

Data Submitted (UTC 11): 4/4/2018 5:00:54 PM

First name: Dick

Last name: Artley

Organization:

Title:

Comments: ATTN: objection reviewing officer

Below you will find my objection to the EA and draft DN for the Mission Restoration project.

Required 36 CFR § 218.8(d) Objection Information

Proposed Project Name: Mission Restoration project

Name and Title of the Responsible Official: Michael Williams, Forest Supervisor

Proposed Project will be Implemented on: Methow Valley Ranger District, Okanogan-Wenatchee Forest

Objection Introduction

This objector submitted his comments on the pre-decisional EA for the proposed project on February 11, 2017.

Decision Notices are not legal unless they are the result of and linked to a legal EA.

Please direct Supervisor Williams to modify the final NEPA document to remove or correct the illegal sections and issue a new draft decision document that responds to the modified NEPA document that complies with United States law.

Objection Point #1 ----- The proposed Mission Restoration timber sale is not a restoration project.

This objector asked the Responsible Official to assure the timber sale name does not include the words "restore" or "restoration." Also wherever the NEPA document tells the public a natural resource will be restored and include the basis (with science references) for that conclusion.

This wasn't done.

Multiple independently authored science papers presented by this objector clearly described how commercial logging activity is the antithesis of forest restoration.

Even the USDA Agriculture Office of Inspector General says:

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

Long, Richard D., U.S. Department of Agriculture Office of Inspector General
"Western Region Audit Report: Forest Service National Fire Plan Implementation"
Report No. 08601-26-SF, November 2001.
<http://www.usda.gov/oig/webdocs/08601-26-SF.pdf>

Therefore, the final EA violates the following:

18 USC § 1519. Destruction, alteration, or falsification of records in Federal investigations and bankruptcy,

because the Responsible Official has consciously falsified the Mission NEPA document with the intent to influence the proper administration of the Okanogan-Wenatchee National Forest.

40 CFR § 1500.1(b) because actions were not taken to protect, restore, and enhance the environment, and

40 CFR 1500.2(f) because actions were not taken to avoid or minimize any possible adverse effects of their actions on the quality of the human environment.

18 U.S.C. § 1001 (a)(3) because the Responsible Official knowingly and willfully "relied on false writing or document" inconsistent with the science conclusions of scores of independent Ph.D. scientists "knowing the same to contain any materially false, fictitious, or fraudulent statement or entry." Knowingly falsifying the project's effects to the environment will give the Responsible Official an excuse to ignore the damage and not prescribe mitigation to reduce the adverse effects.

18 U.S.C. § 1519 because the Responsible Official knowingly made false entries in this draft EA with the intent to influence the proper administration of the Okanogan-Wenatchee National Forest.

The Administrative Procedures Act directs judges to set aside an agency action if the court determines that the action is "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

How this objection point can be resolved: Comply with the objector's request above.

Objection Point #2---The Responsible Official does not acknowledge that the research conclusions of scores of independent scientists' indicate that even casual exposure to glyphosate may cause significant health problems ... even cancer.

The objector requested the Responsible Official to assure the Proposed Action specifically states "herbicides that contain the chemical glyphosate will not be applied."

None of this was done. The herbicide information on page 12 of the EA still indicates glyphosate will be applied. Incredibly, Supervisor Williams does not care if he applies a chemical that research shows can cause cancer, autism, birth defects, miscarriages, neurological disorders and liver/kidney disease. Most public servants would avoid the risk since there are at least a dozen alternatives.

A Christian would not take action if there were even a small chance it would cause a child to die painfully from cancer later in life ... just because his employer says it's OK.

None of this was done. The herbicide information on page 15 of the EA still indicates glyphosate will be applied. Incredibly, Supervisor Williams does not care if he applies a chemical that research shows can cause cancer, autism, birth defects, miscarriages, neurological disorders and liver/kidney disease. Most public servants would avoid the risk since there are at least a dozen alternatives.

Therefore, the final EA violates 40 CFR 1501.2 (b), 40 CFR 1502.16(a) and (b), and 40 CFR 1508.8(b) because Chapter 3 omits important environmental effect disclosures. Keep in mind 40 CFR 1508.3 defines "Affecting" to mean the action "will or may (emphasis added) have an effect on" the human environment. An adverse effect need not be certain to qualify for Chapter 3 disclosures. Also 40 CFR 1508.8(b) defines effects as being ecological and "aesthetic, historic, cultural, economic, social, or health." Since herbicides containing glyphosate clearly will or may , adversely affect health, these possible effects on health must be discussed in Chapter 3. Unfortunately, the Responsible Official chose to omit this discussion.

The final EA also violates the Apr. 21, 1997 Executive Order No. 13045 because the Responsible Official does not ensure that this project will not disproportionately expose children to environmental health risks and safety risks.

The draft FONSI violates 40 CFR §1508.27(b)(2) because the intensity discussion fails to discuss the degree to which the proposed action affects public health or safety. The selected alternative will apply herbicides containing glyphosate. Recent research conclusions by many independent scientists link glyphosate exposure to the following health issues. Some are potentially lethal.

- *birth defects,
- *non-Hodgkin's lymphoma (a form of cancer),
- *mitochondrial damage,
- *cell asphyxia,
- *miscarriages,
- *attention deficit disorder,
- *endocrine disruption,
- *DNA damage,
- *skin tumors,
- *thyroid damage,
- *hairy cell leukemia (another cancer),
- *Parkinson disease,
- *premature births,
- *decrease in the sperm count,
- *harm to the immune system in fish
- *death of liver cells,
- *severe reproductive system disruptions
- *and chromosomal damage.

The intensity disclosures in the FONSI do not acknowledge this information, thus the draft FONSI is illegal. Thus, any judge would rule that the NEPA analysis for the Mossion project should be an EIS and the decision documented in a ROD.

The final EA violates the NEPA at section 101(b)(2) because it does not "assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings;"

How this objection point can be resolved: Comply with the objector's request above.
Sincerely,

Dick Artley's scanned signature is contained in the "signature" attachment.

Dick Artley (retired Nez Perce National Forest forest planner)
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