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First name: Dick

Last name: Artley

Organization:

Title:

Comments:

November 14, 2017

Dear Supervisor Sweet,

Scoping Comments Introductory Remarks

Supervisor Sweet, based on the "treatments" described in your Proposed Action document, you show the public that natural resource damage is an acceptable trade-off for volume on the Chattahoochee-Oconee National Forest. When your silviculturist presented you with this sale "opportunity" you should have culled it in the blink of an eye. You didn't because you know line-officers who don't make their cut and don't spend all their NFTM funding the same FY it was allocated are passed over for promotions.

When your non-timber resource specialists found out you planned to proceed with this sale in spite of the clear resource damage it will cause, they should have asked you to replace them on the IDT, but they didn't. They know USFS resource destruction that results from corporate natural resource extraction is accepted in the agency and they are expected to look the other way if they want a promotion.

Despite what the USFS teaches you, you must know allowing skidders and tractors weighing 35,000 pounds with spinning wheels and tracks to operate in the forest will tear up and destroy countless natural resources. You have 1 or 2 caring, professional IDT members who know this is true. They are afraid to speak up. They are afraid of you.

Who are you people who embrace clear natural resource destruction?

Supervisor Sweet, even before the scoping process is complete you break the law with your pathetic, underhanded attempt to stifle and limit public involvement in your Foothills timber sale. You prove there are some USFS line-officers who will do anything to increase the chances they will accumulate their precious volume and simultaneously serve their corporate masters.

Your "Dear Forest Stakeholder" scoping letter at page 12 states:

"The official scoping comment period for the Foothills Landscape project will run through December 22, 2017."

There is no official scoping period.

Why do they promote people like you to line officers. Either you are clueless about the NEPA, or you feel the need to deceive the public who pays your salary to assure you get-out-the-cut. Sadly, your so-called natural resource specialists all assist you.

There is no law or regulation limiting the scoping comment period to 30 days. Other national forests have NEPA specialists who know this. Federal District Court judges also know this.

Of course scoping comments are more effective if they are submitted early in the NEPA process, but they must (emphasis added) be accepted by the Responsible Official up to and including the day the DN or ROD is signed. Some USFS Responsible Officials understand the public involvement laws and act accordingly. Here is an excerpt of a Gifford Pinchot NF scoping letter of March 31, 2016

"To assure your comments are fully considered during this scoping phase of the project, we request that you submit comments by April 29, 2016. Additional comments are welcome throughout the planning process."

Link:

http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/104139_FSP LT3_3020950.pdf

Here is an excerpt of a Ochoco NF scoping letter of March 31, 2016

"We welcome your thoughts and discussions about the Black Mountain Project and the changes to the proposed action as your input is a vital part of our planning process. We are currently in the preliminary environmental analysis phase of the project. Our goal is to have analysis completed by October 2017 and a Draft Environmental Impact Statement available for review by March 2018. Comments are appreciated anytime, however, for input to be timely and considered in project design, comments should be received by May 15, 2017."

Link:

http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/99405_FSPL T3_3987125.pdf

I am surprised that you aren't aware that Responsible Officials must bend over backwards to assure the public has the maximum opportunity to provide feedback on a project that may impact (either positively or negatively) their public land. Here are the laws you violate:

§1500.2 Policy.

Federal agencies shall to the fullest extent possible:

(d) Encourage and facilitate public involvement in decisions which affect the quality of the human environment.

§1506.6 Public involvement.

Agencies shall:

(a) Make diligent efforts to involve the public in preparing and implementing their NEPA procedures.

I suggest you call the planning staff officers on the Ochoco and Gifford Pinchot NFs for guidance you aren't receiving on the OPNF.

I expect you to re-scope the Foothills timber sale again ... this time without violating the law. When you do, please send me the new scoping announcement.

Since best science in the attachments shows without a doubt your proposed timber sale will cause resource damage please forget the sale and spend my tax dollar on actions that benefit the amenity resources in the forest. Too many USFS line-officers unwittingly serve their corporate masters and still believe they are doing a good job of protecting the national forest land for future generations. This is the case here.

You hid the number of acres from the public that will be commercially logged. Rescope the project.

My how special. At page 40 you say "Temporary road construction would occur to provide access for the timber harvest." Every other national forest gives the public an estimate of the number of miles of temporary road that will be constructed. The impacts are different for 1 mile than they are for 20 miles. Keeping the mileage secret will guarantee you will not receive meaningful public comments. Please re-scope your sale with this important information. Opposing Views Attachment #4 explains my concerns.

Comment #1: Indeed, the best science statements in the Opposing Views Attachments predict many of the forest's precious natural resources will not function properly when subjected to logging/roading impacts. It's sad the agency twists, changes, and/or ignores science to assure its timber agenda will be satisfied. Even Supervisors with land values and ethics play the game to protect their career.

Comment #2: Understand the public will not accept amenity resource damage. Understand the public will not accept even short-term damage. Understand members of the public are becoming increasingly aware of the tragic resource destruction inflicted on the forest's natural resources by logging and roading identified in Opposing Views Attachments #1 and #4. Finally, understand the public is tired of being backhanded or ignored by USFS line-officers as you will do with these scoping comments.

The scoping process has just begun and you already know your Proposed Action described on the Proposed Action document will be your alternative selected for implementation in the DN or ROD. You have no intention of modifying the Proposed Action based on these comments do you Supervisor Sweet?

Is it easier to kill people if you don't know their names?

You indicate you plan to apply herbicides as part of your Proposed Action to treat Non-native Invasive Species and you say "Herbicidal treatments on non-native invasive species are covered by existing Decisions." Regardless of your "existing Decisions" please assure the pending draft NEPA document bases the herbicide toxicity and safety disclosures on best science supported by a variety of research conclusions ... not just a single study funded by Monsanto done by Syracuse Environmental Research Associates, Inc.. There are hundreds of research conclusions from research conducted by independent scientists that all (emphasis added) show glyphosate is a highly-toxic carcinogen. Some of the independent science conclusions can be examined in the Glyphosate kills Attachment.

Comment #3: The USDA-approved glyphosate toxicity research comes from a single study done at a single lab -- Syracuse Environmental Research Associates, Inc. (SERA). Of the hundreds of glyphosate toxicity studies, the SERA study is the only one to conclude glyphosate is safe and non-toxic. Why would the USFS reject best science and embrace a single herbicide safety study by a lab with Monsanto connections?

Please use your computer's search engine and search on the 2 words "glyphosate" and "cancer." You will get

21,100,000 hits. Then do what any other intelligent, caring human being would do.

Please analyze at least 2 action alternatives in detail

Below I present information about NEPA alternatives that comes from the Shipley Group. The Shipley NEPA experts are contracted by the USFS to teach the NEPA process to USFS employees. Please be guided by the red highlighted text below.

"Remember not to be silent about the reasons for considering some alternatives and ignoring others. Silence is a gift to a possible plaintiff. So plan for and provide even a brief rationale about your range of alternatives. Such a discussion is especially important if your EA or EIS includes only a single action alternative. A single action alternative is a risky agency choice, especially if you determine that your EA or EIS is likely to be a high-risk and controversial document."

Range of Reasonable Alternatives

Feature Article, November 2009

by Larry Freeman, PhD

The Shipley Group, Senior Consultant

Link: <http://www.shipleygroup.com/news/articles/0911.pdf>

Comment #4: You know there is more than 1 way to solve any problem, therefore it's not unreasonable to develop a 2nd or 3rd action alternative in detail. Some are effective and some less effective. NEPA says you need not analyze an infinite number of alternatives but you must analyze "reasonable" alternatives.

Presenting the public with a "do it or not do it" choice exposes your motives and clearly indicates you are not about to let the NEPA process jeopardize the alternative you selected for implementation before you initiated scoping.

Please don't just jump through the NEPA hoops to make your selected alternative legal. NEPA is a process to guide the Responsible Official to a reasonable decision.

Comment #5: If the draft NEPA document has 1 action alternative and you show alternatives suggested by the public in an "alternatives considered but eliminated from detailed study" section please explain why you rejected the other alternatives.

It would be to your advantage to become familiar with 40 CFR 1502.9(b) to learn how to deal with the quotes in the Opposing Views Attachments.

Please alert me when the DEIS or pre-decisional EA is posted online and you are accepting comments. Studies show the vast majority of national forest visits are made by people seeking outdoor recreation experiences. Please assure the Proposed Action is consistent with what these people want to see and experience.

Future generations will seek-out natural undeveloped landscapes for solitude. How will they feel about your decision here? Will they support development of the Foothills sale area for short-term corporate profit? I'm sorry for you if you really believe your Purpose & Need defines real ecological needs. Your P&N contains cooked-up, unneeded needs to manipulate the forest that only logging will satisfy. There are 2 types of line-officers. Some are clueless and do as they are told thinking they are serving the public, and those who are aware that their commodity output projects destroy the proper functioning of natural resources but justify it to themselves because the job pays well.

Which are you?

Sincerely,

Dick Artley (retired forest planner, forest NEPA and litigation coordinator and NEPA document legal compliance reviewer --- Nez Perce National Forest, Idaho)

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