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United States Department of Agriculture and United States Forest Service
Project No. 43661
Hungry Ridge Restoration Project Draft EIS
Comments on Draft Environmental Impact Statement issued in March of 2023

To whom it may concern,

We are environmental law and natural resource students at the University of Arizona who have reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for the Hungry Ridge Restoration Project, issued by the United States Department of Agriculture and the United States Forest Service in March of 2023. While we agree with the preferred alternative of the DEIS, we must object with the finalization of the NEPA process for this project until an environmental justice section is added within the Final Environmental Impact Statement (FEIS), since it is missing. Although we understand that environmental justice may not need to be addressed inside of a supplemental DEIS, the original DEIS is unattainable to the public online. There is concern with the lack of public involvement in the supplemental EIS. In addition we have taken into account the lack of explanation regarding the Forest Health.

As of 1997, CEQ's Executive Order 12898 requires that environmental justice is addressed inside of an EIS. The *Environmental Justice Guidance Under the National Environmental Policy Act* is to make environmental justice more achievable "by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations" (CEQ). The order requires that data on human health risks borne disproportionately by environmental justice (low-income and minority) communities shall be collected, analyzed, and maintained by the concerned agencies (CEQ Sec. 3-3). The agencies shall also ensure public access and participation in matters concerning environmental justice by translating data, making documents readily accessible to the public, and holding public meetings regarding environmental justice (CEQ Sec. 5-5). Possible mitigation efforts are also expected to be discussed for any potential disproportionate impacts felt by these communities.

Environmental justice is an important amendment to CEQ guidelines for the NEPA process as it recognizes disproportionately adverse impacts on vulnerable populations. These populations have long borne significant negative impacts on their homes and health from federal actions. CEQ's Executive Order 12898 only requires the brief recognition of these communities,

which is truly just a start in making amends in an unjust system. Please consider adding an environmental justice section to your FEIS, or if you already have, ensure that your DEIS is available to the public online.

Furthermore, we take issue with the lack of public involvement in the supplemental EIS. It is clear that no letters to the public were sent or public meetings were held (Table 4-2). Many letters were sent to planning participants, but none to the general public.

Regarding forest health, there is little explanation of the management plan regarding insect and disease infestation in the old growth forests. The public should be informed if disease outbreak is currently in a recreation area causing unstable trees. This is a public safety issue we believe should be addressed. We understand that regeneration harvest will likely control the insect and disease infestation however there is research provided to support this statement. There is question as to whether controlled burns in these areas have a risk to safety due to unstable trees. We request that more information be provided regarding the risks of controlled burns in areas where disease has infiltrated. Please also consider the risk of Armillaria to thinning trees in areas that will not also be burned. There is concern that the Armillaria will spread and increase root disease in nearby trees. More information should be provided regarding this alternative and the risk of insects and disease.

Thank you for your time and consideration,
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