

Data Submitted (UTC 11): 10/27/2023 6:00:00 AM

First name: Patricia

Last name: Paulin

Organization: Adams County Prosecuting Attorney's Office

Title: Legal Assistant

Comments: RE: Payette National Forest Resilience and Fuels Reduction Prescribed Fire Project Proposal Request for Public Comment, USDA Forest Service Payette National Forest Council, Krassel, McCall, New Meadows, and Weiser Ranger Districts Adams, Idaho, Valley, Washington Counties, Idaho

Dear Forest Supervisor Jackson: This letter is a written response to the Payette National Forest Resilience and Fuels Reduction Prescribed Fire Project Proposal which states: "We are proposing to increase the pace and scale of prescribed burning to improve the resiliency of existing vegetation groups, restore proper ecological function of native vegetation communities and wildlife habitats, and improve firefighter and public safety. The proposed action would authorize up to 30,000 acres per year of prescribed burning, hand thinning, and mechanical thinning across the 1.3-million-acre proposed treatment area. All treatments would be designed to meet objectives and move areas toward the desired conditions in the Payette National Forest Land and Resource Management Plan." NEPA Analysis Insufficient According to this stated management proposal, we find the associated Environmental Assessment ("EA") insufficient in addressing the programmatic effects of a project that is forest-wide in application. A project-level EA cannot be used in consideration of an action that is programmatic with numerous areas targeted for prescribed burns that result in cumulative effects and are connected actions per the National Environmental Policy Act ("NEPA"). Only an Environmental Impact Statement ("EIS") can be effective in documenting potential benefits and adverse effects at a forest-wide 1.3 million acre proposed treatment area and programmatic scale. Due to this NEPA issue of cumulative and connected effects of this project, this proposed management action appears arbitrary and capricious in addressing the benefits and adverse effects of this forest-wide project. Since this forest-wide proposal represents a serious risk to the lives, livelihoods, and natural resources in the Payette National Forest ("PNF") upon which our County residents and visitors depend, we cannot accept the EA provided as adequate. Adams County Challenged PNF Use of Categorical Exclusions for Prescribed Fires In a letter dated September 18, 2023, Adams County challenged the PNF's use of Categorical Exclusions in claiming a finding of no significant impact ("FONSI") for the PNF Prescribed Burn Program to date. We asked that no more prescribed burns be conducted until adequate analysis was completed. There had been no errata generated by the PNF to substantiate "no impact" of prescribed (and let burn strategies for wildland) fire on the PNF. We continue to find the claim per NEPA of "no significant impact" on people, interdisciplinary natural resources, and local economies in primarily and dominantly using prescribed burns to manage forested landscapes indefensible. Quoting from our letter: "We clearly intend to effectively stop all further prescribed burns until the use of a FONSI and Categorical Exclusion are substantiated or adequate NEPA analysis is completed." Your September 26, 2023, solicitation for comments on the proposed action and EA provided for the forest-wide use of fire as a prescribed management treatment stated that its purpose is "to improve the resiliency of existing vegetation groups, restore proper ecological function of native vegetation communities and wildlife habitats, and improve firefighter and public safety". The EA remains insufficient in providing specific conditions on the ground and errata that can substantiate potential resource benefits and possible adverse effects of a forest-wide management action. Proposed Forest-wide Management Action in Conflict with PNF Forest Plan and NACO Resolution The PNF Forest Plan was developed with public involvement, the early and continued cooperation of the counties, and included the appropriate development of an Environmental Impact Statement leading to a Record of Decision to implement a preferred management action forest-wide. A copy of the Record of Decision is attached to our comment letter and should be included in our public comments. We find many conflicts in this proposed project with the Forest Plan. This includes a substantial impact to every resource and land base allocation for the management of the Forest. As prescribed burning impacts each resource area, the Forest Plan cannot be changed without a Forest Plan Amendment. The benefits and adverse effects analyzed are narrowly focused on forested areas without regard to impacts to grasslands, wildlife, fisheries, recreation resources, oil, gas, mining, safety or risk to the health and property of residents or visitors. The US Forest Service must adhere

to the Code of Federal Regulations, the National Forest Management Act, and other federal regulations that cannot be circumvented without formally changing the Agency's policy. This proposed project on the PNF creates great risk and impact on people and the resources you are authorized to manage without a formal fire management plan promulgated by your Agency's leadership team. The USFS prescribed and wildland fire strategy is not a formalized policy for application on all national forest system lands. We have included a copy of the National Association of Counties (NACO) Public Lands Permanent Policy Resolution regarding the use of management strategies versus formal policymaking as related to wildland and prescribed fire. We are implementing the NACO resolution by requesting our Idaho Congressional Delegation to hold the Chief of the Forest Service accountable to initiate the rulemaking and to develop an agency-wide policy to amend all Forest Plans including the PNF Plan. The current PNF Plan cannot be changed by way of this EA to accommodate a change in desired future condition that drastically reduces the access and productivity of 1.3 million acres of the National Forest. Per NEPA an EA is used to prove a FONSI or Determine that an EIS is needed. Pursuant to NEPA under 40 CFR 1508.14, if there are no other potential impacts requiring preparation of an EIS, economic and social impacts are not by themselves sufficient to constitute a "significant effect on the human environment." Adams County sees no other course but for the PNF to amend its forest plan to include this proposed project. This EA is insufficient to cover a programmatic prescribed burn strategy over a period of time creating cumulative effects that clearly require an EIS even if in concert with the PNF Plan. In conclusion, we request that our comments with the enclosed attachments be made part of the public record. We value our role as a county in sharing the results of excellent management of our national forests and grasslands. We hope that the comments herein will be heeded and respected as we go forward in our ongoing relationship with our largest neighbor, the Payette National Forest. Respectfully, Board of Adams County Commissioners Joe Iveson, Chairman

ATTACHMENT: USFS PNF Solicitation Letter Potentially Interested or Affected Parties: 09.26.23, 2 pages; ATTACHMENT: USFS PNF Forest Plan Record of Decision, 43 pages; ATTACHMENT: National Association of Counties (NACO) Public Lands Policy Resolution, 3 pages; ATTACHMENT: Adams County Board Formal Objection Use of FONSI: Burn Plans PNF, 2 pages.