



State of Utah

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March 26, 2019

Sent via e-mail: lily.wang@mail.house.gov

Representative Raúl M. Grijalva, Chairman
House Committee on Natural Resources
U.S. House of Representatives
ATTN: Lily Wang, Subcommittee Clerk
1324 Longworth House Office Building
Washington, DC 20515

Subject: March 13, 2019 Committee Hearing: *"Forgotten Voices: The Inadequate Review and Improper Alteration of Our National Monuments"*

Dear Chairman Grijalva:

Thank you for providing the opportunity to testify before the Committee on Natural Resources at the March 13, 2019 Oversight Hearing entitled: *"Forgotten Voices: The Inadequate Review and Improper Alteration of Our National Monuments."* This letter is a response to your correspondence dated March 19, 2019, containing additional questions regarding my testimony.

As mentioned in your letter, the Utah Governor's Office did submit a petition to the USDA on February 28, 2019, seeking a new, Utah-specific Roadless Area Conservation Rule. However, the State proposal would not "exempt the vast majority of Utah's Inventoried Roadless Areas from existing prohibitions," but would instead give Forest Service professionals greater ability to promote healthy, resilient forests. Greater management flexibility in Inventoried Roadless Areas would better protect watersheds, air quality, and wildlife habitat, while reducing the risk of catastrophic wildfires.

The State's recommendations are intended to improve upon the protections created under the 2001 Roadless Rule and would not lead to "road construction, salvage logging, and commercial timber sales" if not needed to improve forest conditions. Below are responses to your questions:

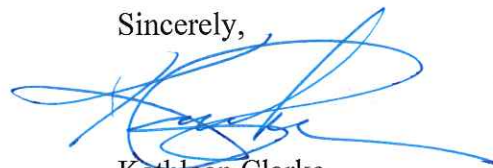
- Question #1.1: "How can you claim that existing protections are sufficient while simultaneously working to eliminate those protections?"

Chairman Raúl M. Grijalva
House Committee on Natural Resources
March 25, 2019

- Answer: The State of Utah is not working to eliminate Roadless Rule protections. The State is working to improve management of Inventoried Roadless Areas through a new, Utah-specific Roadless Rule that would give the Forest Service great ability to improve forest health, protect watersheds, and mitigate the risk of catastrophic wildfires
- Questions #1.2: “Are there other existing protections found in current law, regulation, and policy that Utah is contemplating eliminating?”
- Answer: Utah is not working to “eliminate” the 2001 Roadless Rule, but to improve management of Inventoried Roadless Areas under a new, Utah-specific Roadless Rule. Nor is Utah seeking to eliminate any other existing protections found in current law, regulation, or policy. From time to time, Utah suggests ways in which existing regulations or policies may be improved to facilitate better land management practices. The State of Utah does not make decisions on whether to change current federal law, regulation, or policy.
- Question #1.3: “In preparing its petition did the state of Utah consider potential impacts to tribal and cultural resources, including in the Bear Ears area, that could result from increased logging, road building or other extractive activities that could occur under a Utah roadless exemption?”
- Answer: The State of Utah did consider impacts to tribal and cultural resources when preparing its petition for a Utah-specific Roadless Rule. Improved management of forests landscapes will likely reduce the risk of catastrophic wildfires in Inventoried Roadless Areas, which in turn will reduce the risk of damage to tribal and cultural resources often caused by catastrophic wildfires. Any building of temporary administrative roads (or removal of timber) under a Utah-specific Roadless Rule would go through necessary approval processes under NEPA and Section 106 of the National Historic Preservation Act. Impacts to tribal or cultural resources would be addressed and mitigated at the project level. The State’s petition does not seek any specific implementation level projects, but rather seeks greater management flexibility for the Forest Service. The State’s petition would not authorize “increased logging, road building, or other extractive activities,” but would instead allow the Forest Service to construct temporary administrative roads or remove some timber when deemed necessary by the Forest Service to improve forest health.

Thank you for this opportunity to respond to your questions. Please feel free to contact me with any further questions or concerns.

Sincerely,



Kathleen Clarke
Director