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Comments: The Forest and Rangeland Renewable Resources Planning Act of 1974 (88 Stat. 470 et seq.), as amended by the National Forest Management Act of 1976 (90 Stat. 2949 et seq.; 16 U.S.C. 1601- 1614), requires land management plans for all units of the National Forest System. Regulations to implement the National Forest Management Act are set forth at 36 CFR 2 19.The Administrative Procedure Act of 1946, 5 U.S.C. [sect][sect] 551 - 559 (APA), The National Forest Management Act I 6 U .S.C. [sect][sect] I 600 (NFMA), The Federal Land Policy and Management Act of 1976, as amended 43 U.S.C. (FLPMA), The Multiple-Use Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528-531) and The National Environmental Policy Act of 1969 (NEPA) all require federal agency transparency and legal notice to the public, states, tribal, county and other local governments whenever changes in existing policy or new policy is proposed by federal agencies.On January 5, 2024, the following Legal Notice, was posted in the Idaho Statesman referencing only 36 CFR [sect] 218, without required public information regarding 219.56 Filing and Objection in the Notice:"Granite Goose Landscape Restoration Project, Request for Public Comment, USDA Forest Service, Payette National Forest, McCall and New Meadows Ranger Districts Adams and Valley Counties, Idaho.The Payette National Forest announces the public comment period on the Granite Goose LandscapeRestoration Project draft environmental assessment. The environmental assessment and other project documents are available online at the project's webpage at https://www.fs.usda.gov/project/payette/?project=63507. The project is a landscape-scale effort to improve conditions across multiple resource areas including vegetation, watersheds, roads, and recreation. The project is located northwest of the town of McCall, Idaho, and northeast of the town of New Meadows, Idaho in Adams and Valley Counties.The project is implementing the 2003 Payette National Forest Land and Resource Management Plan, is not authorized under the Healthy Forests Restoration Act, and is subject to subparts A and B of 36 CFR 218. The responsible official is Linda Jackson, (208) 634-0700, linda.l.iackson@usda.govPublic comments will be accepted for thirty days following publication of the legal notice in the newspaper of record, the Idaho Statesman (36 CFR 2 l 8.25(a)(I)(i)). The publication date in the newspaper of record is the exclusive means for calculating the comment period. A copy of this legal notice will be posted on the project webpage.Only those who submit timely and specific written comments regarding the proposed project or activity during a public comment period established by the responsible official are eligible to file an objection (36 CFR(a)(3) and (4)).For objection eligibility, each individual or representative from each entity submitting timely and specific written comments regarding the proposed project or activity must either sign the comments or verify identity upon request (36 CFR 218.5). Comments may be submitted electronically through the project webpage (link above), by clicking on "Comment/Object on Project". If you are uploading a file with comments, please submit this information in Word (.doc or.docx), pdf, or rich text (.rtt) format. Comments may also be mailed or hand-delivered to the McCall Ranger District Office.To mail comments to McCall Ranger District Office, please address to Attn: Granite Goose Landscape Restoration Project, I 02 W Lake St, McCall, Idaho 83638. Comments must be postmarked by the end of the comment period (36 CFR 218.25(a)(4)(i)). Comments may be hand-delivered to the above address. Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered. Additionally, pursuant to 7 CFR l.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOJA) permits such confidentiality. Requests for confidentiality may be granted in only very limited circumstances.For additional information, you may contact Dana Harris, New Meadows District Ranger, at (208) 347-0300 or dana.harrisl@usda.gov. USDA is an equal opportunity employer and lender. Post Date: 01/05 12:00 AM Refcode: #IPL0l 54143 iPrint O"[sect] 218.1 Purpose and scope:This subpart establishes a predecisional administrative review (hereinafter referred to as "objection") process for proposed actions of the Forest Service concerning projects and activities implementing land and resource management plans documented with a Record of Decision or Decision Notice, including proposed authorized hazardous fuel reduction projects as defined in the Healthy Forests Restoration Act of 2003 (HFRA). The objection process is

the sole means by which administrative review of qualifying projects.(a) This subpart A provides the general provisions of the objection process, including who may file objections to proposed projects and activities, the responsibilities of the participants in an objection, andthe procedures that apply for review of the objection.(b) Subpart B of this part includes provisions that are specific to proposed proiects and activities implementing land and resource management plans documented with a Record of Decision or DecisionNotice, except those authorized under the HFRA.(c) Subpart C of this part includes provisions that are specific to proposed hazardous fuel reduction projects authorized under the HFRA.The Granite Goose Landscape Project is not a plan development, plan amendment, or plan revision of the existing 2003 Payette National Forest Plan. It is an Assessment per 36 CFR 219 with an Environmental Assessment pursuant to NEPA.If the Forest Service were to assume that a Project could fall under the Responsible Official's discretion pursuant to 36 CFR 2 I 8 to provide notice of a predecisional objection, the said project would have to be consistent with the existing Forest Plan. The Payette Nation Forest Plan was developed , amended, or revised prior to the 36 CFR 219.Plan development, plan amendments, or plan revisions initiated before this part. For plan development, plan amendments, or plan revisions that were initiated before May 9, 20 I 2, the responsible official may complete and approve the plan, plan amendment, or plan revision in conformance with the provisions of the prior planning regulation, including its transition provisions (36 CFR part 219, published at 36 CFR parts 200 to 299, revised as of July 1, 2010), or may conform the plan, plan amendment, or plan revision to the requirements of this part. If the responsible official chooses to complete an ongoing planning process under the provisions of the prior planning regulati.on, but chooses to allow for an objection rather than an administrative appeal, the objection process in subpart B of this part shall apply. When the responsible official chooses to conform an ongoing planning process to this part, public notice must be made([sect] 219.16(a)(S)). An objection process may be chosen only if the public is provided the opportunity to comment on a proposed plan, plan amendment, or plan revision, and associated environmental analysis.As specific to the 2003 Payette National Forest Plan:(c) Plans developed, amended, or revised under a prior planning regulation. This part supersedes any prior planning regulation. No obligations remain from any prior plann ing regulation, except those that are specifically included in a unit's existing plan. Existing plans will remain in effect until revised. This part does not compel a change to any existing plan, except as required in [sect] 2 I 9. I 2(c)(1). Timing and process for developing the plan monitoring program and broader-scale strategies.(1) The responsible official shall develop the plan monitoring program as part of the planning process for a new plan development or plan revision. Where a plan's monitoring program has been developedunder the provisions of a prior planning regulation and the unit has not initiated plan revision under this part, the responsible official shall modify the plan monitoring program within 4 years of theeffective date of this part, or as soon as practicable, to meet the requirements of this section.None of the requirements of this part apply to projects or activities on units with plans developed or revised under a prior planning rule until the plan is revised under this part, except that projects oractivities on such units must comply with the consistency requirement of [sect] 219. 15 with respect to any amendments that are developed and approved pursuant to this part.At the same time, the 2012 rule does not give a responsible official the discretion to amend a plan in a manner contrary to the 2012 rule by selectively applying, or avoiding altogether, substantiverequirements within[sect][sect] 219.8 through 219.11 that are directly related to the changes being proposed. Similarly, an interpretation that the 2012 rule gives responsible officials discretion to propose amendments "under the requirements" of the 2012 rule that actually are contrary to those requirements, or to use the amendment process to avoid both 1982 and 2012 rule requirements, is in opposition with the Department's position described earlier in this discussion that the responsible official's discretion to tailor the scope and scale of an amendment is not unbounded.Project is Inconsistent with the Payette National Forest PlanThe Granite Goose Landscape Restoration Project is identified as " implementing the Payette National Forest Plan". The Project is also not a plan, plan amendment, or plan revision subject to objection before approval. Pursuant to 36 CFR 2 19. 15, This project breeches the threshold of determination of consistency as cited in 36 CFR [sect] 219 .15 (d) "Determining consistency. Every project and activity must be consistent with the applicable plan components."Further, "a project or activity approval document must describe how the project or activity is consistent with applicable plan components developed or revised in conformance with th is part by meeting the following criteria:(I) Goals, desired conditions, and objectives. The project or activity contributes to the maintenance or attainment of one or more goals, desired conditions, or objectives, or does not foreclose the opportunity to maintain or achieve any

goals, desired conditions, or objectives, over the long term.(2) Standards. The project or activity complies with applicable standards.(3) Guidelines. The project or activity:(i) Complies with applicable guidelines as set out in the plan; or(ii) Is designed in a way that is as effective in achieving the purpose of the applicable guidelines(_[sect]_ 219.7(e)(I)(iv)).(4) Suitability. A project or activity would occur in an area:(i) That the plan identifies as suitable for that type of project or activity; or(ii) For which the plan is silent with respect to its suitability for that type of project or activity.The existing Payette National Forest (PNF) Plan and Environmental Impact Statement resulted in a Record of Decision signed by a Regional Forester in 2003. The PNF Forest Plan was Amended to address plan deficiencies in Bighorn sheep management criteria in 2006.Granite Goose Landscape Restoration Project Proposal must be Rejected and TerminatedNone of the criteria pursuant to 36 CFR [sect] 219.15 address consistency in the existing Forest Plan have been presented in this Project Environmental Assessment. Without this information provided, the Project proposal must be withdrawn pursuant to*[sect] 219.15 (c) 2 top of next page):[sect] 219.15 Project and activity consistency with the plan.(a) Application to existing authorizations and approved projects or activities. Every decision document approving a plan, plan amendment, or plan revision must state whether authorizations of occupancy and use made before the decision document may proceed unchanged. If a plan decision document does not expressly allow such occupancy and use, the permit, contract, and other authorizing instrument for the use and occupancy must be made consistent with the plan, plan amendment, or plan revision as soon as practicable, as provided in paragraph (d) of this section, subject to valid existing rights.(b) Application to projects or activities authorized after plan decision. Projects and activit ies authorized after approval of a plan, plan amendment, or plan revision must be consistent with the plan as provided in paragraph (d) of this section.(c) Resolving inconsistency. When a proposed project or activity would not be consistent with the applicable plan components, the responsible official shall take one of the following steps, subject to validexisting rights:(I) Modify the proposed project or activity to make it consistent with the applicable plan components;*(2) Reject the proposal or terminate the pro ject or activity;(3) Amend the plan so that the project or activity will be consistent with the plan as amended; or(4) Amend the plan contemporaneously with the approval of the project or activity so that the project or activity will be consistent with the plan as amended. This amendment may be limited to apply only to the project or activity.Current Forest Plan Non-Compliance and Project Area Outside of Agency AuthoritiesForest Plan standards and guidelines must be described clearly and not vague with broad, landscape scale references to the need to improve or restore the Granite Goose landscape. The Purpose and Need for this proposed action veers from the current Forest Plan without reference to Monitoring Data pursuant to implementation of the existing Forest Plan.From the Purpose and Need and Project Area Information: "The Granite Goose Landscape Restoration Project is proposed to improve vegetation, recreation, watershed, and transportation conditions within the project area. This project would implement vegetation and fuels treatments to address hazardous fuels to reduce the risk of uncharacteristic wildfire, respond to insect and disease outbreaks, and promote whitebark pine (Pinus albicaulis), aspen (Populus tremolites), and meadow conservation in the project area. Other actions proposed include stream and wetland restoration, recreation management, and travel management, which includes enhanced hydrological conditions, recreational opportunities, and reduces negative watershed impacts of unneeded roads and routes.The Payette National Forest has prepared this environmental assessment in compliance with the National Environmental Policy Act (NEPA), the National Forest Management Act (NFMA), and other relevantFederal and State Jaws and regulations. This environmental assessment will determine whether effects of the proposed activities may warrant preparation of an environmental impact statement or a finding of no significant impact.The Granite Goose Landscape Restoration Project is located on the McCall and New Meadows Ranger Districts north and east ofNew Meadows, Idaho and north and west of McCall, Idaho within Adams, Idaho, and Valley counties map I in appendix A). The project area comprises approximately 39,918 total acres."The Granite Goose Landscape Restoration Project is located on the McCall and New Meadows Ranger Districts north and east of New Meadows, Idaho and north and west of McCall, Idaho within Adams, Idaho, and Valley counties map I in appendix A). The project area comprises approximately 39,918 total acres."As described under "ownership" - 33,352 acres of National Forest System lands, 5,371 acres of State of Idaho lands and 1, l 95 acres of Private lands are included in this Project. The USFS has no authority over State of Idaho or Private Lands. The project maps indicate expansion of existing Forest Plan management areas and a distinct overreach of federal lands and resource management authorities in clear violation of state and private property rights.36

CFR 219.12 Monitoring Program Developed in 2018c) Timing and process for developing the plan monitoring program and broader-scale strategies.(1) The responsible official shall develop the plan monitoring program as part of the planning process for a new plan development or plan revision. Where a plan's monitoring program has been developed under the provisions of a prior planning regulation and the unit has not initiated plan revision under this part., the responsible official shall modify the plan moniloring program within 4 years of the effective date of this part, or as soon as practicable, to meet the requirements of !his section.Payette Forest Plan Monitoring not in Compliance Since 2018A Forest Plan Monitoring Report was produced in 2006 per the prior Planning Rule. In 2018, the Forest Plan Monitoring Report was completed in compliance with the 2012 Planning Rule, as amended. TheMonitoring Report is attached as reference to the clear violation of The National Forest Management Act 16 U.S.C. [sect][sect] 1600 (NFMA), The Federal Land Policy and Management Act of 1976, as amended 43U.S.C.(FLPMA), The Multiple-Use Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528-531) and The National Environmental Policy Act of 1969 (NEPA) pursuant to monitoring the existing Forest Plancompliance and accomplishments for forest and range management to "Economic, Cultural and Social Environment" criteria. See Attachment 2018 Payette National Forest Plan Monitoring, pages 23-27).Allowable Sale Quantities are not in compliance with a 10-year accomplishment falling to less that 10% over the ten-year period of ending in 2017. Biomass including woody debris is calculated in cubic foet and converted to board feet to make up the 2017 timber sale accomplishments in the Monitoring Report.Range management and conditions are not reported and are not being monitored on existing allotments and permits. All data in the 2018 Monitoring Report is sourced from national data bases. The last page of the 2018 Forest Plan Monitoring Report states that no on the ground data has been collected.There is not a Payette National Forest Plan Monitoring Report for 2020 or 2022. However. the 2018 Monitoring Report is reveals that the Forest Supervisor has concerns about the need to Revise the 2003Payette National Forest Plan in 2024 because of noncompliance with current planning rules versus the Forest Plan.Non-Compliance with CFRs and NEPAThere is an absence of on the ground conditions to prove the purpose and need for management action on federal land and resource agency lands. Please see- the excerpt from the Payette National Forest 2018 monitoring report to see that all infom1ation is generated from national sources with machine generated analysis called "National Resource Manager". This is not useful infonnation and is skewed to claim the need for only restoration of federal lands using fire and a desired future condition of restoration and improvement without the baseline of monitoring data.Monitoring Reports are required biennially and are to be relea_sed widely to the public, county, state and tribal governments. The current public outreach by the Payette National Forest is through the Payette National Forest Coalition, NGOs and a group not identified in CFRs as interested parties and stakeholders.Any local monitoring information in this project or in implementation of the 2012 Planning Rule encourages non authorized Forest Service and other federal employees to proviPe on the ground information.Counties, states, and tribal governments have not been provided monitoring data and/ or Reports. Those that have the greatest stake and working relationship with our federal lands and resources are the focus of the mission and authorities of the USDA, Forest Service. Public involvement and co_operating agency status with counties. states and tribal governments required in this Project would have prevented a Purpose and Need for a Project without the grounding and required status of the lands and resources first identified and not recklessly assumed to need a landscape scale restoration.The use of regional and national data bases without the unbiased leadership of a Forest based planning and resource interdisciplinary team is without basis in the Code of Federal Regulations. Forest (D team assessments are but one documentation of a thorough review of conditions on tbe ground to lega!ly assure that NEPA compliance. Projects must tier to the Forest Plan, but the Plan is a guide and not regulatory.In this case, State and Private Forestry as related to fire data have more responsibility for steering the outcomes of this Forest Plan and Project. Monitoring data and development of Project level plan, a Forest Plan requires unbiased use of the best science available. This is why and how harvesting mature trees and grazing become part of a category of the Monitoring program that is contrary to the agency's CF Rs.Other Rulemaking IssuesThe current Forest Plan has not been implemented and is circumvented by the USPS Fire Strategies and Landscape scale projects that have not been through rulemaking and in conflict with all agency CFRs and the existing 2003 Forest P1an. The Old Growth strategy will also require rulemaking at the Forest Plan Level through Revisions and not 2012 Planning Rule amendments. There is a need to Revise the Payette National Forest Plan while also Amending the 20 I 2 Planning Rule to be in compliance with agency CFRs.Templates, National Data Bases, and Continued Barrage

of Inaccurate Machine Analysis -Not Seeking and Using the Best Science Available Means Trust and Rebuilding Vital Local RelationshipsCannot Happen and Agency Accountability is LostThe Granite Goose Landscape Restoration Project planning and NEPA documents were not developed on the Payette National Forest and were not possible to have been generated between November 18, 2023, when the Payette Forest Coalition met and were told the Forest Supervisor had no idea when the EA would be available. Since a Forest Planning interdisciplinary team is not identified and they would have the notes of their meetings and the science used to develop both the Planning Assessment and the NEPS environmental assessment, the Forest Service has used templates and national data bases to complete a NEPA document that is insufficient, arbitrary, and capricious.The data /science citations for this Project are over 20 years old and from failed large scale ecosystem studies that many Forest Service and BLM employees learned from. This level of work is not acceptable to the American people and the state, tribal and county governments. We trust that in the future the Forest employees will not be put in this position by facing disappointed and ten'ibly burdened neighbors and friends that know they are being unfairly disallowed access to working with the agency instead of being viewed as "the enemy".One of the harsh realities of not using the best science is that the counties are not receiving the payments in lieu of taxes they legally require. Soon, local property owners will experience the property taxramifications inactive non-science-based management of our Nation's Forests and Grasslands. This will create tremendous loss to rural communities where Forest employees live and work as welLA full inquiry is needed as to how much the Forest Service is spending on not implementing the current Forest Plans across the national forest system. Best science is that which is true- to the interdisciplinary application with measurable results on the ground. The American people rely h on the federal agency to remain unbiased and to not be influenced by any one resource or concern to drive the outcome, This is in everyone's best interest, and it meets the Rule of Law as contained in CFR's.It is time to get back to the work on the ground to create the healthy forests and gra-sslands we once had before politics became the science behind our federal planning and management regimes. We are missing the important pa11s of the agency process in the Project and in the adapting to new infonnation regarding recently listed species as included in our work versus used to stop the active management that is so desperately needed.Demand for Withdrawal and Cancellation of the Granite Goose Landscape Restoration ProjectThis Jetter has been written to invoke an immediate withdrawal and cancellation of the Granite Goose Landscape Scale Restoration Project (Project) pursuant to 36 CFR [sect] 219.15 as the Project is inconsistent with the Payette National Forest Plan (Forest Plan) as Revised in 2003. The Project Purpose and Need and associated Environmental Assessment (EA) for this Project do not contain the substantive references to substantiate compliance with the Payette National Forest Plan.The Prnject documents and EA describe changes to Forest Plan management areas without justification or reference to Forest Plan consistency including desired conditions, The EA reads as if there has been a Plan Revision as if this EA is a veiled Chapter of an EIS preliminarily prepared for a Forest Plan Revision with a predetennined desired (future) condition only known to the USFS personnel that use machine learning or artificial intelligence to substantiate their compliance with Executive Orders and not the Code of Federal Regulations.Pursuant to NEPA, an Environmental Assessment (EA) is a concise public document that provides sufficient evidence and analysis for detern1ining whether to prepare an Environmental Impact Statement(EIS) or a Finding of No Significant Impact (FONS!). The Project is not consistent with the Payette National Forest Plan. Pursuant to Forest Service Planning 36 CFR 219 an Environmental Assessment (EA)is a document which presents issues and concerns important to a project, alternate means of accomplishing a project, and environmental effects of each of these alternatives.Agency Continues to Act in an Arbitrary and Capricious Manner without Regard to Recent LitigationThe Follqwing exc.erpt From "Giant ldaho Forest Project on Hold Again after Court Hearing" The Spokesman-Review August 12, 2020. By Keith Ridler, Associated Press[middot]'The Forest Service with the Lost Creek-Boulder Creek Landscape Restoration project sought to sidestep a part of the 2003 Payette National Forest Plan by reclassifying pmtions of the forest from timber harvest to landscape restoration with a goal of growing larger trees. The Forest Service could avoid violating its forest plan if needed by cutting down large trees in those reclassified areas.U.S. District Court Judge B. Lynn Winmill in ruling against the Forest Service wrote that {{f violating the forest plan "could be justified by expla;n;ng that a later project - such as cutting down the overabundance of large trees -[middot] would cure the violation, the 2003 Forest Plan could be ignored and (National Forest Management Acl}} rendered a null Act."The Forest Service had support for the project from the

Payette Forest Coalition, which offered recommendations on the project. The coalition contains environmental groups, notably the IdahoConservation League, as well as timber companies and local government entities. The project included such things as improving fish passage for bull trout, a federally protected species.Another key draw for environmental groups supporting the project was changing portions of the .(Ores! from a timber harvest designation to a restoration designation."Specifically, the Forest Service wanted to restore native stands of Ponderosa pine, a fire-reliant and fireresistant species that needs an occasional forest fire to open its pinecones with intense heat and destroy competing trees.The project would have removed Douglas fir and grand fir trees from what had once been Ponderosa pine strongholds in the forest. Ponderosa pine shed their lowest limbs to get out of the reach of wildfires, and their bark is thick and able to resist flames."The USFS is again in violation of the National Forest Management Act by "sidestepping" the 2003 Forest PlanIn the Granite Goose Landscape Restoration Project, prescribed and wildland fire are proposed within stands of mature trees currently in the 2003 Forest Plan identified for harvest. See the attached Payette National Forest Plan Monitoring Report Pages 22-27. The USFS is again in violation of the National Forest Management Act by "sidestepping" the 2003 Forest Plan by reclassifying from timber harvest to landscape restoration with a goal of growing larger trees. In this case the Forest Service could avoid violating its forest plan if needed by cutting down large trees in those reclassified areas for prescribed and wildfire.USFS is Not in Compliance with the Regulatory Flexibility regarding the 2012 FS Planning RuleThe Regulatory Flexibility Act ("RFA"), codified at 5 U.S.C. 601 through 612, requires an agency to review its rules that have a significant economic impact upon a substantial number of small entitieswithin 10 years of the publication of such rules as final rules. 5 U.S.C. 610(a). The Existing Forest Plan Must be Implemented Immediately While a Transparent, Robust and Locally Led Forest Plan Revision is Initiated!600_) [!6 U.S.C. l604(c)], the Forest Service. and the Bureau of Land Management under separate authority, may continue the management of lands within theirjurisdiction under existing land and resource management plans pending the completion of new plans,