



## BOARD OF SUPERVISORS COUNTY OF INYO

P. O. BOX N • INDEPENDENCE, CALIFORNIA 93526  
TELEPHONE (760) 878-0373 • FAX (760) 878-2241  
e-mail: [pgunsolley@inyocounty.us](mailto:pgunsolley@inyocounty.us)

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January 26, 2010

Forest Service Planning NOI  
C/O Bear West Company  
172 E 500 S.  
Bountiful, UT 84010

**RE: Notice of Intent to Prepare an Environmental Impact Statement for the National Forest System Land Management Planning Rule**

To Whom It May Concern:

Inyo County appreciates the opportunity to participate in developing the new Planning Rule to guide planning efforts for national forest land. On behalf of the Board of Supervisors, please consider the comments in this correspondence in crafting the new Rule, alternatives for analysis in the Environmental Impact Statement (EIS), and the environmental analysis in the EIS.

Planning efforts for federal land have tremendous impacts on the communities that are surrounded by these lands. A county such as ours, which is 95% federal land, is a prime example. When so much of the environment in which a community exists is controlled by federal land use planning, the culture, way-of-life, and very existence of the community relies on the use allowed of those lands. It can serve no national purpose to plan for the use of federal lands in such a way that symbiotic communities lose their identity as a result.

Inyo County is therefore pleased to observe that an important principle of the new planning rule is "the sustainable use of public lands to support vibrant communities." There can be no better means to achieve this goal than to provide a strong role for local communities in the development of national forest plans. Congress recognized and protected a strong role for local communities when it created mandates for federal officers to coordinate with local governments in the creation of forest plans.

Coordination with county government is particularly important. County government is the one level of government that represents the citizens who are directly affected by federal land use plans. It is county government that is the spokesperson for local populations and which, ideally, can create a consensus around the balanced use of federal lands. A coordinated planning process can strengthen forest plans and the communities that are so dependent on those lands for their economic, social and cultural health.

Recent planning rules, in our estimation, have not sufficiently protected the obligation to coordinate planning efforts with local land use plans. To an important extent, this has led to the disenfranchisement of local governments and the communities they represent in the federal planning process. Inyo County supports collaboration. But, while collaboration is a valuable exercise in public participation, it seldom involves more than a series of bargains struck between various interest groups, none of which represent more than a segment of the population, and the most successful of which are the best organized or best funded rather than best representative of the citizenry.

Collaboration is not governing, and must not replace or overshadow the viewpoints of a local government that represents the variety of groups and points-of-view which comprise an organic and living community. Local governments are not "stakeholders" in a collaborative planning process, they are the voice of the community. Only a governmental entity, elected by the people and responsive to it, is able to incorporate and legitimize the compromises necessary to the common good and only a governmental entity can truly represent its constituents. And only the most local of governments, counties, can speak for the communities that live adjacent to the forest.

Inyo County recognizes that there are interests in federal lands beyond those of its population, but believes Congress has correctly determined that citizens should have extraordinary input into forest plans that directly affect them. It is a matter of providing communities the right of self-determination and the ability to influence, if not control, their destinies.

Inyo County therefore petitions the Department of Agriculture and the National Forest Service to strengthen the coordination mandate in the new Planning Rule, with the objective of providing local populations an effective voice in planning for the national forests. We propose the following principles for effective coordination:

1. Forest plans should be consistent with local land use plans to the maximum extent possible, consistent with federal law.
2. Coordination with local government should commence at the earliest possible time. Ideally, local land use plans will be consulted prior to developing a proposed forest plan, and the local government consulted prior to the proposed plan being released to the public and prior to the issuance of a Notice of Intent to prepare an EIS or other procedure required by the National Environmental Policy Act.
3. The Forest should recognize that local government is the expert on the meaning and application of its local plans. The Forest should solicit the views of local government to determine if the proposed forest plan is consistent with local plans, as interpreted

- by the local government. Local governments should be given sufficient time to review proposed plans and comment in writing to the Forest official.
4. Where inconsistencies exist, forest officers should meet with local government officers to achieve consistency. The forest should create a joint task force with the local government or governments to work toward consistency in their plans.
  5. The EIS for an individual forest plan should reflect consideration of the objectives of local government plans and policies, an assessment of the interrelated impacts of these plans and policies, a determination of how each forest plan should deal with the impacts identified, and consideration of alternatives to resolve conflicts among the plans.
  6. Where a forest plan may not be made consistent with the local plan, the EIS prepared for the plan should justify why its plan is not consistent with local plans, as determined by local authorities, and explain why its plan cannot be made consistent with local plans.

If these principles for coordination are not incorporated into the Planning Rule, then the EIS for the Planning Rule should include alternatives that do. Furthermore, the EIS should evaluate the potential social, economic, and environmental justice implications of any alternatives that do not provide effective coordination with local government.

The proposed principles do not sufficiently address two important characteristics of the forests, and should be expanded. First, founding purposes of the forests are for grazing, timber, mining, and other economic factors. Management of the forests' resources to promote sustained yields should be paramount in the principles. However, these topics are glossed over, despite their relevance, especially to working landscapes in rural communities. It is therefore recommended that a new principle and associated questions be added in regards to managing natural resources to serve the American people and local economies in a sustainable manner.

Secondly, the forests provide opportunities for recreation that are of utmost importance to visitors and local economies alike. Indeed, most forest visitors' purpose is recreation, and the local communities in the vicinity of the forests depend on these visitors for their livelihood. The principles proposed seem to delegate this reality to secondary consideration. Therefore, it is recommended that another new principle and associated questions be crafted to promote diverse recreational opportunities, including but not limited to hiking, camping, off-road vehicle use, and dispersed recreation.

In addition to coordination issues, the following concepts should be included in the guiding principles when crafting the new Rule:

- Founding purposes of the forests are for grazing, timber, mining, and other economic factors. These topics should be taken into account to a greater degree, and are integral components to creating vibrant, working, rural communities.
- Permitting processes should be streamlined.
- The financial and economic burden of Forest Service bureaucracy should be reduced.

- Restoration and conservation do not necessarily enhance the resilience of ecosystems.
- Flexibility should be allowed for land managers to address actual observed impacts, rather than speculative issues such as climate change, if not applicable.
- Water supply issues should be more focused on forest lands.
- Alternative and hydroelectric energy siting and transmission should be specifically evaluated and included in the analysis.

Thank you. If you have any questions regarding these matters, please contact the County's Planning Department staff at (760) 878-0263.

Sincerely,



Richard Cervantes, Chairperson  
Inyo County Board of Supervisors

cc: Board of Supervisors  
Kevin Carunchio, CAO  
Randy Keller, County Counsel  
Doug Wilson, Willdan  
Regional Council of Rural Counties  
California State Association of Counties  
National Association of Counties