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Organization:

Title:

Comments: The greatest single threat and the single most important independent factor in declining MOG are current Forest Service and Park Service fire policies that posit, without evidence and without disclosing environmental impacts, that widespread firing operations and wildfire use are the best way to manage our public resources.

Under the thin guise of alternative arrangements granted to wildfire suppression agencies, the Forest Service has embarked on a terrorist campaign of officially sanctioned arson. There is no accountability, no opportunity for the public or shareholders to comment or object, and no compensation for public or private property owners. The Forest Service is burning with impunity and without regard for the massive destruction caused by this failed and potentially criminal activity.

During the North Complex fire in 2020, fire officials and agency administrators decided to light firing operations at midday at the height of fire season to burn together two fires on the north rim of the Middle Fork of the Feather River Canyon south of Quincy, CA. They began "widespread firing operations" on September 3 and stopped lighting during the night of September 7-8, 2020. On September 8, firing operations lit from dozer lines south of the canyon burned across the Canyon and into the Bear Fire footprint. On September 9, that fire roared to life, burning 180,000 acres of old growth in one burning period, killing 16 civilians, burning two communities, including Berry Creek, wiping out the kids' cancer camp at Camp Okizu, and burning into Oroville, CA.

As is typical of current wildfire suppression policy, firefighters lit the North Complex disaster without regard to consequences in the teeth of predicted red flag conditions and with insufficient resources to contain the resulting firestorm. Over 60 percent of the Dixie Fire was lit to expand the fire into a million-acre nuclear zone for mature old growth. Six hundred thousand acres were lit without a single coherent decision document other than a woefully inadequate WFDSS and no thought at all for NEPA, NFMA, APA, or any of the substantive laws like clean air, clean water, T&E Species, and many others.

The August Complex, River Complex, and so many others, principally across the 11 Western States but in Gatlinburg, TN, and other states, have been accomplished since at least 2000 without a single nod of any kind to public process. No accountability. There is no power to compensate victims of the Forest Service's fatal decisions and hubris.

The assault on MOG and every other forest resource has made forest plans irrelevant. This potentially criminal activity was accomplished under the shield of the Chevron Deference, which required courts to defer to Forest Service line officers since 1984. The Chevron Deference will now be overturned by the SCOTUS this coming summer and the entire basis for the Wildfire Use fiction will be subject to the most rigorous NEPA/NFMA/FLPMA/APA, as will your Record of Decision on this planning effort.

You had best prepare for objections absent the Chevron Deference and lawsuits resulting from the cavalier and politically motivated way you address MOG and Wildfire Use. It's time to hire NEPA experts if you can find any.

In the public interest, I demand you disclose the full environmental effects and impacts of your proposed action and robust alternatives. The consequence of not doing so would be for you to have to start from the beginning following the loss of your bureaucratic power to unilaterally decide the fate of our public and private lands, properties, and resources, including MOG.

You must provide a thorough and authentic public process to include interested and affected parties. Your wildfire committee of group thinkers does not constitute cooperation and coordination and is not public input. I believe your weak attempt to separate and manage MOG as a single resource will be disastrous, and there is no way to shield the implementation of your proposal from your fire organization and fire policies. You are a giant fire department uninterested in planning and disclosure and ruled by pseudo-scientists claiming wildfire is the best way to #BurnBackBetter for the entire ecosystem services, including MOG.

You must include management alternatives that do not include wildfire use. The 1910 fires were disastrous to our old-growth timber and other resources. The current policies are more disastrous still. Your agency is ruled by a generation who has no idea what implementing the administrative and substantive laws looks like or how to do it. You may have to call on the Old Guard for counsel. It is better to ask for advice than to fall before the experience of people with a much broader perspective than your own increasingly limited tunnel vision about the powers and prerogatives of the Administrative State.

Your current approach to the Northwest Forest Plan update and the MOG national program EIS are cynical and poorly considered. You must gather your OGC and plan for the end of the Chevron Deference.

Please plan, prepare, and execute a comprehensive process that will genuinely involve the public, not the 10-month timeframe you plan to have a political decision before the election. Such an approach would set you back years.

You must address the impacts of smoke and wildfire use residence times on the health of the Nation and various regions and neighboring countries.

You must calculate and disclose the loss of MOG to wildfire use since 2000 and then predict the losses over the next decade.

You must address the NWFP impacts on spotted owl habitat over the past 30 years. You hoped to preserve spotted owl habitat by singling out buffer zones and no-management areas to preserve old growth and MOG. Instead, you set the stage for the disastrous loss of the habitats you tried to save. How will you not make the same mistake this time? We called it the Disneyland approach then, and nothing has changed. Explain how you will avoid another 30 years of disasters for MOG and owls without appropriate physical management of the vegetation that builds under the canopy and then serves as fuel to burn entire ecosystems and ecosystem services.

Please disclose your activities' environmental impacts and effects since 2000 and your predicted impacts through 2050. Your alternative arrangements from CEQ will disappear with the Chevron Deference. What will you do? What is your desired future outcome, not based on your ridiculous assertions that burning hot head fires through hundreds of thousands and millions of acres of MOG and owls is good because you say so, but based on the cumulative effects analysis you have avoided for 30 years and intend to avoid now.

I think these comments are sufficient for the moment and to achieve standing for the objections and lawsuits to come.

Please call if you have questions.

Attachment: Appropriations White Paper V3 20230502- Consolidated Appropriations Act, 2018 Public Law 115-141, H. R. 1625[mdash]712, AN ANALYSIS OF DIVISION O, WILDFIRE SUPPRESSION FUNDING AND FOREST MANAGEMENT ACTIVITIES ACT

Attachment: Professional Forest Management, LLC - Applied Wildfire Master March 2023