



*Protecting the heritage, resources and economy of the Allegheny-Blue Ridge region*

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To: NEPA Services Group  
% Amy Barker  
USDA Forest Services  
125 South State Street, Suite 1705  
Salt Lake City, UT 84138

From: Lewis Freeman, Executive Director, Allegheny-Blue Ridge Alliance

Re: Comments on Forest Service Proposed Rule on NEPA Compliance

I write to express deep concern over the rule the U.S. Forest Service has proposed that would revise environmental analysis procedures the agency uses in complying with requirements under the National Environmental Policy Act (NEPA). The Allegheny-Blue Ridge Alliance (ABRA) is a coalition of more than 50 citizen conservation groups in Virginia and West Virginia dedicated to preserving the environmental and economic integrity of the central Appalachian Highlands and the Blue Ridge Mountains. The Monongahela and George Washington National Forests are vital parts of our region.

The proposed rule states that its purpose is for the agency “to increase efficiency in its environmental analysis while meeting NEPA’s requirements and fully honoring its environmental stewardship responsibilities.” The proposal goes on to explain that procedural reforms are needed in the face of increasing demands for special use permits and diminishing resources to process them. The agency’s need to address this problem is understandable, but the proposed solution would in no way honor the agency’s environmental stewardship responsibilities. Rather, the proposed rule represents an abandonment of its stewardship responsibilities by severely limiting the circumstances under which the Forest Service can obtain critical input from the public.

The proposed rule, by expanding the use of “categorical exclusions,” would eliminate the public comment process for many proposed uses of the national forests. Essentially, the Forest Service is saying to citizens with an interest in a proposed Forest project that the agency will decide whether their opinion is worth listening to. This proposed “don’t call us, we’ll call you” approach to future NEPA analyses represents a bureaucratic conceit that is contrary to the partnership with the public that the Forest Service has admirably practiced in the past.

The Forest Service should be encouraging increased public involvement, not blocking it as these proposed changes would do. Here are some reasons why:

- The public often provides information and analyses in NEPA projects that supplements the Forest Service's knowledge. Landowners, forest users, and local governments and businesses know things about their local National Forest areas that the agency cannot know, especially because the agency has ever more limited personnel and resources to study conditions and plan projects. Without the public's contributions, Forest Service projects will be based on incomplete and unsound facts and reasoning.
- The record of failed processes, where courts have found the Forest Service to have neglected its responsibilities, even when full NEPA analyses were conducted, shows very clearly that more care and more public involvement is needed, not less. The Forest Service was rebuked by a federal appeals court for decisions on both the Atlantic Coast and Mountain Valley pipelines for arbitrary and capricious actions.
- Use of categorical exclusions has been used to allow timbering in the guise of forest improvements and these changes would allow more of that.
- The wide range of circumstances between National Forests and within individual Forests makes general conclusions about the effects required under categorical exclusions inappropriate in many cases. This violates NEPA and the courts' rulings that the agency is to take a "hard look" at the impacts on the natural and human environment and identify all significant impacts.

In conclusion, the Allegheny-Blue Ridge Alliance urges that the Forest Service to eliminate from the proposed rule on NEPA procedures the inappropriate expansion of "categorical exclusions."