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Organization:
Title:
Comments: Grass Valley Fire Restoration Project

April 22, 2015

Dear Ranger Stamer,

"Better a cruel truth than a comfortable delusion"

Edward Abbey

"Only after the last tree has been cut down; only after the last river has been poisoned; only after the last fish has been caught; only then will you find that money cannot be eaten!"

Chief Seattle

My scoping comments on the proposed Grass Valley Restoration project are shown below.

The USFS is legally required to provide meaningful responses to all "responsible opposing views" submitted by the public. Most opposing views contained in the attachments below would be found in a court of law to be "responsible" and constitute "best science" because they are authored by independent Ph.D. scientists who are experts in their fields and are not biased as is the case with most USDA employees when they discuss the USFS timber program. Of course the USFS's culture and rewards system is dominated by timber.

Don't believe me? How many times have the IDT members attended a training session and at break time a stranger from another forest approaches them and the first thing they say is "how much does your forest cut?"

Ranger Stamer, you propose to log an undisclosed number of square miles and tell the public it will "restore" the resources. After you read the attachment referenced below you will realize logging restores nothing.

Please read real best science not authored by USDA employees contained in Opposing Views Attachment #1 to learn about how logging plunders and desecrates the land owned by 322 million Americans to provide corporate profit opportunities. Ask your IDT members if they really believe the goals described in the P&N are needed, or contrived to justify this timber sale. Statistically significant nationwide surveys clearly indicate the vast majority of the American public do not want their national forests logged anywhere for any reason. Don't believe me? Please examine Opposing Views Attachment #10.

Ranger Stamer, please apply Dr. Cohen's fine fuels removal methods near homes in the WUI owned by the elderly and handicapped who are unable to do the work themselves. I know they will grant permission. For the others please hold workshops to explain Dr. Cohen's methods. Your Proposed Action and Scoping document states:

"The entire project area is in Wildland Urban Interface defense zone. This designation indicates that the project area is within a wildland fuel zone, yet is directly adjacent to developed areas."

Consciously ignoring the most effective fire damage risk reduction method discussed below is criminal.

Opposing Views Attachment #11 contains the research conclusions of a USFS employee with a Ph.D. in fire physics. Here are 2 of Dr. Cohen's many research conclusions comparing his methods to eliminate the chances of homes burning in a wildfire with the USFS favorite method ... hazardous fuels reduction logging.

Dr. Cohen states: "Vegetation management beyond the structure's immediate vicinity has little effect on structure ignitions. That is, vegetation management adjacent to the structure would prevent ignitions from flame exposure; but vegetation management away from the structure would not affect ignition from flame exposure and would not significantly reduce ignitions from firebrands." (Pg. 4)

Source for quote above: Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United States

Published in Forest Ecology and Management 256, 2008

<<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>>
<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>

Dr. Cohen states: "Effective landscape fuel reduction does not necessarily prevent W-UI home fire destruction."
(Pg. 10)

Source for quote above: Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United States

Published in Forest Ecology and Management 256, 2008

<<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>>
<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>

A little history is in order here. Mark Rey, former timber industry lobbyist was appointed to the USDA undersecretary for natural resources and agriculture position under the Bush administration. He was sworn in by Agriculture Secretary, <http://en.wikipedia.org/wiki/Ann_M._Veneman> Ann M. Veneman on October 2, 2001. His duty was to oversee the U.S. Department of Agriculture's Forest Service and Natural Resource Conservation Service. He accomplished his unwritten mission for the timber corporations. He emphasized the need for ineffective hazardous fuels reduction logging. Prior to Mark Rey's appointment the USFS didn't pursue fuels reduction logging. I recommend you check it out.

Also, please read real best science contained in Opposing Views Attachment #3. It contains more science that explains why fuels reduction logging is an ineffective method to reduce the risk of wildfire damage to homes in the WUI. To give you a taste of the contents of this attachment here are 2 science statements:

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

"Mechanically removing fuels (through commercial timber harvesting and other means) can also have adverse

effects on wildlife habitat and water quality in many areas. Officials told GAO that, because of these effects, a large-scale expansion of commercial timber harvesting alone for removing materials would not be feasible. However, because the Forest Service relies on the timber program for funding many of its activities, including reducing fuels, it has often used this program to address the wildfire problem. The difficulty with such an approach, however, is that the lands with commercially valuable timber are often not those with the greatest wildfire hazards."

Government Accounting Office

"Western National Forests: A Cohesive Strategy is

Needed to Address Catastrophic Wildfire Threats"

GAO/RCED-99-65

<<http://www.gao.gov/archive/1999/rc99065.pdf>> <http://www.gao.gov/archive/1999/rc99065.pdf>

"The Congressional Research Service (CRS) recently addressed the effect of logging on wildfires in an August 2000 report and found that the current wave of forest fires is not related to a decline in timber harvest on Federal lands. From a quantitative perspective, the CRS study indicates a very weak relationship between acres logged and the extent and severity of forest fires. To the contrary, in the most recent period (1980 through 1999) the data indicate that fewer acres burned in areas where logging activity was limited."

"Qualitative analysis by CRS supports the same conclusion. The CRS stated: "[T]imber harvesting removes the relatively large diameter wood that can be converted into wood products, but leaves behind the small material, especially twigs and needles. The concentration of these fine fuels on the forest floor increases the rate of spread of wildfires." Similarly, the National Research Council found that logging and clearcutting can cause rapid regeneration of shrubs and trees that can create highly flammable fuel conditions within a few years of cutting."

Laverty, Lyle, USDA Forest Service and Tim Hartzell U.S. Department of the Interior

"A Report to the President in Response to the Wildfires of 2000", September 8, 2000.

<<http://www.fs.fed.us/emc/hfi/president.pdf>> <http://www.fs.fed.us/emc/hfi/president.pdf>

Now Ranger Stamer, if you have the science literature and fire experts willing to testify in a court of law that will discredit these CRS and GAO conclusions carry on with your project. If not, reevaluate your Purpose & Need statement for the WUI and analyze a Dr. Cohen methods alternative in detail.

Your unnumbered Grass Valley Fire Restoration Project Proposed Action and Scoping Document states:

"Invasive Plants Treatments

The Grass Valley Fire resulted in the introduction and spread of several invasive weeds. The current documented infestation can be controlled and eradicated with the use of a California state approved herbicide, glyphosate. The existing populations of plants are invasive and displace native plant communities."

Ranger Stamer, you have 2 choices: 1) you can spread a carcinogen across public land that will likely kill mammals (including children who visit the forest), birds and for sure fish just because the state of California says you can, or 2) you can examine Opposing Views Attachment #9a and make an informed, intelligent decision based on the facts. If you wish to ignore the facts and apply the poison anyway then please "insure that environmental information is available" by summarizing the science contained in Opposing Views Attachment #9a the pending draft NEPA document.

"NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and publicscrutiny are essential to implementing NEPA." (40 CFR 1500.1(b)

Please read real best science contained in Opposing Views Attachment #9a to learn why herbicides that contain glyphosate are potentially lethal to birds and mammals (including humans). I assure you, Monsanto spends tens of millions \$\$\$ each year to hide this information.

Only someone who isn't bothered by taking action that could kill things would apply the poison glyphosate to the unwanted vegetation. Read the evidence:

Monsanto weed killer can 'probably' cause cancer: World Health Organization

Published by Reuters, March 20, 2015

<<http://www.reuters.com/article/2015/03/20/us-monsanto-roundup-cancer-idUSKBN0MG2NY20150320>>
<http://www.reuters.com/article/2015/03/20/us-monsanto-roundup-cancer-idUSKBN0MG2NY20150320>

World Health Organization labels Roundup a 'probable carcinogen,' Monsanto strongly disagrees

Broadcast on Mid-Missouri public radio, March 24, 2015

<<http://kbia.org/post/world-health-organization-labels-roundup-probable-carcinogen-monsanto-strongly-disagrees>> <http://kbia.org/post/world-health-organization-labels-roundup-probable-carcinogen-monsanto-strongly-disagrees>

World's Leading Health Organization Declares Glyphosate "Probably carcinogenic to humans". It's time to Ban Monsanto's Roundup

Published by Food Democracy Now! March 26, 2015

<<http://www.fooddemocracynow.org/blog/2015/mar/26>> <http://www.fooddemocracynow.org/blog/2015/mar/26>

WHO Glyphosate Report Ends Thirty Year Cancer Cover Up

Published by Sustainable Pulse, March 26, 2015

<http://sustainablepulse.com/2015/03/26/who-glyphosate-report-ends-thirty-year-cancer-cover-up#.VRSespbm_IU> http://sustainablepulse.com/2015/03/26/who-glyphosate-report-ends-thirty-year-cancer-cover-up#.VRSespbm_IU

New glyphosate review finds it a probable cause of lymphoma, chromosome damage.

Published by Planet Natural, March 2015

<<http://www.planetnatural.com/roundup-cancer/>> <http://www.planetnatural.com/roundup-cancer/>

Research Arm of World Health Organization Labels Glyphosate "Probably" Carcinogenic

Broadcast on American Ag radio network, March 23, 2015

<<http://americanagnetwork.com/2015/03/research-arm-of-world-health-organization-labels-glyphosate-probably-carcinogenic/>> <http://americanagnetwork.com/2015/03/research-arm-of-world-health-organization-labels-glyphosate-probably-carcinogenic/>

Glyphosate probably carcinogenic

Published by Point Reyes Light, March 26, 2015

<<http://www.ptreyeslight.com/article/glyphosate-probably-carcinogenic>> <http://www.ptreyeslight.com/article/glyphosate-probably-carcinogenic>

Roundup a 'probable carcinogen' World Health Organization finds

Published in the Statesman Journal (Salem, Oregon), March 20, 2015

<<http://www.statesmanjournal.com/story/tech/science/environment/2015/03/20/roundup-probable-carcinogen-world-health-organization-finds/25109875/>>
<http://www.statesmanjournal.com/story/tech/science/environment/2015/03/20/roundup-probable-carcinogen-world-health-organization-finds/25109875/>

World Health Organization: Monsanto's RoundUp 'Probably' Causes Cancer

Published in the Ben Swann Newsletter, March 23, 2015

<<http://benswann.com/world-health-organization-monsantos-roundup-probably-causes-cancer/>>
<http://benswann.com/world-health-organization-monsantos-roundup-probably-causes-cancer/>

Monsanto spends tens of millions \$\$\$ each year to hide this information and pay their lobbyists in DC. Do you trust this corporation? Do you trust state and federal agencies that might or could be influenced by this corporation with hundreds of billions \$\$\$ in annual revenue. Ask yourself why Congress passed the Monsanto Protection Act:

"Thanks to Monsanto's <<http://www.opensecrets.org/orgs/summary.php?id=D000000055>> aggressive lobbying, Congress <<http://www.foodnewsie.com/articles/hr-933-section-735-monsanto-rider>> hid a provision deep into a <<http://www.foodnewsie.com/images/168.jpg>> homeland security section of their recently passed budget, by way of a long-winded paragraph loaded with indecipherable legalese, allowing the agribusiness giant to plant genetically-modified (GM) crops without judicial review to determine whether or not their crops are unsafe. Essentially, Monsanto bought enough influence to bypass the system of checks and balances. All that's needed to solidify this goodie to Monsanto is President Obama's signature. Although Obama <http://www.youtube.com/watch?feature=player_embedded&v=8WveF8YjYEE> said in 2007 that he would "immediately" work to label GM foods if elected, Obama in 2012 appointed a Monsanto executive as his administration's <http://act.credoaction.com/campaign/fire_michael_taylor/index2.html> food safety czar. It's safe to say the bill will get signed, paving the way for mutant food to hit the grocery store shelves without any obstacles."

Source: <http://www.huffingtonpost.com/carl-gibson/congress-protects-monsant_b_2956642.html>
http://www.huffingtonpost.com/carl-gibson/congress-protects-monsant_b_2956642.html

Ranger Stamer, I'm doing you a favor here. I suggest you read 18 U.S.C. § 1001 and the Administrative Procedures Act below and ask yourself how they apply to your proposed actions that will occur when you select the Proposed Action for Implementation.

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully -

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

(2) makes any materially false, fictitious, or fraudulent statement or representation; or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

(b) Subsection (a) does not apply to a party to a judicial proceeding, or that party's counsel, for statements, representations, writings or documents submitted by such party or counsel to a judge or magistrate in that proceeding.

(c) With respect to any matter within the jurisdiction of the legislative branch, subsection (a) shall apply only to -

(1) administrative matters, including a claim for payment, a matter related to the procurement of property or services, personnel or employment practices, or support services, or a document required by law, rule, or regulation to be submitted to the Congress or any office or officer within the legislative branch; or

(2) any investigation or review, conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate. - See more at:

<<http://codes.lp.findlaw.com/uscode/18/47/1001#sthash.ChXNLypx.dpuf>>

<http://codes.lp.findlaw.com/uscode/18/47/1001#sthash.ChXNLypx.dpuf>

Ranger Stamer, neither are you exempt from the provisions of the Administrative Procedures Act. Under the APA, a court may 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); see also Marsh, 490 U.S. at 375-77 (arbitrary and capricious standard applies to agency findings which involve agency expertise). Here's an excerpt from the Marsh opinion:

"Consequently, we may reverse the decision as arbitrary or capricious only if the agency relied on factors Congress did not intend it to consider, entirely failed to consider an important aspect of the problem, offered an explanation that ran counter to the evidence before the agency, or offered one that is so implausible that it could not be ascribed to a difference in view or the product of agency expertise."

Source: SIERRA CLUB v. BOSWORTH. An Appeal to 9th Circuit from the United States District Court for the Eastern District of California, Filed December 5, 2007

<<http://caselaw.findlaw.com/us-9th-circuit/1175742.html>> <http://caselaw.findlaw.com/us-9th-circuit/1175742.html>

Non-native species are a threat to the ecosystem, however there are alternatives to herbicides that contain glyphosate: hand pulling and biological control. The USFS routinely rejects these alternatives because they "are too costly." Be a real public servant and spend their money wisely.

The scoping package is silent on monitoring. I have 2 suggestions: #1) Read 40 CFR 1505.3(d) and #2) include an easily identifiable monitoring section in the pending NEPA document for this timber sale to determine if damage is occurring to natural resources that might potentially be damaged by logging and road construction activities. This monitoring plan will include 1) the resource that might potentially be harmed, 2) the monitoring process (what is monitored), 3) the monitoring frequency, 4) the type of specialist(s) that will evaluate the monitoring data, and 5) actions that might be taken to eliminate the resource harm if monitoring data shows resource harm is occurring.

I ask that at least the following resources be included in the monitoring plan:

- for aquatic health: turbidity and temperature,
- for possible harm to recreational opportunities: logging units or road construction visible from locations where the public might congregate (overlooks, roads, trails campgrounds etc.),
- for public safety hazards (making sure to include locations where toxic herbicides have been sprayed,
- for wildlife: habitat that is damaged by logging and road construction ... especially T&E species habitat for species that may exist in or near the sale area,
- for soils damage: compaction at random locations throughout the units, and
- for water quality ... specifically chemical or petroleum pollutants.

Consider this a "request" for relevant monitoring data.

Ranger Stamer, you join other USFS line-officers with your lie that your tragic timber sale will "restore" something. Yes, this is a timber sale because you propose "mechanical thinning with ground based yarding" and "chainsaw thinning with skyline or helicopter yarding."

I suggest you read Webster's definition of "restore." Why don't you tell the truth and say the sale will only restore the purchasers' financial situation.

Of course you will not do this so in the pending NEPA document please tell the public what resources your logging and road construction will restore using Webster's definitions of "restore" below:

- to return (something) to an earlier or original condition by repairing it, cleaning it, etc.

- to <<http://dictionary.cambridge.org/dictionary/british/return>> return something or someone to an
<<http://dictionary.cambridge.org/dictionary/british/early>> earlier good
<<http://dictionary.cambridge.org/dictionary/british/condition>> condition or
<<http://dictionary.cambridge.org/dictionary/british/position>> position

- To give or bring back (that which has been lost or taken);

Please assure that your disclosures of resources whose proper functioning will be restored by logging the forest are consistent with the best science contained in Opposing Views Attachment #1.

The Origin of the USFS Notion of a "Restoration" Project

Perhaps you don't know that in 2008 Chief Kimbell made (unwritten) USFS policy to deal with proposed commercial timber sales using euphemisms and flowery language to stem the growing public outrage that their national forest were being logged to provide corporate profit opportunities. Line-officers were encouraged (directed ?) to:

- 1) stop using "timber sale" when referencing proposed timber sales and replace it with "restoration project."

2) in order to justify this euphemism, line-officers were encouraged to allow natural resource damage to occur by not taking action to eliminate the causes of the damage after it is known until it could be added as part of a timber sale proposed action.

Now, before you get too excited I ask you to assure your list of resources you claim you will restore with logging and road construction is consistent with the best science contained in Opposing Views Attachment #1. As you know, several of your claims that logging will restore certain resources is contradicted numerous times in Opposing Views Attachment #1. When this is the case, I ask you to explain why the specific best science opinions are wrong or don't apply to the Grass Valley timber sale.

Some people when exposed to an inconvenient truth frantically seek out and enter their irrational denial mode. Is that the case with you Ranger Stamer, or are you intelligent and honorable enough to consider alternatives to USFS disinformation?

Opposing Views Attachment #21 will convince you that logging is not a restoration activity, therefore I will expect the word "restoration" to never appear in the text of the pending NEPA document and for sure not in the timber sale name.

Please alert me when the DEIS or pre-decisional EA is posted online and you are accepting comments. I ask you to: 1) forget glyphosate application and 2) analyze a Dr. Cohen alternative in detail to assure you provide maximum protection for folks living in the WUI.

Sincerely,

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

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