

FOREST SERVICE PLANNING RULE SAMPLE LETTER

COMMENTS ARE DUE BY MAY 16, 2011

[TODAY'S DATE]

U.S. Department of Agriculture, Forest Service
Harris Sherman, Under Secretary, Natural Resources and Environment, USDA

Re: Forest Service Planning DEIS

Thank you for providing the opportunity to comment on the Draft Programmatic Environmental Impact Statement for National Forest System Land Management Planning released in February of 2011. On behalf of myself (and my family, club, organization) please accept the following comments as part of the public record.

I have carefully reviewed the document and request that you consider the following concerns.

COPY AND PASTE SUGGESTED COMMENTS HERE, OR WRITE YOUR OWN

Thank you for considering my comments.

Sincerely,

NAME

ADDRESS

CITY, STATE, ZIP

PHONE#

EMAIL ADDRESS

CLUB/ORGANIZATION AFFILIATIONS

COMMENTS

Select any of the bullet points below that you would like to copy and paste into your letter. Try to include your own comments in your letter as well.

- The Draft Planning Rule is complicated and cumbersome, and contains many actions that overstep the boundaries given by Congress. This Draft illegally expands the authority of the Forest Service, and also disregards the tenets of the Multiple Use Sustained Yield act of 1960. Congress has provided the Forest Service no administrative discretion to adopt a new management standard which contravenes multiple use and sustained yield¹
- The rule is unworkable because many of the concepts are ill-defined which will encourage litigation, and are focusing too much on process that could more easily be relegated to Forest Service Manuals.
- 'Guidelines' would now be legally enforceable standards. The words “must comply” repeated numerous times in the draft document indicate inflexibility and required mandates, rather than discretionary options to be used when applicable.
- Conservation guidelines call for “viable population” of species of conservation concern, when this term is not in the National Forest Management Act, and there is no scientific consensus regarding population levels of many species.
- Calling for a “diversity of plant and animal communities” is inappropriate; the Forest Service should call for existing habitat diversity highlighting populations existing in a particular forest. Encouraging diversity could be never-ending and non-achievable, and called into court for definition frequently.
- Calling for the “best available scientific information” could be another never-ending search. Instead, the agency should call for the best available agency expertise and relevant science, reducing vulnerability to lawsuit.
- The proposed rule loosens the requirement for the Forest Service to engage the public and work with local governments. Currently, the agency is required to legally coordinate with local governments, under the new draft regulations, input from the public and local governments are merely encouraged, rather than required.
- While some proposed emphases in the draft rule are positive, the severe impacts that the new rule would place on recreation and recreational access are unacceptable. This rule would unnecessarily diminish the importance of roads and access below every environmental concern, instead of striking a balance between human environment and natural environment.
- The Forest Service is proposing to distance itself by underestimating the impact forests have on surrounding landowners and local communities. Making recreation secondary to the myriad of environmental analyses and underestimating the economic benefits that recreational activities offer local communities serves only to shortchange the public.
- Recreational and traditional sports such as hunting, fishing, hounding and riding horses are time-honored activities that were recognized by the National Forest Management Act of 1976

1 www.fs.fed.us/.../2001_04_10_NFMA_Planning_Review_Report.pdf

and the Multiple Use Sustained Yield Act of 1960 as vital to community and forest health, yet in the current Draft Planning Rule, they are demoted in importance.

- Instead of looking at the forest as many different parts that make up a whole, the Draft Planning Rule proposes to emphasis environmental impacts over any other forest activity.
- The current land management plans are not failing. The lack of funding to work on solutions is the problem. A good planning rule that reduces the chances of litigation could free up funding to be used on the ground instead of in court. This should be the goal of the Forest Service.

POSITIVE POINTS

- The Draft Planning Rule proposes to return control for many decisions to local forests. The Forest Service has recognized the implausibility of creating broadly based rules that do not, and cannot apply to all forests or national grasslands equally. What may work in a desert area, may not be appropriate to heavily treed forests, so this recognition of the necessity of more locally based decision making should be applauded.
- The proposed rule also contains the ability for objections to be voiced before the finalization of the NEPA process. Constantly having to defend land use decisions has placed to Forest Service in a difficult position, using resources that could be better used for upkeep and maintenance in our national forests and grasslands. Creating an objection period before the enactment and finalization of a land use plan should reduce the spate of lawsuits and enable more collaborative actions to benefit the forests.

COMMENT SUBMISSION

Online

<http://govcomments.com>

This will take you to a government website. Click on “Forest Service Programmatic Planning Rule” which will take you to a form to fill your contact information. You will need to upload your comments from a file on your computer, or copy and paste selected comments from the list above.

By Mail

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