



SAN JUAN COUNTY COMMISSION

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November 7, 2023

Ryan Nehl, Forest Supervisor
Manti-La Sal National Forest
Attn: Forest Plan Revision
599 West Price River Drive
Price, UT, 84501

Re: Draft Revised Forest Plan and Draft Environmental Impact Statement (DEIS)

Dear Mr. Nehl:

San Juan County appreciates the opportunity to provide comments on the Draft Revised Forest Plan and Draft Environmental Impact Statement (DEIS). The portions of the Manti-La Sal National Forest within the County are an integral part of the economy, lifestyle, culture, heritage, health and welfare of the County and its residents. As such, the plan for the management of these forest lands and resources has a significant impact on County administration and function and the lives of its residents. We offer the following comments on the draft plan in the spirit of improving the health and management of the forest along with benefits to the County and its residents.

Revised Plan:

Coordination of Planning Efforts. We do not find any record in the draft plan or DEIS of coordination of forest planning efforts with the plans of county and local governments. The National Forest Management Act of 1976 includes a coordination provision which states "...the Secretary of Agriculture shall develop, maintain, and, as appropriate, revise land and resource management plans...coordinated with the land and resource management planning processes of State and local governments...". The Forest Service Handbook (FSH 1909.12, Chapter 40; 44-Participation and Coordination with Federally Recognized Indian Tribes, Alaska Native Corporations, Other Federal Agencies, and State and Local Governments) outlines guidance for implementing this coordination requirement. This handbook states that for forest planning efforts, the responsible forest official shall "review planning and land use policies of ...state and local governments..." and that this review shall be displayed in the EIS for the plan. This review shall include consideration of 1) the objectives of State and local governments as expressed in their plans and policies, 2) the compatibility and interrelated impacts of these plans and policies, 3) opportunities for the plan to address the impacts identified and 4) opportunities to resolve or reduce conflicts.

A section in the EIS documenting this review of local plans would have been useful to the public so that they would be more knowledgeable in making their comments.

p.2-23 Watershed and Aquatic Resources, GD-01: “To maintain healthy aquatic habitats, management activities should not fragment aquatic habitats or aquatic organism passages or adversely impact hydrologic connectivity.” The phrase “or adversely impact hydrologic connectivity” may be too stringent and could be interpreted to preclude construction of reservoirs for community water supply or other uses (livestock, wildlife, recreation, irrigation). Such an interpretation would be inconsistent with the preceding Description and Values section which references the importance of water sources on the Forest to local communities and water users. We recommend deleting this phrase from the guideline or modifying it to allow exceptions for such public uses.

p. 2-28 Groundwater-Dependent Ecosystems and Wetlands ST-01 “New road and trail development shall not be authorized in groundwater-dependent ecosystems and wetlands.” Such a prohibition without provision for exceptions is overly restrictive. This standard should be modified to allow exceptions for emergency or temporary uses or instances where mitigation may avoid or reduce any impacts.

p.2-36 Deciduous Forest – Description and Values: There is no mention of the value of quaking aspen as a fuelwood. Many residents of San Juan County harvest aspen for home heating. This use should be added to the values statement.

p. 2-38 Woodlands – Description and Values : There is no mention of the value of pinyon and juniper for fuelwood. Many residents of San Juan County and surrounding areas harvest this wood for home heating and cooking. This use should be added to the values statement.

p. 2-54 Areas of Tribal Importance GD-04 “To respect tribal values, plant populations and plant communities of tribal value should be protected during fuels reduction activities.” Protection of these plant communities may not be possible in all instances. We suggest adding “to the extent practicable” to the end of the sentence.

p. 2-54 Areas of Tribal Importance GD-06 “To protect cultural resources, management actions such as fencing, or relocation of infrastructure should be taken if adverse impacts from livestock grazing are identified.” This statement should also be included in the livestock grazing section of the plan so that it can more easily be found when researching guidelines for livestock grazing.

p. 2-59 Recreation Opportunity Spectrum ST-02 states “Existing roads and motorized trails in Primitive and Semi-Primitive Non-Motorized recreation opportunity spectrum classes shall be considered for closure during travel planning.” The phrase “shall be considered for closure” casts an overly negative mandate for road closures. It may be that existing roads and motorized trails in such ROS areas serve a useful purpose and should be left open for travel and cherry-stemmed out of the particular ROS area. We recommend this standard be rewritten to state: “The classification (open, closed or restricted) of existing roads and motorized trails in Primitive and Semi-Primitive Non-Motorized recreation opportunity spectrum class areas will be determined in future travel planning.”

p.2-62 Access – Even though road and trail maintenance funding has decreased on the forest and this may lead to public safety and resource damage concerns, we urge the forest to consider other maintenance funding sources before using lack of funding as the rationale for road and trail closures. We support Objective-05 “Plan and coordinate maintenance and monitoring of roads and trails with local governments, partners and volunteers annually” and Goal-01 “Expand partnerships and agreements with local governments, partners and volunteers for shared maintenance and monitoring of roads and trails”. Use of local governments, grants, partners and volunteers should provide additional funding opportunities for road and trail maintenance to meet the ever increasing demand for public access.

p. 2-63 Access – DC-06 “Road and motorized trail use do not impact wildlife winter range and quiet winter recreation opportunities.” The requirement of “do not impact” is an impossible condition to achieve as road and trail motorized uses will have some impact on wildlife and quiet winter recreation opportunities. This phrase should be changed to read “have minimal impact” or similar language.

p. 3-82 Wilderness Areas – Desired Conditions: DC-10 states: “Use within the Peavine Corridor has a minimal effect on Dark Canyon wilderness resources;...”. This statement is inconsistent with the legislation establishing the wilderness area and Peavine Corridor. Nowhere in the legislation is there a requirement that use in the Corridor have minimal effect on adjacent wilderness resources. In fact, Section 303 Prohibition on Buffer Zones in the legislation states “Congress does not intend that designation of wilderness areas in the State of Utah lead to the creation of protective perimeters or buffer zones around any wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.” This Desired Condition is also inconsistent with the San Juan County Resource Management Plan (RMP) policy for wilderness which states “4. Management of lands adjacent to wilderness, wilderness study or wilderness character or similar areas with the same management restrictions or considerations as these special designation areas (buffer zones) is not supported.” This condition could be used to apply restrictions on motorized uses in the corridor which would not be supported by the designating legislation nor San Juan County policy. This Desired Condition should be removed from the Plan.

p. 3-84 Wilderness Areas- Guidelines: GD-02 states: “To maintain wilderness character, management actions along the motorized Peavine Corridor should minimize user conflict and reduce impacts on soil, watershed, vegetation, and other resources.” Here again, liberties have been taken in drafting this statement that are not supported by the enabling legislation (see above comment). The Peavine Corridor is not wilderness. It was specifically carved out of wilderness to provide for motorized travel. There is no statement in the legislation that requires management actions within the Corridor to maintain wilderness character. This statement should be modified to delete reference to maintaining wilderness character and should read: ‘Management actions along the motorized Peavine Corridor should minimize user conflict and reduce impacts on soil, watershed, vegetation, and other resources.’

DEIS:

Volume 1, 2.8 Comparison of Alternatives by Outcomes and Components

p. 2-34 Livestock Grazing Alternative D: “Vacant allotments should not be made available for permitted livestock grazing. Permits waived without preference should be left vacant and not restocked when there is limited interest.” These statements are inconsistent with the San Juan County RMP, Livestock Grazing Policy 4 which states: “Support continued properly managed livestock grazing on grazing allotments rather than conversion to conservation, wildlife or other uses even when a permittee may propose relinquishment or retirement of grazing AUMs for other purposes.” San Juan County recognizes and supports livestock grazing for the natural, cultural, social and economic benefits it provides and therefore would not support a reduction in livestock grazing through loss of grazing allotments. The County would not support the inclusion of these requirements in the Final Plan.

Volume 2 3.28 Recommended Wilderness Management Area

p. 3-30 The County would not support the recommendation of any wilderness management unit on national forest lands in the county. The Utah Wilderness Act of 1984 (Public Law 98-428) designated 12 wilderness areas within Utah’s national forests. The stated purposes of this act were to designate certain national forest lands in Utah as wilderness and to insure that other national forest lands in Utah be available for nonwilderness multiple uses. The Act further states in Sec. 201. (b)(5) “unless expressly authorized by Congress, Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of national forest system lands in the State of Utah for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.” To our knowledge, Congress did not make an authorization for the Forest Service to conduct additional wilderness area evaluations for the Manti la-Sal National Forest. The Forest Service contends it was required to do so by the 2012 Planning Rule. However, this planning rule does not override the 1984 Utah Wilderness Act. Therefore, we contend that wilderness evaluations in this planning effort were unnecessary and not authorized by Congress and any such evaluations and subsequent wilderness recommendations in this planning effort would be contrary to the 1984 Act.

Furthermore, San Juan County already has one designated wilderness area and several Inventoried Roadless Areas on the National Forest and the majority of the remainder of the federal lands in the county are managed under various restrictive designations including Canyonlands National Park, Glen Canyon National Recreation Area, Hovenweep National Monument, Natural Bridges National Monument, Rainbow Bridge National Monument, Bears Ears National Monument, and various wilderness study areas and wilderness character areas. In the Bears Ears National Monument, which includes $\frac{3}{4}$ of the Monticello District of the National Forest, the developing monument plan will include protective stipulations for uses on included forest lands which will protect monument objects and landscapes. Additional stipulations that would be imposed by any wilderness area recommendations would only add more unnecessary restrictions which would hinder the

implementation of various management practices to improve or maintain forest health and would add more onerous restrictions to the use of forest lands by Anglos and Native Americans.

Volume 2 3.34 Elk Ridge Geographic Area

p. 3-336 San Juan County would not support the inclusion of this geographic management area in the Final Forest Plan. Currently, it is only included in Alternative D which may be appropriate for a range of analysis. However, we do not think this area has the unique and interrelated resources and values to warrant a separate management area designation. The area is entirely within the Bears Ears National Monument and shares the same objects and resources that would be managed by the Monument Plan. Designating this area with its own separate management prescriptions within the BEM Plan and overall Forest Plan would only create unnecessary confusion as to which management plan prescriptions would be followed. For these reasons we would not support its inclusion in the Final Plan.

Volume 3 Appendix A Maps: Map 27 Monticello District Municipal Water Supply Management Area shows an excluded zone in the Jackson Ridge area. We thought this area was in and should be in the Municipal Water Supply Area. Is this a mapping error or is there a reason for this exclusion? On this same map the SE boundary of the Bears Ears Monument does not show clearly as do the remaining boundaries of the Monument (shown in red).

Volume 3 Appendix A Maps: Maps 61-63 Monticello District Summer ROS Classes, Maps 70-72 Monticello District Winter ROS Classes and Maps 82-84 Monticello District Visual Quality Objectives do not depict these ROS classes and Visual Quality Objectives for the Bears Ears Monument segment of the forest. We understand these were omitted as being deferred to the development of the Bears Ears Monument Plan. However, ROS classes and Visual Qualities (and related Objectives) would seem to be inventory classes which would not change with management alternatives. It would have been useful to have had these items shown on the maps to give better context in developing comments. We recommend these inventoried classes be shown.

Generally, the County favors some aspects of Alternative C as it allows for more proactive management that should contribute to the achievement of Desired Conditions more quickly than the other alternatives. Such management should provide for better fuels management to reduce the potential frequency and intensity of wildfires. One benefit of this management would be to reduce the risk of fire damage to cultural and heritage resources. Other management actions would contribute to improved forest health such as more rapid restoration/recovery of declining aspen stands.

Alternative C would also be less restrictive concerning tribal members access to sensitive cultural and historic resources and is more proactive in its approach to tribal consultation and engagement.

Additionally, Alternative C would promote connectivity of motorized trails and would provide more acres for Semi-Primitive Motorized recreation opportunities. Both factors would better help meet the demand for motorized recreation opportunities.

We appreciate this opportunity to offer comments. Please contact us if you have questions about any comments.

Sincerely,

Bruce Adams
Chairman