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Comments: I object to the Bear-Palmer project on the basis that the underlying emergency declaration contained in Secretary's Memorandum 1078-006 is prima facie illegal.

The memorandum's title states that it's goal is to increase timber production; this belies that this order is not intended to address any actual emergency, but rather to use the emergency power to achieve an economic policy goal (public subsidy of the timber industry). If congress, through the IIJA , intended such a subsidy, it could have easily included one in the already bloated price tag of the bill. Alternatively, if congress wished to broadly loosen restrictions on over half the land managed by the Forest Service, it also could have done so--but, again, it did not.

Additionally, Section 40807 of the IIJA requires that the Secretary utilize "relevant information" in making an emergency determination. The sole source the secretary provided in her memorandum concerning wildfire risk is the 2023 Wildfire Hazard Potential (WHP) product produced by the Rocky Mountain Research Station. This product, per the Forest Service's own documentation, is not intended to quantify actual wildfire risk; it is a large-scale, remote-sensing based GIS product designed to be used in conjunction with other products. The data used in the 2023 WHP release only extends through the year 2020. Webster's Dictionary describes an emergency as "an unforeseen combination of circumstances or the resulting state that calls for immediate action." A landscape condition which existed in 2020, before the passage of the IIJA and while the current administration was last in office, cannot reasonably be considered "unforeseen."

The Jardine area is locally treasured by many, and the volume of comments already received against this project is telling. Implementing this project in such a rushed fashion, bypassing normal administrative review, will only serve to further dim the view many locals have of the Forest Service, and will harm the long-term ability of the Forest Service to implement more conventional projects during future administrations.

The various administrative and regulatory hurdles the Forest Service must overcome when implementing projects are the direct result of the Forest Service's long history of ignoring the public's input when making land management decisions. There is no need to let that history repeat itself in this instance.