

CQ547



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09/23/02 06:43 PM
Please respond to
rslynch

To: <ceq_nepa@fs.fed.us>
cc:
Subject: Comments on the proposed nature and scope of NEPA Task Force
activities

Please see attached letter.

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E-MAILED ONLY

September 23, 2002

NEPA Task Force
Council on Environmental Quality
Washington, D.C.

Re: Comments on the proposed nature and scope of NEPA Task Force activities

Ladies and Gentlemen:

I will not attempt to respond to all of the questions in the Federal Register notice of July 9th. Let me instead bring to your attention two subjects that I believe are worthy of your consideration in this effort.

First, it has been my recent experience that the CEQ directive to involve local government entities in collaboration on development of environmental analyses is being observed in the breach. Some but not all of the federal land management agencies in the Southwest have been slow to accept this directive and in some instances downright hostile toward participation by local government entities in developing environmental analyses prior to the initiation of the formal NEPA process. You should consider strengthening that guidance.

Second, the questions concerning adaptive management blur the distinction between the use of an environmental impact statement as a resource to assist decision-making and decision-making itself. The questions leave the impression that CEQ is pushing the EIS process toward a decision document mode. Environmental analysis in an EIS is just that. NEPA is a decision-making tool, not a decision-making vehicle. Adaptive management can be put forward as a mechanism for inclusion in a management decision but only the decision can establish parameters for consideration of other activities. The trigger for any further NEPA analysis is a new proposal that constitutes a "major federal action significantly affecting the quality of the human environment." NEPA is not designed to periodically review the status quo. Changes in the quantity of knowledge about existing, ongoing

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activities cannot trigger additional NEPA review. If, based on additional information, a federal official proposes a new federal action or a significant change in an existing federal action, NEPA has a role to play. That should be enough.

Thank you for the opportunity to comment on this important undertaking. If you are developing a list of interested parties who wish to continue to be kept apprised of developments of this Task Force, I would be appreciate being included on that list.

Sincerely,

Robert S. Lynch

RSL:psr
cc: Arizona Congressional Delegation