



## DUCHEсне COUNTY COMMISSION

Greg Todd, Chairman; Irene Hansen Member, Greg Miles Member

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February 24, 2020

Mr. Michael Migliori, Program Analyst  
Office of Regulatory & Management Services  
201 14<sup>th</sup> Street SW  
Washington, DC 20024

RE: Proposed Forest Service Directive  
*“Providing Notice and Opportunity to Comment on Directives”*

Dear Mr. Migliori:

We, the elected officials of Duchesne County, Utah (which contains 722,750.97 acres of U.S. Forest Service land) provide the following comments on the proposed directive setting forth the procedures for public notice and opportunity to comment on new Forest Service directives.

Since U.S. Forest Service lands encompass about 34% of our county’s land area, it is important that local government officials and the public who recreate on or derive their income from these lands have an opportunity to participate in the crafting of future directives that may impact use or management of the forest. With that in mind; we offer the following comments on the proposal:

In Section 31.1, the proposal states that Directives may be published for public comment even when it is not required. Who has the discretion to make that determination? Would it be the Deputy Chief with authority over the program? Please specify.

In Section 32.21, the proposal states that the Agency may provide a longer comment period, if needed. Again, who has the discretion to make that determination? Would it be the Deputy Chief with authority over the program? Please specify.

In Section 32.3, the proposal states that a written response to comments must be provided, including when appropriate an explanation of the Agency’s reasoning. We recommend that the directive specify whether such response to comments is to be done individually or collectively or either way at the discretion of a specified representative of the Agency.

In Section 33, in the first sentence of the second paragraph, should it read...Directive Publication Notice for consistency with other sections of the directive? See, for example, the first sentence in Section 32.5.

There appears to be a couple of typos in the first paragraph of Section 33.1. We would recommend the following edits: “...directive’s complexity, and novelty, and the anticipated degree of public interest in the directive. The ~~descriptoin~~ description of public notice...”

Section 33.1.1 also has a typo and we would recommend the following edit: "...identify ~~any~~ other mechanisms, if any, the Forest Service intends to use..." The word "any" should not be used twice in this sentence.

Section 33.1.5 speaks of intergovernmental engagement including tribal consultation, as appropriate. We suggest that consultation with state and county governments also be mentioned in this section.

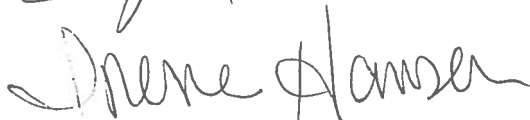
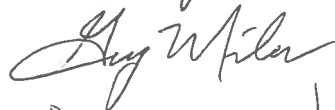
We suggest that the final sentence in Section 33.2 be amended to read: "Alternatively, resource constraints or unanticipated conditions may preclude planned public ~~meetings~~ engagement opportunities." We suggest this amendment because a public meeting is just one form of public engagement opportunity that might be precluded due to resource constraints or unanticipated conditions.

We suggest that the second sentence of Section 34.1 be amended to read: "Examples of elected official of state and local governments in this context may include the Governor, County Commissioners or Mayor. It is much more likely that national forest system lands will under the jurisdiction of County Commissioners as opposed to Mayors.

We are very supportive of this effort and look forward to seeing the final product.

Sincerely,

DUCHESNE COUNTY COMMISSIONERS



Mike Hyde, AICP  
Community Development Director

pc: Senator Mike Lee  
Senator Mitt Romney  
Representative Rob Bishop  
Representative Chris Stewart  
Representative John Curtis  
Representative Ben McAdams  
Allen Freemyer