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Comments: Comments on northwest forest plan scoping and process February 1, 2024

Intro

As a senior citizen and lifelong recreational user of National Forest lands I have concerns related to the scope and process of this planning activity. With age it has become apparent to me that my ability to access recreational opportunities has evolved, primarily due to diminished physical ability. In this I share many concerns that are shared with others of limited mobility. I have also observed that over time access to forest service lands has declined due to diminished road maintenance and repair, including loss of existing road infrastructure. While, at the same time, an increased demand for public access has created a crisis of access and parking at many remaining locales. This has created a challenge for those of us of limited mobility to enjoy existing access let alone enjoy increased opportunities that could be created with reasonable infrastructure enhancement including improved road access and improved parking facilities. As long as sex is more popular than death this will continue to be the case with more recreational users, including increases in aged and disabled users, facing decreasing access to recreational resources.

In light of these considerations, I find significant deficiencies in the scope and process of the Northwest Forest Plan amendment.

1. NWFP Advisory Committee membership bias issues represent noncompliance with FACA law and regulation. The membership of the Northwest Forest Plan Advisory Committee is not in alignment with the Federal Advisory Committee Act (FACA), and is not in alignment with the membership balance plan published August 18, 2022, specifically section 9(iv) The need to obtain divergent points of view on the issues before the Federal advisory committee. Current membership representation is unfairly biased in favor of organizations that present historical and current views restricting or eliminating motorized access to national forest lands and not in alignment with public use of a National Forest as a public recreational resource. The membership is deficient in lacking balanced representation for recreational user groups that require preservation or improvement of access and infrastructure.

Section 5(b)(2) of the FACA requires

"...the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee." The corresponding FACA regulations reiterate this requirement at 41 CFR § 102-3.30(c), and, for discretionary committees being established, renewed, or reestablished, require agencies to provide a description of their plan to attain balanced membership during the charter consultation process with GSA (41 CFR § 102-3.60(b)(3)). The document created through this process is the Membership Balance Plan. The regulations further clarify that (1) the purpose of the membership balance plan is to ensure "that, in the selection of members for the advisory committee, the agency will consider a cross-section of those directly affected, interested, and qualified, as appropriate to the nature and functions of the advisory committee;" and (2) "[a]dvisory committees requiring technical expertise should include persons with demonstrated professional or personal qualifications and experience relevant to the functions and tasks to be performed." (41 CFR § 102-3.60(b)(3)).

Required compliance with FACA legislation and regulation derives from a solid public interest in assuring an unbiased, comprehensive, and collaborative planning process and product. Failure to address this bias will result in a product (Northwest Forest Plan amendment) that is inherently deficient in representation of impacted citizens' interests and compromised in consideration of relevant science and perspective.

The limited representation also creates a potential for actions that may create non-compliances with the Americans with Disabilities Act (ADA) by enabling an agency decision that creates barriers to access. Note that these barriers limit access to recreational activities that promote human health benefits, creating a nexus of connection to NEPA analysis requirements in covering impacts to the human environment, including health

effects.

2.Scope of Northwest Forest Plan amendment process is deficient and does not adequately include relevant science and respect for the multiple forest recreational users and impacted communities

The limited scope of this analysis supporting this amendment does not adequately cover the interrelationships between all factors impacting recreational user experience, forest health, and sustainability. The amendment Focus Areas as currently published include: Fire Resistance and Climate Resilience, Mature and Old-Growth Forest Management, Community and Economic Considerations, and Wildlife Habitat Protections. However, since 1994 (the Northwest Forest Plan published a generation ago - 30 years ago) the local community and the recreational population has increased dramatically, with corresponding influence on the recreation demands on the forest. By disregarding the recreational user impacts and needs in selection of focus areas, the amendment is deficient, and the analysis is not scientifically informed, complete, rigorous, nor defensible.

3.The use of an amendment process that deliberately avoids relevant impacts is non-compliant with NEPA

As noted in (2) above, the limited scope of this analysis avoids consideration of an increasing user population (significantly increased from 1994 NWFP). This limited scope is non-compliant with NEPA by not including input to the process regarding all significant impacts. The agency is also required to consider all reasonable alternatives. The limited scope and involvement will obstruct the agency from reaching an informed decision and appears to be a convenient way to avoid input that may be opposed by currently involved FACA organizations (see item (1) above).

It appears the agency may be attempting to frame this process as a modernization via amendment rather than a complete plan revision, thereby enabling the analysis process (by their manipulation) to avoid certain considerations. This appears to be a direct circumvention of NEPA requirements, particularly regarding a current Northwest Forest Plan that is 30 years old facing significantly changed conditions from initial analysis (see intro paragraph and item (2) above).

4.Recommendations

a.Enhance the representation of the Federal Advisory Committee to properly respect the diversity of recreational users, most notably those of limited mobility and motorized access thereby meeting regulatory requirements of FACA, ADA, and NEPA as well as USFS policy (and of the membership balance plan for this action August 18, 2022).

b.Include alternatives that preserve existing road infrastructure and improve access and parking for recreational users.

c.Plan in a forward-looking manner to provide for maintenance and improvements that ensure preservation of roads and related infrastructure as opposed to waiting until loss of infrastructure forces unplanned projects or infrastructure loss. (in line with Forest Plan principles which are to be long range planning)

d.Expand the scope of NWFP focus areas under consideration, thereby meeting regulatory requirements, and properly address the comprehensive nature of all areas that would influence any changes to the Northwest Forest plan (now aged 30 years).

e.Recognize that labelling as 'modernization' and the use of an amendment process that limits areas of consideration for this action is inappropriate under NEPA for changes to this dated Northwest Forest Plan. The action must be comprehensive to ensure appropriate human involvement in the process and assure adequate consideration of: impacts to the human environment, relevant science, and alternatives in decision making.