



August 6, 2019

The Hon. Victoria Christiansen, Chief  
U.S. Forest Service  
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NEPA Services Group  
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**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.

As you may know, the upper watershed of Grand County lies within the La Sal Mountains of the Manti-La Sal NF, which is the source of water for most (and all the largest) communities of Grand County. The La Sal Mountains are critical to the County's identity, economy, tourism, recreation, hunting, clean water, and quality of life. We deeply value not only these landscapes but our productive partnership with the Forest Service professionals with whom we work on an almost daily basis to protect and manage these resources. In this time of increased heat and drought, management of vegetation and land uses on the forest is crucial to fire management within the county's communities.

The National Environmental Policy Act (NEPA) has played a vital role in effective communication between Grand County and the Forest Service for the last half-century, and in furthering our mutual exploration and understanding of the options and impacts for forest management. We value the current Forest Service NEPA regulations for their success in achieving twin aims: (1) ensuring 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) informing the public (including our county) of agency plans, and including the public in agency decisionmaking by seeking and responding to citizen (and county) input.

We are therefore deeply concerned that the Forest Service has proposed to overhaul its NEPA regulations to eliminate the opportunity for comment from the County and other members of the public on more than 90% of agency decisions. The proposal would do so by removing public comment opportunities on all categories of actions for which the Forest Service has concluded the action is unlikely to have significant effects, and thus has decided will be "categorically excluded" from NEPA compliance.

Further, the proposed rule would create numerous *new* "categorical exclusions." The proposed rule would permit the Forest Service to approve the following actions with no environmental analysis, no consideration of alternatives, and no County or other public involvement:



- Construction of up to 5 miles of Forest Service System roads, contrary to long-standing policy that the agency is no longer in the business of building permanent system roads. Expansion of the current intense use of the Moab District of the Manti-La Sal NF for motorized sightseeing and recreation has the potential to adversely impact our watershed and a diversity of non-motorized recreational opportunities.
- Conversion of illegal off-road vehicle (ORV) routes to official Forest Service System roads or trails – contrary to decades of Forest Service travel and transportation management policy designed to make more ecologically and fiscally sustainable the agency's over-extended transportation system and ensure that any ORV route designations "minimize" impacts to resources and conflicts with other recreational uses.
- Approval of surface use plans associated with a new oil and/or gas area, including up to four drill sites, three miles of pipeline, and new road construction.
- Mining exploration that may use vibroseis (thumper trucks), surface charges, or trenching.
- Logging projects and associated road building on 4,200 acres (6.6 square miles), as long as the project includes one non-logging "restoration" action, even if that action is as small as replacing

All of these types of actions are the kind that, in our experience, have the potential to significantly impact the watersheds and environment of Grand County, and thus benefit from the transparency, accountability, public involvement, consideration of less-damaging alternatives, and science-based decision-making that current Forest Service NEPA regulations require. For instance, in Grand County, extensive public involvement led by Moab District professional recreational staff, resulted in a trail use plan that met the approval of both motorized and non-motorized users of the La Sal Mountains. A few examples of ongoing coordination between the Forest Service and Grand County include the efforts of Trail Mix, Moab Area Watershed Partnership, and Grand County Road Department. While working with the County and its residents, as well as other users of the national forest may take more time up-front than making unilateral agency decisions, the hope for broad social legitimacy of national forest management depends upon debate, information exchanges, transparency, and consideration of alternatives.

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 complete, important projects.

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

Sincerely,

  
Evan Clapper, Chair

Grand County Council