans, assist in resolving inconsistencies between local and agency plans, and provide for meaningful public involvement of local governments in the development of land use programs, land use regulations, and land use decisions including early public notice of proposed decisions. Federal land use plans shall be consistent with local plans to the maximum extent found consistent with the law.

#### Purpose of the Protocol:

The purpose of this protocol is to aid the implementation of the coordination required by law, regulation and executive orders currently in effect or yet to be enacted. It is designed as an upper level coordination effort, where management and policy level work is discussed and coordinated directly among the Commission and USFS Managers. This does not limit or preclude the Commission or USFS from communicating via other means, or activities, e.g., formal correspondence, comment or legal means if necessary; it is intended to address and coordinate issues early and in as simple a manner as possible.

#### Participants:

Within this forum, protocol participants include:

1. County Commissioners comprising the ANF County Coalition.
2. Representatives of the Commission.
3. Legal or other Consultants designated as representatives of the Coalition.
4. Supervisor, Allegheny National Forest.
5. District Rangers and Planners from Allegheny National Forest.

#### Decision-making:

Forum Decision-makers are the presiding Chairman of the Coalition, speaking the decision of the Coalition, and the Supervisor of ANF, speaking for the Allegheny National Forest.

Decision-makers will work to reach agreement on matters of discussion. However, participants recognize that within the Coalition and ANF lay decision-making authorities and responsibilities to which they must be individually accountable. To that end, this forum will be used for coordination of the extent possible; however, the Coalition must make its decisions in a manner that complies with all requirements of Pennsylvania Code and the respective County Comprehensive Plans. Similarly, USFS may take potential decisions to the Regional Forester, where those decisions will be subject to that review for approval.

#### Staff & Consultants Role:

The Coalitions's consultants and ANF's staff will participate freely in discussion and presentation as determined by the Chairman of the Coalition and the Supervisor of the ANF, who each control the participation of their consultants and staff personnel.

Decision-makers recognize that both entities have consultants and staff that work for them, advise them on specific issues, study issues and recommend action. Consultants and staff of both entities will communicate, coordinate and work together on a regular



basis on issues of concern to both parties, but shall not make any decisions binding upon either entity.

Process:

1. Pre-planning Sessions

Pre-planning sessions will be normally scheduled on the first Wednesday of each calendar-year quarter (January, April, July, October) between the ANF County Coalition and the ANF administration. These sessions shall last two hours or until an agenda of issues has been developed. Meetings will be open, in accordance with the requirements of Pennsylvania Code, and the participants will conduct meeting work. Invited consultants and staff will participate per agenda/issue requirements. Others are free to observe.

2. Agenda Development

The Executive Committee of the ANF County Coalition and the ANF administration will develop the agenda for each meeting. They will design the meeting agenda based on the proposed and prioritized agenda items and in consideration of the available meeting time. Agendas will be finalized and distributed to participants no less than one week before the upcoming meeting. At each meeting, by mutual agreement, forum participants may add agenda topics and prioritize future agenda items.

3. Meeting Management and Facilitation

The ANF County Coalition will maintain a meeting record that includes the:

- a. Meeting date, time, location and participants.
- b. Topic discussed, list of concerns & outcome, including areas of agreement.
- c. Agenda topics for the next meeting.
- d. Action items.

The notes of record will be reviewed as the first agenda item at the subsequent meeting for potential revision and approval.

4. Briefing Sheets

A briefing sheet will be prepared by the ANF administration and/or ANF County Coalition (and/or staff) when 1) they are presenting and discussing a proposed action by either of the parties. 2) They bring a proposal to this group for discussion by this group, and/or 3) They are presenting and discussing a topic for which feedback is requested. Briefing sheets may include description of issues, background, alternatives, resolutions, etc. Briefing sheets will be provided before the meeting along with the agenda to forum participants. On issues that are complex or may be controversial a briefing sheet will be



provided no less than one week prior to the meeting to allow for adequate staffing of the issue.

## 5. Issue Identification and Resolution

The forum will work collectively on agenda items to define issues and concerns, consider alternatives, and strive for agreement on issue resolution and follow-up actions. Considering that a wide range of issues will be included in the process, different methods may be appropriate to resolve issues of differing degrees of complexity or concern. Communication and information sharing between meetings is necessary to keep all parties informed, minimize misunderstandings, avoid surprises and resolve potential conflicts as quickly as possible. Therefore, any of the following options, or others as mutually agreed to by the forum, may be used to coordinate a given proposal or issue:

- a. Participants will always have the option of responding immediately to proposals or issues that do not require further evaluation. This option will help to avoid unnecessary deferring simple or non-controversial topics.
- b. Where mutually acceptable to Coalition and ANF, coordination may be completed and documented by staff-to-staff communications before the next meeting, but final decisions rest with decision makers.
- c. Where further evaluation is needed, continuing discussion and resolution may be scheduled for the next meeting.
- d. Issues may be referred to staff for review and recommendation and addressed again at a later meeting.
- e. For an issue of special concern to either party, a special added meeting of the interested parties, a telephone conference call or a field tour may be scheduled to complete the process, on mutually agreed upon terms.
- f. For a very sensitive/confidential issue, an executive session may be scheduled for the Coalition and ANF and any necessary consultants or staff of the respective parties to discuss the issue as long as Pennsylvania Code allows such executive session.
- g. As to any issue, resolution of which requires formal approval by the Coalition, a decision will have to await a regular Coalition meeting or specifically noticed meeting of the respective Boards.

## 6. Unresolved issue

In the event participants cannot articulate a clear consensus of agreement on a given topic, the Coalition and the ANF will prepare a one-page paper outlining the issue; any potential areas of agreement, and the reasons for the lack of resolution in a manner that is equitable (in tone and space) to both entities. Both entities will confirm that the document accurately reflects its perspectives.

## 7. Action items

For discussion requiring more than one meeting, participants will articulate and implement follow-up action items by identifying action, responsible person and deadline. Those action items will be reviewed and confirmed by the group before adjourning a given meeting. Absent highly sensitive or significant issues or concerns, follow-up will not exceed one month from the time it is initiated, unless mutual agreement is reached that a field tour or other action is needed that would require additional time.

### Protocol revisions:

The process will continue to evolve, but the basic premise will remain as expressed in this protocol. The process will be reviewed for potential revision on an annual basis.

**AS INDICATED BY THE SIGNATURE AFFIXED BELOW, THIS PROTOCOL  
IS MUTUALLY ACCEPTABLE TO THE WARREN COUNTY COMMISSION  
AND ALLEGHENY NATIONAL FOREST.**

\_\_\_\_\_  
Chairman, Warren County Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Vice Chairman, Warren County Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Secretary, Warren County Commission

\_\_\_\_\_  
Date

\_\_\_\_\_  
Allegheny National Forest Supervisor

\_\_\_\_\_  
Date

Attest: \_\_\_\_\_  
Warren County Chief Clerk

Date: \_\_\_\_\_

