

RAISE YOUR VOICE

Public Testimony 101

Tips for submitting substantive comments on the issues you care about

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Understanding substantive comments:

Government agencies rely on all of us to better understand the issues we and others like us are facing. Our experiences, concerns, and local knowledge provide information and perspectives they may not hear or otherwise consider, but it's important that our comments respond directly to the issues being considered so that they are taken into account. The goal of providing substantive comments is to get the governing body to change the document in question (regulation, permit, law, etc.) to better protect your interests. A substantive comment will be taken seriously by the decision-makers hearing it and may help lead to the outcome you're seeking. Here's a guide on understanding the difference between a *substantive vs. non-substantive comment* (based on excerpts from the NEPA Handbook 6.9.2.1 and Bureau of Land Management (BLM) website).

Substantive comments often address one or more of the following:

- New scientific information or data that would have a bearing on the analysis
- Errors in the analysis, assumptions, methodology, or conclusions
- Misinformation that could affect the outcome of the analysis
- Requests for clarification
- A new alternative that differs from any of the proposed alternatives

Additional suggestions:

- Comments will be most helpful if you can state what specific section of the proposal you have additional information on, may dispute or think is beyond the authority of the agency, and what improvements you think can be made. Suggest changes and be specific. It is helpful if you can reference a section or page number.
- State which comments you do support, not just those you don't. Without support, good actions run the risk of being revised.

Non-substantive comments tend to be:

- Beyond the subcommittee's authority
- Outside the scope of the ordinance
- Opinions or perceptions only
- Generally speculative

Examples:

Substantive Comments

- Suggesting a new alternative:

“I would like to comment on the Draft environmental impact statement (EIS) Upper Siuslaw Late Successional Reserve Restoration Plan. Giustina Resources owns and manages timberlands within one mile of the boundary of the proposed project area. Our concern about the proposed and other alternatives is how the management of these forests may impact the health and survival of our company's forest resources. More specifically, we are concerned about increased risks of fire and epidemic insect populations as a result of leaving cut trees on the ground and predisposing remaining uncut trees to windthrow. Perhaps another alternative could be developed that would allow multiple density reduction entries and would remove a high percentage of the merchantable wood during each entry. This would allow a gradual opening of the stand thereby reducing the magnitude of windthrow damage and would not provide the vector for epidemic populations of Douglas-fir bark beetles or Ambrosia beetles.”
- Questioning the analysis and suggesting a new alternative:

“The environmental assessment (EA) should have had a better discussion (in light of recent research results) of the anticipated impacts and benefits of thinning on the different age classes of trees in the different harvest units. The EA should have had another alternative that considered deferring harvest of the older stands.”

Non-substantive comments

- Providing an opinion or perception only:

“I object to this project because I am against this type of development.”
- Simply disagreeing with the proposed action:

“Finally, we are opposed to what appears to be a very aggressive road closure program. In spite of what many “ologists” contend, roads for management and fire protection are very valuable. If indeed there are some sections that create water quality problems, then close or fix them. However, destroying 45 miles of road in a basin this size is an ill-conceived idea. “

