



SAN JUAN COUNTY COMMISSION

Kenneth Maryboy Chairman
Willie Grayeyes Vice-Chair
Bruce Adams Commissioner

August 20, 2019

The Hon. Victoria Christiansen, Chief
U.S. Forest Service
1400 Independence Ave, SW
Washington, DC 20250-1111
Victoria.christiansen@usda.gov
nepa-procedures-revision@fs.fed.us

NEPA Services Group
c/o Amy Barker
USDA Forest Service
125 South State Street, Suite 1705
Salt Lake City, UT 84138

Re: Forest Service Proposal to Revise National Environmental Policy Act Regulations, RIN 0596-AD31

Dear Chief Christiansen and Ms. Barker:

Thank you for this opportunity to comment on the Forest Service's proposal to modify its National Environmental Policy Act ("NEPA") regulations. Due to our concerns discussed below, we recommend that the Forest Service withdraw its proposal.

The forested areas of San Juan County ("County") found within the Manti-La Sal National Forest provide the largest and most important watershed for the County and are the source of water for several of its largest communities. Both the Abajo and La Sal mountain ranges are critical to the County's identity, economy, tourism, recreation, hunting, clean water, and quality of life. And importantly, the Abajo Mountains are revered and held with deep respect by Utah's indigenous people, including the Navajos, Utes, Paiutes, Zunis, and Hopis, who have ancestral ties in particular to these mountains and surrounding lands. In this time of increased heat and drought, management of forest vegetation and various land uses is crucial to fire management and water source protection, among other concerns.

NEPA, while certainly not perfect, has played a vital and effective role as a means of communication between the County and the Forest Service for the last half-century. It has been an important tool to clarify and refine the County's understanding of the options and impacts for forest management. We value the current Forest Service NEPA regulations because they (1) ensure that federal agencies 'look before they leap' by using the best available science to disclose the environmental impacts of, and alternatives to, their proposed actions; and (2) inform the public (including our County) of agency plans and include the public in agency decision-making by seeking and responding to resident input.

We are deeply concerned that the Forest Service has proposed to overhaul its NEPA regulations to reduce the opportunity for comment from the County and the public generally with regard to agency decisions. The proposal would do so by removing the default requirement for public



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comment opportunities on all categories of actions for which the Forest Service has administratively concluded the action is unlikely to have significant effects (classified as “categorical exclusions”).

It also appears the proposed rule would at the same time create numerous new “categorical exclusions.” The proposed rule would permit the Forest Service to approve the following actions with potentially no environmental analysis, no consideration of alternatives, and no requirement for County or other public involvement:

- Construction of up to 5 miles of new Forest Service System roads;
- Conversion of illegal off-road vehicle (“ORV”) routes to official Forest Service System roads or trails;
- Approval of surface use plans associated with a new oil and/or gas development area, including up to four drill sites, three miles of pipeline, and new road construction;
- Mining exploration that could include large seismic vibriosis vehicles (thumper trucks), surface charges, bulldozing or trenching; and
- Logging projects and associated road building in large development areas 4,200 acres (6.6 square miles), as long as the project includes one non-logging “restoration” action.

The County is not necessarily opposed to these kinds of activities taking place per se; The County is, however, vehemently opposed to not having the right to participate in the decision-making process, which would be the outcome of this proposed rule change.

The Forest Service has proposed changes in order to increase the pace and scale of work accomplished on the ground by completing project decision-making in a timelier manner. We agree that there are many worthy projects that would benefit both the County and the Forest Service with prompt action. We understand that budget constraints may limit the speed with which these projects can be prepared. However, we do not believe that restricting County, Tribal, and all other public involvement and curtailing consideration of sound science and environmental impacts is the most effective way to build support for, and to effectively manage the country’s beloved national forests.

We therefore request that the Forest Service withdraw the proposed rulemaking.

Sincerely,

Kenneth Maryboy, Chairman
San Juan County Board of Commissioners