

The administrative review process established by 36 CFR 218, which replaced the post-decisional appeal process under 36 CFR 215, is pre-decisional in an effort to consider public concerns earlier in the decision-making process. The requirement to base objection issues on previous specific written comments or new information, as well as the requirement for the responsible official to consider concerns prior to signing a decision, encourage a more engaged, collaborative approach throughout project development and gives the Agency multiple chances to consider and possibly alleviate concerns identified by the public.

36 CFR 218.2 defines specific written comments as follows: "...For the purposes of this rule, specific written comments should be **within the scope of the proposed action, have a direct relationship to the proposed action, and must include supporting reasons for the responsible official to consider**" (emphasis added). While your comments or objection issues may be within the scope of the proposed action and have a direct relationship to the proposed action (i.e. you raise an issue regarding grizzly bear because they are found within the project area and may be affected by the proposed actions), your comments and objection issues are not specific to the analysis or draft decision rationale for the applicable project, as demonstrated by your practice of copying and pasting comments and objection issues on numerous projects across Region 1. By not citing to the analysis or draft decision rationale specific to a project, you are not demonstrating how the analysis or rationale are inadequate; therefore, I find you are not meeting the requirement to include supporting reasons for the responsible official to consider or for the objection reviewing officer to review (36 CFR 218.2; 218.8(d)(5); 218.10(5)).

I value your continued participation with regards to Forest Service land management decisions; however, I believe your participation would allow us to reach more informed decisions if you followed the requirements of 36 CFR 218 and provided us with pertinent information specific to the project you are commenting on or objecting to. As it currently stands, your participation throughout the NEPA and administrative review processes appears to be nothing more than going through the procedural steps necessary to litigate the project.

#### ***INCORPORATION OF DOCUMENTS BY REFERENCE***

You also continue to incorporate documents by reference in your objection. 36 CFR 218.8(b) states, "Incorporation of documents by reference is not allowed, except for the following list of items that may be referenced by including date, page, and section of the cited document, along with a description of its content and applicability to the objection. All other documents must be included with the objection.

- (1) All or any part of a Federal law or regulation.
- (2) Forest Service directives and land management plans.
- (3) Documents referenced by the Forest Service in the proposed project EA or EIS that is subject to objection.
- (4) Comments previously provided to the Forest Service by the objector during public involvement opportunities for the proposed project where written comments were requested by the responsible official."

You cited the following references but did not include them with your objection.

- Bate, 1995
- Bull et al., 1986
- Camp et al., 1997
- Center for Biological Diversity et al., 2013
- Churchill, 2011
- Committee of Scientists, 1999
- *Connor v. Burford*, 848 F.2d 1441, 1454
- Dueker and Sullivan, 2001