



February 1, 2018

NEPA Services Group  
c/o Amy Barker  
USDA Forest Service  
Geospatial Technology and Applications Center  
2222 West 2300 South  
Salt Lake City, UT 84119  
*Comments sent via email: [nepa-procedures-revision@fs.fed.us](mailto:nepa-procedures-revision@fs.fed.us)*

**RE: Advanced Notice of Proposed Rulemaking, Request for Comment, National Environmental Policy Act Compliance (83 Fed. Reg. 302, Jan. 3, 2018)**

Dear USDA Forest Service:

The Grand Canyon Trust (“the Trust”) appreciates the opportunity to comment on the Forest Service’s proposed revisions of NEPA procedures (including its regulation at 36 CFR part 220, Forest Service Manual 1950, and Forest Service Handbook 1909.15) with the goal of increasing efficiency of environmental analysis.

The Trust is a science-based, conservation organization that focuses on the protection and restoration of the Colorado Plateau – its spectacular landscapes, flowing rivers, clean air, diversity of plants and animals, and areas of beauty and solitude.

### COMMENTS

The Trust thinks it is vital that Forest Service NEPA procedures on Forest Service lands be socially robust and science-based in order to ensure that land management decisions are ecologically, economically, and socially viable. When applied effectively, NEPA is a powerful tool to protect and restore ecologically healthy and resilient landscapes in a manner that is supported by local communities while respecting the entire nation’s long-term interest in protecting

these areas as resilient native ecosystems and habitat for a full array of wildlife. We appreciate that the Forest Service, through the NEPA Services Group, is exploring opportunities to streamline and improve this process. The Trust believes NEPA is a bedrock of democratic, science-based decisionmaking, but we also support reasonable reform that improves efficiencies and opportunities especially with regard to collaborative livestock grazing management and forest restoration projects. We believe little if anything needs to be changed in NEPA; but significant efficiencies can be achieved if the Forest Service makes greater use of pre-NEPA consultation with and engagement of diverse constituencies, and commits to consideration of innovative alternatives and science.

The collaborative approach to forest restoration in both the Four Forest Restoration Initiative (“4FRI”) in Arizona and the Monroe Mountain Working Group in Utah, two multi-year collaborations in which the Trust actively participates, illustrate major successes within the NEPA framework. They do not happen quickly, because people (including Forest Service staff) do not change habits quickly.

Finalized in April 2015, the 4FRI Phase 1 Final Environmental Impact Statement (EIS) was the culmination of a five-year consensus collaborative process involving counties, cities, the Arizona Department of Game and Fish, the State of Arizona, industry, conservation organizations, and academic researchers. The collaboratively developed EIS conducted environmental analysis on 1.2 million acres of national forest system (NFS) lands, the largest EIS of its kind to date. Stakeholder entities worked through many difficult questions together, through comprehensive discussion and study, and the Forest Service participated collaboratively along with the stakeholders. Now, the 4FRI stakeholder group is taking on the second 4FRI planning area, Rim Country, and aims to succeed again in working together with the Forest Service to develop a science-informed EIS that is acceptable to all parties.

Finalized in December 2016, the Monroe Mountain Ecosystem Restoration Project EIS for an entire Ranger District was the culmination of a five-year consensus collaborative process involving livestock permittees, private landowners, counties, conservation organizations, county extension, the Utah Department of Agriculture, Utah Division of Wildlife Resources, hunting organizations, the Forest Service research division, and academic researchers. The process has focused on restoring aspen amid private inholdings, wilderness study areas, fire suppression, and grazing by elk, deer, cattle, and sheep. In December 2017, the Monroe Mountain Aspen Ecosystem Restoration Project was awarded one of three Chief’s Honor Awards for Sustaining Our Nation’s Forests and Grasslands.

In neither the 4FRI case nor the Monroe Mountain aspen case were the Final EISs meaningfully challenged or litigated, though in both cases, novel, cross-sector approaches are being taken. In both cases, projects can now be undertaken for years, across large landscapes.

While the Trust supports the existing NEPA framework within which federal agencies have worked for decades, this review exercise is an opportunity for the Forest Service to study existing and new recommendations to improve the procedures and the Trust supports that effort. In items A through D below, we provide our comments organized within the four areas identified in the Federal Register Notice.

**A. Processes and analysis requirements that can be modified, reduced, or eliminated in order to reduce time and cost while maintaining science-based, high-quality analysis; public involvement; and honoring agency stewardship responsibilities.**

One of the great values of NEPA is the way it affords members of the public an opportunity to bring alternatives to the table and engage with the government and other constituencies in decisions that can have multiple, even unforeseen, impacts on the environment, human health, safety, economies, and communities. The Trust does not support any reduction in public involvement opportunities, though the Forest Service can streamline the process by engaging diverse constituencies, in person and in the field, pre-NEPA.

In the case of **4FRI**, the Trust was involved in all facets of planning for the 4FRI Phase 1 EIS. Although there were challenges, the Trust feels that collaboration with the Forest Service increased and improved over time. The Forest Service demonstrated a willingness to listen to the stakeholder group and stakeholders felt their contributions were valued. For example, several stakeholder-developed products were included in the analysis. Specific actions were taken to increase communication such as scheduling office hours for informal communication and posting draft collaboration documents on the public website in order to provide adequate time for document review and discussion.

In the case of **Monroe Mountain Aspen Restoration**, initially differing perspectives on the problems faced by aspen coalesced around basic realities following days in the field together, a year-long study by the collaborative group, engagement of the state wildlife agency, and use of research by the Rocky Mountain Research Station, Brigham Young University, and the Missoula Fire Sciences Lab. With professional facilitation and consensus decisionmaking, several wildlife approaches and non-Forest Service monitoring methods were incorporated into the EIS.

The Trust urges that future NEPA processes provide for this type of involvement through collaborative stakeholder groups.

Streamlining NEPA processes is fundamentally a process of

- (1) early engagement of interested stakeholders such that the NEPA process addresses central concerns and contemplates innovative solutions;
- (2) development of alternatives and proposals that address, rather than bypass, these concerns and solutions;
- (3) adequate staffing of the Forest Service to analyze alternatives with current ecological, climate, species, and social data; and
- (4) openness on the part of the Forest Service to change approaches that do not support forest resilience and climate change adaptation.

Alternatives are the heart of NEPA processes. If streamlining means bypassing alternatives that are reasonable and economically feasible, but which the Forest Service (or a certain commercial interest) for some reason does not like, the heart of NEPA will have been removed. It is central to our democracy and the National Forest System that both the public and the agency be able to propose, review, and consider options for our national forests.

In 2016, the BLM in Utah initiated a scoping period for one of their EISs. In a step not required by NEPA, the agency then posted a preliminary set of alternatives they believed encompassed the range of suggestions they had received from the public. Admirably, they then asked for public feedback on whether they had succeeded. In response to those comments (i.e., “No, not quite”), they published a revised set of alternatives that would be used in the DEIS. This is a way to weed out alternatives that nobody believes in, and move forward with those that appear reasonable, even if they are divergent.

At the point that alternatives are in front of them, Forest Service staff, as objectively as possible, need to estimate the consequences that would follow if each alternative were implemented. That is all that NEPA asks: accurately characterize a full range of reasonable alternatives for their comparative consequences. The agency will then be free to make the final decision.

It is our experience that too often the public will be given a very short period of time to offer comments and proposals, and then the agency does not act for months or years before a draft document is prepared. Whole seasons go by with the already-skeleton staff off on fire detail, or on detail in other Districts or Regions. The time span of completing EAs and EISs is not the fault of NEPA, and it is not the fault of the public.

If the Forest Service explicitly solicits proposals and information from the public, universities, and local and state agencies relevant to the consequences of a range of proposals, the agency can vastly increase its capacity, almost like adding staff at no cost to the agency, much as the annual Christmas Bird Count involves thousands of birders in providing hundreds of researchers worldwide with understanding bird population trends and responses to climate change.

**B. Approaches to landscape-scale analysis and decision making under NEPA that facilitate restoration of National Forest System lands.**

On January 26, 2015, the Council on Environmental Quality issued the “National Environmental Policy Act Pilot Projects Report and Recommendations” which evaluated outcomes, highlighted lessons learned, and made recommendations for federal agencies to consider as part of their NEPA implementation programs. We encourage the Forest Service to review this report and ensure that all of those recommendations are considered as part of this process.

In addition, we provide the following recommendations to facilitate restoration on Forest Service lands:

- There is a need for reliable and accurate data for analysis and decision-making for forest restoration and watershed protection projects. Often, the data needed to support the scale at which forest restoration is being planned is lacking. We recommend that the Forest Service gather more information pre-NEPA to ensure that land managers have the forest inventory and condition data needed to improve where and how forest restoration is planned, and to provide Interdisciplinary Teams with the training or resources needed to analyze this data.
- Based upon our experience with both 4FRI and the Monroe Mountain Working Group, we recommend optimizing the use of collaborative stakeholder groups for developing landscape scale projects and alternatives, bringing and analyzing data analysis, and monitoring – and for even leveraging money from diverse sources for the restoration and monitoring. Many public entities (local governments, universities, NGOs, state agencies) are capable of providing scientific, and pre-NEPA collaborative efforts can efficiently harvest this information.

**C. Classes of actions that are unlikely, either individually or cumulatively, to have significant impacts and therefore should be categorically excluded from NEPA’s environmental assessment and environmental impact statement requirements, such as integrated restoration projects; special use authorizations; and activities to maintain and manage Agency sites (including recreation sites), facilities, and associated infrastructure.**

Categorical exclusions (CEs) would be a helpful tool for discrete restoration projects for which the Forest Service has fostered ecological understanding and buy-in across diverse constituencies. Some localized restoration projects at springs, streams, and aspen stands, for instance, could be more quickly accomplished if categorically excluded. A CE, however, should not mean that post-implementation assessments are not undertaken.

Programmatic EISs that have been developed in conjunction with collaborative groups that have spent significant time together in the field, jointly considered diverse proposals, and assembled significant data answering the questions they have allow for the broad buy-in that facilitates subsequent CEs.

However, the Trust does not support the expansion of categorical exclusions for mechanical thinning projects, mineral extraction, renewable energy siting, or road-building absent robust Programmatic EISs that have engaged broad constituencies and science. We do not support CEs for fossil fuel extraction because fossil fuel extraction results in a myriad of environmental impacts, and the world needs to move away from carbon loading of our atmosphere.

We believe the Forest Service wrongly bypasses NEPA for years and decades in relation to livestock grazing that is causing observable and serious environmental degradation and native species depletion. We have long urged the Forest Service to consider robust collaborative approaches at a national and regional level, as to how and where livestock grazing should be undertaken to avoid degradation. It is impossible for the Forest Service to adequately address NEPA grazing decisions allotment by allotment.

**D. Ways the Agency might expand and enhance coordination of environmental review and authorization decisions with other Federal agencies, as well as State, Tribal, or local environmental reviews.**

Given the interconnected nature of landscapes and watersheds across national forests and adjacent lands, the Trust strongly supports the expansion and enhancement of coordination between the entities mentioned above – but also with the buy-in of regional and national constituencies. No national forest or ranger district should be controlled by local counties or the state. A national forest ceases to be a national forest when a local county commission representing a handful of commercial interests, determines how a forest is managed.

Specifically in regards to forest restoration work, the Forest Service should coordinate the timing and type of restoration treatments with adjacent land managers such as states, tribes, and counties to the degree possible, but only after broad regional and even national buy-in has been achieved through NEPA processes. These are national forests which must serve a nation and future generations, not machines to feed local, short-term, even unsustainable economic interests.

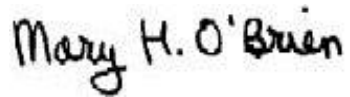
**CONCLUSION**

The Trust appreciates the opportunity to comment on this proposed rulemaking. The completion of a rulemaking that includes the recommendations discussed

above will help the Forest Service conduct more complete and efficient NEPA analysis that garners support among local and regional communities.

Thank you for your consideration.

Sincerely,

Handwritten signature of Mary H. O'Brien in black ink.

Mary O'Brien  
Utah Forests Program Director

Handwritten signature of Travis Bruner in black ink.

Travis Bruner  
Arizona Forests Program Director