




Document Details

Docket ID:	FEMA-2017-0034
Docket Title:	Agency Information Collection Activities: Proposed Collection; Comment Request; Revisions to National Flood Insurance Program Maps: Application Forms and Instructions for (C)LOMAs and (C)LOMR-Fs. *
Document File:	
Docket Phase:	Notice
Phase Sequence:	1
Original Document ID:	FEMA-2017-0034-DRAFT-0002
Current Document ID:	FEMA-2017-0034-DRAFT-0002
Title:	Unrelated Comment Submitted by Anonymous (s s)
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	Comment(s)
Comment on Document ID:	FEMA-2017-0034-0001
Comment on Document Title:	Agency Information Collection Activities: Proposed Collection; Comment Request; Revisions to National Flood Insurance Program Maps: Application Forms and Instructions for (C)LOMAs and by (C) L O M R F s
Status:	DoNotPost
Received Date:	12/12/2017 *
Date Posted:	
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	12/13/2017
Current Assignee:	Admin, BAH FEMA (FEMA)
Status Set By:	Admin, BAH FEMA (FEMA)
Comment Start Date:	
Comment Due Date:	

Tracking Number:

1k1-90bc-11mt 

Total Page Count

1

Including Attachments:

Submitter Info

Comment:

Today the Endangered Species Act (ESA) is failing to achieve its primary purpose of species recovery and instead has become a tool for litigation that drains resources away from real recovery efforts on the state, tribal and local level and blocks job-creating economic activities. original goal was to preserve and recover key domestic species from the brink of extinction. Recommends constructive changes in the following categories: 1. Ensuring Greater Transparency and Prioritization of ESA with a Focus on Species Recovery and De-Listing 2. Reducing ESA Litigation and Encouraging Settlement Reform . 3 Empowering States, Tribes, Local Governments and Private Landowners on ESA Decisions Affecting Them and Their Property. 4 Requiring More Transparency and Accountability of ESA Data and Science. The ESA, federal implementation of it, and seemingly never-ending litigation are creating increasing impediments towards reaching that goal. Only by removing these impediments can the ESA be improved for the benefit of saving species. Federal agencies that implement ESA should not list species unless and until they are able to identify actual recovery and numerical goals for healthy species populations upfrontbefore, or at the time of any proposed rule involving listing a species. Recovery plans should be drafted and completed and approved before listing or critical habitat is designated, not as an afterthought, years later, or not at all. Rather than basing decisions on vague trends showing decline or improvement or "professional opinions," ESA listing/delisting petitions should not be accepted by federal ESA implementing agencies unless based on actual data relating to species' condition. Data used for listing decisions should be made public, especially if the data and related studies are being financed by the taxpayer. Federal agencies should have discretion to extend 12 month or 90-day deadlines relating to species listing or critical habitat determinations, without fear of spurious litigation. Rather than force federal agencies to accept petition with equal weight no matter how lacking science and data. Agencies should allow to incorporate the best and most current data. Agencies' Listing Priority Guidance (48 Fed. Reg. 43098) should supersede any conflicting 12-month or 90-day deadline set by rule, settlement or other action. Several terms in the law have become magnets for misinterpretation, conflicting interpretations, or even litigation, and should be clarified, including, for example: "foreseeable future"; "significant portion of the range," "jeopardy" to a species, the technological and economic feasibility of "reasonable and prudent alternatives/measures," and "maximum extent practicable" relating to mitigation. Federal agencies should be required to disclose all details of consent decrees to Congress and an appropriate NEPA process should be applied for settlements to ensure public input in ESA decisions, and to ensure they include best scientific data. Litigious groups and plaintiffs should be discouraged from filing procedural challenges against agencies simply

because they do not agree with the agency's decisions, (such as delisting determinations, findings of species listing not warranted). Litigants should be required to pay their own way to curb repeated litigation and foster court cases only on substantive matters. To discourage forum shopping by frequent ESA-litigation-plaintiffs, ESA lawsuits should not be permitted in federal courts other than in a state a species is primarily located. Hourly fees paid by the federal government to litigious attorneys for ESA litigation should be capped like other federal statutes to prevent lucrative payment of attorneys' fees. non-governmental organizations or individuals that file ESA-related lawsuits against the federal government should be barred from receiving federal taxpayer-funded grants. Since money is fungible, litigation should not be subsidized by taxpayers. Section 6(a) should be strengthened to ensure that states' roles in ESA policy provisions have meaning and are enforceable. To encourage voluntary Habitat Conservation Plans should be exempt from critical habitat designations. Secretaries of the Interior and Commerce should authorize certain circumstances to reevaluate, without judicial review, any critical habitat or listing decision where evidence shows significant economic harm . critical habitat economic analyses should be required at the time of any proposed listing . federal agencies should be required to justify why data relied upon for ESA decision is the "best available" and why such data is deemed "accurate" and "reliable." Data used by federal agencies for ESA decisions should be made publicly available . To ensure accountability, ESA-related peer reviews that do not comply with the Data Quality Act should be deemed "arbitrary and capricious" *🌐

First Name:

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Last Name:

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City:

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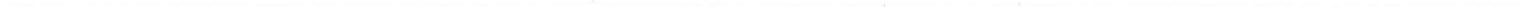
**Submitter's
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Government Agency Type:

Government Agency:

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Document File:	
Docket Phase:	Notice
Phase Sequence:	1
Original Document ID:	FEMA-2017-0034-DRAFT-0003
Current Document ID:	FEMA-2017-0034-DRAFT-0003
Title:	Unrelated Comment Submitted by d d
Number of Attachments:	0
Document Type:	PUBLIC SUBMISSIONS *
Document Subtype:	Comment(s)
Comment on Document ID:	FEMA-2017-0034-0001
Comment on Document Title:	Agency Information Collection Activities: Proposed Collection; Comment Request; Revisions to National Flood Insurance Program Maps: Application Forms and Instructions for (C)LOMAs and by (C) L O M R F s
Status:	DoNotPost
Received Date:	12/20/2017 *
Date Posted:	
Posting Restriction:	No restrictions
Submission Type:	Web
Number of Submissions:	1 *

Document Optional Details

Status Set Date:	12/21/2017
Current Assignee:	Admin, BAH FEMA (FEMA)
Status Set By:	Hwang_FEMA, BAH Randolph (FEMA)
Comment Start Date:	
Comment Due Date:	

Tracking Number:

1k1-90gg-lfzz 

Total Page Count
Including Attachments:

1

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A new study in 2017 suggests temperatures across Antarctica have been falling for the last 1,600 years. Antarctica cooling since Roman Times, climate models wrong (again). Our new reconstructions confirm a significant cooling trend from 0 to 1900CE across all Antarctic regions where records extend back into the 1st millennium, with the exception of the Wilkes Land coast and Weddell Sea coast regions. Within this long-term cooling trend from 0 to 1900CE, we find that the warmest period occurs between 300 and 1000CE, and the coldest interval occurs from 1200 to 1900CE. Environmentalism is a politics of fear. It is not a progressive politics. Environmentalism is not just some politics. It's a POLITICAL PROJECT, a full-bodied ideology. Studies and Scientists, finds global warming over last century linked to NATURAL CAUSES: Study in Physical Geography found "Long-term climate change is driven by solar insolation changes." Harvard- Smithsonian Center Astrophysicist Dr. Soon; NO quantitative evidence that varying levels of minor greenhouse gases like CO₂ and CH₄ have accounted for even as much as half of the reconstructed glacial-interglacial temperature changes or, more importantly, for large variations in global ice volume on both land and sea over the past 650 thousand years. Gerd Burger of Berlin's Institute of Meteorology Osborn and Briffa DID NOT properly quantify the statistical uncertainties in their analyses. Burger repeated all analyses with appropriate adjustments and concluded "As a result, 'highly significant' occurrences of positive anomalies during the 20th century disappear." finding that spatial extent of 20th-century warming is exceptional IGNORES the effect of proxy screening on corresponding significance levels. After appropriate correction, significance of the 20th-century warming anomaly DISAPPEARS." study by a team of scientists found that "warming is NATURAL CAUSED and shows NO HUMAN influence." Climate scientist Dr. David Douglass of the University of Rochester, published in the International Journal of Climatology of the Royal Meteorological Society which found evidence for human influence for warming temperatures LACKING in atmosphere. "The observed pattern of warming, comparing surface and atmospheric temperature trends does NOT show the characteristic fingerprint associated with greenhouse warming. The inescapable conclusion is ; human contribution is not significant and that observed increases in carbon dioxide and other greenhouse gases make only a negligible contribution to climate warming," authored by Climatologist Dr. Patrick Michaels and Dr. Ross McKittrick, study concluded that the temperature manipulations for the steep post-1980 period are INADEQUATE, and UN IPCC graph is an EXAGGERATION. McKittrick believes that the United Nations agency promoting global temperature graph has made "FALSE CLAIMS about the quality of its data." McKittrick reports in peer-reviewed study, data contamination problems "account for about half the surface warming measured over land since 1980." report from international group Institute of Physics' found NO "consensus"

on global warming. Excerpt: "As world leaders gathered in New York for a high-level UN meeting on climate change, a new report by some of the world's most renowned scientists urges policymakers to keep their eyes on the 'science grapevine', arguing that their understanding of global warming is still FAR FROM COMPLETE. Greif argued that "the POLITICS of global warming produces the possibility of left-wing FANTASIES of a state of emergency in which we wouldn't have to go through normal politics in order to get things done. You might compare the environmental movements promotion of global warming and other eco-concerns to the same "POLITICES OF FEAR" . climate researcher Erich Roeckner of the Max Planck Institute for Meteorology laments the lack of climate computer model reliability. No model will ever be as complex as nature.'" According to our computer model, NEITHER the number NOR intensity of storms is increasing,' says Jochem Marotzke, director of the Hamburg-based Max Planck Institute for Meteorology, one of the world's leading climate research centers. 'some of the computer "scenarios" used by the UN IPCC to predict the future impacts of global warming. "Some emissions scenarios are perhaps already demonstrably WRONG," It is possible that all of them are wrong. Environmentalists have attacked adaptation and preparedness in the belief that taking steps to prepare for global warming - for instance, by building higher seawalls and levees or identifying new water supplies for regions likely to be affected by drought - would undermine their arguments for carbon reductions." * 🌐

First Name:

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Middle Name:

Last Name:

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Mailing Address:

Mailing Address 2:

City:

Country:

State or Province:

ZIP/Postal Code:

Email Address:

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