



7/6/2020

**MEMBER JURISDICTIONS**

City of Glenwood Springs

City of Steamboat Springs

Town of Hayden

**EAGLE COUNTY**

Avon  
Basalt  
Eagle  
Gypsum  
Minturn  
Red Cliff  
Vail

**GRAND COUNTY**

Fraser  
Granby  
Grand Lake  
Hot Sulphur Springs  
Kremmling  
Winter Park

**JACKSON COUNTY**

Walden

**PITKIN COUNTY**

Aspen  
Snowmass Village

**SUMMIT COUNTY**

Breckenridge  
Blue River  
Dillon  
Frisco  
Montezuma

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(Submitted electronically)

Northwest Colorado Council of Governments (NWCCOG) represents 5 counties and 23 municipalities across North Central Colorado, which are proximate to either the White River, Routt, Arapaho-Roosevelt National Forests (see letterhead for members). Mountain communities in Colorado enjoy close relationships with their National Forests which define their lifestyle and economies. Many communities have boundaries defined by National Forests and USFS facilities in their community centers. On the White River National Forest, many USFS facilities are past their useful life. We appreciate the ability to comment on USFSGS Manual 2750 relating to leasing of Forest Service Administrative Sites. Our comments are listed after the introduction below.

Many NWCCOG municipalities and counties have already taken advantage of the opportunities to purchase and redevelop underutilized USFS Administrative properties from the USFS through the Forest Service Facilities Realignment and Enhancement Act of 2005 (FSFREA) and put them to higher better uses for the community. These actions raised funds to enhance utilization of remaining USFS facilities as planned. Many of those same communities have been in discussion with their Forest Supervisor with creative and mutually beneficial concepts for remaining sites utilizing the powers enabled through Section 8623 of the 2018 Farm Bill. These communities now appreciate the opportunity to comment on the draft USFS leasing authority directives released for public comment last week. These directives will clarify the leasing powers to ensure that leases are an effective tool for the types of projects our communities wish to implement.

1. General: These tools represent an excellent opportunity for certain types of National Forest Service lands to serve communities in new and tangible ways as well as provide the opportunity for local governments to work collaboratively with local USFS offices to tailor locally impactful solutions.
2. Section 2752.1 (4) of the "pre-leasing" process states that the agency will consider reasonably foreseeable future uses and perform a market analysis to determine the most reasonably foreseeable future use before "consulting with government officials." We recommend that local governments and/or potential lessees are involved in the discussion of reasonably foreseeable uses so that they align with both Local Land Use Plans and Strategic Objectives. A collaborative approach to the pre-leasing and leasing process will allow the Forest Service to fully identify community interests, gain buy-in, and ensure thoughtful, sustainable, efficient, and beneficial use of administrative sites. Ultimately, this will guarantee that leasing projects are successful in the long run.

3. Section 2753.1 regarding the right of first refusal under Section 8623 of the Farm Bill states that the lease will be offered "to the municipality or county in which the administrative site is located." We support this and believe it should be modified to address the situation where a municipality does not exercise its right of first refusal within the first 90 days. We recommend clarifying whether this right will then pass on to the county and that the first 90 days are to notify the USFS of intent to exercise RFR so that negotiations can begin.
4. Sections 2755.1 and 2755.2 refer to providing options for Forest Service employee housing under in-kind consideration. First, we support providing collaborative solutions for providing USFS Employee Housing which may be combined with employee housing for other agencies and sectors. This could be a very important tool to address a critical need in expensive mountain communities. We highly support the concept of in-kind value. We would recommend clarifying that housing options can be provided off-site rather than solely in facilities on the leased administrative site. In fact, some USFS parcels may actually be inappropriate for employee housing for reasons including incompatibility with neighboring uses, local land use plans, local zoning, traffic impacts or other reasons. It is important also that a facility lease may be separate from the land.
5. The directives do not identify a lease term. For the type of projects we hope to implement under the leasing authorities, I recommend a term length of not less than at least 50 years. For most financing purposes, since many local governments will likely re-develop the property under a public-private partnership that financing as long as 99 year be considered.
6. The directives do not discuss the transfer of leases between entities. We recommend that lease transfers are allowed during the lease term with local government right of first refusal and Forest Service approval.

Thank You on behalf of NWCCOG and our Member Municipalities and Counties. Note that Summit County has also submitted similar comments which include additional details that pertain specifically to USFS parcels there. NWCCOG supports Summit County's comments as well.

Jon Stavney,

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