

Data Submitted (UTC 11): 8/15/2024 10:05:15 PM

First name: Deil

Last name: Auly

Organization:

Title:

Comments: Dear Ranger Statezny and selected IDT members,

Please accept and consider these comments on the proposed pre decisional EA for the proposed South Routt Fuels project and read them with an open mind. They are based on best science and the experience I gained after working for 31 years with the USFS. I hope you used best science to develop this project. Your pre-decisional EA does not show you did. Had you done so, many of your silly claims would not have been made. I hope you know the public does not want your type of national forest management that exclusively benefits the natural resource extraction corporations. I guess you continue to backhand the public with such mismanagement because you have gotten away with it in the past.

During my USFS employment I learned there were 2 things that force the USFS Responsible Officials to take special care to not harm the national forest resources:

- 1) The threat of court action when the USFS Responsible Official knows the plaintiff has more than enough to convict.
- 2) The threat to use the media to expose the USFS Responsible Official and their witless proposed actions and how the actions will devastate the proper functioning of important natural resources in the forest.

Ranger Statezny, I suggest you meet with your OGC attorneys to discuss your strategy and talking points. Remember, a USFS Ranger or Supervisor who loses in Federal District Court is big news. The AP will carry it nationwide.

Comment: I have never understood how a USFS line-officer benefits from consciously allowing natural resource extraction corporations to inflict damage to the priceless national forest natural resources. Why is it so important to them to provide these natural resource extraction corporations with opportunities to reap major profits at the expense of the public? Perhaps you are getting financial kickbacks?

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Please read the following 2 books to learn what the public already knows.

A Conspiracy of Optimism Management of the National Forests Since World War Two

by Paul Hirt, an assistant professor of western history at Washington State University.

Published by the University of Nebraska Press, 1994

[https://books.google.com/books/about/A\\_Conspiracy\\_of\\_Optimism.html?id=JlwYvzNKjQ8C](https://books.google.com/books/about/A_Conspiracy_of_Optimism.html?id=JlwYvzNKjQ8C)

Excerpt:

"The once highly regarded U.S. Forest Service has come under fire for its mismanagement of the national forests, particularly for timber-cutting and road-building, and its failure to protect ecosystems. Hirt, who teaches history at Washington State University, probes the economics and politics of the agency during the last 50 years. Despite the official policy of multiple use-lumbering, grazing, recreation, wildlife-the Forest Service has focused almost exclusively on timber production. Hirt finds this is due partly to its professional bias of silviculturists and road engineers and to a lopsided budget assigned by Congress-resource conservation is viewed as expense, timber sales as revenue. The author follows the slow turnaround in public perceptions and policy changes in recent years, noting that the agency cannot be separated from the larger political, social and economic context." (pg 1)qa

Getting Out the Cut: Politics and National Forest Timber Harvests, 1960-1995 by Miles Burnett and Charles Davis  
Administration & Society V34 (May, 2002), pp. 202-228.  
<https://www.des.ucdavis.edu/faculty/lubell/Teaching/CharlesDavis.pdf>

Excerpt:

"Since the Forest Service began managing the national forests in the early 1900s under the charismatic leadership of Gifford Pinchot, it has been guided by a professional ethos and a statutory framework that established timber production as the dominant use of national forest resources (Clary, 1986; Dana and Fairfax, 1980). As the first Chief of the U.S. Forest Service, Pinchot shaped an organizational culture within the agency that enshrined sustainable timber production as its *raison d'être*. This view went unchallenged for several decades while the country's wood needs were primarily supplied by privately owned timberlands. With annual cuts of only 1 billion board feet (bbf), the Forest Service was mainly playing a custodial management role on its roughly 190 million acres until the post World War II era. A pro-commodity development bias was supported by members of Congress serving on the Agricultural Committees in both chambers as well as the forest program subcommittees within the House and Senate Appropriations Committees. For legislators representing rural forested areas, timber sales to lumber, paper and related industries were favored as a source of jobs for their constituents (Clary, 1986). Accordingly, Congress enacted laws which highlighted the importance of timber harvesting as a dominant use with national forest management decisions." (pg 3)

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It's clear I'm dealing with an IDT that is clueless about the obvious link between the proposed treatments and the resource damage they cause. Perhaps they understand the damage this commercial timber sale will cause and don't care.

My comments contain attachments with quotes authored by expert scientists ... many with Ph.D.s. They describe resource damage caused by some treatments commonly used by the USFS that you are proposing as part of this project. Most of the IDT members know the treatments will inflict long-term harm to the amenity resources. Knowing this, what are they thinking when they tell the public the treatments will "restore the forest back to health." They must assume members of the public are idiots.

Your agency claims to serve the public yet you deceive these same people to clear the way for volume accumulation. My letter to the editor in the Denver Post will inform the public of your mismanagement. You know how to prevent this Statezny. Will you? Why is it so difficult to do the right thing? Your motivation should come from knowing future generations will be grateful when you do this.

As a retired NEPA coordinator I can remember how disgusting it was to watch the so called IDT resource specialists' excitement as they prepared a NEPA document to please the Responsible Official not knowing they were all timber sale enablers. Successful performance in their timber sale enabler role required them all to cast away their land ethics and values. Even after finishing their tragic, illegal NEPA document they still were clueless enough to believe they were serving the public. Their mind manipulation had been successful.

These IDT resource specialists were also unable to think independently outside the USFS timber agenda box. It's sad. These same IDT members skipped home after work believing they served the public by making it possible for the agency to implement a treatment the public does not want. An intelligent IDT member would know this and take appropriate action. This never happens.

It's time USFS Responsible Officials and their IDT members are held accountable for their sloppy work. They must never knowingly write untrue, illegal information in the NEPA document they prepare like this one.

Too many IDT members refuse to face up to the fact that their agency routinely harms the natural resources in

and downstream from the project area by providing resource extraction corporations with the opportunity to reap large \$\$\$\$ profit by removing trees from the national forests owned by 336 million Americans. They all obediently parrot agency propaganda that they hope will soften the public to the clear resource destruction caused by logging and road construction treatments. For intelligent people to behave this way indicates they were subject to a sophisticated mind manipulation strategy early in their career. In spite of the clear evidence otherwise, they were made to believe the USFS could do no wrong and would do nothing that might harm the proper functioning of the forest.

Based on what I have read, I have no reason to believe anything they write. It would be amusing to watch them try to defend this one in court.

Ranger Statezny, your duplicity is unprecedented.

A few IDT members know what motivates the agency to sell timber sales ... to generate volume. The public thinks you all put natural resource health as your top priority. Unfortunately, you all put job security, money and power ahead of what the public pays you to do. Ranger Statezny I have no reason to believe there are any resource specialists on your IDT who will do the right thing. You are all being controlled. They are all in the timber sale enabler role without knowing it.

Please consider this quote below authored by the man who was almost appointed to become the 1st Chief of the USFS. Please keep the quote in mind as you finish planning this timber sale.

"Any fool can destroy trees. They cannot run away ... God has  
cared for these trees, saved them from draught, disease,  
and avalanches ... but he cannot save them from fools"  
John Muir  
from "Save the redwoods", 1900

John Muir was a prophet. Over 100 years ago he was able to predict what an agency led by a person trained in industrial forestry in France (Gifford Pinchot) would emphasize in 188,336,179 acres of national forest land ... timber production.

Even if it were consistent with all of the United States environmental laws (which it isn't), your pre-decisional EA is the most poorly written I have ever encountered. I know what a good one looks like. I retired from the USFS after 31 years as the forest NEPA coordinator.

My time with the USFS taught me some of the employees masquerading as resource specialists who serve on IDTs for timber sale DEISs and pre-decisional EAs will write anything (true or not) to please the Responsible Official. They know they want volume desperately.

Sadly, they believe that the USFS would never propose a project that might harm one of the countless important forest resources. How were they fooled? They are unaware the USFS has a well structured mind-manipulation scheme that works on people without their knowledge. It started on their first day on the job. The things they were told by their peers and the "official" things they read convinced them the USFS is a wonderful agency dedicated to maintaining properly functioning natural resources in the forest. It didn't take long for them to believe the USFS could do no wrong.

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My Daughter's Family does not Appreciate  
your Unprofessional Behavior

You are probably wondering why a person from Montana is commenting on a project located in Colorado. You

see my daughter and her family live in Denver. They enjoy the Medicine Bow-Routt National Forest very much.

They feel that developing this area will ruin their fishing, wildlife viewing, camping and hiking opportunities. They own the Medicine Bow-Routt National Forest. Since I am retired from the USFS my daughter called me and asked if there was anything she could do to convince you to leave the proposed timber sale area undeveloped. She wanted to know what she must do to gain standing to take court action. I told her she needs to comment on the draft NEPA document for this project to gain standing to submit an objection and that when the Objection Deciding Officer's response to her objection is unacceptable she would have standing to take court action. I told her she must show the court she will be harmed by the decision. Ranger Statezny people like you must be held accountable. Clearly you are serving your corporate masters and backhanding the public.

Your tragic pre-decisional EA that was prepared for the South Routt timber sale reads as if it were prepared by children. I taught the 1900-1 beginning NEPA course in R-1. On the first day of class my untrained students could have easily been able to list the problems with this pre-decisional EA.

Each IDT member will react to my comments differently. Some of them will be angry and in denial and wonder "who is this guy." Most of them will ignore my comments and say to themselves "Oh well, NEPA gives them the right to comment." "He's obviously a rabid enviro who should be ignored because he wants to stop all national forest logging." A few of them will agree with what I have to say but will keep it to themselves because they are frightened to think their peers will think you are not a "team player." I'm sorry for you all. After you retire your guilt will be overwhelming.

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Best Science

The USFS has been telling the public that its projects are based on "best science" for decades. Opposing Views Attachment #10 validates this claim. Of course the agency has ignored science and has allowed the following to guide their vegetation management treatments (a.k.a. logging) for a long time:

\*the need to spend all the NFTM money in the same FY it was received

\*the need to provide the natural resource extraction corporations with opportunities to reap handsome profits

\*the need to meet or exceed the volume expectations of higher level agency line-officers

Of course these 3 real reasons for timber sales will never appear in the Purpose and Need.

The court of public opinion is often more effective than a court of law. Most people read the newspaper.

As you can tell, I know how the game is played. As is the case here, the vast majority of USFS line-officers with NEPA decision-making authority are clueless about the science related to the treatments they are about to approve. The IDT members who know the science will say nothing if it might reduce the sale's volume output.

Comment: Some USFS employees cannot deal with comments suggesting the agency has a timber agenda that is more important to support than the health of the natural resources in the forest. Please don't let your politics have anything to do with your decisions. Understand you can select the No Action alternative if it will eliminate any harm caused by implementing the Proposed Action...but of course you won't.

Ranger Statezny please have the courage to read and comply with the science in the following attachments. You will learn things most of your IDT members have known since their 1st day with the USFS.

Forest Resource Damage caused by Timber Harvest Treatments

Opposing Views Attachment #1

Post-Fire Harvest Resource Damage  
Opposing Views Attachment #2

Roads often Destroy the Proper Ecological Functioning of the Aquatic Habitat in a Forest  
Opposing Views Attachment #4

The Natural Resources in the Forest Benefit from Fire  
Opposing Views Attachment #8

Most Dead and Dying Trees should not be Removed from the forest  
Opposing Views Attachment #14

Timber Harvest Restores Nothing in a Forested Ecosystem  
Opposing Views Attachment #21

Ranger Statezny, an intelligent, caring national forest line-officer would significantly modify or drop the South Routt Fuels timber sale based on this science. Please do not fall-back to your beliefs you picked up after years of USFS mind-manipulation. My letters to the editor pointing out your mismanagement will enrage the recreating public in your area. They will likely write to Chief Moore and senators Hickenlooper and Bennett expressing their outrage.

I helped prepare pre-decisional EAs and DEISs during the 7 years I was a forest planner. I now comment on NEPA documents for projects that have a high probability of causing resource damage like this one. This tragic pre-decisional EA that was prepared for the South Routt Fuels timber sale reads as if it were prepared by children.

Each IDT member will react to my comments differently. Some of you will be angry and in denial and wonder "who is this guy." Most of you will ignore my comments and say to yourself "Oh well, NEPA gives him the right to comment. He's obviously a rabid enviro who should be ignored because he wants to stop all national forest logging." A few of you will agree with what I have to say but will keep it to yourself because you are frightened to think your peers and supervisor will think you are not "team players." I'm sorry for you all.

Clearly, your recommendations and conclusions in the pre-decisional EA are the antithesis of "best science." Please read the science below. Especially important sections are shown in bold, red font.

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A Citizens' Guide to National Forest Planning (link below):  
[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd509144.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd509144.pdf)

Excepts:

"The 2012 Planning Rule requires the use of the best available scientific information to inform planning and plan decisions. There is a lot to consider when thinking about how science and scientific information are used in forest planning."

At a minimum, scientific information needs to be available, accurate, reliable, and relevant. "Available" means that the Forest Service does not need to create new scientific information and conduct new research, but simply should use information that currently exists.

Finally, one of the fundamentals to effective use of scientific information is transparency in how it is used. The 2012 Planning Rule requires the Forest Service to document and summarize how the universe of best available scientific information was identified and how it informed the planning process." (pg 15

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36 CFR 219.3 Role of science in planning.  
<https://www.law.cornell.edu/cfr/text/36/219.3>

Excepts:

"The responsible official shall use the best available scientific information to inform the planning process required by this subpart. In doing so, the responsible official shall determine what information is the most accurate, reliable, and relevant to the issues being considered. The responsible official shall document how the best available scientific information was used to inform the assessment, the plan decision, and the monitoring program as required in §§ 219.6(a)(3) and 219.14(a)(4). Such documentation must: Identify what information was determined to be the best available scientific information, explain the basis for that determination, and explain how the information was applied to the issues considered."

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Feb 27 2015 News Release from Senator Hoeven  
<http://www.hoeven.senate.gov/public/index.cfm/2015/2/hoeven-presses-forest-service-chief-to-address-north-dakota-concerns-with-update-to-grasslands-management-plan>

Excepts:

"Senator Hoeven also pressed Tidwell to rely on the best science available when issuing the final update. The draft environmental assessment for more than 62,000 acres in McKenzie County and 22 grazing allotments was issued in January."

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Statement by USFS Chief Tom Tidwell  
From an interview with Rob Chaney of the Missoulian, June 19, 2009  
<http://westinstenv.org/sosf/2009/06/19/tidwell-interviewed-by-the-missoulian/>

Excepts:

"We have some of the best science, and we need to make sure we're applying that, using that and sharing that as we move forward. I think we have a key leadership role, not only in the application of science but to help inform and educate our community and the folks we work with."

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You are required to comply with 36 CFR 219.3. Your Regional Office will say you don't need to but a judge can read. Chances are the DRF will rebuff and shun my daughter's objection. She has the money and this will motivate her to invite you to Federal District Court. OGC simply cannot successfully defend your mismanagement of the Medicine Bow-Routt National Forest. How does the Regional Forester deal with line-officers who loose in court which generates bad press? Here is something you should already know:

Request for changes to be made to the final NEPA document: Include the source documents for the applicable science quotes in Opposing Views Science Attachment #1, #4, #20 and #21 in the References section for your draft EA and cite them in the text.

Failure to do this will violate:

36 CFR 219.3 because you do not document how the best available scientific information was used in the development of the pre-decisional EA, and because the Responsible Official did not explain how the information was applied to the issues being considered.

President Bidens January 2021 Memorandum on Restoring Trust in Government through Scientific Integrity and Evidence-Based Policymaking because you do not use best available science and data in your decision-making.

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Before the IDT members spend any more time working on this pre-decisional EA allow me to describe some important, meaningful things.

\*None of you were hired for your resource knowledge. The USFS knew it must populate IDTs with a variety of specialists. This allowed the agency to claim the IDT is interdisciplinary and complies with 40 CFR 1502.6. How many times have your IDT's Chapter 3 effects for Proposed Action implementation disclosed a resource in the forest will not function properly and you selected the Proposed Action anyway without consulting the IDT member who wrote it? As you all know, in most cases reducing the volume to minimize adverse effects to other resources is unacceptable in the USFS. The public expects each IDT member to stand up for their resource in all cases.

\*You all know Ranger Statezny expects you to describe the effects of selecting No Action as calamitous and deplorable in spite of the fact the situation is the same it has been for a long time without anyone being concerned before. Ranger Statezny relies on IDT lies to justify rejecting No Action?

\*The Purpose & Need in your NEPA document appears to have been copied and pasted from past timber sale NEPA documents that had different conditions than this timber sale. This violates the NEPA in several ways. This says something about the IDT members.

\*The Purpose & Need contains goals that could not possibly be satisfied by a commercial timber sale. Of course commercial timber sale activities will exacerbate the resource damage the Purpose & Need claims to correct.

\*The Purpose & Need contains goals that are not needed.

\*Your NEPA document will claim most problems (real or perceived) in the forest can be corrected by commercial logging, road construction and herbicide application. Some resource specialists know this is not true yet they are afraid to voice their opinion for obvious reasons.

\*When the public submits science authored by experts that contradicts USFS claims, you will ignore the science without explanation in the response to comments section in the final NEPA document.

\*During my 31 years with the USFS I saw the Responsible Official reprimand some resource specialists in front of their peers for writing the truth.

After reading this pre-decisional EA several times it's clear it violates NEPA and quite possibly the ESA. You and your IDT members are all a part of it and will be held accountable for developing it. Your reputations, character, reliability and professionalism are on the line. A few specialists on the IDT know the truth about their agency yet they choose to conveniently forget when they enter the office each day.

I will state from the beginning I don't expect the Proposed Action to be changed to eliminate resource damage because of my comments.

You see, I spent too many years with the USFS not to know what motivates its employees. You are all more concerned about not jeopardizing your precious, high paying jobs than you are assuring this sale does not disrupt the proper functioning of the natural resources in the sale area you are paid to protect. You knowRanger Statezny wants volume desperately and you won't rock the boat.

If you people were doing your job this proposed timber sale would have been eliminated before the scoping

process started. When you exit your denial mode you will all agree what I say is true.

I spent 31 years with the USFS ... the last 7 as the Forest Planner for a national forest in Idaho. Part of my job was to assist IDTs as they took proposed projects through the NEPA process. This was difficult. They wanted to take shortcuts that would not fully comply with the NEPA analysis process as is being done here. They knew they were expected to be timber sale enablers. They knew it has been decades since a USFS Responsible Official 1) selected No Action and 2) the IDT developed a realistic 2nd action alternative in detail.

Instead, they:

\*developed a ridiculous Purpose and Need. The P&N goals were unsubstantiated with no supporting data. It was not surprising that cutting and removing trees (a.k.a. logging) was the only way the P&N goals could be satisfied.

\*They wrote watered-down Chapter 3 environmental effects predictions for implementing the Proposed Action. Their Chapter 3 environmental effects predictions for No Action described tragic effects if it wasn't logged.

\*You selected the same Proposed Action for implementation that was presented in the Scoping document, thus you ignored most of the public scoping comments that were against the Proposed Action and expected the IDT to skew the analysis to favor the Proposed Action.

\*They IDT members willfully cast their land ethics, values and professionalism to the wind to please you. They need adult supervision to keep them from lying. When they read my science quotes in the attachments they will understand their claims are the antithesis of best science.

IDT members should choose their words carefully. Fuels reduction has been the USFS's favorite excuse to kill healthy trees with chainsaws for the last decade. They must understand Americans who enjoy undeveloped forests know this.

#### Comment Requirements

Project NameSouth Routt Fuels Project

Responsible Official and TitleJames Statezny, District Ranger

District & Forest where it will be implementedYampa Ranger District, Medicine Bow - Routt National Forest

Come on people, please have the courage and motivation to remove your mind from the USFS box. You are all capable of critical, independent thinking. You learned in college what should and should not be done to assure your resource will remain unharmed and healthy. You learned what an unhealthy forest looks like. A healthy forest has a mixture of dead and vigorous trees just like a healthy population of other individuals ... including humans

Comment: After reading the pre-decisional EA several times it's clear it violates the law. You and your IDT members are all a part of it and accountable for developing it. Your reputations, character, reliability and professionalism are on the line. Most of you on the IDT know the truth about your agency yet you choose to conveniently forget when you enter the office each day. Why? Your jobs pay too well.

Comment: Why must a member of the public point out basic natural resource science in the Opposing Views Attachments to resource professionals on the Medicine Bow - Routt National Forest National Forest? You should all be embarrassed. This science has been available for many years. After you read it ask yourself why you behave the way you do. Please understand your behavior is worse than unacceptable. Do the right thing ... sever your ties to this tragic project immediately.

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You Failed to take a "hard look" at how your Pending Timber Sale Decision will Affect the Natural Resources in and Downstream from the Sale Area. By not allowing all the facts (including IDT environmental effects predictions in Chapter 3) to bear on the decision you have not taken a "hard look."

Statezny, you ignore the predicted resource damage your IDT members have written in Chapter 3 and selected the Proposed Action anyway without explanation. Check this out.

#### NEPA's Scientific and Information Standards-Taking the Harder Look

By Murray D. Feldman and Kristin A. Nichols HOLLAND & HART LLP Boise, Idaho and Greenwood Village, Colorado

[https://www.hollandhart.com/files/66008\\_RMMLF-NEPA\\_s-Scientific-and-Information-Standards--Taking.pdf](https://www.hollandhart.com/files/66008_RMMLF-NEPA_s-Scientific-and-Information-Standards--Taking.pdf)

Excerpts:

"While NEPA does not require a particular substantive outcome, it does require "agencies to take a 'hard look' at how the choices before them affect the environment, and then to place their data and conclusions before the public."16 (pg 6-3)

#### "VI. Conclusions and Recommendations

Litigation arguments regarding-or even conclusory judicial statements about- "deference" to an agency's NEPA decision making on scientific or technical issues oversimplify the complex balancing and inquiries which courts are directed to undertake in reviewing both the process and substantive issues inherent in evaluating agency use of scientific and technical information under NEPA. A reviewing court at best must struggle to comprehend the agencies' assessments and conclusions regarding environmental effects and to judge their compliance with NEPA in light of the rule of reason, hard look, and arbitrary or capricious formulations of the standard of review." (pg 6-25)

"As the law of NEPA continues to evolve, and agency reliance upon more complex and technical scientific methodologies and information in natural resource management and decision making continues to grow, federal agencies, NEPA practitioners, and stakeholders must recognize and adapt to the shifting standards for scientific information and analysis under NEPA. In particular, those charged with the development and use of NEPA documents need to ensure that the use of scientific information and analyses in NEPA documentation is clear, transparent, and understandable to both the lay public and the lay judiciary. Accomplishing this requires careful attention to:

- (1) using the most up-to-date information available;
- (2) identifying limitations in models, methodologies, and information and disclosing them in the NEPA document;
- (3) where multiple and conflicting data sets, models, or other methodologies for impact assessment exist, comparing and contrasting their strengths and weaknesses, and explaining in the NEPA document the basis for selecting one data set or methodology over another, or for considering multiple methods and data sets in the analysis;
- (4) documenting the source and basis for key assumptions, standards, and data used in the NEPA document;
- (5) erring on the side of transparency and, in the language of one early NEPA case, ensuring that stubborn problems are not "otherwise swept . . . under the rug"; pg 162
- (6) considering and addressing responsible opposing scientific views; and
- (7) where data gaps exist, either filling the gaps or explaining why doing so would be too costly or infeasible." (pgs 6-25 and 6-26)

The hard look doctrine is a principle of administrative law whereby courts must examine the methodology and substance of agency decisions to ensure that they have adequate factual support. Your specialists' sale implementation effects disclosed in Chapter 3 describe tragic adverse effects (see below). You ignore the predicted environmental harm the sale will cause pointed out by your IDT members in Chapter 3. A responsible, professional line-officer would understand the tragic adverse effects of sale implementation discussed in Chapter 3 are reasons to spend taxpayer's dollars on a beneficial project. See below for Modified Proposed Action effects:

#### Air Quality

"For a prescribed burn program continuing historic activity, it is likely that sometimes air quality at the nearest occupied home may rate as "unhealthy for everyone" or even "hazardous" based on the air quality index. Smoke from prescribed fires may, at times, reach levels that can have substantial health consequences, therefore increased diligence in advising potentially impacted people about the smoke is necessary (CDPHE 2015)." (pg 33)

#### Botany/Non-native Invasive Plants

"Ground disturbance resulting from culvert replacement has the potential to spread invasive plants due to the current infestation levels in the project area, and the potential for vehicles and equipment to disperse invasive plant seeds and plant fragments. Additionally, ground disturbance provides the optimal habitat for invasive plants, as such disturbance alters native plant community dynamics and competition from native plant species. Inadvertently altering the hydrologic regime through impoundment, diversion, or road construction could potentially impact sensitive wetland habitat and these effects are well documented in Austin and Cooper (2015)."

#### Carbon/Climate

"Carbon emissions associated with pile burning are mostly from proposed activity created slash, dead wood, duff, and litter. Single day CO<sub>2</sub> emissions from pile burning are estimated to be about 3,844 tons while total project emissions for CO<sub>2</sub> would be about 72,553 tons." (pg 53)

#### Colorado Roadless Areas

"Recreational, hunting and special use permit activities are ongoing in the area. Recreation visitors may experience a short-term loss of solitude during implementation of activities as implementation of proposed activities would temporarily increase the potential for human interactions and noise. Opportunities for solitude or primitive recreation would be reduced during project activities but would likely return once project implementation is complete." (pg 57)

#### Heritage

"The Modified Proposed Action has the potential to directly affect historic properties by disturbing the integrity of surficial and sub-surface artifacts; damaging or destroying cultural artifacts through the use of heavy equipment; and damaging or destroying artifacts through the application of fire. Actions also have the potential to indirectly affect cultural resources by negatively impacting non-physical elements that contribute to the site's overall integrity, such as visual and auditory impacts." (pg 68)

#### Silviculture

"By including the environmental effects to silviculture in Chapter 3 shows your lack of understanding of the NEPA process. Chapter 3 discloses the environmental effects of project implementation on the resources that may or could be affected. Ranger Statezny silviculture is not a resource!"

#### Watershed

"Disturbance within a watershed, including removal of vegetation and construction of roads, is linked to a decrease in time of concentration (time it takes for water to flow through a watershed) and an increase in peak flow with implications for watershed health. Unnaturally high peak flows can impact channel stability, riparian

vegetative health, and soil function by increasing frequency and intensity of flooding leading to unnaturally high rates of erosion. In the Rocky Mountain region watershed disturbances of 15 percent have been shown to initiate increases in water yield (Stednick 1995). The Watershed Conservation Practices Handbook identifies watershed disturbance of 25 percent as a threshold for limiting disturbance to hydrologic function. Recovery of disturbed forest oftentimes takes 20 to 30 years (Ager 2005)."

#### Wildlife

"Direct impacts on sensitive species from the Proposed Action would occur from the use of hand treatments, mechanized treatments, and prescribed burns to shift forest conditions across the analysis area by reducing tree densities, ladder fuels, and surface fuels. Direct impacts may include injury or mortality, disturbance, behavioral changes, and temporary distribution shifts in response to tree removal and application of prescribed fire." (pg 91)

You must "take a hard look at environmental consequences" of your proposed actions, consider alternatives, and publicly disseminate such information before taking final action. This means trusting and assuring your decision is consistent with what your IDT members write in Chapter 3.

Request for changes to be made to the final NEPA document: allow the IDT's predicted effects of sale implementation in Chapter 3 to guide you. Ignoring the effects shows you feel your resource specialists on the IDT are silly, naive people.

Failure to do so will violate:

#### The Administrative Procedures Act

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Commercially Logging and Roading-up Forested Land at any Location for any Reason "Restores" nothing but the Purchaser's Financial Bottom Line and Maintains the Responsible Official's Promotion Potential by Generating Precious Volume.

It's clear USFS employees do not know the definition of "restoration." Please have the courage to read independent science conclusions in the literature below that are of course different than USFS claims. Ask yourself why the science conclusions of the independent experts are the antithesis of what the USFS tells its employees should be done to assure a healthy forest? They can't both be right can they?

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Unfortunately, most of you suffer from the mental illness "confirmation bias."

There is no amount of science that would convince you to examine it with an open mind ... if the science described errors in your analysis. Here, become familiar with "confirmation bias."

"Confirmation bias is a psychological term for the human tendency to only seek out information that supports one position or idea. This causes you to have a bias towards your original position because if you only seek out information that supports one idea, you will only find information that supports that idea."

#### The Psychology of Confirmation Bias

<https://psychcentral.com/blog/the-psychology-of-confirmation-bias>

#### What is Confirmation Bias?

<https://www.tranceformpsychology.com/mental-health-psychology/confirmation-bias.html>

<https://www.psychologytoday.com/us/blog/science-of-choice/201504/what-is-confirmation-bias>

<https://www.linkedin.com/pulse/confirmation-bias-mindshelp-gk2ze>

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Please have the courage to read the science below. Important text is highlighted in red.

Don't be fooled by the latest Smokescreen for Logging Forests

By Chad Hanson, PhD

Published by Counterpunch, September 9, 2016

<https://www.counterpunch.org/2016/09/09/dont-be-fooled-by-the-latest-smokescreen-for-logging-forests/>

Excerpt

"U.S. Senator Ron Wyden (D-OR) and Maria Cantwell (D-WA) have joined with several Republican senators, who are among the logging industries biggest advocates in Congress, to propose legislation, the "Wildfire Budgeting, Response, and Forest Management Act of 2016", that would severely weaken environmental laws to facilitate a large increase in commercial logging on our national forests and other federal public lands. Specifically, the bill would eliminate most environmental impacts-disclosure and analysis requirements for logging projects on federal lands, and would severely curtail public participation in public forest management decisions."

"We need to focus our resources on genuinely protecting communities, while recognizing the important ecological work that large mixed-intensity fires are accomplishing in remote forests. The legislation proposed by Senate Republicans and Democrat Senators Wyden and Cantwell would, with a wink and nod, gut environmental laws and raid taxpayers' pockets to promote a logging industry agenda that hides behind creative euphemisms in order to promote the same old logging of the past."

Western Region Audit Report: Forest Service National Fire Plan Implementation

By Richard D. Long, U.S. Department of Agriculture Office of Inspector General

Report No. 08601-26-SF, November 2001.

<https://www.usda.gov/sites/default/files/08601-26-SF.pdf>

Excerpt

"We concluded that commercial timber sales do not meet the criteria for forest restoration." (bottom of pg. 11)

Scientists Seek Logging Ban on U.S.-Owned Land

By Anne Ehrlich Ph.D., David Foster Ph.D. and Peter Raven Ph.D.

Published in the New York Times, April 16, 2002

<http://www.nytimes.com/2002/04/16/us/scientists-seek-logging-ban-on-us-owned-land.html>

Excerpt

"The letter, a project of the Sierra Club and signed by Dr. Edward O. Wilson, Dr. Anne Ehrlich and other prominent scientists, primarily biologists, asserted that the American taxpayer not only subsidizes logging directly, but also indirectly, because logging reduces the economic value of the forest for other uses.

"It is now widely recognized that commercial logging has damaged ecosystem health, clean water, and recreational opportunities," the letter reads. "Annually, timber produces roughly \$4 billion per year (from national forests), while recreation, fish and wildlife, clean water and unroaded areas provide a combined total of \$224 billion to the American economy each year."

Four years after logging, the Hogback sale in the Ocoee district is still a barren wasteland

By Anne Ehrlich Ph.D., David Foster Ph.D. and Peter Raven Ph.D.

Published by Tennessee Heartwood in the New York Times, April 16, 2002

<https://www.tennesseeheartwood.org/restoration-logging-at-hogback-the-monitoring-continues1.html>

#### Excerpt

"Such is the effects of "restoration logging". Since the 1990's the Forest Service has switched from a stated "get the cut out" philosophy to a more subtle, but still damaging one of logging for "forest health and restoration", with claims ranging from a need to log to mimic supposed historic fire regimes to restoring parklike woodland habitats. While we acknowledge that there is a historic role of limited fire in some habitats in the East and that certain forest communities may be underrepresented in places, we are concerned that the Forest Service has reduced the complexity of Eastern forests into a justification for plain old logging and burning.

Our monitoring of the Hogback sale in the Ocoee district in Polk County is meant to observe the extended effects of heavy logging for "forest health and restoration". It is a typical sale for the Cherokee, with heavy shelterwood (reducing the basal area to less than 30 - roughly 6-10 trees per acre) and seedtree (even more logging, and the "seed trees" are removed later) logging to provide "advanced oak regeneration" and to increase the presence of shortleaf pine.

We first visited several logging sites at the sale right after the cutting began in February 2013. We returned in April 2013, then June 2014, July 2014, February 2015, December 2015, and October 2016. What is notable is not only the erosion/runoff effects, but how there are spots that still are virtually bare, down to the chert, as what thin topsoil that was there has washed away. At a couple of sites where shortleaf pine had been replanted, most had unsurprisingly not made it. Our continued documentation of this sale is important to show how this kind of land management can not only be ineffective, but damaging to the land. See the slide show below.

The Forest Service acknowledged significant damage to the site. One site required turf grass to be planted to stabilize erosion. A Freedom of Information Act request of agency documents show that over \$100,000 has been spent to revegetate just this single 30 acre site. Several other sites remain significantly affected. The agency has looked into the long-term effects of logging on similar sites, and there are a number of other timber sales that also show some degree of land degradation."

The bottom of column 1 and top column 2 at page 24786 of Vol. 81 of the Federal Register, April 27, 2016 states:  
<https://www.govinfo.gov/content/pkg/FR-2016-04-27/pdf/2016-09750.pdf>

#### Excerpt

"For example, hazardous fuels reduction to reduce wildfire risk to communities may require a silvicultural treatment that is not restoration."

"Ecological restoration typically focuses on recreating ecosystem conditions that were present prior to European influences."

Since you use commercial logging to remove hazardous fuels you must remove all references to "restore" and "restoration" from the pre-decisional EA

I invite you to examine the photos in the following attachment and ask yourself what natural resource was "restored" by timber harvest, where and how.

I obtained the photos in Photos attachment #15 from an environmental group who took the photos of national forest land in Region 6. They show the post-harvest conditions of USFS projects that were labeled "restoration projects." Indeed, USFS line-officers will say anything to justify a commercial timber sale.

Ranger Statezny, you and the IDT members are all being used. You know to maintain your promotion potential in the agency you must 1) reject all independent science conclusions that are inconsistent with USFS ways of doing things, 2) never question what the USFS tells you, and 3) believe the welfare and well-being of the agency is more important than reducing/eliminating natural resource damage.

Some of your IDT members agree with the information I present above but their salary is too high to jeopardize by speaking out.

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Road Construction and Reconstruction  
cause Significant Ecological Harm. You know this  
yet you Consider Resource Destruction caused by  
Roads Acceptable Collateral Damage to  
Removing your Precious Volume. Please Analyze an  
Action Alternative that uses only Existing Roads  
and Accept the Reduced Volume.

You propose to construct 26 miles of new temporary road. Yes, in spite of what your agency claims, a temporary road is a road!

You can become familiar with the road-related damage to natural resources by reading the science quotes in Opposing Views Science Attachment #4.

Request for changes to be made to the final NEPA document: Analyze a no road construction (including temp roads) action (emphasis added) alternative in detail and assure the environmental effects disclosures are accurate which means you will tell the public the resource damage will be significantly reduced without road construction. Don't tell me you will be unable to implement your Proposed Action without new roads. If you do, you are clearly choosing resource destruction and volume over a healthy, proper functioning forest.

Failure to analyze a no new road construction alternative will violate the following laws. Your OGC attorneys won't get you out of this one.

40 CFR 1500.2(e) and (f) because you did not choose to avoid or minimize adverse effects of the project upon the quality of the human environment without complete knowledge of all likely adverse effects.

NEPA Sec. 101(b)(2) because you did not "use all practicable means, consistent with other essential considerations of national policy" to avoid environmental degradation, preserve historic, cultural, and natural resources, and "promote the widest range of beneficial uses of the environment.

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Of course when you go to Court for not Warning the  
Public that Exposure to Herbicides that contain the  
Chemical Glyphosate causes Cancer, the Trial will be  
Covered by the AP and you won't know where you will  
Find the Money to pay your Fine that will easily  
Exceed \$100 million if someone Exposed  
to the Chemical dies. What type of human  
being risks another person's life for money?

Your pre-decisional EA at page 117 says you will treat invasive species according to the direction contained in the Record of Decision for Invasive Plant Management for the Medicine Bow - Routt National Forest and Thunder Basin National Grasslands (USDA Forest Service 2015b). This ROD allows you to apply herbicides that contain the chemical glyphosate.

When the authorities find out you are trying to justify spraying a carcinogen on vegetation growing on land where families recreate it will be a career-ending event for you Ranger Statezny. Good riddance!!!!!!!!!!!!!!1

Read the obituaries. Most people died from cancer. According to cancer researchers from Tulane University "cancer is the second highest killer of people in the US after heart disease. This year alone, the American Cancer Society estimates that 2 million new cases will be diagnosed and 611,720 people will die. The obituaries do not indicate how the dead person got cancer. If the public knew about the clear scientific tie between Roundup and cancer and that the USDA refuse to acknowledge there would be major problems for certain line-officers.

You will wake up each morning wondering whether a human or wildlife species is dying a slow death because of your ignorance.

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Monsanto can hire the best attorneys money can buy.  
If Monsanto is a reputable, trustworthy corporation  
why would the judge order Monsanto to pay the  
plaintiffs over \$12 billion based on 5 jury trials: 1 in  
2018, 2 in 2019, 1 in 2020 and 1 in 2021? Another trial  
is scheduled for April 2022.

Monsanto's Court Loss --- August 2018

"In July 2018, Dewayne Johnson (a former school groundskeeper) was diagnosed with non-Hodgkin's lymphoma. He sued Monsanto alleging the chemical glyphosate (an ingredient in Roundup).caused his cancer. Mr. Johnson used Roundup as part of his job. On August 10, 2018 a jury in San Francisco delivered a verdict in Mr. Johnson's favor. The judge ordered Monsanto to pay Mr. Johnson \$289 million in total damages."

Here's a link to the verdict:

<https://www.cbsnews.com/news/dewayne-johnson-monsanto-roundup-weed-killer-jury-award-today-2018-08-10/>

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Monsanto's Court Loss --- March 2019

"On March 27, 2019 a San Francisco jury said Monsanto (now owned by BayerAG) was liable for Mr. Edwin Hardeman's non-curable cancer called non-Hodgkin lymphoma. The judge ordered Monsanto to pay Mr. Hardeman \$200 million."

Here's a link to the verdict:

<https://www.theguardian.com/us-news/2019/mar/05/monsanto-roundup-trial-cancer-weed-killer>

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Monsanto's Court Loss --- May 2019

"On May 13, 2019 a jury in Alameda County California ruled that the couple, Alva and Alberta Pilliod of Livermore, Calif., both contracted non-Hodgkin's lymphoma because of their use of a glyphosate-based herbicide. They were each awarded \$1 billion in punitive damages and an additional \$55 million in collective compensatory damages."

Here's a link to the verdict:

<https://www.npr.org/2019/05/13/723056453/california-jury-awards-2-billion-to-couple-in-roundup-weed-killer-cancer-trial>

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Monsanto's Court Loss --- June 2020

"On June 24, 2020 BayerAG was ordered to pay more than \$10 billion to end tens of thousands of lawsuits filed over its Roundup weedkiller.

The settlement calls for Bayer to pay from \$8.8 billion to \$9.6 billion to resolve current Roundup lawsuits. The company will also set aside \$1.25 billion to fund payouts for potential claims in the future."

Here's a link to the verdict:

<https://www.npr.org/2020/06/24/882949098/bayer-to-pay-more-than-10-billion-to-resolve-roundup-cancer-lawsuits>

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Monsanto Agrees to Plead Guilty --- December 2021

"Monsanto admitted in a plea agreement filed today that it committed 30 misdemeanor crimes related to the use of a glufosinate ammonium-based product sold under the brand name Forfeit 280. After using the product in 2020 on corn fields on Oahu, Monsanto allowed workers to enter the fields during a six-day "restricted-entry interval" (REI) after the product was applied.

The plea agreement calls for Monsanto to serve three years of probation, pay a total of \$12 million and continue for another three years a comprehensive environmental compliance program that includes third-party auditor."

Here's a link to the plea agreement:

<http://www.hawaiifreepress.com/Articles-Main/ID/29742/Monsanto-Agrees-to-Plead-Guilty-to-Illegally-Using-Pesticide-at-Corn-Growing-Fields-in-Hawaii>

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Court Orders Health Canada To Reassess Safety of Roundup ---- February 11, 2022

"Canadian regulators must conduct a new review of the safety of Roundup weed killer products, following a court's decision that they did not follow their own rules in granting the glyphosate-based herbicide approval."

"In response to the growing concerns over the safety of Roundup, new restrictions and bans have been imposed in many countries, and a number of regulators are reassessing the popular weed killer. It has also led to activists pushing for agencies to take a much harder look at the underlying data about the potential side effects of exposure to glyphosate, the active ingredient."

Here's a link to the information:

<https://www.aboutlawsuits.com/roundup-safety-review-canada/>

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Monsanto seeks "emergency" delay for St. Louis trial, March 24, 2022

"Monsanto on Thursday asked a St. Louis judge to delay the start of a trial over claims brought by three men alleging exposure to Monsanto's glyphosate-based herbicides, such as the popular Roundup brand, caused them to develop non-Hodgkin lymphoma.

Here's a link to the information:

<https://careygillam.substack.com/p/monsanto-cites-emergency-in-seeking>

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Court rejects Trump-era EPA finding that weed killer is safe, June 17, 2022

"A federal appeals court has rejected a Trump administration finding that the active ingredient in the weed killer Roundup does not pose a serious health risk and is "not likely" to cause cancer in humans."

"The California-based 9th U.S. Circuit Court of Appeals ordered the Environmental Protection Agency to reexamine its 2020 finding that glyphosate did not pose a risk for people exposed to it by any means - on farms, yards or roadsides or as residue left on food crops."

Here's a link to the information:

<https://abcnews.go.com/Business/wireStory/court-rejects-trump-era-epa-finding-weed-killer-85474509>

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U.S. Supreme Court rejects Bayer bid to nix Roundup weedkiller suits, June 21, 2022

"WASHINGTON, June 21 (Reuters) - The U.S. Supreme Court on Tuesday rejected Bayer AG's bid to dismiss legal claims by customers who contend its Roundup weedkiller causes cancer as the German company seeks to avoid potentially billions of dollars in damages.

The justices turned away a Bayer appeal and left in place a lower court decision that upheld \$25 million in damages awarded to California resident Edwin Hardeman, a Roundup user who blamed his cancer on the pharmaceutical and chemical giant's glyphosate-based weedkillers."

Here's a link to the information:

<https://www.reuters.com/legal/government/us-supreme-court-rejects-bayer-bid-nix-roundup-weedkiller-suits-2022-06-21/>

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Expert US Groups Launch Legal Action in Attempt to Ban Glyphosate Herbicides, December 18, 2023

"A groundbreaking legal action launched Wednesday calls on the U.S. Environmental Protection Agency (EPA) to immediately suspend and cancel the dangerous herbicide glyphosate, the main ingredient in Monsanto's Roundup."

Here's a link to the information:

[https://sustainablepulse.com/2023/12/18/expert-groups-launch-legal-action-to-force-epa-to-ban-glyphosate-herbicides/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2024-02-13](https://sustainablepulse.com/2023/12/18/expert-groups-launch-legal-action-to-force-epa-to-ban-glyphosate-herbicides/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2024-02-13)

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Bayer faces billions in Roundup claims as legal strategy falls short, January 31, 2024

Bayer AG faces mounting pressure to come up with a new plan for handling its Roundup weedkiller litigation after getting hammered by U.S. jury verdicts totaling almost \$4 billion over the last three months.

"The German conglomerate's latest courtroom loss was its biggest since Roundup cases started going to trial five and a half years ago, with a Pennsylvania jury awarding \$2.25 billion to a former Roundup user who blamed his cancer diagnosis on long-term exposure to the herbicide.

That prompted a fresh slump in Bayer's shares, as investors worried about the more than 50,000 Roundup claims outstanding in the U.S. that accuse the company's Monsanto unit of hiding the product's cancer risks. After last week's award, they're beginning to worry about whether the company has the financial resources to keep fighting these cases for years to come."

Here's a link to the information:

<https://www.japantimes.co.jp/business/2024/01/31/companies/bayer-billions-roundup-legal-strategy/>

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This just in

Important text is highlighted in red.

Bayer's Monsanto Withdraws Legal Challenge to Mexico's Ban on Glyphosate and GMOs

Published by Sustainable Pulse, July 15, 2024

Link:

[https://sustainablepulse.com/2024/07/15/bayers-monsanto-withdraws-legal-challenge-to-mexicos-ban-on-glyphosate-and-gmos/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2024-08-06](https://sustainablepulse.com/2024/07/15/bayers-monsanto-withdraws-legal-challenge-to-mexicos-ban-on-glyphosate-and-gmos/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2024-08-06)

Excerpt:

"In what is being called a significant victory for Mexico, Monsanto has withdrawn its legal challenge against the 2020 presidential decree aimed at banning glyphosate and genetically modified (GM) corn for human consumption, Mexico News Daily reported. The Mexican government's National Council of Humanities, Sciences and Technologies (Conahcyt) heralded the decision as a national "triumph for life, death and food sovereignty." "

"The battle included over 30 amparo (judicial protective order) suits aiming to declare the decree unconstitutional. In July 2022, for example, Bayer, which acquired Monsanto six years ago, obtained a court order against the application of the decree.

However, the majority of the cases concluded with rulings unfavorable to the corporations involved. Conahcyt provided scientific and legal defenses, presenting more than 250 pieces of evidence to support the decree."

Bulgaria Bans Glyphosate for Multiple Uses after Successful Agrolink Campaign

Published by Sustainable Pulse, July 15, 2024

Link:

[https://sustainablepulse.com/2024/07/15/bulgaria-bans-glyphosate-for-multiple-uses-after-successful-agrolink-campaign/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2024-07-18](https://sustainablepulse.com/2024/07/15/bulgaria-bans-glyphosate-for-multiple-uses-after-successful-agrolink-campaign/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2024-07-18)

Excerpt:

"The campaign of the AGROLINK Association to ban glyphosate-based herbicides in Bulgaria, started 7 years ago, has ended successfully. The use of glyphosate is now banned in areas used by the general public or by vulnerable groups: public parks and gardens, sports and recreation grounds, school and children's playgrounds, as well as near health and educational facilities."

Presence of Weed Killer Glyphosate in Human Sperm Elevates Debate on Pesticide Threats to Human Survival

Published by Beyond Pesticides, June 4, 2024

Link:

<https://beyondpesticides.org/dailynewsblog/2024/06/presence-of-weed-killer-glyphosate-in-human-sperm-elevates-debate-on-pesticide-threats-to-human-survival/>

Excerpt:

"Glyphosate (GLY) was detected in the seminal plasma of the participants, with concentrations that were four times higher than those observed in blood plasma. In contrast, its main metabolite, amino-methyl-phosphonic acid (AMPA), was not detectable. There was a strong positive correlation between the concentrations of glyphosate in blood plasma and seminal plasma and the levels of 8-hydroxy-2'-deoxyguanosine (8-OHdG), a marker of DNA damage due to oxidative stress. The study observed higher concentrations of Total Oxidant Status (TOS), Oxidative Stress Index (OSI) (which is the ratio of TOS to Total Antioxidant Status (TAS)), and malondialdehyde (MDA) in both blood and seminal plasma of men with detectable levels of glyphosate. The Total Antioxidant Status (TAS) in both blood and seminal plasma was similar in men with or without detectable levels of glyphosate, suggesting that the antioxidant capacity remained constant regardless of glyphosate exposure."

High Levels of Weedkiller Found in More than Half of Sperm Samples, Study Finds

Published by Sustainable Pulse, May 23, 2024

Link:

[https://sustainablepulse.com/2024/05/23/high-levels-of-weedkiller-found-in-more-than-half-of-sperm-samples-study-finds/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2024-05-28](https://sustainablepulse.com/2024/05/23/high-levels-of-weedkiller-found-in-more-than-half-of-sperm-samples-study-finds/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2024-05-28)

Excerpt:

"More than 55% of sperm samples from a French infertility clinic contained high levels of glyphosate, the world's most common weedkiller, raising further questions about the chemical's impact on reproductive health and overall safety, a new study found."

"The paper comes as researchers look for answers to why global fertility rates, and many suspect exposure to toxic chemicals like glyphosate is a significant driver of the decline."

"The study's authors wrote it "would be wise for regulators to apply a precautionary principle" in regulation, which means erring on the side of caution to protect human health until further research can be done to confirm the problems identified in the study."

Beating Back the Toxic Onslaught

Published by Organic Consumers Assn., May 19, 2024

Link:

<https://organicconsumers.org/together-we-are-making-waves/>

Excerpt:

"Since we launched Millions Against Monsanto in the late 1990s, the Organic Consumers Association has been on the forefront of the international movement to ban the world's worst toxins, starting with Monsanto's carcinogenic glyphosate-based Roundup herbicide and Bayer's bee-killing neonicotinoid insecticides. Bayer-Monsanto is resorting to dirty tricks, trying to pass laws to keep pesticide-exposed cancer victims from suing and stop states from banning their toxins, because they know, if democracy prevails, they'll lose!"

Sick Because of Roundup? These Bills Could Make Suing Impossible.

By Nick Tabor

Published by The New Republic, March 12, 2024

Link:

<https://newrepublic.com/article/179653/roundup-cancer-monsanto-pesticides>

Excerpt:

"Six years ago, the multinational corporation Bayer made one of the worst purchases in American business history: It bought Monsanto, the maker of Roundup, for \$63 billion. Monsanto was already by a school groundskeeper in the Bay Area who said his exposure to the weedkiller had given him non-Hodgkin's lymphoma. Two months after the merger, a jury awarded the groundskeeper \$289 million. Since then, Bayer has been pummeled with lawsuits, and between, it has been required to pay out more than \$14 billion to plaintiffs. Its stock has 70 percent of its value.

"Since January, bills to shield pesticide manufacturers from lawsuits have been filed in three states where Bayer has a major corporate presence: Missouri (where Monsanto is headquartered), Idaho (where it has a phosphate mine), and Iowa (where it has a manufacturing plant). Daniel Hinkle, an attorney with the American Association for Justice, who works with trial lawyer associations throughout the country, predicted that if these bills succeed, Bayer will push similar legislation in a number of other states next year."

SIGN NOW: Tell Bayer-Monsanto to STOP selling toxic Roundup immediately!

Published by Friends of the Earth, March 2024

Link:

<https://action.foe.org/page/65548/action/1?ea.tracking.id=Email&ea.url.id=2426815>

Excerpt:

"Milkweed is disappearing - and monarch butterflies along with it.

Toxic pesticides are wiping out baby monarchs' only food source. We can't let these precious pollinators disappear.

Bayer-Monsanto has spent years?lying, denying, and distracting?from the fact that its products are contributing to the pollinator crisis and harming people. It has manipulated science and invested in disinformation campaigns to trick the public into thinking products like Roundup are safe.?But Bayer-Monsanto's pesticide products are NOT SAFE.

It's past time Bayer-Monsanto stops lying and stops selling pollinator-toxic pesticides."

EPA Taking Public Comment on Scientific Integrity Amid Criticism by Inspector General and Whistleblowers

Published by Beyond Pesticides, February 10, 2024

Link:

<https://mail.google.com/mail/u/0/#inbox/FMfcgzGxRfBSjPVdFjGFlxhXWtGCgISD>

Excerpt:

"As a result of . . . litigation [associated with health effects of glyphosate/Roundup], Monsanto is forced to turn over millions of pages of internal reports, documents, emails, memos, and different studies. When you look at those along with documents that I and my colleagues at U.S. Right to Know have obtained through the Freedom of Information Act from EPA, the U.S. Department of Agriculture (USDA), the Food and Drug Administration (FDA), and various state universities, it's a pretty incredible picture of collusion, deception, and deceit.

The documents show all of these different things: ghost-written research papers that assert glyphosate's safety for publication and regulatory review; alternative assessments provided for studies that indicate harm. So if a regulator is looking at a study and says, "Gosh, this looks like it causes cancer," Monsanto will then give them the rationale for how to interpret the data in a different way. They have networks of European and U.S. scientists that push the safety message to lawmakers and regulators. They appear to be independent, so they appear to be more authoritative and authentic. But behind the scenes we see documents that show that Monsanto is helping them or telling them what to say, or assigning them a task.

New York OAG Forces Bayer and Monsanto to Pay \$6.9 M over False Claims on Roundup Safety  
Published by Sustainable Pulse, Jun 23 2023

Link:

[https://sustainablepulse.com/2023/06/23/new-york-oag-forces-bayer-and-monsanto-to-pay-6-9-m-over-false-claims-on-roundup-safety/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2023-07-14](https://sustainablepulse.com/2023/06/23/new-york-oag-forces-bayer-and-monsanto-to-pay-6-9-m-over-false-claims-on-roundup-safety/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2023-07-14)

Excerpt:

"Bayer and Monsanto repeatedly claimed in advertising that Roundup® consumer products containing the active ingredient glyphosate were safe and non-toxic without adequate substantiation. These claims violated state laws against false and misleading advertising, and also breached a previous settlement the Office of the Attorney General (OAG) reached with Monsanto in 1996, in which Monsanto committed to stop making unsubstantiated claims regarding the safety of Roundup® products that contained glyphosate."

'Outrageous': Research Shows Pesticide Giants Withheld Brain Toxicity Studies From EU  
By Jake Johnson  
Published by Common Dreams, June 1, 2023

Link:

<https://www.commondreams.org/news/research-pesticides-eu>

Excerpt:

"The journal Environmental Health found that pesticide companies did not disclose to European Union regulators at least nine studies examining the brain toxicity of their chemical products-a finding that experts said is a scandal that must spur reforms.

"The researchers said their findings demonstrate that "non-disclosure of DNT studies to E.U. authorities, in spite of clear legal requirements, seems to be a recurring phenomenon." Last year, the same researchers found that an industry-sponsored DNT study on glyphosate found impacts on "neurobehavioural function, motor activity, in rat offspring"-findings that were not shared with E.U. officials.

Check Your Wine - These 30 Brands Have High Levels of Cancer-Causing Arsenic & Glyphosate  
Published by Organic Consumers Assn., June 2023

Link:

[https://organicconsumers.org/check-your-wine-these-30-brands-have-high-levels-of-cancer-causing-arsenic-glyphosate/?utm\\_medium=email&utm\\_source=engagingnetworks&utm\\_campaign=OB+805&utm\\_content=OB+805](https://organicconsumers.org/check-your-wine-these-30-brands-have-high-levels-of-cancer-causing-arsenic-glyphosate/?utm_medium=email&utm_source=engagingnetworks&utm_campaign=OB+805&utm_content=OB+805)

Excerpt:

"Were you aware that in 2013, out of the 57,000 pounds of glyphosate/Roundup used in Napa County, a staggering 50,000 pounds were utilized in vineyards? Curiously, Napa, Sonoma, and Mendocino counties exhibit higher breast cancer rates than the national average. Research conducted in Germany indicates that even .1 ppb of glyphosate has the potential to eradicate beneficial gut bacteria, and as little as .1 part per trillion of glyphosate can spur the growth of breast cancer cells."

New Study Shows Dangers of Childhood Exposure to Weed Killer

Published by The Legal Examiner, May, 2023

Link:

<https://www.legalexaminer.com/environment/roundup-lawsuits/new-study-shows-dangers-of-childhood-exposure-to-weed-killer/>

Excerpt:

"The research focused on the use of glyphosate near the duo's homes while the mother was pregnant and, in the children, up to the age of 5 years. Researchers also measured the levels of glyphosate and AMPA in urine. Urine was collected from mothers during pregnancy and children at the ages of 5, 14, and 18. The researchers then followed up with liver and metabolic health in those children when they reached 18 years old.

Findings from the study identified that higher levels of glyphosate residue and AMPA were associated with a higher risk of liver inflammation and metabolic disorders in young adulthood. The study also reported that diet was a source of exposure. Children who ate more cereal, fruits, vegetables, and bread had high levels of glyphosate residue. This is the first time researchers have examined the potential connection between early life exposure to glyphosate and metabolic and liver disease.

Glyphosate is an herbicide used to control weeds and grasses and is an active ingredient in products like Roundup. Commonly used in agriculture, glyphosate is also utilized in public spaces like parks, playgrounds, and golf courses to prevent the growth of weeds and unwanted plants. The potential impact of glyphosate on human health is controversial and continues to be widely debated."

The Science-based Evidence to Ban Glyphosate and GMOs

By Andre Leu

Published by Regeneration International, February 19 2023

Link:

[https://regenerationinternational.org/2023/02/19/the-science-based-evidence-to-ban-glyphosate-and-gmos/?utm\\_medium=email&utm\\_source=engagingnetworks&utm\\_campaign=OB+794&utm\\_content=OB+794](https://regenerationinternational.org/2023/02/19/the-science-based-evidence-to-ban-glyphosate-and-gmos/?utm_medium=email&utm_source=engagingnetworks&utm_campaign=OB+794&utm_content=OB+794)

Excerpts:

"Mexico announced that it was phasing out the use of glyphosate herbicides, the cultivation of GMO corn, and the import of GMO corn for human consumption and livestock feed by the end of 2024. The reasons for the decree given by Mexican president Andrés Manuel López Obrador are to protect the health of Mexico's consumers and small-scale farmers, the environment, and the purity of Mexico's native corn varieties.

The GMO/pesticide cartels fearing that Mexico will set a precedent for other countries to enact similar

restrictions, are puppeteering agencies and officials within the U.S. government to pressure Mexico to abandon its plans. This is not the first time the German-based Bayer-Monsanto has used its captured U.S. government officials and agencies to act on its behalf. In 2019, the corporation succeeded in using U.S. officials to pressure Thailand into reversing its ban on glyphosate."

"A study conducted by Flower et al. examined the levels of cancer in the children of people who sprayed glyphosate for weed control. They found that their children had increased levels of all childhood cancers, including all lymphomas such as non-Hodgkin's lymphoma.

A case-controlled study by Swedish scientists Lennart Hardell and Mikael Eriksson also linked non-Hodgkin's lymphoma to exposure to various pesticides and herbicides, including glyphosate. The link between glyphosate and non-Hodgkin lymphoma has resulted in major court cases, most of which Bayer-Monsanto has lost. Millions of dollars were awarded to the victims."

New US Research Finds "Worrying" Evidence Linking Monsanto Weedkiller to Cancer  
Published by Sustainable Pulse, Jan 24, 2023

Link:

[https://sustainablepulse.com/2023/01/24/new-us-research-finds-worrying-evidence-linking-monsanto-weedkiller-to-cancer/?utm\\_source=newsletter&utm\\_medium=email&utm\\_campaign=glyphosate\\_gmos\\_and\\_pesticides\\_weekly\\_global\\_news\\_bulletin&utm\\_term=2023-02-24#Y\\_kEmK\\_MK1s](https://sustainablepulse.com/2023/01/24/new-us-research-finds-worrying-evidence-linking-monsanto-weedkiller-to-cancer/?utm_source=newsletter&utm_medium=email&utm_campaign=glyphosate_gmos_and_pesticides_weekly_global_news_bulletin&utm_term=2023-02-24#Y_kEmK_MK1s)

Excerpts:

"New research by top US government scientists has found that people exposed to the widely used weed killing chemical glyphosate have biomarkers in their urine linked to the development of cancer and other diseases.

"Notably, in the new paper, the NIH and CDC scientists said that while their study focused on farmers who were exposed to glyphosate when they sprayed it on fields, they saw similar results in "non-farmers." "

"The NIH study is the "largest investigation to date of the relationship between glyphosate exposure and oxidative stress markers," said Jonathan Hofmann, an author of the study from the NIH's National Cancer Institute.

Contaminated Wildflower Nectar and Pollen Puts Bees and Humans at Risk - New Irish Study Slams Pre-Harvest Glyphosate Use

Published by Sustainable Pulse, Jan 19, 2023

Link:

<https://sustainablepulse.com/author/henry/>

Excerpts:

"This is the first time glyphosate has been reported in unsprayed wildflowers under conventional farming conditions and while more research is needed to find how much higher glyphosate concentrations would be in directly sprayed plants, the researchers stated that wild bees and honeybees will visit the contaminated wildflowers to collect pollen and nectar. They will thus be exposed to glyphosate and that could impact their health and the critical pollination service they provide."

MERCHANTS OF POISON How Monsanto Sold the World on a Toxic Pesticide

by Stacy Malkan with Kendra Klein, PhD and Anna Lappé

Published by US Right to Know, October 2022

Link:

[https://usrtk.org/wp-content/uploads/2022/12/Merchants\\_of\\_Poison\\_Report\\_final\\_120522.pdf](https://usrtk.org/wp-content/uploads/2022/12/Merchants_of_Poison_Report_final_120522.pdf)

Excerpt:

"Pulling from these documents - as well as investigative journalism that has exposed elements of this subterfuge - this report showcases the breadth of Monsanto's deception on glyphosate and adds to the growing literature about how corporations deny science and manufacture doubt about the harm of their products. This report reveals key tactics in the pesticide industry's disinformation playbook, showing how, like Big Oil and Big Tobacco, they rely on deceptive PR strategies to maintain their "freedom to operate" without meaningful limits - with dangerous consequences for public health and the environment.

The PR effort has been so forceful - especially Monsanto's efforts to discredit the WHO's researchers - that some observers have described it as a particularly harsh and aggressive effort to undermine cancer research and prevention.

This report builds on previous reporting I and my colleagues have done on pesticide industry disinformation. This includes a 2015 report, Spinning Food, that documents how food and pesticide industry front groups use covert communication tactics to shape the narrative about industrial agriculture and organic and sustainable food production.

Thanks to a long history of writing and research, from Rachel Carson's Silent Spring (1962) to Robert van den Bosch's Pesticide Conspiracy (1989) to David Michael's The Triumph of Doubt (2020); Carey Gillam's reporting on Monsanto's herbicide business and the Roundup cancer trials and her two books, Whitewash (2017) and The Monsanto Papers (2021); the seminal research by Naomi Oreskes and Erik Conway in their book Merchants of Doubt (2010), and other investigative journalists and nonprofits working for transparency, there is growing awareness about industry spin and its harms to people and planet. We hope this report - by taking a deep dive into one company's decades-long disinformation campaign to protect its herbicide, and the sector in general, from regulation - can add to this awareness of industry tactics and convey the urgency of action to address it." (pg 7)

The link below has many glyphosate articles describing risks to health.

<https://www.beyondpesticides.org/resources/pesticide-gateway?pesticideid=37>

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After Reading the Information Below any  
Caring Human Being would use Mechanical  
and Biological Methods and forget Glyphosate  
Application. I hope you and your  
IDT Members stop using Roundup at Home.

Research Reveals Roundup Weed Killing Formulations are More Toxic than Glyphosate Alone

<https://naturalsociety.com/monsantos-roundup-poison-125-times-dangerous-regulators-admit/>

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The research conclusions of hundreds of independent scientists show glyphosate exposure causes Non-Hodgkin's lymphoma (a type of cancer that begins in the lymphatic system), Birth Defects, Miscarriage, DNA damage, Kidney and Liver Damage, cell death disorder.

Your Regional Invasive plant coordinator for is either not aware of ... or rejects best science conclusions not

generated by USDA-approved scientists. They know the USDA has been sleeping with the pesticide/herbicide manufacturers (including Monsanto) for decades. Thus, in order to not jeopardize their jobs they obediently feed forest employees, untrue, fabricated, cooked up information showing glyphosate exposure is nothing to be concerned about.

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Comment: Ranger Statezny, you propose to take action that ignores the research of hundreds of independent scientists not affiliated with the USDA that clearly indicates exposure to glyphosate causes kidney and liver damage. A few examples of the available independent science are shown below:

From Sustainable Pulse, Aug 26, 2015 at:

[http://sustainablepulse.com/2015/08/26/unique-roundup-study-shows-massive-kidney-and-liver-gene-function-alterations/#.Vd8p0Zbn\\_IX](http://sustainablepulse.com/2015/08/26/unique-roundup-study-shows-massive-kidney-and-liver-gene-function-alterations/#.Vd8p0Zbn_IX)

From Environmental Health News, September 1, 2015

<http://www.environmentalhealthnews.org/ehs/news/2015/aug/monsanto-roundup-glyphosate-pesticide-kidney-liver-toxic-gmo>

from Truthout, July 10, 2014

<http://www.truth-out.org/news/item/24876-monsantos-herbicide-linked-to-fatal-kidney-disease-epidemic-will-ckdu-topple-monsanto>

Other sites also discuss glyphosate and kidney failures:

<http://www.truth-out.org/news/item/32585-more-evidence-of-roundup-s-link-to-kidney-liver-damage>

<http://www.democraticunderground.com/10027132287>

<http://www.chemwatch.net/185836/more-evidence-of-roundups-link-to-kidney-liver-damage>

<http://gmwatch.org/news/latest-news/16377-more-evidence-of-roundup-s-link-to-kidney-liver-damage>

<http://gmwatch.org/news/latest-news/16377-more-evidence-of-roundup-s-link-to-kidney-liver-damage>

<http://www.infowars.com/evidence-mounts-on-roundups-link-to-liver-and-kidney-damage/>

Ask yourself how a District Court judge would rule given the evidence above.

Ask yourself how the court of public opinion would rule when I write my letters to the editor summarizing the information above.

Ranger Statezny I ask you and your IDT members to have the courage to read the science conclusions in Opposing Views Attachment #9. Glyphosate is a carcinogen.

If glyphosate is safe why would herbicides that contain this chemical be banned Denmark, England, Italy, El Salvador, Sri Lanka, France, Holland, Austria, Bulgaria, Germany, Greece, Hungary, Ireland, Japan, Chile, South Africa, Luxembourg, Madeira, Cameroon, New Zealand, Peru, South Australia, Russia, France, Switzerland, Columbia, and Costa Rica?

<https://biodx.co/28-countries-ban-the-use-of-glyphosate-key-ingredient-in-roundup/>

Comment: Ranger Statezny, I have submitted comments by hundreds of independent Ph.D. scientists (many chemists and medical doctors). Without exception they present evidence that even casual exposure to

herbicides that contain the chemical glyphosate causes cancer. I ask you to use an alternative to Roundup. There are many that will satisfy your goals.

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Please open Opposing Views Attachment #9. You will find 91 quotes authored and/or cosigned by well respected scientists (43 with Ph.D.s). Their quotes were released in the following publications:

Why would legal firms spend the money to buy ads on radio and TV offering to represent people who had been diagnosed with cancer after using Roundup?

Please have the courage to read them all.

Tosi Law

Link:

[https://roundup.tosifirm.com/roundup-lawsuit?utm\\_source=za%2Einvesting%2Ecom++b1\\_triplelift++520232&utm\\_medium=native&utm\\_campaign=roundup++38586683&utm\\_content=54217225++149284109&utm\\_term=z1149284109b1\\_triplelift\\_zza%2Einvesting%2Ecom1z&postbackid=63815\\_726e91b7-dfdd-11ee-953c-08e6e3c91a3c&\\_z1\\_adgid=54217225&\\_z1\\_caid=149284109&\\_z1\\_msid=b1\\_triplelift&\\_z1\\_pub=za%2Einvesting%2Ecom&zpbid=63815\\_726e91b7-dfdd-11ee-953c-08e6e3c91a3c](https://roundup.tosifirm.com/roundup-lawsuit?utm_source=za%2Einvesting%2Ecom++b1_triplelift++520232&utm_medium=native&utm_campaign=roundup++38586683&utm_content=54217225++149284109&utm_term=z1149284109b1_triplelift_zza%2Einvesting%2Ecom1z&postbackid=63815_726e91b7-dfdd-11ee-953c-08e6e3c91a3c&_z1_adgid=54217225&_z1_caid=149284109&_z1_msid=b1_triplelift&_z1_pub=za%2Einvesting%2Ecom&zpbid=63815_726e91b7-dfdd-11ee-953c-08e6e3c91a3c)

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James Harris Law

Link:

[https://www.recallsuit.com/roundup-lawsuit-b/?msclkid=5be7029551971de0ec305fab2abdbbd2&utm\\_source=bing&utm\\_medium=cpc&utm\\_campaign=Roundup&utm\\_term=lymphoma%20lawsuits&utm\\_content=Lymphoma%20Lawsuit](https://www.recallsuit.com/roundup-lawsuit-b/?msclkid=5be7029551971de0ec305fab2abdbbd2&utm_source=bing&utm_medium=cpc&utm_campaign=Roundup&utm_term=lymphoma%20lawsuits&utm_content=Lymphoma%20Lawsuit)

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Sokolove Law

Link:

[https://roundup.sokolovelaw.com/?src=bing\\_webppc\\_328577675\\_%2Bmonsanto%20%2Blawsuit\\_%7Bcontent%7D\\_b\\_o\\_lymphoma%20lawsuits%20against%20monsanto&numberToReplace&campaignId&ringPoolId&jpow=aa\\_328577675\\_bb\\_1233652168336312\\_cc\\_%2Bmonsanto%20%2Blawsuit\\_dd\\_b\\_ee\\_o\\_ff\\_%7Badposition%7D\\_gg\\_c\\_hh\\_%7BdeviceModel%7D\\_ii\\_jj\\_110194\\_kk\\_ll\\_%7Bplacement%7D\\_mm\\_%7Btarget%7D\\_nn\\_kwd-77103363003058%3Aloc-190\\_oo\\_%7Bcreative%7D\\_pp\\_%7Brandom%7D\\_qq\\_%7Baceid%7D\\_rr\\_77103314975124\\_ss\\_77103363003058](https://roundup.sokolovelaw.com/?src=bing_webppc_328577675_%2Bmonsanto%20%2Blawsuit_%7Bcontent%7D_b_o_lymphoma%20lawsuits%20against%20monsanto&numberToReplace&campaignId&ringPoolId&jpow=aa_328577675_bb_1233652168336312_cc_%2Bmonsanto%20%2Blawsuit_dd_b_ee_o_ff_%7Badposition%7D_gg_c_hh_%7BdeviceModel%7D_ii_jj_110194_kk_ll_%7Bplacement%7D_mm_%7Btarget%7D_nn_kwd-77103363003058%3Aloc-190_oo_%7Bcreative%7D_pp_%7Brandom%7D_qq_%7Baceid%7D_rr_77103314975124_ss_77103363003058)

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Class Claims LLC

Link:

<https://www.class.claims/round-up-lawsuit>

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Trustwell Law Group

Link:

[https://www.trustwelllaw.com/environmental/roundup/lawsuit?utm\\_source=bing-ads&utm\\_medium=paid-search&utm\\_campaign=roundup&msclkid=7aa5b3c82ae01c32cf94eef65692be31&utm\\_term=monsanto%20lymphoma%20lawsuit&utm\\_content=Monsanto%20Lymphoma%20Lawsuit%20%7C%20Exact](https://www.trustwelllaw.com/environmental/roundup/lawsuit?utm_source=bing-ads&utm_medium=paid-search&utm_campaign=roundup&msclkid=7aa5b3c82ae01c32cf94eef65692be31&utm_term=monsanto%20lymphoma%20lawsuit&utm_content=Monsanto%20Lymphoma%20Lawsuit%20%7C%20Exact)

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ROUNDUPCANCER ATTORNEYS.COM

Link:

[https://roundupcancerattorneys.com/roundup-lawsuit?msclkid=b0a975edf092161d3c4628d372a24497&utm\\_source=bing&utm\\_medium=cpc&utm\\_campaign=RoundUp%20Cancer&utm\\_term=roundup%20lawsuit&utm\\_content=Lawsuit%20roundup](https://roundupcancerattorneys.com/roundup-lawsuit?msclkid=b0a975edf092161d3c4628d372a24497&utm_source=bing&utm_medium=cpc&utm_campaign=RoundUp%20Cancer&utm_term=roundup%20lawsuit&utm_content=Lawsuit%20roundup)

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Carlson Law Firm

Link:

<https://www.carlsonattorneys.com/news-and-update/roundup-2019/>

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A Case for Women

Link:

[https://www.acaseforwomen.com/adv/roundup-lawsuit/?utm\\_campaign=369081443&utm\\_source=bing&utm\\_medium=cpc&utm\\_content=79439809871843&utm\\_term=roundup%20lawsuit&adgroupid=1271035841951610&msclkid=f2058d93dd24196d73b4d0ad5f144d1c](https://www.acaseforwomen.com/adv/roundup-lawsuit/?utm_campaign=369081443&utm_source=bing&utm_medium=cpc&utm_content=79439809871843&utm_term=roundup%20lawsuit&adgroupid=1271035841951610&msclkid=f2058d93dd24196d73b4d0ad5f144d1c)

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Saintz & Kirk

Link:

<https://www.youhavealawyer.com/roundup/cancer-settlements-faq/>

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Greenberg & Bederman, LLC

Link:

<https://www.gblawyers.com/roundup-lawsuits/>

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Rosen Injury Lawyers

Link:

<https://roseninjurylawyers.com/roundup-lawsuits/>

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Garber Law Offices

Link:

<https://www.garber.law/glyphosate-roundup/>

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Please open Opposing Views Attachment #9. You will find 91 quotes authored and/or cosigned by well respected scientists (43 with Ph.D.s). Their quotes were released in the following publications:

\*Environmental Toxicology and Chemistry

\*Environmental Health News

\*University of Washington News

\*The Guardian

\*Journal of Toxicology

\*University of Pittsburgh News

\*Pesticide Action Network North America  
\*British Columbia Ministry of Environment, Wildlife Report No. R-28  
\*Science in Society  
\*International Federation of Gynecology and Obstetrics  
\*Colin Campbell Center for Nutrition Studies  
\*The Defender - Children's Health Defense®  
\*The Financial Times, UK  
\*Institute for Responsible Technology  
\*Common Dreams  
\*Pesticide Action Network Asia and the Pacific  
\*Permaculture Research Institute  
\*Science in Society  
\*chemicalWATCH Factsheet  
\*Reuters  
\*The Organic and Non-GMO Report  
\*Beyond Pesticides  
\*Institute of Science in Society  
\*Ecological Applications  
\*Organic Gardening  
\*Chemical. Research in Toxicology  
\*Toxicology  
\*Weston A. Price Foundation  
\*National Library of Medicine  
\*Organic Producers Association of Queensland  
\*Truthout  
\*Foodconsumer  
\*The Progressive  
\*Project Censored  
\*Grist  
\*Rachel's Environment and Health News  
\*EPA-738-F-93-011  
\*Journal of Pesticide Reform  
\*The Sun (Malaysia)  
\*Wild Ones Journal  
\*Genetic Concern  
\*Journal of Pesticide Reform  
\*RACHEL'S HAZARDOUS WASTE NEWS  
\*HEALTH-ARGENTINA  
\*Portland independent media center,  
\*GroundTruth  
\*Natural Society  
\*US Right to Know

Request for changes to be made to the final NEPA document: Assure the final says "no herbicides will be applied anywhere at anytime as part of this project that contain the chemical glyphosate."

If this is not done, the following laws have been violated

40 CFR §1508.27(b)(2) because the FONSI intensity discussion did not discuss the degree to which the

proposed action affects public health or safety.

40 CFR 1500.2(e) because the Proposed Action did not "avoid or minimize adverse effects of these actions upon the quality of the human environment."

40 CFR 1500.2(f) because the Proposed Action did not "use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment"

NEPA Sec. 101(b)(2) because the Proposed Action did not "assure for all Americans safe, healthful, productive and esthetically and culturally pleasing. surroundings;"

NEPA Sec. 101(c) because the Proposed Action did not assure that "each person should enjoy a healthful environment."

Willful Reckless Endangerment.

"Reckless endangerment is a crime consisting of acts that create a substantial risk of serious physical injury to another person. The accused person isn't required to intend the resulting or potential harm, but must have acted in a way that showed a disregard for the foreseeable consequences of the actions. The charge may occur in various contexts, such as, among others, domestic cases, car accidents, construction site accidents, testing sites, domestic/child abuse situations, and hospital abuse."

Ex. Ord. No. 13045, Apr. 23, 1997 because the Proposed Action did not assure the "Protection of Children from Environmental Health Risks and Safety Risks."

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Intelligent (emphasis added), Caring People are  
Guided by the Precautionary Principle to Avoid  
taking Actions that Might Adversely Affect  
Human Health or Harm the Environment.  
Obviously, you don't Care.

People with the authority and responsibility to take action that science shows is likely to harm human health and/or wildlife who ignore the Precautionary Principle because they already know where it will lead them must never entertain the notion that they are professionals.

A few USFS line-officers have the foresight and courage to apply the Precautionary Principle to their timber sales and risk not accumulating as much volume.

Here is the essence of the Precautionary Principle

"When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically. In this context the proponent of an activity, rather than the public, should bear the burden of proof. The process of applying the precautionary principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action."

Link:

<https://pubmed.ncbi.nlm.nih.gov/15968832/>

Here is more information:

NEPA's Scientific and Information Standards-Taking the Harder Look

By Murray D. Feldman and Kristin A. Nichols HOLLAND & HART LLP Boise, Idaho and Greenwood Village, Colorado

[https://www.hollandhart.com/files/66008\\_RMMLF-NEPA\\_s-Scientific-and-Information-Standards--Taking.pdf](https://www.hollandhart.com/files/66008_RMMLF-NEPA_s-Scientific-and-Information-Standards--Taking.pdf)

Excerpt:

"In Natural Resources Defense Council, Inc. v. Pritzker, for instance, the court characterized the agency's decision not to use the precautionary principle as "a policy choice" and "not a scientific determination."<sup>160</sup> The court then overturned the agency's policy choice as inconsistent with the substantive statute at issue, while at the same time implying that if it had been a "scientific determination," then the court may have deferred to the agency."<sup>161</sup>

Request for changes to be made to the final NEPA document: Clearly indicate "herbicides that contain glyphosate will not be used anywhere, at any time, for any reason as part of this project."

Failure to do so will mean you are guilty of willful Reckless Endangerment.

"Reckless endangerment is a crime consisting of acts that create a substantial risk of serious physical injury to another person. The accused person isn't required to intend the resulting or potential harm, but must have acted in a way that showed a disregard for the foreseeable consequences of the actions. The charge may occur in various contexts, such as, among others, domestic cases, car accidents, construction site accidents, testing sites, domestic/child abuse situations, and hospital abuse."

Here is a High Country News article about a USFS burn boss who was arrested for letting an RX fire burn into private land which risked people's lives:

USFS burn boss arrested after prescribed fire burns private land

Link:

[https://www.hcn.org/articles/north-wildfire-usfs-burn-boss-arrested-after-prescribed-fire-burns-private-land?utm\\_source=wcn1&utm\\_medium=email&utm\\_campaign=2022-10-21-Newsletter](https://www.hcn.org/articles/north-wildfire-usfs-burn-boss-arrested-after-prescribed-fire-burns-private-land?utm_source=wcn1&utm_medium=email&utm_campaign=2022-10-21-Newsletter)

Failure to tell the public this chemical will not be applied to vegetation in your forest leaves the door open for you to apply glyphosate. This violates:

40 CFR 1501.2 (b)(2) because you did not "Identify environmental effects and values in adequate detail so the decision maker can appropriately consider such effects and values alongside economic and technical analyses."

Executive Order 13112: because you did not "prevent the introduction of invasive species, provide for their control, and minimize the economic, ecological, and human health impacts that invasive species cause."

40 CFR 1502.16(a) and (b) because the you did not include the environmental impacts of the proposed action in Chapter 3 which would have caused any caring person to develop reasonable alternatives to the proposed action that would eliminate the possible harm to the public and wildlife.

Apr. 21, 1997 Executive Order No. 13045 because you did not protect children from health and safety risks. Children are especially susceptible to glyphosate exposure risks because their neurological, immunological, digestive, and other bodily systems are still developing;

40 CFR §1508.27(b)(2) because the EA's intensity discussion will not discuss the degree to which the proposed action affects public health or safety.

I want the people who visit your national forest to enjoy the outdoors and not be diagnosed with cancer at a later date. Therefore, unless I am alerted that the Proposed Action will disclose that herbicides will not contain lethal glyphosate it will be necessary to warn the public who might visit the George Washington and Jefferson NF. Indeed, the court of public opinion is often more effective than a court of law. My letter to the editor will be submitted to the Denver Post. It will include links to glyphosate science that are contained in my comments above.

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Driving Machines Weighing 20 Tons across the Fragile Forest Floor Restores Nothing.

Before I retired from the USFS I worked with honest IDT resource specialists who were not afraid to describe the tragic effects of implementing the timber sale Proposed Action as described in Chapter 3 of the DEIS or Pre-decisional EA. Most of them knew allowing machinery weighing 42,400 pounds with spinning wheels and tracks to operate on the fragile forest floor would eliminate the proper functioning of some important resource in and downstream from the sale area. Please view the photos in Photo attachment #15. Then ask yourself what will be "restored" by these monsters.

A competent USFS line-officer would never implement a project with the following logging and roading effects predicted by IDT members in Chapter 3 of your pre-decisional EA.

Tell your silviculturist to find another area to destroy.

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Jerry Franklin, Ph.D., David Perry Ph.D., Reed Noss Ph.D., Christopher Frissell Ph.D., David Montgomery Ph.D. Anne Ehrlich, Ph.D., David Foster Ph.D. Peter Raven Ph.D., and Charles Luce, Ph.D. all have Impeccable Credentials.

A truly Professional USFS Responsible Official would Respect their Wisdom quoted below and let it Guide them.

Important text is highlighted in red.

Simplified Forest Management to Achieve Watershed and Forest Health: A Critique  
By Franklin, Jerry Ph.D., David Perry Ph.D., Reed Noss Ph.D., David Montgomery Ph.D. and Christopher Frissell Ph.D  
Published by the National Wildlife Federation, 2000  
<https://www.irmforestry.com/downloads/pdf1.pdf>

Excerpt:

"The proposition that forest values are protected with more, rather than less logging, and that forest reserves are not only unnecessary, but undesirable, has great appeal to many with a vested interest in maximizing timber harvest. These ideas are particularly attractive to institutions and individuals whose incomes depend upon a forest land base." (page 2)

"On the other hand, approaches that involve reserving of a portion of the land base, or harvest practices that leave commercially valuable trees uncut to achieve ecological goals, are often considered much less desirable as they reduce traditional sources of timber income." (page 2)

#### Scientists Seek Logging Ban on U.S.-Owned Land

By Anne Ehrlich Ph.D., David Foster Ph.D. and Peter Raven Ph.D.

Published in the New York Times, April 16, 2002

<http://www.nytimes.com/2002/04/16/us/scientists-seek-logging-ban-on-us-owned-land.html>

Excerpt:

"For much of the past century the Forest Service, entrusted as the institutional steward of our National Forests, focused its management on an industrial-scale logging program. The result of the massive logging and road construction program was to damage watersheds, destroy wildlife habitat and imperiled plant and animal species."

"Dr. David R. Foster, a professor of ecology at Harvard University, said that a ban on public-lands logging would not affect the nation's supply of timber. Just 4 percent of the nation's timber comes from federal forest land, according to the letter, an amount Dr. Foster said could be made up through more intensive cutting on tree farms and recycling, among other things."

#### Hydrological processes and pathways affected by forest roads: what do we still need to learn?

By Luce, Charles H. Ph.D.

Published by USFS, Rocky Mountain Research Station , 2002

<https://www.fs.usda.gov/treesearch/pubs/23954>

Excerpts:

"Almost everywhere people live and work they build and use unimproved roads, and wherever the roads go, a range of environmental issues follows."

"Among the environmental effects of unimproved roads, those on water quality and aquatic ecology are some of the most critical. Increased chronic sedimentation, in particular, can dramatically change the food web in affected streams and lakes."

"The nearly impervious nature of road surfaces (or treads) makes them unique within forested environments and causes runoff generation even in mild rainfall events, leading to chronic fine sediment contributions."

"If we look at the issue of what we need to learn or the research priorities for forest road hydrology, I would argue that the areas of cutslope hydrology and effectiveness of restoration efforts are perhaps most critical."

"At a few sites in the mountains of Idaho and Oregon a substantial portion of the road runoff (80-95%) came from subsurface flow intercepted by the cutslope (Burroughs et al., 1972; Megahan, 1972; Wemple, 1998)."

#### National Forest System Road Management

Signed by USFS Chief Mike Dombeck Ph.D on February 25, 2000

Published in the Federal Register: March 3, 2000 (Volume 65, Number 43) Page 11675

<https://www.federalregister.gov/documents/2000/03/03/00-5002/national-forest-system-road-management>

Excerpts:

"Few marks on the land are more lasting than roads."

"The negative effects on the landscape of constructing new roads, deferring maintenance, and decommissioning old roads are well documented. Unwanted or non-native plant species can be transported on vehicles and clothing by users of roads, ultimately displacing native species. Roads may fragment and degrade habitat for wildlife species and eliminate travel corridors of other species. Poorly designed or maintained roads promote erosion and landslides, degrading riparian and wetland habitat through sedimentation and changes in streamflow and water temperature, with associated reductions in fish habitat and productivity. Also, roads allow people to travel into previously difficult or impossible to access areas, resulting in indirect impacts such as ground and habitat disturbance, increased pressure on wildlife species, increased litter, sanitation needs and vandalism, and increased frequency of human-caused fires."

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Healthy Populations of any Living Thing have  
a mixture of Live, Dead and Dying Individuals.  
This includes trees!!!

Important text is highlighted in red

"Forests live out of the deaths of toppled giants across the decades, as well as the incessant dying of microscopic beings. Without death, the forest would die. Ultimately, it is only the removal of trees that can deplete the forest. Both fallen giants and fallen leaves collaborate with the bacteria of decay to produce the fertile soil from which new growth comes. By itself no single organism can long survive. The forest is its own memorial, the conclusion of its own conversation. You can lift a log, the corpse of a fallen tree, and find a whole community at the rotting face where it touches the moist ground."

Mary Catherine Bateson

Please read the science below written by your own agency. Perhaps it will cause you to question what the USFS claims.

#### DEAD AND DYING TREES: ESSENTIAL FOR LIFE IN THE FOREST

By 3 Pacific Northwest Research Station scientists USDA Forest Service  
Published in Science Findings, issue twenty, November 1999

Link:

<http://www.fs.fed.us/pnw/sciencef/scifi20.pdf>

Excerpts:

"More than 80 species of birds, mammals, reptiles, and amphibians use living trees with decay, trees with brooms (most commonly dwarf mistletoe), hollow trees, snags or standing dead trees, and logs in the interior Columbia River basin, the researchers note in their report. These structures are used for foraging, nesting, denning, roosting, and resting, often serving multiple squatters simultaneously."

Bull notes that although we have learned to recognize snags and logs as important to wildlife, we have more recently recognized the value of two more categories of deadwood: living trees containing decay and hollow trees."

#### Praise the Dead: The Ecological Values of Dead Trees

By George Wuerthner, ecologist, author and ecological projects director for the Foundation for Deep Ecology

Published by Friends of the Clearwater, 2021

Link:

<http://www.friendsoftheclearwater.org/praise-the-dead-the-ecological-values-of-dead-trees-by-george-wuerthner/>

Excerpts:

"We bring these pejorative perspectives to our thinking about forests. In particular, some tend to view dead trees as a missed opportunity to make lumber. But this really represents an economic value, not a biological value. From an ecological perspective dead trees are the biological capital critical to the long-term health of the forest ecosystem. It may seem counter-intuitive, but in many ways the health of a forest is measured more by its dead trees than live ones. Dead trees are a necessary component of present forests and an investment in the future forest."

"Dead trees are the biological capital for the forest. Just as floods rejuvenate the river floodplain's plant communities with periodic deposits of sediment, episodic events like major beetle kill and wildfire are the only way a forest can recruit the massive amounts of dead wood required for a healthy forest ecosystem. Such infrequent, but periodic events may provide the bulk of a forest's dead wood for a hundred years or more."

"So when you see fire-blackened trees or the red needles associated with a beetle kill, try to view these events in a different light - praise the dead: the forests, the wildlife, the fish- all will be pleased by your change of heart."

Dead Trees as Resources for Forest Wildlife

By Melissa J. Santiago and Amanda D. Rodewald, Ph.D.

An Ohio State University Extension Fact Sheet

Link:

<https://woodlandstewards.osu.edu/sites/woodlands/files/imce/0018.pdf>

Excerpts:

"Birds are the most obvious benefactors of dead trees. They use snags, limbs, and logs for perching, foraging, and nesting. In some forests, 30 to 45 percent of the bird species are cavity nesters. In North America alone, 55 avian species nest in cavities. Cavity-nesting birds are classified as primary excavators (who can excavate hard wood), weak excavators (who can excavate soft, dead wood), or secondary cavity-users (who can utilize existing cavities). In Ohio, eastern bluebirds, American kestrels, and wood ducks are examples of species that rely on cavities in dead wood for successful reproduction. Other birds, such as ruffed grouse, will use logs for drumming and courtship displays.

However, birds are not the only creatures that benefit from dead wood. Mammals, amphibians, reptiles, and invertebrates seek refuge in natural cavities and dens. For example, salamanders rely on the security and dampness of soil found beneath a rotting log. Small mammals find cover and relief from the hot midday sun in dead limbs and downed wood, while spiders, beetles, worms, and microbes move and feed within the decaying matter. Additionally, fungi and mushrooms flourish on and around logs, breaking down the organic matter to release important nutrients back into the forest ecosystem.

Logs provide other important ecological functions as well. Decaying logs retain moisture and nutrients that aid in new plant growth. Young trees may sprout from a single downed limb known as a nurse log. The soft wood tissue of a nurse log offers an ideal substrate for many young trees during their initial growth and development. Logs also store energy and fix nitrogen. Furthermore, dead wood serves as a ground cover, lessening soil erosion and preventing animals such as deer from over-browsing plant seedlings."

Please read Opposing Views Attachment #14

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You must Respond to the Opposing Views Quotes in the Attachments I have Provided

I will remind you of 40 CFR §1502.9(b):

"Final environmental impact statements shall respond to comments as required in part 1503 of this chapter. The agency shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised.

Request for changes to be made to the final NEPA document: Create a response that describes why you believe the science quotes in my Opposing Views Attachments are not responsible ... or accept the fact that they are responsible and respond with meaningful responses. The attachment quotes describe how the South Routt Fuels timber sale will inflict appalling, calamitous damage to the natural resources the public pays you to protect and take care of.

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The Pre-Decisional EA does not Discuss how  
the Timber Sale's Logging and Slash/RX Burning  
Activities will be Mitigated to Assure Protected  
Migratory Bird Species' Individuals and their Habitat  
are not Harmed in any way.

Your References section does not contain the following important literature or comparable literature; therefore your migratory bird discussions are based on unsubstantiated speculation. The public expects more. You might consider this:

Neotropical Migratory Bird Conservation Act CONSERVING BIRDS ACROSS THE AMERICAS  
Published by U.S. FISH AND WILDLIFE SERVICE

LINK:

<https://www.fws.gov/birds/grants/neotropical-migratory-bird-conservation-act.php>

Neotropical Migratory Birds

Published by National Aviary of Pittsburgh

Link:

<https://www.aviary.org/conservation/projects/neotropical-migratory-birds/>

Neotropical Migrant Birds - The Basics

Published by Wisconsin Society for Ornithology

Link:

[https://wsobirds.org/images/pdfs/FS\\_neotropical\\_migrants.pdf](https://wsobirds.org/images/pdfs/FS_neotropical_migrants.pdf)

Neotropical Migratory Bird Basics

Published by Smithsonian Migratory Bird Center

Link:

[http://www.fairleeforest.org/resources/SIMigratory\\_Bird\\_Basics.pdf](http://www.fairleeforest.org/resources/SIMigratory_Bird_Basics.pdf)

Neotropical Migratory Bird Conservation Act  
Published by National Audubon Society

Link:

<https://www.audubon.org/conservation/neotropical-migratory-bird-conservation-act>

This will show you what a professional analysis of these birds looks like:

"NEOTROPICAL MIGRATORY BIRDS" for the SUGARBERRY PROJECT (23 pages)  
By Cindy K. Roberts, Wildlife Biologist  
Feather River Ranger District, Pumas National Forest

Link:

[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fsm9\\_034861.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsm9_034861.pdf)

It is not only possible but highly likely that that logging and slash/RX burning will harm the habitat and/or kill individual birds. This is especially true of young birds that cannot flee the danger: The Treaty requires the NEPA document to include specific information showing what will be done to assure the following damage will not occur.

"harm the birds with logging-related pollution",  
"detrimentally alter the bird's habitat",  
"environmentally degrade the area surrounding the bird's habitat", and  
"kill bird chicks by destroying their nests or eggs".

Note: The 4 quotes above come directly from the Act.

The plaintiffs' attorney will expect the NEPA document to contain this information.

You do not do this.

Your pre-decisional EA doesn't come close to complying with the Act.

Request for changes to be made to the final NEPA document: / Identify the Migratory Birds that exist in and near the project area that are protected under the Migratory Bird Treaty Act and discuss what you will require to assure these birds will be protected during burning and timber harvest operations. The Act makes no allowance to consciously harm these birds for any reason.

Failure to do this will violate the Migratory Bird Treaty Act of 1918

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Ranger Statezny, you  
Ignore Dr. Cohen's Findings that have been Proven  
many Times to Significantly Reduce the Chances  
a Home will be destroyed should a  
Wildfire Burn into the WUI.

At page 2 you say:

"Several communities are located near or adjacent to the South Routt project. Communities along the west side of the project area include Stagecoach [comprised of Stagecoach Mountain Ranch and the Stagecoach Property Owners Association], Yampa and Toponas hosting well over 1,000 residences and businesses. Communities

along the east side of the project area include Old Park, Gore Lake, and Gorewood/Grand River Ranch, hosting approximately 700 residences. Slightly further away to the northeast from the project area exists the communities of Lichen Ranch and Rabbit Ears Village hosting several hundred residences. The area also contains major roads (Colorado Highway 134, Routt County Road 16, and portions of Grand County Road 19), and two powerlines, one distribution and one transmission, (Western Area Power Administration and Tri-State Generation and Transmission Association) that serve the local area as well as several neighboring states."

You have a choice. You can remove the hazardous fuels around the WUI with commercial timber sales that will produce volume (which will not reduce fire damage risk) or you can use the fine fuels removal methods developed by Dr. Jack Cohen a retired USFS employee.

Dr. Cohen's research resulted in him publishing his fine fuels removal methods which reduce the risk of fire damage should a wildfire occur. His methods are used worldwide. He has a Ph.D. in fire physics. Most USFS line-officers know about his methods and their effectiveness refuse to apply them. By not applying this effective fire damage reduction process you increase the risk that buildings on the WUI will burn and people might die. The citizens who live in the WUI must learn about your mismanagement. This is criminal. I shake my head when I think of a USFS line-officer who believes volume is more important than another person's life and home.

Your pre-decisional EA does  
not even Mention the Word "Cohen."

My letter to the editor submitted to the Hayden Town News will describe Dr. Cohen's methods (with WEB links), which indicate how easy it is to apply them to private property. My letter will indicate you refused to address them even though you were given compelling evidence showing how effective his methods are. Your mismanagement will not go unnoticed.

You had better hope a fire never damages homes in this WUI. If it does you will be liable since you know this information I am presenting to you. You can't claim you did not know because the plaintiff's attorney will enter these comments (which you are reading) as evidence.

You conveniently omit Dr. Cohen's research findings. Here are some quotes from the literature he authored that you ignore. The links will be included in my LTE. I highlight the key content of the quotes in red.

from Structure Ignition Assessment Model (SIAM)<sup>1</sup>

By Dr. Jack Cohen

Presented at the Biswell Symposium: Fire Issues and Solutions in Urban Interface and Wildland Ecosystems, 1994

Link:

<https://www.fs.fed.us/psw/publications/documents/gtr-158/gtr-158-cover.pdf>

Excerpts:

"These results suggest that to reduce ignitions, the distances from a structure for managing vegetation are much smaller than the lofting distances for firebrands. Thus, beyond some relatively short distance from the structure (depending on the vegetation and topography), vegetation management has no significant benefit for reducing flame generated ignitions. Vegetation management, on the other hand, cannot be extensive enough, in a practical sense, to significantly reduce firebrand ignitions. Therefore, the structure and its immediate surroundings should be the focus for activities intended for improving ignition risk." (pg 92)

from Community destruction during extreme wildfires is a home ignition problem

By Dr. Jack Cohen and Dave Strohmaier

Published online by The Missoulian, August 9, 2020 and republished by Reddit

Link:

[https://www.reddit.com/r/chaparral/comments/i6p1qq/community\\_destruction\\_during\\_extreme\\_wildfires\\_is/](https://www.reddit.com/r/chaparral/comments/i6p1qq/community_destruction_during_extreme_wildfires_is/)

Excerpts:

"To make this shift, land managers, elected officials, and members of the public must question some of our most deeply ingrained assumptions regarding fire. For the sake of fiscal responsibility, scientific integrity, and effective outcomes, it's high time we abandon the and community destruction and disingenuous policies of our century-old all-out war on wildfire and fuel treatments conducted under the guise of protecting communities. Instead, let's focus on mitigating WUI fire risk where ignitions are determined - within the home ignition zone."

from Reducing the Wildland Fire Threat to Homes: Where and How Much?

By Dr. Jack Cohen

Presented as the Fire Economics Symposium in San Diego, California on April 12, 1999.

USDA Forest Service Gen.Tech.Rep. PSW-GTR-173

Link:

[http://www.fs.fed.us/rm/pubs\\_other/rmrs\\_1999\\_cohen\\_j001.pdf](http://www.fs.fed.us/rm/pubs_other/rmrs_1999_cohen_j001.pdf)

Excerpts:

"As stated, the evidence indicates that home ignitions depend on the home materials and design and only those flammables within a few tens of meters of the home (home ignitability). The wildland fuel characteristics beyond the home site have little if any significance to WUI home fire losses." (Pg. 193)

"Extensive wildland vegetation management does not effectively change home ignitability." (Pg. 193)

"Home ignitability also dictates that effective mitigating actions focus on the home and its immediate surroundings rather than on extensive wildland fuel management." (Pg. 193)

from Built to Burn

By Dr. Jack Cohen

Presented at a fire conference in front of people from the Forest Service and state fire agencies, 1999

Link:

<https://99percentinvisible.org/episode/built-to-burn>

Excerpts:

"Cohen thought he had come up with a way to save houses and to let fires burn naturally - he thought it was a win-win. And so in 1999, he presented a paper about his findings at a fire conference in front of people from the Forest Service and state fire agencies. These were people who were in a position to change policies. But Cohen says they were totally uninterested. Cohen's research implied that basically everything about how the Forest Service dealt with wildfires was wrong.

The 10 AM rule had left us with a huge fire fighting infrastructure, so the Forest Service was spending hundreds of millions of dollars on planes and fire crews, and was approving massive logging projects on the grounds that thinning out the forest would help reduce the intensity of wildfires and save homes. Cohen was saying: actually, it

would be way more effective if you just encouraged homeowners to maintain and retrofit their properties."

from Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United States (page 10)

By: Elizabeth D. Reinhardt\*, Robert E. Keane, David E. Calkin Ph.D., and Jack D. Cohen Ph.D.

\*USDA Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory, 5775 Highway 10 West, Missoula, MT 59808, United States

Published in Forest Ecology and Management, issue 256, 2008

Link:

[https://www.fs.fed.us/rm/pubs\\_other/rmrs\\_2008\\_reinhardt\\_e001.pdf](https://www.fs.fed.us/rm/pubs_other/rmrs_2008_reinhardt_e001.pdf)

Excerpts:

"Treating fuels to reduce fire occurrence, fire size, or amount of burned area is ultimately both futile and counter-productive." (Pg.1999)

"Some viable fuel treatments may actually result in an increased rate of spread under many conditions (Lertzman et al., 1998; Agee et al., 2000). For example, thinning to reduce crown fire potential can result in surface litter becoming drier and more exposed to wind. It can also result in increased growth of grasses and understory shrubs which can foster a rapidly moving surface fire." (Pg. 2000)

Some Rangers and Supervisors on other national forests do everything they can to protect people living on the WUI.

Here's what they do:

offer to remove fine fuels near homes in the WUI owned by handicapped and/or elderly residents using USFS employees with written permission from the landowner.

distribute handouts to WUI residents describing Dr. Cohen's fine fuels removal methods so they can do the work themselves.

contact the people living in the WUI and announce fine fuels removal workshops will be held to answer questions. These workshops will present Dr. Cohen's research conclusions that prove commercial hazardous fuels logging farther than 100 yards from the WUI is ineffective.

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This 2014 High Country News article at the link below describes the effectiveness of Dr. Cohen's fine fuels removal methods.

Link:

<http://www.hcn.org/articles/the-loss-of-homes-to-wildfire-is-as-much-a-sociopolitical-problem-as-it-is-a-physical>

Only a fool would reject Dr. Cohen's research conclusions. Read this to learn more about Dr. Cohen:  
<https://www.firelab.org/profile/cohen-jack>

If you do not make major changes between draft & final you and the IDT members will risk people's lives. There are severe civil penalties for federal officials convicted of knowingly putting the public at risk.

Indeed, there is a reason people use fine fuels (i.e. kindling) to start a fire in the fireplace. Can you understand

this? If so, you will know why commercially logging the merchantable timber you claim are hazardous fuels is an underhanded way to deceive the public to believe things that are not true. Shouldn't you treat the people who provide the tax dollars for your salary with a little respect?

Clearly you are taking action that is inconsistent with best science for personal gain. You want to assure you remain high on the list for promotions to USFS jobs with more power and a higher salary by generating volume.

One of the needs for this project (P&N at 13) is "help mitigate hazardous fuels accumulations which could reduce wildfire behavior and improve suppression efforts around at-risk communities, thereby reducing risk."

Ranger Statezny, you do not understand the Purpose and Need concept. I'm sorry for you.

Reducing hazardous fuels is not a Purpose or Need. It's one of the many ways that might accomplish the real P&N I mentioned earlier. By limiting this to 1 action of the others available you increase the chances people might be burned to death and homes will be destroyed. Why do you not understand this simple fact? It must have been because you were so overcome by the need to generate volume you created a senseless P&N statement.

Request for changes to be made to the final NEPA document: Assure the Purpose & Need states this: "reduce the chance that homes will burn in the WUI should a wildfire start in the area" rather than "reduce fuels". After all, this is the real purpose isn't it? This new P&N would really serve the public and open the door to applying the Cohen fine fuels removal method and other treatments that do not involve logging. Your final NEPA document will include an action alternative that proposes to use Dr Cohen's fine fuels removal method.

Failure to do this will violate:

NEPA Sec. 101(b)(2) because you do not "assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;"

NEPA Sec. 101(c) because "The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment."

Ex. Ord. No. 13045, Apr. 21, 1997 [section 1-101(a)] because you do not "make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children."

40 CFR §1508.27(b)(2) because you will not write an honest FONSI, because the intensity category does not discuss "The degree to which the proposed action affects public health or safety."

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As I show below, Independent Scientists (not  
Affiliated with and Biased by the USDA) Agree that  
Wildfire Intensity and Rate of Spread do not Change  
when the Fire Burns through a Logged-Over Area.

Your pre-decisional EA at page 13 you says:

"The primary purpose of the South Routt project would, in part, help mitigate hazardous fuels accumulations which could reduce wildfire behavior and improve suppression efforts around at-risk communities, thereby reducing risk,"

The bottom of column 1 and top column 2 at page 24786 of Vol. 81 of the Federal Register, April 27, 2016 states:

"For example, hazardous fuels reduction to reduce wildfire risk to communities may require a silvicultural treatment that is not restoration."

Link:

<https://www.govinfo.gov/content/pkg/FR-2016-04-27/pdf/2016-09750.pdf>

Since you use commercial logging to remove hazardous fuels you must remove all references to "restore" and "restoration" from the pre-decisional EA

Mark Rey began working for the timber and paper industry in 1976 and was vice president of the American Forest and Paper Association (a timber industry lobbying corporation) before joining the Senate Energy and Natural Resources Committee in 1995.

Mr. Rey was sworn in as the Undersecretary for Natural Resources and Environment by the Agriculture Secretary, by Ann M. Veneman on 2 October 2001.

Undersecretary of Agriculture Mark Rey was one of the first people to emphasize the need for fuels reduction in the national forests. The following Congressional testimony points this out. Mr. Rey said if hazardous fuels had been removed before the Rodeo-Chediski fire started there would not have been as much damage. What he didn't tell the public was the Baca timber sale logged most of the Rodeo-Chediski fire area before the fire started. See:

FOREST SERVICE MISSED OPPORTUNITY TO THIN FOREST WITHIN RODEO-CHEDISKI Fire

Published by the Center for Biological Diversity in a News Release, June 28, 2002

Link:

[https://www.biologicaldiversity.org/news/press\\_releases/baca6-28-02.html](https://www.biologicaldiversity.org/news/press_releases/baca6-28-02.html)

Mark Rey's need to get the message across can be seen on the following Congressional testimony.

Statement of Mark Rey Under Secretary Natural Resources and the Environment United States Department of Agriculture and Rebecca Watson Assistant Secretary Land and Minerals Management Department of the Interior Before the United States House of Representatives Committee on Resources Concerning Containing the Threat of Wildland Fire to the Environment and Communities Flagstaff, Arizona March 7, 2003

Link:

[https://www.fs.usda.gov/sites/default/files/legacy\\_files/media/types/testimony/HNRC\\_03-07-2003\\_Testimony.pdf](https://www.fs.usda.gov/sites/default/files/legacy_files/media/types/testimony/HNRC_03-07-2003_Testimony.pdf)

"In May 2002, working with the Western Governors' Association and a broad cross-section of interests including county commissioners, state foresters, tribal officials and other stakeholders, we reached consensus on a 10-Year Comprehensive Strategy and Implementation Plan to reduce fire risks to communities and the environment. The plan sets forth the blueprint for making communities and the environment safer from destructive wildfires. The plan calls for active forest management focusing on hazardous fuels reduction both in the wildland-urban interface and across the broader landscape. Active forest management includes: thinning trees from over-dense stands that produce commercial or pre-commercial products, biomass removal and utilization, and prescribed fire and other fuels reduction tools. We want to thank you, Chairman Pombo, Chairman McInnis, and the members of the House of Representatives, for initiating and passing House Concurrent Resolution 352 endorsing the Collaborative 10-Year Strategy." (pg 6)

Your minds have been programmed to believe that commercial fuels logging will reduce Wildfire Intensity and Rate of Spread in spite of the science that proves this isn't true. Indeed, it does provide a believable reason to accumulate volume. This isn't the only laughable excuse created by the USFS to justify more commercial logging.

I have spent too long trying to convince USFS Responsible Officials to eliminate the need for hazardous fuels removal from their timber sale NEPA document's Purpose and Need. The information below authored by experts with Ph.D.s contains irrefutable scientific evidence explaining that when a fire encounters logged over areas the intensity and rate of spread do not change ... and sometimes increase.

Here is the science you all reject: Once again the particularly relevant text is highlighted on red.

**Fight Fire With Logging?**

Published by Mother Jones magazine, August 1, 2002

Link:

<http://www.motherjones.com/politics/2002/08/fight-fire-logging>

Excerpt:

"Forestry experts have long known that commercial logging increases the risk of forest fire. So why, critics are asking, does the Bush administration's new fire prevention plan ignore that fact?"

**More Logging Won't Stop Wildfires**

By Chad Hanson Ph.D. and Dominick DellaSala Ph.D.

Published in the New York Times on July 23, 2015

Link:

[http://www.nytimes.com/2015/07/23/opinion/more-logging-wont-stop-wildfires.html?\\_r=0](http://www.nytimes.com/2015/07/23/opinion/more-logging-wont-stop-wildfires.html?_r=0)

Excerpt:

"In the case of the Rim Fire, our research found that protected forest areas with no history of logging burned least intensely. There was a similar pattern in other large fires in recent years. Logging removes the mature, thick-barked, fire-resistant trees. The small trees planted in their place and the debris left behind by loggers act as kindling; in effect, the logged areas become combustible tree plantations that are poor wildlife habitat."

**Wildfire trends outpace mitigation measures**

By Tom Kuglin

Published in the Helena Independent Record, March 27, 2022

Link:

[https://helenair.com/news/state-and-regional/govt-and-politics/wildfire-trends-outpace-mitigation-measures/article\\_1c0ceca2-bfd0-54c6-ba2b-895477f328ba.html?utm\\_campaign=Rockies%20Today&utm\\_medium=email&utm\\_source=Revue%20newsletter](https://helenair.com/news/state-and-regional/govt-and-politics/wildfire-trends-outpace-mitigation-measures/article_1c0ceca2-bfd0-54c6-ba2b-895477f328ba.html?utm_campaign=Rockies%20Today&utm_medium=email&utm_source=Revue%20newsletter)

Excerpt:

"When it comes to mitigation, Mark Finney, a U.S. Forest Service research forester with the Missoula Fire Sciences Laboratory, told the council that logging or thinning alone has not been shown to prevent large fires

burning under extreme conditions. He detailed several fires in which logged areas burned alongside unlogged areas. The key mitigation found to be successful at mitigating fire was previous fire, he said."

Does increased forest protection correspond to higher fire severity in frequent-fire forests of the western United States?

By Curt Bradley Ph.D., Chad Hanson Ph.D. and Dr. Dominick Della Sala Ph.D.

Published in *Ecosphere* October 26, 2016

Link:

<http://onlinelibrary.wiley.com/doi/10.1002/ecs2.1492/full>

Excerpt:

"We investigated the relationship between protected status and fire severity using the Random Forests algorithm applied to 1500 fires affecting 9.5 million hectares between 1984 and 2014 in pine (*Pinus ponderosa*, *Pinus jeffreyi*) and mixed-conifer forests of western United States, accounting for key topographic and climate variables. We found forests with higher levels of protection had lower severity values even though they are generally identified as having the highest overall levels of biomass and fuel loading. Our results suggest a need to reconsider current overly simplistic assumptions about the relationship between forest protection and fire severity in fire management and policy."

Fanning the Flames! The U.S. Forest Service: A Fire-Dependent Bureaucracy

By Timothy Ingalsbee Ph.D.

Published in the *Missoula Independent*. Vol. 14 No. 24, June 2003

Link:

<http://www.klamathforestalliance.org/Documents/fanningtheflames.html>

Excerpt:

"In the face of growing public scrutiny and criticism of the agency's logging policies and practices, the Forest Service and their enablers in Congress have learned to mask timber sales as so-called 'fuels reduction' and 'forest restoration' projects. Yet, the net effect of these logging projects is to actually increase fire risks and fuel hazards."

"Decades of encouraging private logging companies to take the biggest, oldest, most fire-resistant trees from public lands, while leaving behind a volatile fuel load of small trees, brush, weeds, stumps and slash has vastly increased the flammability of forestlands."

"In addition to post-fire salvage logging, the Forest Service and timber industry advocates in Congress have been pushing pre-fire timber sales, often falsely billed as hazardous fuels reduction or 'thinning' projects, to lower the risk or hazard of future wildfires. In too many cases, these so-called thinning projects are logging thick-diameter fire-resistant overstory trees instead of or in addition to cutting thin-sized fire-susceptible understory trees. The resulting logging slash and the increased solar and wind exposure can paradoxically increase the fuel hazards and fire risks."

A USFS scientist comments on logging and fire behavior

By Tom Kuglin, writing about Dr. Mark Finney's research

Mark Finney, Ph.D., is a research forester with the U.S. Forest Service Fire Lab in Missoula.

Published in the *Helena Independent Record* newspaper, June 17, 2015

Link:

[http://helenair.com/news/local/researcher-finds-need-for-more-prescribed-burning/article\\_4a58c3c3-a7bb-5905-a505-4567e8107600.html](http://helenair.com/news/local/researcher-finds-need-for-more-prescribed-burning/article_4a58c3c3-a7bb-5905-a505-4567e8107600.html)

Excerpt:

"Finney presented his research on fire behavior in landscapes of varying levels of logging and prescribed burning at last week's "Fire on the Landscape" lecture series in Helena. While logging or thinning is often touted as a means to mitigate fire, he has found it does little to stop a wildfire."

"There's a confusion that if you do timber management you're doing fuel management -- you're not," Finney said. "We're not going to cut our way out of the problem, but there are ways to do this strategically, get the benefits and have a sustainable fire management approach."

"Finney found that fire "ripped through logged areas," and only units where prescribed fire was introduced showed effectiveness in stopping or mitigating wildfire spread."

Logging without Limits isn't a Solution to Wildfires

By Timothy Ingalsbee Ph.D.

Published in the Portland Oregonian, August 6, 2002

Link:

<http://www.klamathforestalliance.org/Documents/loggingwithoutlimits.html>

Excerpt:

"Since the 'New Perspectives' program of the early 1990s, the agency has tried to dodge public opposition to commercial logging by using various euphemisms, such as this gem from the Siskiyou National Forest: Clearcuts are called 'minimum green tree retention units.' Accordingly, Forest Service managers have believed that if they simply refer to logging as 'thinning,' or add the phrases 'fuels reduction' or 'forest restoration' to the title of their timber sale plans, then the public will accept these projects at face value, and business-as-usual commercial logging can proceed. In the face of multiple scandals and widespread public skepticism of the Forest Service's credibility, it seems that only Congress is buying the agency's labeling scheme."

Thinning not enough to prevent wildfires

By Alex Syphard, Ph.D.

Published by Conservation Biology Institute, September 11, 2019

Link:

<https://consbio.org/newsroom/news/forest-thinning-wont-stop-cas-fires>

Excerpt:

"I find that fuel is one of the least important factors when it comes to protecting the home."

A Cohesive Strategy is Needed to Address Catastrophic Wildfire Threats

GAO/RCED-99-65 Catastrophic Wildfire Threats

Link:

<https://www.gao.gov/assets/rced-99-65.pdf>

Excerpt:

"Most of the trees that should be removed to reduce accumulated fuels are small in diameter and have little or no commercial value." (pg 44)

Ranger Statezny if you don't respond like an adult to this science you will likely be discussing it in a court of law. The plaintiff's attorney will ask you to produce experts not affiliated with the USFS who think merchantable-sized trees increase fire severity.

Request for changes to be made to the final NEPA document: Eliminate all text that states or infers commercial logging of merchantable sized trees will reduce fire intensity and rate of spread.

Failure to do this will violate:

18 USC 1519 because you knowingly altered and covered up the science that shows Dr. Cohen's fine-fuels removal methods applied within several hundred feet of a home is far superior at reducing the risk of fire damage than commercially removing merchantable sized fuels much farther away.

18 USC 1001 (a)(3) because you knowingly and willfully stated your intentions to remove merchantable-sized hazardous fuels to reduce the chances homes will burn which is inconsistent with the best science I have included above which is a materially false statement.

Federal officials who violate these laws shall be fined under this title and imprisoned not more than 5 years.

Link:

<https://www.law.cornell.edu/uscode/text/18/1001>

40 CFR 1500.2(e) and (f) because you did not choose to avoid or minimize adverse effects of this timber sale which would make it impossible to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of your actions upon the quality of the human environment."

5 CFR 2635.101(b)(1) because you do not put ethical principles above private gain.

5 CFR 2635.101(b)(7) because you took action for private gain.....volume.

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Temporary Roads become Linear Sediment  
Sources if they are not Fully Obliterated after Use.

Table 3 of the pre-decisional EA indicates 26 miles of new temp road will be constructed.

Ranger Statezny, at page 27 you say your "temporary roads would be constructed, utilized, and reclaimed when rainfall and erosion potential is minimal. These temporary road segments would be rehabilitated within one year after use ends. Any seeding or revegetation would utilize native weed free seed mix(es), or plants preapproved by the Forest Botanist and/or Ecologist."

The USFS Inventory and Monitoring manual identifies full obliteration which includes recontouring and restoring natural slopes as one of the USFS approved road decommissioning methods (see below).

Guidelines for Storing and Decommissioning Roads  
1677-1804P-NTDP Transportation Management, June 2018

Link:

[https://www.fs.usda.gov/t-d/pubs/pdfpubs/pdf16771804P/1677-1804P\\_GuideStoreDecomRoads\\_Sec508\\_07-02-18a\\_400dpi.pdf](https://www.fs.usda.gov/t-d/pubs/pdfpubs/pdf16771804P/1677-1804P_GuideStoreDecomRoads_Sec508_07-02-18a_400dpi.pdf)

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Noise and Dust caused by Timber Harvest  
Adversely Affects Recreation and Wildlife,  
thus these Adverse Social and Environmental  
Impacts must be Disclosed in Chapter 3 and the  
NEPA Document must Describe the Mitigation  
Required to Eliminate or Reduce these  
Adverse Effects

Sadly, the pre-decisional EA fails to mention noise and dust resulting from logging activities. The noise is clearly evident and disruptive to recreationists and wildlife species several miles away from the source.

Anyone responsible for protecting the land owned and loved by 322 million Americans must understand that their job under NEPA requires them to disclose and analyze all effects (positive and negative) resulting from project implementation. This includes industrial noise and dust effects. You have failed to disclose these effects. Does your logging not cause dust and noise? Noise pollution in particular is a problem for animals like bats, frogs, and birds that rely on sound to communicate.

Let me educate you with some science.

When the woods get noisy, the animals get nervous

By Christine Peterson

Published by High Country News, July 4, 2023

[https://www.hcn.org/articles/recreation-when-the-woods-get-noisy-the-animals-gets-nervous?utm\\_source=wcn1&utm\\_medium=email&utm\\_campaign=2023-07-07-Newsletter](https://www.hcn.org/articles/recreation-when-the-woods-get-noisy-the-animals-gets-nervous?utm_source=wcn1&utm_medium=email&utm_campaign=2023-07-07-Newsletter)

Excerpts:

"The new study, currently underway in Wyoming's Bridger-Teton National Forest, adds to mounting evidence that the mere presence of human sound, no matter how loud or quiet, fast or slow, changes how animals behave."

Effects of Noise on Wildlife

Published by the Nature Sounds Society

[https://www.nps.gov/subjects/sound/effects\\_wildlife.htm](https://www.nps.gov/subjects/sound/effects_wildlife.htm)

Excerpt:

"Sound, just like the availability of nesting materials or food sources, plays an important role in the ecosystem. Activities such as finding desirable habitat and mates, avoiding predators, protecting young, and establishing territories are all dependent on the acoustical environment. In order to continue with these activities, animals are being forced to adapt to increasing noise levels. Research shows that males of at least one frog species are adapting to traffic noise by calling at a higher pitch (Parris et al. 2009). This could be problematic for the females, because they prefer lower-pitched calls, which indicate larger and more experienced males. Human-caused noise has produced similar results in multiple bird species (Barber et al. 2009)."

Noise pollution threatens animals

Published by BBC and Earth News, 14 October 2009

[http://news.bbc.co.uk/earth/hi/earth\\_news/newsid\\_8305000/8305320.stm](http://news.bbc.co.uk/earth/hi/earth_news/newsid_8305000/8305320.stm)

Excerpt:

"Sounds produced by vehicles, oil and gas fields and urban sprawl interfere with the way animals communicate, mate and prey on one another.

The sounds are becoming so ubiquitous that they may threaten biodiversity, say the review's authors.

Even the animals living in protected National Parks in the US are being exposed to chronic levels of noise.

Writing in the journal Trends in Ecology and Evolution, three scientists based in Fort Collins, Colorado, US detail the extent to which noise pollution is now harming wild animals."

Here are others:

Effects of Noise on Wildlife

Published by the National Park Service, February 2, 2018

Synthesis of Noise Effects on Wildlife Populations

Published by U.S. Department of Transportation, September 2004

Noise pollution: how to reduce the impact of an invisible threat?

The Effects of Noise Pollution on Wildlife

Published by Noise Monitoring Services, 2020

Logging Truck Noise Near Nesting Northern Goshawks

By Teryl G., Grubb, et.al.

In U.S. Forest Service. Research Note R M, No. 3

The Biological Effects of Noise on Wildlife

Published by AcousticEcology, 2001

Estimating Exposure and Effects of Sound on Wildlife

Published by National Academy of Sciences, 2021

How noise pollution from humans is wreaking havoc on U.S. wildlife

By Rachel Buxton

Aired by PBS Jul 18, 2017

Noise: an invisible threat that harms wildlife, degrades habitats

Logging noise inflames tension

By Elizabeth Nolan

Published by Driftwood, May 6, 2020

Request for final NEPA document modifications: Please assure Chapter 3 discloses the noise and dust effects to wildlife species according to the literature presented above. Chapter 3 should also disclose how noise and dust may adversely affect the recreation experience of human visitors to the forest. Indicate how you plan to mitigate this.

Failure to do this will violate:

40 CFR 1508.3.because the omission of this information from Chapter 3 also violates 42 USC section 7641 and Title 42--The Public Health and Welfare, Chapter 65-- NOISE CONTROL, Sec. 4901.

42 USC section 7641 because you did not contact the EPA Office of Noise Abatement and Control so they can determine:

Title 42(3)--The Public Health and Welfare, Chapter 65-- NOISE CONTROL, Sec. 4901 because you did not take action to control of noise.

42 USC section 7641 (c)

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All reasonable action alternatives that don't include commercial logging were eliminated from consideration because the Purpose & Need was too narrow, specific and described an action (harvest timber) rather than a goal. The Purpose & Need was written in such a way as to force and justify selection of the Proposed Action that must harvest timber which renders other reasonable alternatives to the Proposed Action which don't harvest timber inapplicable.

Request for changes to be made to the final NEPA document: write a new (expanded) Purpose & Need that allows reasonable alternatives to the Proposed Action to be analyzed in detail that do not include timber harvest and assure the project goals stated in the P&N are not mutually exclusive ... that is achieving the goals for one resource will adversely affect another resource mentioned in the P&N as a resource to be enhanced. Then reinitiate the NEPA comment and analysis process to analyze the new reasonable alternatives, especially those suggested by the public during the comment period.

If this isn't done you will violate:

40 CFR 1500.2(d) and (e) and 40 CFR 1506.6(a)

Writing a P&N that renders all action alternatives other than the Proposed Action nonresponsive to the P&N is also inconsistent with court precedent:

In *National Parks & Conservation Association v. Bureau of Land Management*, 606 F.3d 1058 (9th Cir. 2010).

Opinion Excerpt:

"The BLM did not, however, consider these options in any detail because each of these alternatives failed to meet the narrowly drawn project objectives, which required that Kaiser's private needs be met."

"The BLM adopted Kaiser's interests as its own to craft a purpose and need statement so narrowly drawn as to foreordain approval of the land exchange. The BLM may not circumvent this proscription by adopting private interests to draft a narrow purpose and need statement that excludes alternatives that fail to meet specific private objectives, yet that was the result of the process here."

*Friends of Southeast's Future v. Morrison*, 153 F.3d 1059, 1066 (9th Cir.1998).

Opinion Excerpt:

Agencies enjoy "considerable discretion" to define the purpose and need of a project.

"An agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency's power would accomplish the goals of the agency's action, and the EIS would become a foreordained formality."

Davis v. Mineta, 302 F.3d 1104, 1119 (10th Cir. 2002)

Opinion Excerpt:

"While it is true that defendants could reject alternatives that did not meet the purpose and need of the project, Boomer Lake, 4 F.3d at 1550, they could not define the project so narrowly that it foreclosed a reasonable consideration of alternatives. Colo. Env't. Coalition v. Dombeck, 185 F.3d 1162, 1174-75 (10th Cir. 1999); Simmons v. United States Army Corps of Eng'rs, 120 F.3d 664, 669 (7th Cir. 1997)."

City of Carmel-By-The-Sea v. U.S. Dept. of Transportation, 123 F.3d 1142, 1155 (9th Cir. 1997)

Opinion Excerpt:

"Project alternatives derive from an Environmental Impact Statement's "Purpose and Need" section, which briefly defines "the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. s 1502.13. The stated goal of a project necessarily dictates the range of "reasonable" alternatives and an agency cannot define its objectives in unreasonably narrow terms. See Citizens Against Burlington, 938 F.2d at 196."

"Specifically, Carmel argues that the Federal Highway Administration and Caltrans unjustifiably narrowed its statement of "Purpose and Need" from the Draft Environmental Impact Statement/Report to Final Environmental Impact Statement/Report by including a requirement of Level of Service C."

Citizens Committee to Save Our Canyons v. U.S. Forest Service, 297 F.3d 1012, 1018 (10th Cir. 2002) (citing Davis v. Mineta, 302 F.3d 1104.

Opinion Excerpt:

"courts will not allow an agency to define the objectives so narrowly as to preclude a reasonable consideration of alternatives"

Citizens Against Burlington, Inc., et al v. James B. Busey IV 938 F.2d at 196 (District of Columbia Circuit, 1991)

Opinion Excerpt:

"an agency may not define the objectives of its actions in terms so unreasonably narrow that only one alternative from among the environmentally benign ones in the agency's power would accomplish the goals of the agency's action, and the EIS would become a foreordained formality."

Simmons v. United States Army Corps of Engrs., 120 F.3d 664, 669 (7th Cir. 1997)

Opinion Excerpt:

"One obvious way for an agency to slip past the strictures of NEPA is to contrive a purpose so slender as to define competing "reasonable alternatives" out of consideration (and even out of existence). The federal courts

cannot condone an agency's frustration of Congressional will. "If the agency constricts the definition of the project's purpose and thereby excludes what truly are reasonable alternatives, the EIS cannot fulfill its role. Nor can the agency satisfy the Act. Nor can the agency satisfy the Act. 42 U.S.C. § 4332(2)(E)."

Sierra Club v. U.S. Dep't of Transp., 310 F.Supp.2d 1168, 1192 (D. Nev. 2004) (citing City of Carmel-By-The-Sea v. U.S. Dep't of Transp., 123 F.3d 1142, 1155 (9th Cir. 1997)).

Opinion Excerpt:

"While it is true that defendants could reject alternatives that did not meet the purpose and need of the project, they could not define the project so narrowly that it foreclosed a reasonable consideration of alternatives."

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The pre-decisional EA does not Require  
Streams to be Surveyed Before and During  
Treatments. This Data is Essential to  
Determine Whether the Stream Conditions are  
being Harmed by Project Activities.  
You should know this.

You want to assure you don't know if the proposed project has harmed (or is harming) the riparian conditions on streams in and downstream from the sale area thus you do not require stream surveys prior to and after sale implementation.

Stream surveys will not happen unless they are required in the NEPA document. Most line-officers include stream surveys in their monitoring plan.

The pre-decisional EA contains no such direction for the fisheries biologist or hydrologist to do this. Reliable, accurate before and after characteristics can only be determined by direct field measurements.

NEPA's Scientific and Information Standards-Taking the Harder Look  
By Murray D. Feldman and Kristin A. Nichols HOLLAND & HART LLP Boise, Idaho and Greenwood Village, Colorado

Excerpt:

"In recent years, courts have focused on an agency's obligation to adequately assess baseline data as part of its environmental analysis.<sup>80</sup> In Oregon Natural Desert Association v. Jewell,<sup>81</sup> the Ninth Circuit reversed and remanded BLM's approval of a wind energy project based on its failure to conduct surveys in order to determine whether sage grouse were present at the project site in the winter months, despite the potential conflict between the proposed location of the wind energy project and greater sage-grouse winter foraging habitat. As opposed to preparing surveys for the project site, BLM relied on an extrapolation from surveys conducted on nearby sites to conclude that no sage grouse winter habitat was present at the project site. The court rejected BLM's reliance on extrapolated surveys because:

Without appropriate data regarding sage grouse use of the [project] site during the winter, whether direct or via a supportable extrapolation, it was not possible to begin to assess whether sage grouse would be impacted with regard to access to viable sagebrush habitat in the winter months.<sup>82</sup>

<sup>80</sup> See N. Plains Res. Council v. Surface Transp. Bd., 668 F.3d 1067, 1085 (9th Cir. 2011) (rejecting "[t]he use of mitigation measures as a proxy for baseline data"); see also Openlands v. U.S. Dep't of Transp., 124 F.Supp.3d 796, 806 (N.D. Ill. 2015) (rejecting baseline forecasts that assumed the existence of the project under

consideration).

81 840 F.3d 562, 568-70 (9th Cir. 2016)

82 Id. at 570"

Request for changes to be made to the final NEPA document: Include direction to the fisheries biologist or hydrologist to survey the streams that might be affected before, during and after sale implementation and include this direction in the NEPA document.

Failure to do so will violate:

40 CFR 1500.1(b) because you did not consider relevant environmental information early in the process in order to ensure informed decision making.

40 CFR 1500.2(f) because you failed to "use all practicable means, consistent with the requirements of the Act and other essential considerations of national policy, to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment."

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Never, Ever Entertain the Notion  
that you Serve the Public.

Most Americans want future generations of kids to have the opportunity to experience the quietness and solitude in an undeveloped, natural forest. This will become more important as the population of the United States increases. The wild UNDEVELOPED national forests will provide one of the only escapes from the insanity of a world driven even more by money than it is now ... yet each IDT member has chosen to deny this opportunity to future generations to please you with volume Ranger Statezny.

Most IDT members have science backgrounds. Most understand the value of biodiversity in the forest. By helping to plan this timber sale they are helping to simplify the forest which eliminates the biodiversity. Aren't there some decisions that should not be based on money?

The IDT members should remove themselves from their denial mode and have the courage to examine the cut & paste Purpose & Need closely and ask themselves if the P&N statement reflects the real needs of the countless non-timber natural resources in and downstream from the sale area? Will a commercial timber sale accomplish these needs? Of course not. As my attachments show, best science indicates commercial timber sale activity harms and sometimes destroys the proper functioning of the countless forest resources besides trees. Some IDT members know this, but they do not choose to jeopardize a job that pays well. They prefer to live a life of hypocrisy for the money.

As is the case here, the IDT members know the silviculturist encourages them to believe the trees in this natural, biodiverse forest are sick and may die because he/she concludes they are not resilient to natural disturbance events such as insects, disease and fire. Why is killing the trees with chainsaws and removing them for corporate profit better than allowing them to die a natural death as God intended and remain in the forest to replenish the organics in the soils and serve as habitat for some wildlife species? Of course this is a rhetorical question.

The IDT members have never asked themselves why a human vision of how things should be in the forest should override God's vision when He created the forest and allowed it to pass through different successional

stages ... where each stage benefits the natural resources in different ways.

The South Routt Fuels project will take away more undeveloped national forest acres that the unborn kids of the future should inherit. Which is most important to you: the future kids of America seeking solitude and quietness, or another summer home and yacht for the CEO of the timber extraction corporation that purchases this timber sale?

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After reading the science attachments to this comment letter any rational, unbiased, intelligent person would immediately understand that this sale is a goofy, unprecedented assault on Americans who own the Medicine Bow-Routt National Forest.

Please, withdraw this tragic timber sale and serve the public. Spend your NFTM dollars elsewhere where timber harvest might really benefit the countless forest resources.

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Each IDT member knows if they make it known to their peers they oppose this timber sale they will jeopardize their good standing in the agency and tarnish their promotion potential. A few do not know their job as an IDT member is to be a timber sale enabler regardless of how their resource is ravaged.

The few who understand this are hypocrites as they backhand the public to provide short-term profit opportunities for the natural resource extraction corporations. You will all live with this the rest of your life. I feel bad for people who will sell their soul for money ... especially if they claim to work for the American people.

---

Of Course Filing an Objection

Will be a Waste of my Time

The public is now starting to realize the USFS Objection process is a joke. Sadly, the IDT members believe the agency can do no wrong. The English language has a word to describe this --- "Pollyanna." Webster defines it as "a person characterized by irrepressible optimism and a tendency to find good in everything."

Intelligent, unbiased, un-brainwashed people understand that the Objection Deciding Officer (ODO) must be an unbiased 3rd party with no interest in whether a project is implemented or not. The USFS rigged the Objection process against concerned members of the public. They assure the ODO is a USFS employee who will claim anything to avoid the appearance that the USFS Responsible Official has made an error.

You people must never, ever seriously think you serve the public. It's a cruel joke perpetuated by your agency for many decades.

I know that you know my objection will be rejected by the Objection Deciding Officer before he/she reads it.

The agency treats objections fairly and professionally only if they are filed by groups or individuals who have a history of taking the USFS to court. My motivation for writing these comments is to identify how unprofessional, naive and clueless you all are. For those of you who know what's going on and still press on because your job pays well, I hope the guilt sneaks up on you later in life. People of the future will want to know who was responsible for the development and plunder of their public land. Wanna see USFS post-sale plunder? Take a look at the PHOTOS Attachment #15

There is only 1 reason to file an objection. When the Objection Deciding Officer rejects my objection it opens the door to court action. My daughter will use this opportunity.

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I know, I know, you are thinking this guy is crazy, what can he possibly do that would cause me to act in an unusual way that could cause my supervisor to become concerned. Remember:

the court of public opinion is often more effective than a court of law ... a good letter to the editor takes about 10 minutes and will generate many letters to you from the public expressing their outrage.

I have found that writing letters to Democratic members of Congress can be effective sometimes.

You will be directed to testify in court trying to justify your lies.