

Informaion on the objection process for the Fossil Creek Wild and Scenic River Draft Record of Decision

11/20/2020

The draft Decision is subject to the objection process pursuant to 36 CFR 218 Subparts A and B, and the and amendment of the Tonto and Coconino forest plans with the Comprehensive River Management Plan are subject to the objection process pursuant to 36 CFR 219 Subparts A and B. Objections to the Fossil Creek Comprehensive River Management Plan project or to the Forest Plan amendments will only be accepted from those who have previously submitted timely comments regarding these planning efforts during any designated opportunity for public comment, unless based on information not available during an earlier designated opportunity for public comment (i.e., new information).

Timeframe Required for Objections

Objections to the Fossil Creek Comprehensive River Management Plan project¹ must be submitted within 45 calendar days following the publication of the notice in the Arizona

¹ This would include objections to any of the site-specific actions in the draft Record of Decision, such as the corridor capacity, trails, trailhaeds, camping areas, authorized activities, parking areas, proposed improvements, etc.

Daily Sun and the Arizona Capitol Times, which is anticipated for December 4, 2020. Objections on amending the forest plans with the CRMP will be accepted for an additional 15 days, so must be submitted within 60 calendar days following this notice in the Arizona Daily Sun and the Arizona Capitol Times. The date the legal notice is published in the Arizona Daily Sun is the exclusive means for calculating the time to file an objection. We anticipate this publication to occur on or about December 4, 2020. The final EIS, draft ROD, other project related documents and a copy of the published notice will be available on the project webpage:

<https://www.fs.usda.gov/project/?project=27457>.

Those wishing to object should not rely upon dates or timeframe information provided by any other source. A timely submission will be determined by USPS postmark, the agency's electronically generated posted date and time for email and facsimiles; or shipping date for delivery by private carrier. It is the responsibility of the sender to ensure timely receipt of any objections submitted. The regulations at 36 CFR 218 prohibit extending the time to file and objection.

ADDRESSES

Objections, including attachments, must be addressed to the Reviewing Official, Sandra Watts, Acting Regional Forester, filed via mail or express delivery to 333 Broadway Blvd SE, Albuquerque, NM, 87102; by facsimile to FAX: (505) 842-3800; by email to objections-southwestern-regional-office@usda.gov. An automated response will confirm the electronic objection has been received. The email subject or fax coversheet must include a subject line with "Fossil Creek Comprehensive River Management Plan

Objection” and should specify the number of pages being submitted. If an automated response is not received, it is the sender’s responsibility to ensure timely filing by other means. Electronic objections must be submitted in MS Word, Word Perfect, portable document format (PDF), or rich text format (RTF).

FOR FURTHER INFORMATION

Contact project leader, Mike Dechter, mike.dechter@usda.gov, (928) 527-3416.

Individuals who use telecommunication devices for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

SUPPLEMENTARY INFORMATION

The decision to approve the comprehensive river management plan for the Fossil Creek Wild and Scenic River will be subject to the objection process identified in 36 CFR part 219 subpart B (219.50 to 219.62).

The objection process under 36 CFR 219 subpart B provides an opportunity for members of the public who have participated in the planning process for the Fossil Creek Wild and Scenic River Comprehensive River Management Plan to have any unresolved concerns reviewed by the Forest Service prior to a final decision by the Responsible Officials.

Only those who provided substantive formal comments during opportunities for public comment during the planning process are eligible to file an objection. Regulations at 36 CFR 219.62 define substantive formal comments as: “Written comments submitted to, or

oral comments recorded by, the responsible official or his designee during an opportunity for public participation provided during the planning process, and attributed to the individual or entity providing them. Comments are considered substantive when they are within the scope of the proposal, are specific to the proposal, have a direct relationship to the proposal, and include supporting reasons for the responsible official to consider.”

An objection must include the following (36 CFR 219.54 (c)):

- (1) The objector's name and address along with a telephone number or email address if available—in cases where no identifiable name is attached to an objection, the Forest Service will attempt to verify the identity of the objector to confirm objection eligibility;
- (2) Signature or other verification of authorship upon request (a scanned signature for electronic mail may be filed with the objection);
- (3) Identification of the lead objector, when multiple names are listed on an objection.

The Forest Service will communicate to all parties to an objection through the lead objector. Verification of the identity of the lead objector must also be provided if requested;

- (4) The name of the plan, plan amendment, or plan revision being objected to, and the name and title of the responsible official;
- (5) A statement of the issues and/or parts of the plan, plan amendment, or plan revision to which the objection applies;
- (6) A concise statement explaining the objection and suggesting how the draft plan decision may be improved. If the objector believes that the plan, plan amendment, or plan revision is inconsistent with law, regulation, or policy, an explanation should be included;

(7) A statement that demonstrates the link between the objector's prior substantive formal comments and the content of the objection, unless the objection concerns an issue that arose after the opportunities for formal comment; and 36 CFR 219.54(b) All documents referenced in the objection (a bibliography is not sufficient), except the following need not be provided:

1. All or any part of a Federal law or regulation,
2. Forest Service Directive System documents and land management plans or other published Forest Service documents,
3. Documents referenced by the Forest Service in the planning documentation related to the proposal subject to objection, and
4. Formal comments previously provided to the Forest Service by the objector during the proposed plan, plan amendment, or plan revision comment period.

It is the responsibility of the objector to ensure that the reviewing officer receives the objection in a timely manner. The regulations prohibit extending the length of the objection filing period.

Responsible Officials

The responsible officials who will approve the record of decision for the Fossil Creek Wild and Scenic River CRMP are Laura Jo West, Forest Supervisor for the Coconino National Forest and Neil Bosworth, Forest Supervisor of the Tonto National Forest.

The Regional Forester is the reviewing officer for the revised land management plan since the Forest Supervisor is the deciding official (36 CFR 219.56 (e)(2)).