



July 24, 2019

Mr. Alan Webber, Mayor
City of Santa Fe
200 Lincoln Avenue
Santa Fe, New Mexico 87501
delivery via email: mayor@santafenm.gov

Re: Request to comment on proposed Forest Service rule to amend its National Environmental Policy Act (NEPA) procedures

Dear Mayor Webber,

The U.S. Forest Service is proposing to dramatically cut back public participation in the management of national forests nationwide. If the proposed rule is adopted nearly every type of land management action would be permitted under “categorical exclusions” — the most cursory level of review possible under existing law. Most decision-making would move behind closed doors where public concerns could not be heard. This is a recipe for increased controversy and dissent.

We respectfully request that the governing body oppose this imprudent attempt to curtail our right to be kept informed and involved in national forest management. The 60 day comment period for new rule ends August 12, 2019.

THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

NEPA is grounded in three key principles: 1) transparency; 2) informed decision making; and 3) fostering public involvement to “the fullest extent possible” in actions that affect the quality of the human environment. A detailed environmental analysis aided by public comment is foundational to the NEPA process.

PROPOSED FOREST SERVICE RULE

On June 13, 2019, the Forest Service released a proposed rule amending its NEPA procedures. According to the Forest Service, it is designed to “increas[e] the pace and scale of work accomplished on the ground” – with a focus on removing hazardous fuels – by “complet[ing] project decision making in a timelier manner.”

This is accomplished by exempting tree clearing and other forest management activities from environmental analysis and public review. Seven new categorical exclusions (CEs) are proposed and two others expanded.

The Forest Service estimates that up to three quarters of decisions that currently receive public input could proceed under categorical exclusions (CEs) in the future, including: 1) projects up to 7,300 acres, and commercial logging up to 4,200 acres, as long as it includes at least one restoration add-on (e.g., planting willows and cottonwoods along streamsides); 2) converting illegal off-road vehicle routes to official Forest Service System roads or trails—contrary to decades of Forest Service policy; and 3) construction of up to 5 miles or reconstruction of up to 10 miles of Forest Service System roads—also contrary to long-standing policy.

The proposed rule would also: 1) eliminate the requirement to solicit public input in planning 98% of all proposed actions; 2) remove roadless forests and potential wilderness from the class of actions that normally require preparation of an environmental impact statement; 2) eliminate the presence of sensitive species as a barrier to doing a CE and loosen the standard of harm when allowing a Forest Service line officer to judge the effects to sensitive species of tree clearing and road building; 4) allow large complex projects to be broken into small pieces authorized by CEs, resulting in a cascade of adverse effects succinctly described as “the tyranny of small decisions;” and 5) allow tree clearing and burning to proceed without first gathering and evaluating site-specific information on affected wildlife, water sources and other resources.

CONCLUSION

The proposed rule would fundamentally change the relationship of the agency to the public it serves. It will weaken forest management by undermining government transparency, accountability, public involvement and science-based decision-making. The courts would be the only recourse for citizens concerned about fast-tracked projects impacting favored hiking trails, bird watching sites, fishing streams and places of solitude where no road or chainsaw has gone before.

Rather than addressing the funding, staffing, training and turnover that the agency admits are the actual causes of inefficiency, the Forest Service has targeted NEPA, America's "magna carta" of environmental laws.

We therefore request that the City of Santa Fe strongly oppose the latest move by the Trump administration to remove the public from public lands.

Respectfully,

/Sam Hitt/

Sam Hitt, President
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