

To: Yosemite Planning
From: George Whitmore <geowhit1954@comcast.net>
Subject: Yosemite Valley Loop Road EA
Cc:
Bcc:

Sierra Club c/o:
George Whitmore
P. O. Box 5572
Fresno, CA 93755
<geowhit1954@comcast.net>

20 January 2006

Superintendent
Yosemite National Park
ATTN: Rehabilitation of the Yosemite Valley Loop Road Project
P.O. Box 577
Yosemite, CA 95389

Fax: 209/379-1294

This is being emailed to: yose planning@nps.gov

Sir:

I. INTRODUCTION

The following comments are submitted on behalf of the Sierra Club. Thank you for this opportunity to make suggestions which hopefully will be of use to you in your efforts to protect the visitor experience and the natural resources of Yosemite National Park.

We are commenting on the Environmental Assessment (EA) for the Rehabilitation of the Yosemite Valley Loop Road Project.

II. PROCEDURAL PROBLEMS: PLANNING

Because the Rehabilitation of the Yosemite Valley Loop Road Project Environmental Assessment is so riddled with holes and actual errors, and fails to explain the proposed action, the NPS needs to go back to the drawing board, check their facts, clarify their intentions, and ground truth their maps and "parking actions" before proceeding; there are too many questions which should have been answered before presenting this project for public comment. By presenting it prematurely, the opportunity for meaningful public comment has been compromised.

This is a chronic problem with Yosemite planning processes. Even though we discussed this project with Park staff in earlier stages than has been customary, the inadequacies of the EA did not become apparent until it was actually published. Perhaps some of these problems could have been avoided if the public had seen portions of the document while it was still an internal draft. Perhaps the confusion over the road cross-section drawings (the subject of a previous communication) would have been detected and headed off.

To your credit, you have been attempting to have public involvement in earlier stages of the planning processes. But it seems you still have a long way to go. In the meantime, Yosemite planning processes seem to consist of long periods of apparent inactivity, followed by publication of a confusing document. The public is then expected to respond to an inadequate document in an unrealistically short time frame.

And we are then told that no further extensions of the comment period are possible because of a necessity to move the project forward (so the paving can be completed before it gets too cool, or so the utilities can be placed across the river while the water is still low etc . . .).

But the basic question is: why is the process always behind the curve, moving from crisis to crisis, instead of proceeding in a more deliberate manner-a manner which would be more protective of the visitor experience and of natural resources?

III. PROCEDURAL PROBLEMS: NEPA COMPLIANCE

An EIS needs to be done in order for this project and its corresponding document to be legally compliant.

This project would be a huge undertaking for the Park, involving a lot of ground disturbance, new asphalt and concrete. There would be a massive new impact on the resources as well as on the visitors, on top of the impacts that are already occurring to the visitor experience due to ongoing construction projects. Cumulatively, the impacts are becoming unacceptable. A project of this size, with its potential impacts, logically would call for an Environmental Impact Statement instead of an EA.

According to DO-12, a National Park Service park planning document, "If something your park is proposing might have a significant impact on the human environment, you must prepare an EIS." These impacts must be gauged by several specific criteria, including: "Any unique characteristics of the area (proximity to historic or cultural resources, wild and scenic rivers, ecologically critical areas, wetlands or floodplains, and so forth) . . . Whether the action is related to other actions that may have individual insignificant impacts but cumulatively significant effects. Significance cannot be avoided by terming an action temporary or breaking it down into small component parts . . . Whether the action threatens a violation of federal, state or local law or requirements imposed for the protection of the environment." (http://www.nature.nps.gov/protectingrestoring/DO12Site/04-EISs/042_criteria.htm)

The above criteria in DO-12 seem to agree with our view that an EIS is required.

IV. RELATIONSHIP TO OTHER PROJECTS

---As mentioned above, we believe that the massive impacts of this project, when added to the impacts of the various ongoing projects in the east end of Yosemite Valley, will be unacceptable. The entirety of Yosemite Valley, from one end to the other, will be torn up simultaneously. The impact on the visitor experience will be profound. It will not be good for Yosemite, nor will it be good for the gateway communities whose economies rely on Yosemite being a popular destination.

---It is proposed to install utility conduits under the roadbed between Pohono Bridge and the Wawona Road (Bridalveil) intersection. This appears to be related to something mentioned on page A-4 under "Multi-Use Trail to West Yosemite Valley" (a "Reasonably Foreseeable [future] Action"). Whatever this utility project is, it appears to be creeping up on us incrementally, without ever being discussed in a way which would make the public (including us) aware of it. It does seem that appropriate disclosure would mean an explanation of what the conduit is for, how it relates to a future project, and what level of compliance is planned for that project, whatever the project is.

V. ROAD STANDARDIZATION

---The idea of "standardizing" roads seems to underlie the NPS approach to this project. But this basic premise is not acceptable, because roads should be conformed to the land and other resources. That would mean that "standardization" is not a realistic or even desirable goal. Preservation of the resources should come first.

---The NPS proposes to "standardize" the paved surface to ten feet of driving lane plus one foot of pavement beyond that, and still stay within the existing "road prism." This term is not in the glossary. (We are using the NPS jargon, even though it seems inappropriate, since a "prism" is a three-dimensional object.) Nevertheless, it needs to be made clear that you will go to that width only where there is available room to do so within the existing "road prism." Where there are trees or rocks which are in the way, then it needs to be made clear that the paved surface will be narrower.

---It is proposed that brush be removed eight feet off the "road prism." Assuming you mean the two-dimensional road cross-sections in the document, there is substantial variation from one area to another. The intended action would be clearer if you said how many feet from the fog line.

---The use of a water-permeable sub-grade under the pavement seems like an excellent idea. The impedance of natural water movement because of the presence of a road would be reduced. But this document tells us that this construction technique would only be used in a very limited area, apparently primarily because of cost. NPS should reallocate their resources and do a better job on fewer roads, deferring work on other roads or sections of road.

When money becomes available, then it can be done right in these additional areas. Doing it right the first time would probably save money in the long run, and result in better protection of the resources.

---A lesser "rehabilitation" of portions of Northside Drive is proposed in anticipation of its eventual closure (and widening of Southside Drive!). While "rehabilitating" to a lesser standard could be acceptable, the reason given is not acceptable. NPS staff have repeatedly indicated that the Northside closure/Southside widening are likely never to happen, yet these proposed actions now are based on the assumption that it will happen.

VI. TREE REMOVAL

The California Black Oak proposed for removal on Southside Drive needs to stay.

It does not appear to have been struck recently, so the question is raised as to what types of vehicles have hit it? If it was ordinary buses or trucks, why hasn't it been struck more frequently?

Was it oversized loads? In that case, it clearly would have been the responsibility of the driver.

Perhaps the drivers were too close to the shoulder? Recent information indicates that vehicles have struck the rock outcrop first, then the tree. Simply because drivers drift off the road is no reason to remove whatever they may happen to run into.

People run into highway overpasses because their rigs are oversize, but we don't remove the overpasses because of that.

In the case of this oak tree, the overhead clearance does not appear to be reduced. But, even if it were, why not put up a sign warning of the reduced clearance? The signs for the Wawona Tunnel warn the drivers of large rigs that the clearance is reduced if they get too close to the curb. That seems to be a more appropriate response, rather than blasting out a larger tunnel.

Assuming any action is even needed, a similar rationale should be used for the oak tree. Preservation of the resources should come first.

VII. TURNOUTS

---There are errors on the map. Turnouts are said to be paved when in fact they are not. (One example is No. 54.) So what does it mean when the EA says those turnouts will be "repaved"? If they are not paved now, it is not possible to "repave" them. The reader has been led to believe you are going to repave an existing paved surface, when in fact the surface is not paved. Since there is an error in the EA, you need to err on the side of caution. Given the circumstances, we believe it would be legally questionable for you to pave those presently unpaved turnouts.

We are particularly concerned about this because we believe No. 54 should be restricted to emergency parking only, along with No. 53. We strongly object to the paving of either of those turnouts.

---Preservation of the roadside turnouts (68 identified) is essential to visitor access and appreciation of the resources. Consistent with our position that there should be no further reduction in parking unless and until there is an adequate public transportation system, we are proposing that NO turnouts be removed. (As in Alternative 3.)

---We also propose that some turnouts be paved and curbed. (As in Alternative 2.) Roosevelt (No. 05) and Wosky Pond (No. 51) are good candidates for regrading, reconfiguring, paving, and curbing, as is proposed, in order to protect the adjacent wetlands. Reconfiguration at Wosky could actually accommodate more parking with less impact on the wetland by making the turnout longer and narrower than at present. There may be a legitimate question as to whether asphalt is the best material. Should the turnouts be a different material?

---One turnout (No. 11) is of exceptional interest because of its interpretive value. It provides an excellent view of the El Capitan moraine right where the river cuts through it. We call for widening this turnout. It is a good candidate for an interpretive sign.

---Fern Spring (No. 03) turnout is much larger than necessary, and the road is much wider there than elsewhere. Much of the asphalt should be removed and more area devoted to plant restoration near the spring. There is wild ginger (Lemmon's wild ginger, *Asarum lemmonii*)—a park sensitive plant-growing there and this is also considered a sacred place to Yosemite's Indian people, we feel this sacredness should be honored.

---At Valley View (No. 67) the cobblestone apron should be repaired, which would involve removing the alders which are growing out of the undermined and fractured areas. The NPS proposes a short wall (concrete?) to buttress the lower edge of the apron. Although straight is cheaper, we are suggesting a curved wall would better fit the flow of the river.

---You refer to adding an "asphalt apron" to some existing unpaved turnouts. But the term is not defined, and you don't say how wide the apron (asphalt surface) would be. The amount of asphalt DOES make a difference.

VII. MITIGATION

---Will existing asphalt beyond the planned new asphalt area be removed? (It seems like it would be a logical mitigation.)

---It seems that it would be prudent to have a 3rd party environmental monitor as part of the mitigation for a project of this magnitude.

---Some of the disturbance of natural features which this project will entail could have been avoided with regular maintenance. Such maintenance in the future would be a logical mitigation.

Thank you for seeking public input on the Rehabilitation of the Yosemite Valley Loop Road Project EA. We hope you find our comments to be of use.

George Whitmore, Chair
Sierra Club's Yosemite Committee

To: linda_dahl@nps.gov
From: George Whitmore <geowhit1954@comcast.net>
Subject: Communication?
Cc: Bridget Kerr <kerr@cwia.com>
Bcc:
Attached:

Hello Linda,

This message is overdue. Largely because I have been trying to figure out exactly what--and how--to say what needs to be said.

The subject is what happened at the Open House on April 26.

Based on how that Open House went, it seems like you were slamming down an Iron Curtain, cutting off further communication between you and the Sierra Club. And possibly between the Park Service and the Sierra Club.

And what seems especially strange is that it appeared to be in response to my having phoned Jen the day before. I wanted to let her know that I intended to raise, at the Open House, questions which we had been having difficulty getting responses to. I had thought that, by phoning her, it would enable her to be prepared and to make the dialogue at the Open House more productive for everyone concerned.

I don't know who all Jen might have asked to be there for this purpose, but I did notice Brian Mattos. And I noticed that he gave up and left without our having had a chance to talk with him. Because you monopolized our time at the Open House, our questions of Brian, and others, remain unanswered. We were trying to listen to Glen talk about the River Protection Overlay, but the distraction you were creating made it difficult.

Although you are usually not at the Open Houses, it seemed you walked into this one with a plan. You had a single copy of an internal memo in your hand when you arrived and you gave it to Bridget, even though it was an internal memo which had been drafted by Kristina to help you respond to an inquiry I had made. Things were a little strange right there. Why were you handing out an internal memo, rather than using it as Kristina apparently had intended? And why did you hand it to Bridget, rather than to me? After all, I was the one whose concerns Kristina was addressing.

And then you unleashed an attack upon Bridget. It was an "attack" not only because of your choice of words, and of the nature of the subjects you brought up, but also in the fact that it went on and on. And on. (Bridget and I each independently estimated that it lasted for perhaps an hour.)

Among other issues, you questioned Bridget's fitness to be Vice Chair of the Sierra Club's Yosemite Committee.

Among other words, you repeatedly spoke of "toxic". I don't believe that you ever directly accused Bridget of being "toxic", but the context was such that the inference was clear. You did say that she was "irresponsible" and "negative", among other things.

Most people, put in Bridget's position, would have responded in anger. Or in tears. Or by being speechless. Or by simply leaving the room. But Bridget was a model of restraint and rationality, asking questions which needed to be asked. She abundantly displayed the qualities which have led me to appoint her Vice Chair of the Sierra Club's Yosemite Committee.

As I mentioned at the time, by attacking Bridget you were attacking me and the Sierra Club. You can't separate one from the other as may suit your convenience. And your attack on Bridget was personal. Because it was personal, that made it vicious. Yes, I use that word advisedly.

If you are unhappy over the Merced River litigation, then why not limit yourself to issues, and address yourself directly to the plaintiffs? Why attack someone who has worked constructively with both the NPS and the Sierra Club? Why attack anyone, for that matter, merely because they question the NPS?

It appears there is a strong possibility that any further communication between us has been cut off. And, since there were many Park Service people who observed this attack, and none of them have contacted Bridget or me about it, the possibility of any further communication between the NPS and the Sierra Club is certainly in limbo.

And, yes, I do value your openness. But that is when it is constructive, which usually means it applies primarily to issues. When it is primarily personal and inaccurate, it is destructive. What happened at the Open House was primarily about Bridget. Had it been primarily about issues, I would not be writing this letter.

Well, so far I am still talking to you. But the next move is yours.

Sincerely, George

barbara.boyle@sierraclub.org, aaron.isherwood@sierraclub.org, 02:06 PM 5/25/2006, Further elabc

To: barbara.boyle@sierraclub.org, aaron.isherwood@sierraclub.org
From: George Whitmore <geowhit1954@comcast.net>
Subject: Further elaboration on relief sought (Yosemite) (blue)
Cc: Alan Carlton <carltonal@yahoo.com>
Bcc: George Whitmore <geowhit1954@comcast.net>
Attached:

[Bridget's computer went down yesterday, so there is no point sending her anything.]

Barb, because my original comments, which were in red, got converted to black, the whole message was getting a little difficult to follow. So I am "resending" this original with the red comments, and I will paste in YOUR NEW QUESTIONS IN BLACK (UPPER CASE), I will then resume commenting, but in blue.

While looking at the details, don't overlook the basic relief requested, which is

"A Revision of the Yosemite Valley Plan (YVP) through a new ROD, which the NPS says can be easily done."

All of the specifics must fit into this parameter, which is that they have to be accomplished through a new ROD. The alternative would be a whole new NEPA process. While that would be nice, I think it is not realistic. And perhaps not even desirable, considering who is in the White House. George

X-Mailer: QUALCOMM Windows Eudora Version 7.0.1.0
Date: Sat, 27 May 2006 16:21:35 -0700
To: Ron Mackie <rmackie@sti.net>, Sherri Maurin <smaurin@aol.com>, Sylvia Robbins <syljim88@earthlink.net>, Marsh Pitman <marshpitman@sbcglobal.net>, John Rasmussen <john@bigbaldy.com>, Mark Reedy <markr2121@aol.com>, David.Underwood@sierraclub.org, Calvin Mehlert <dipsea1949@aol.com>, Vicky Hoover <vicky.hoover@sierraclub.org>, George Whitmore <geowhit1954@comcast.net>, Sam Cogswell <samCogswell@comcast.net>, Kathleen Jones <galbuplace@yahoo.com>, Lorraine Unger <alunger@juno.com>, Cynthia Peters <cynthia_peters@pomona.edu>, Barbara Williams <barbwill@comcast.net>, John Modin <cmodin@pacbell.net>, Greg Adair <gregadair1@inreach.com>, Bridget Kerr <kerr@cwia.com>, Barbara Moritsch <Bmoritsch@aol.com>
From: George Whitmore <geowhit1954@comcast.net>
Subject: A serious problem (Yosemite)

Friends,

This message is going only to the Yosemite Committee. I am not including the four people I usually copy, nor the two people I usually blind copy. This message should be treated as highly confidential, and it should not be forwarded to anyone else. You will find, upon reading my message and the message I have pasted below, the reason for not disseminating this beyond the Yosemite Committee.

I sent the below message to Linda Dahl, Chief of Planning in Yosemite. She is a Division Chief, which means she is pretty high level. There aren't very many Division Chiefs. The incident which triggered the below message occurred at the Park Service's regularly scheduled Open House in Yosemite on Wednesday, April 26, 2006. Because of the highly unusual nature of the incident ("bizarre" would not be too strong), it took me more than two weeks to decide how to respond to it. I finally sent the below message on Monday, May 15. I happened upon Linda in Yosemite the following Monday, May 22, and she mentioned that she had received my message and was having her response reviewed by others.

But this is now Saturday, May 27, the beginning of the three-day week end. So it seems unlikely that I will receive any response from Linda until Tuesday, May 30, at the earliest. That would be only one day shy of five weeks since the incident occurred. It appears that I may not receive a response.

One reason I feel that way is because the incident was witnessed by quite a number of Park Service staff, and it would have been logical for someone to have followed up by contacting Bridget Kerr or me later. Even if no one felt like speaking up at the time, a follow up contact would have been a reasonable thing to do. Even if no one wanted to be seen differing with a high-ranking Division Chief, at least they could have made a phone call afterwards. But it didn't happen.

So I have decided to bring the Yosemite Committee in on this, before the issue causes further complications.

Another Open House is scheduled for next Wednesday, May 31. At this time, I question whether there is any point in my attending it, or any other future events which the Park Service may schedule for the ostensible purpose of "communicating" with the public. At this point, their professed desire to "communicate" rings hollow.

Some people assume that, whenever one person attacks another, there must have been something the attacked person did which caused the attack. This assumes that human beings are always rational, and that there must be a logical explanation for everything. My experience has been otherwise. If an action is irrational, then by definition there can be no reasonable explanation for it.

I have been at quite a number of meetings when Linda Dahl and Bridget were in the same room, and interacting. I have never seen any unacceptable behavior on Bridget's part. I did see Linda act inappropriately at a meeting in Oakhurst; the person she was attacking that time was Greg Adair. However, that attack was pretty mild compared to the one she launched against Bridget. Linda often interacts somewhat informally, and I am used to that. But what she did at the Open House was clearly over the edge.

It has been suggested by one or two members of the Yosemite Committee that the relationship between the Committee and the Park Service has been deteriorating. Until the last Open House, my impression had been the exact opposite. It has been suggested that we are coming on too strong, and that we should be nicer in order to maintain an amicable relationship with the Park Service.

Until the last few weeks (when I started experiencing severe computer problems), you have always received copies of formal comments I have submitted to the Park Service, and I have never received anything but positive feedback from the Committee. So I have no idea where this idea has arisen that the comments have been inappropriate. If anyone is unhappy with what we have been saying, it would be appreciated if you would talk to me about it, instead of to the Park Service. And please come up with specifics. Generalizations aren't too useful. (I will send you a couple scoping comments I recently sent to the Park Service as soon as I am able to retrieve them from my old computer. I was having technical problems at the time of the original sending.)

But keep in mind that Linda attacked Bridget, not me. Even though I was the one who raised the questions that seem to have triggered Linda's attack.

Quite a number of people who live in and around the Park have been saying that the Park Service resorts to Machiavellian techniques to suppress dissent. I have seen more tendency in this direction, and it may be that they have simply decided to ratchet up the pressure. And if anyone considers these words offensive, I suggest that you try wearing my shoes or Bridget's for a while. As usual, those who are trying to accomplish something get attacked. It is perhaps one of the main reasons most people choose not to speak out.

Fortunately for the future of Yosemite, Bridget speaks out. She does this as an individual citizen, and also in her role as Vice Chair of the Yosemite Committee. Her actions as Vice Chair have always been totally appropriate, and I find her actions as an individual also to be totally appropriate. Bridget is a good writer, chooses her words well, and always speaks with discretion, knowing that she will be perceived as being "Sierra Club", even though she may not be wearing that particular hat at the time. She has done an immense amount of work behind the scenes helping me accomplish Committee goals. She also helps Friends of Yosemite Valley (FOYV), although she is not on their governing board. If the FOYV connection is what is bugging Linda, I believe Linda needs to do a little soul-searching. I don't intend to institute a "loyalty oath" as a requirement for membership on the Yosemite Committee. "Are you now, or have you ever been, a member of FOYV, MERG, American Alpine Club, Wilderness Society, National Parks Conservation Association, Friends of the River, Yosemite Association, Yosemite Fund, etc.?" The Sierra Club is more controversial than any of those, and I appreciate the fact that Bridget is willing to belong to it and to work within the Committee, following Sierra Club procedures, as she strives toward our common

goals.

And please keep in mind that Bridget has lived in Yosemite for nineteen years. She does volunteer work for the Park Service. She knows the Park, and the Park residents know her. I have seen people speaking to her at the El Portal Store and the Post Office. The message invariably is, "I saw your letter. Way to go, Bridget!" Or, "I liked your letter." Or, "Keep up the good work, Bridget." Residents appreciate the fact that she says what needs to be said, because practically everyone else is intimidated into silence by the Park Service. The Park Service works at marginalizing would-be critics, and one way of doing that is to instill fear. After all, these people live on federal land, and they are allowed to live there only so long as a family member is employed in the Park. It is a very fragile existence, and the Park Service doesn't hesitate to exploit that fact. (Yes, I have heard it first hand, at one of the El Portal Town Planning Advisory Committee meetings I have attended.) People are at risk of losing not only their livelihood, but also their homes. It is little wonder that Bridget is appreciated by the vast bulk of employees and residents who care about the future of Yosemite.

At any rate, the bottom line is that I wanted you to be aware of what is going on. If you have any comment (on this or anything else), we would appreciate hearing it. (Bridget's computer went down a few days ago. We have been communicating by phone, and I will relay information to her. Although she has house guests at present, she could handle brief messages which do not complicate her life still further.)

With all the work necessary to put together a lawsuit, we do not need further complications.

Thanks for listening.

George

(George wrote 15 May 06)
Hello Linda [Dahl],

This message is overdue. Largely because I have been trying to figure out exactly what--and how--to say what needs to be said.

The subject is what happened at the [Park Service] Open House [in Yosemite] on April 26.

Based on how that Open House went, it seems like you were slamming down an Iron Curtain, cutting off further communication between you and the Sierra Club. And possibly between the Park Service and the Sierra Club.

And what seems especially strange is that it appeared to be in response to my having phoned Jen [Nersesian] the day before. I wanted to let her know that I intended to raise, at the Open House, questions which we had been having difficulty getting responses to. I had thought that, by phoning her, it would enable her to be prepared and to make the dialogue at the Open House more productive for everyone concerned.

I don't know who all Jen might have asked to be there for this purpose, but I did notice Brian Mattos [Park Forester]. And I noticed that he gave up and left without our having had a chance to talk with him. Because you monopolized our time at the Open House, our questions of Brian, and others, remain unanswered. We were trying to listen to Glen [Rothell] talk about the River Protection Overlay, but the distraction you were creating made it difficult.

Although you are usually not at the Open Houses, it seemed you walked into this

one with a plan. You had a single copy of an internal memo in your hand when you arrived and you gave it to Bridget, even though it was an internal memo which had been drafted by Kristina [Rylands] to help you respond to an inquiry I had made. Things were a little strange right there. Why were you handing out an internal memo, rather than using it as Kristina apparently had intended? And why did you hand it to Bridget, rather than to me? After all, I was the one whose concerns Kristina was addressing.

And then you unleashed an attack upon Bridget. It was an "attack" not only because of your choice of words, and of the nature of the subjects you brought up, but also in the fact that it went on and on. And on. (Bridget and I each independently estimated that it lasted for perhaps an hour.)

Among other issues, you questioned Bridget's fitness to be Vice Chair of the Sierra Club's Yosemite Committee.

Among other words, you repeatedly spoke of "toxic". I don't believe that you ever directly accused Bridget of being "toxic", but the context was such that the inference was clear. You did say that she was "irresponsible" and "negative", among other things. [Linda used a number of other choice words, but I omitted them because I anticipated that I might have to forward this letter to others.]

Most people, put in Bridget's position, would have responded in anger. Or in tears. Or by being speechless. Or by simply leaving the room. But Bridget was a model of restraint and rationality, asking questions which needed to be asked. She abundantly displayed the qualities which have led me to appoint her Vice Chair of the Sierra Club's Yosemite Committee.

As I mentioned at the time, by attacking Bridget you were attacking me and the Sierra Club. You can't separate one from the other as may suit your convenience. And your attack on Bridget was personal. Because it was personal, that made it vicious. Yes, I use that word advisedly.

If you are unhappy over the Merced River litigation, then why not limit yourself to issues, and address yourself directly to the plaintiffs? Why attack someone who has worked constructively with both the NPS and the Sierra Club? Why attack anyone, for that matter, merely because they question the NPS?

It appears there is a strong possibility that any further communication between us has been cut off. And, since there were many Park Service people who observed this attack, and none of them have contacted Bridget or me about it, the possibility of any further communication between the NPS and the Sierra Club is certainly in limbo.

And, yes, I do value your openness. But that is when it is constructive, which usually means it applies primarily to issues. When it is primarily personal and inaccurate, it is destructive. What happened at the Open House was primarily about Bridget. Had it been primarily about issues, I would not be writing this letter.

Well, so far I am still talking to you. But the next move is yours.

Sincerely, George

To: linda_dahl@nps.gov
From: George Whitmore <geowhit1954@comcast.net>
Subject: Communication
Cc: Bridget Kerr <kerr@cwia.com>
Bcc:
Attached:

Hello Linda,

It was good to hear from you, and to learn that there was a possibility of re-establishing the lines of communication.

Although they did not tell me directly, it was pretty obvious that some members of the Yosemite Committee had been talking with you. Those private conversations exacerbated the problem, rather than ameliorating it. There is only one Sierra Club, but some of the Committee members do not seem to realize it. Since they were perceived by you as being "Yosemite Committee", to the extent that they were expressing personal opinions which were not reflective of the Sierra Club their activities were counterproductive.

On the other hand, one of the reasons I have appointed Bridget as Vice Chair of the Yosemite Committee is because she is a team player. She is very conscious of the fact that there is only one Sierra Club, and the need to avoid confusion as to the Sierra Club's positions. I wish other members of the Committee were as responsible as Bridget in their choice of words.

I don't expect people from outside the Sierra Club to understand its remarkably complex organizational structure and internal methods of governance. But it would be helpful if people accepted the fact that there is only one Sierra Club. To the extent that you might hear inconsistent views, the system has broken down. And it would make sense for you to inquire as to what the approved position is.

This is perhaps a round about way of saying that Bridget's qualifications and performance as Vice Chair are excellent. She is indispensable to the functioning of the Committee, and she represents the Committee. If there is to be truly good communication between the Park Service and the Yosemite Committee, you need to reach out to her. Something so simple as copying her on the below message would have helped. I regret that it didn't happen.

I expect to take in several of the Tuolumne meetings, including the ones at Tuolumne Meadows on the 18th. It would be nice to see you. George

AM MST

To: linda_dahl@nps.gov
cc: Bridget Kerr <kerr@cwia.com>
Subject: Communication?

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And what seems especially strange is that it appeared to be in response to my having phoned Jen the day before. I wanted to let her know that I intended to raise, at the Open House, questions which we had been having difficulty getting responses to. I had thought that, by phoning her, it would enable her to be prepared and to make the dialogue at the Open House more productive for everyone concerned.

I don't know who all Jen might have asked to be there for this purpose, but I did notice Brian Mattos. And I noticed that he gave up and left without our having had a chance to talk with him. Because you monopolized our time at the Open House, our questions of Brian, and others, remain unanswered. We were trying to listen to Glen talk about the River Protection Overlay, but the distraction you were creating made it difficult.

Although you are usually not at the Open Houses, it seemed you walked into this one with a plan. You had a single copy of an internal memo in your hand when you arrived and you gave it to Bridget, even though it was an internal memo which had been drafted by Kristina to help you respond to an inquiry I had made. Things were a little strange right there. Why were you handing out an internal memo, rather than using it as Kristina apparently had intended? And why did you hand it to Bridget, rather than to me? After all, I was the one whose concerns Kristina was addressing.

And then you unleashed an attack upon Bridget. It was an "attack" not only because of your choice of words, and of the nature of the subjects you brought up, but also in the fact that it went on and on. And on. (Bridget and I each independently estimated that it lasted for perhaps an hour.)

Among other issues, you questioned Bridget's fitness to be Vice Chair of the Sierra Club's Yosemite Committee.

Among other words, you repeatedly spoke of "toxic". I don't believe that you ever directly accused Bridget of being "toxic", but the context was such that the inference was clear. You did say that she was "irresponsible" and "negative", among other things.

Most people, put in Bridget's position, would have responded in anger. Or in tears. Or by being speechless. Or by simply leaving the room. But Bridget was a model of restraint and rationality, asking questions which needed to be asked. She abundantly displayed the qualities which have led me to appoint her Vice Chair of the Sierra Club's Yosemite Committee.

As I mentioned at the time, by attacking Bridget you were attacking me and the Sierra Club. You can't separate one from the other as may suit your convenience. And your attack on Bridget was personal. Because it was personal, that made it vicious. Yes, I use that word advisedly.

If you are unhappy over the Merced River litigation, then why not limit yourself to issues, and address yourself directly to the plaintiffs? Why attack someone who has worked constructively with both the NPS and the Sierra Club? Why attack anyone, for that matter, merely because they question the NPS?

It appears there is a strong possibility that any further communication between us has been cut off. And, since there were many Park Service people who observed this attack, and none of them have contacted Bridget or me about it, the possibility of any further communication between the NPS and the Sierra Club is certainly in limbo.

And, yes, I do value your openness. But that is when it is constructive, which usually means it applies primarily to issues. When it is primarily personal and inaccurate, it is destructive. What happened at the Open House was primarily about Bridget. Had it been primarily about issues, I would not be writing this letter.

Well, so far I am still talking to you. But the next move is yours.

Sincerely, George

Michael_Tollefson@nps.gov

ast.net>

cc: jen_nersesian@nps.gov, Bridget Kerr

<kerr@cwia.com>,

barbara.boyle@sierraclub.org

07/21/2006 12:18 Subject: Communication

breakdown

AM MST

Mike,

This is a follow-up to the note that Bridget and I left with Cyndi on Wednesday. While we were requesting a meeting with you, I realize that the pressures on you are currently even greater than usual. So I am guessing that it might be some time before you could manage a meeting.

Because it may be a while before we see you, I wanted to put some thoughts down in writing while they were still fresh in my mind. I wrote the following to Barbara Boyle, but the more I reviewed it the more I decided it would make sense to send it to you also.

I am copying Jen because she observed most of what I describe below. (Kristina also heard almost all of it.)

"Bridget and I were at the Tuolumne River/Meadows planning meeting at Parsons Lodge Tuesday evening [18 July]. The other staff people were pretty straightforward and pleasant, but Linda Dahl was something else! Refused to make eye contact, tried to ignore me, tried to walk away from me. I actually had to reach out and put my hand on her shoulder to get her to stop walking away from me. She was a holy terror--vicious, hostile, nasty, divisive, destructive, insulting. Telling lies; who knows how much of it originated with her and how much of it originated with John Modin*--but I have always felt that those who repeat lies are just as guilty as those who originate them. And all of it gratuitous, as there was no call for any of it. 'Gratuitously destructive' summarizes it. [*John Modin is no longer a member of the Sierra Club's Yosemite Committee.]

"And most of it was directed at me. Bridget was catching it, too, but most of the invective was directed at me.

"Things were going from bad to worse so rapidly at the beginning that I wanted to get away from an interaction that was quickly spiraling downhill into the vortex, and I suggested to Bridget that

we needed to leave before it got any worse. But Bridget wanted to stick it out, so we did, and sure enough it did get worse.

"After at least an hour of this Linda finally said, "Mike [Tollefson] and I need to sit down and talk with you and Bridget." I said I was glad finally to see at least a glimmer of hope, and she took umbrage at that. "What's this 'glimmer of hope' business? This whole discussion has been very useful." Holy cow! If that's her idea of a useful conversation, I hope I never experience a bad interaction with her!

"It was kind of a repeat of what happened at the April 26 Open House. She is very proud of what she did then, and made it clear that she is unrepentant. Apparently this is simply her new persona."

So that is what I wrote to Barbara Boyle, and now you have heard it. I hope you can figure out where to go from here, because I sure can't. George

To: Bridget & Doug Kerr <kerr@cwia.com>
From: George Whitmore <geowhit1954@comcast.net>
Subject: Re: very drafty comments
Cc:
Bcc:
Attached:

Bridget, thank you for doing so much work on this. I can see it is quite different from what I sent you. That was the whole idea, but I was afraid you wouldn't have much time to work on it. I'm afraid it cut into your evening after all.

I will try to go over it more closely in the morning before I leave.

I see you have eliminated the hostile stuff. That is a dead giveaway that Bridget edited it, although the NPS is probably not smart enough to realize that. I never cease to be amazed at their seeming stupidity. But then arrogance leads to stupid actions, and there is certainly no shortage of arrogance.

Something I had not got around to was trying to phrase as much of it as possible as questions and issues to be addressed. That way they have to respond to it. If it is phrased as a comment, it is easier for them to ignore it. My impression is that the main need at this point is to take the same points, but phrase them as questions and issues. E.g. It is OK to say we think the oak tree should be left alone, but we also need to say, "An issue which should be addressed is what the impacts would be on the visual, biotic, and faunal resources should the oak tree be removed, especially since it is the only large specimen tree in the entire 900 foot section. And another issue which should be addressed is whether opening up the curve of the road slightly by removal of some rock northwest of the tree in a later process would eliminate the presently perceived need to remove the tree." (These are just *examples* of phrasing things in such a way that it is more difficult for them to ignore us.)

Thank you, thank you, dear friend, for.....well, for being a friend.

George

At 09:19 PM 12/27/2006, you wrote:

George,

I'm very tired now but I can look at what ever you do with this (tomorrow a.m.) if you like.

Bridget

DRAFT..... DRAFTDRAFTDRAFT

Sierra Club
c/o: George Whitmore
P.O. Box 5572
Fresno, CA 93755
<geowhit1954@comcast.net>

28 December 2006

Superintendent
Yosemite National Park
ATTN: El Portal Road Reconstruction -- Pohono Bridge to the Big Oak Flat Road Intersection
Project
P.O. Box 577
Yosemite, CA 95389

Fax: 209/379-1294

This is being e-mailed to: <yose_planning@nps.gov>

Sir:

The following comments are submitted on behalf of the Sierra Club. Thank you for this opportunity to make suggestions which hopefully will be of use to you in your efforts to protect the visitor experience and the natural resources of Yosemite National Park.

These are scoping comments intended to identify issues which we believe your planning processes should address for the project currently being referred to as the "El Portal Road Reconstruction -- Pohono Bridge to the Big Oak Flat Road Intersection Project."

While park staff has explained to us that the scope of this project "had been narrowed" (following the most recent court injunction) to encompass just two sections of the mile long segment of the El Portal Road, the Federal Register notice states the project could extend for the entire one mile between the Big Oak Flat-El Portal Road intersection and the Pohono Bridge. Due to this ambiguity of scope we will comment briefly on the design of the Highway 120-140 (Big Oak Flat Road-El Portal Road) intersection. It seems that the NPS should study the possibility of changing the location of the stop sign closely. Or the stop sign could stay in its present location (120) during the winter, and a new (140) location during the summer. (Highway 120 carries more traffic during the summer, while 140 carries more traffic during the winter.) By using previously disturbed ground, including the present parking area, it would be possible to redesign the intersection, including possible turning/merging lanes. Some very minor adjustments such as these would obviate the supposed need to widen the road for traffic safety—without impinging upon the river channel.

NPS staff tells us that one of the purposes of scoping is to identify the scope of the project. However, statements made during the November site visit and quotes appearing in the media make it quite clear that the NPS has entered into this process with the mindset that the road must be widened. In fact, we have also been told that if we think it should not be widened, we should present our reasons at this time. This seems to go beyond a normal scoping process in which issues are identified for study during the environmental review process, with a decision flowing from a process in which various alternatives have been considered.

The fact that a particular mindset has been adopted by park staff prior to public scoping indicates that something is terribly wrong with the way in which this project is being addressed.

As you well know, some of us spend huge amounts of time walking the ground, participating in Park Service events, and asking questions. Our opinions and recommendations are based on extensive first-hand knowledge of the resources and issues. The Sierra Club has an extensive record of having commented on Segment D going back at least into the late 1990's; and we are still in agreement with the position we have articulated regarding the El Portal Road for the past 7 or 8 years.

In the comments which follow, we use the term "emergency" to mean a situation wherein time is of the essence, and delay could have serious undesirable consequences. We use the term "repair" to mean restoring something to its original standards and function without completely rebuilding it. We use the term "reconstruction" to mean taking something apart and rebuilding it to its original standards and function. We recognize that a longer lasting "repair" is sometimes achieved through a process of "reconstruction". But we believe that if the original road standards and function are exceeded, then the project goes beyond the definition of "repair/reconstruction" and becomes something new. Our use of these words is consistent with Standard English usage; however, we are concerned because the NPS has been using these words interchangeably when referring to this project in face to face conversation, written park planning announcements, and in the press. This miss-use of the English language has resulted in public confusion regarding the current condition of the road and what a reasonable course of action for the NEPA process involving this stretch of road might be for NPS. In view of this, we believe an issue to be addressed in the environmental review for this project should be how to evaluate public comments when this scoping process has been tainted by such major ambiguities and misrepresentations.

(1) We believe repairs should be done without further delay. Numerous statements have been made by the NPS implying that portions of Segment D are at imminent risk of collapse into the river. Mariposa county supervisors and park residents have been informed that three years ago a report by the Federal Highway Administration stated that "collapse could occur at any time." Assuming these warnings are valid, the NPS has been derelict in not having addressed the problem in a ~~timelier~~ ^{more timely} manner.

*Repair the road, repair it now, and please stop compromising public safety.

For the NPS to say that ongoing litigation has prevented them from repairing the road appears to be an attempt to manipulate public opinion. The park is well aware that the courts have never prohibited repairs, and the park is well aware that repairs are not opposed by either the plaintiffs or other environmental organizations. Therefore it seems the NPS is playing fast and loose with public safety in Yosemite.

(2) Repairs, by definition, should be limited to work done within the footprint of existing development.

(3) If the NPS wishes to reconstruct the existing road to achieve a more permanent repair, we have no problem with that as long as the work stays within the existing footprint.

During the widening and straightening of Segments A, B, and C of the El Portal Road, much was made of the steep gradients and tight curves to justify the project. We note that neither of those constraints (steep gradients or tight curves) exists on Segment D, so an issue to be addressed is what would be the justification for going to the same widths as on Segments A, B, and C when the conditions on Segment D are quite different?

(4) If the park wishes to go beyond the existing footprint, they would be exceeding the definition of "repairs" and are then within the realm of new development. The park's own Environmental Assessment for the El Portal Road project states: "The purpose of park roads remains in sharp contrast to that of the federal and state highway systems. Park roads are not intended to provide fast and convenient transportation." (The purpose of a park road as summarized in the "Park Road Design" memorandum, February 20, 1986)"

"Park roads provide the main access to our National Parks. The distinctive character of these roads sets the stage for visitor experience in the park. These roads are designed with extreme care and sensitivity with respect to the natural, cultural, scenic, and recreational values through which they pass. Park roads are often narrow, winding, and steep, but it is these very attributes that define the distinctive park-like character of these roadways. The character of these roadways prepares visitors for all that lies beyond." (El Portal Road EA, Section 1 (Introduction), page 2)

(5) If going beyond the existing footprint is what the NPS has in mind, they may want to review the language in Judge Ishii's December 1999 ruling in which he clearly said anything beyond "sewer repairs and slope stabilization" would require a valid Merced River Plan; and ".....if the final form of work on Segment D is such that [it] would significantly affect the quality of the human environment, Defendants must prepare an EIS". (The timeline that has been projected by NPS for the Segment D environmental review suggests that an EA is anticipated, rather than an EIS.)

(6) If Yosemite National Park chooses to ignore the mandate of the Court, they should consider what the fallout, legal and otherwise, from that might be. One obvious consequence would be further delay and increased costs which would be the direct responsibility of the NPS.

Widening of the critical section of road would involve removal of a very large live oak which is on the south (river side) edge of the pavement. Because the tree has grown to the south, toward the river and away from the road, vehicles do not strike it. We have also observed that the road is clearly not undermined by the river in the vicinity of this tree. However, widening the road even as little as one foot would necessitate removal of this tree. It is the only large tree along the south side of the entire 900 foot section. We have visualized what the roadside would look like if that tree were gone, replaced by a new faux-rock wall, and it would change the character of the road considerably. Any dispute over removing this centuries-old tree epitomizes a debate we find troubling in a place like Yosemite--should widening the narrowest part of this road be the only issue, or are there perhaps other considerations? Like the fact that this is a National Park.

A similar argument implying protection of the resources is not a major consideration and that

newer road "safety" standards should trump all other considerations apparently was applied to construction of the multi-level freeway interchange in Yellowstone near Old Faithful. That freeway interchange has existed for a number of years, but is now slated to be removed. In Yellowstone, the NPS could dismantle their mistake. But in Yosemite, it would not be possible to replace a centuries old live oak if it were later decided that its removal had been a mistake.

We think anyone, including highway engineers, would agree that the large oak would not even be perceived as a problem if the radius of the curve that goes around it were opened up slightly. And it appears this could be done with only a small amount of rock removal on the northwestern half of the curve. However, that would be outside the existing development footprint of the current road, so it is something that must be deferred to a future planning process. The point is that, contrary to what some park staff has shared with us recently, it is not appropriate at this time to make a decision on removing this remarkable oak tree. Such a decision can be deferred to a future planning process, using a valid Merced River CMP as its basis. To quote Kevin Cann, assistant to the Superintendent at a Merced River Plan public meeting in February 2005, the NPS "might not have to widen" this section of road.

In a 1988 memo from Yosemite's Superintendent John Morehead to the NPS Regional Director, a "Feasibility study relating to increasing bus traffic to Yosemite" was discussed. At the time serious concerns were raised regarding the negative impacts of increased bus traffic in Yosemite. The results of the study caused Superintendent Morehead to take pause. He stated: "Increasing the number of commercial buses allowed in the park would increase the number of bus passengers who represent an older, slightly wealthier, and a non-family unit, and would cause a resulting decrease in the number of traditional families, especially those with children, who rely upon an automobile to travel . . ." At the time Superintendent Morehead recommended to not increase the amount of commercial bus traffic. We do not see how it is that Yosemite National Park could be any more ready for the increased bus traffic envisioned in the Yosemite Valley Plan, which appears to still drive the vision behind road projects in Yosemite.

There is no question that conversion from auto-touring to bus touring in Yosemite will require construction of expansive infrastructure at significant cost to the environment (and the taxpayer). Zion, a national park that has shifted to a mass transit transportation system, admits that buses are heavy and hard on the roads, potentially impacting maintenance budgets. We feel it would be rash for Yosemite National Park to leap into standardizing all its roads in preparation for such a major transportation shift while lacking any substantive user capacity strategy; and also when the courts have, again, invalidated its CMP and by implication the YVP. An urban-designed bus system, arriving and departing with assembly-line frequency supported by significant man-made infrastructure, may even be an inappropriate transportation "solution" in a place where the preservation of natural resources is purported to be the top priority. Such a system would also negatively impact the natural resources and regional ecosystems that spill over onto the gateway corridors outside the park boundaries. And declaring these impacts to be a "county problem" would be irresponsible when such "problems" are precipitated in direct response to sweeping access changes dictated by the National Park Service planning process.

Thank you for seeking public input on the El Portal Road Reconstruction -- Pohono Bridge to the Big Oak Flat Road Intersection Project. We hope you find our comments to be useful, and that you take them into account.

George Whitmore, Chair
Sierra Club's Yosemite Committee

To: <Andy_Fristensky@nps.gov>
From: George Whitmore <geowhit1954@comcast.net>
Subject: Communication between NPS and public
Cc:
Bcc:
Attached:

Hello Andy,

As far as I know, you are still on detail as Branch Chief, Public Involvement and Outreach. So that is why this inquiry is going to you. If I should be sending it to someone else, I trust that you will forward it to the proper person.

I am one of the people who formerly received the Daily Report, but I have not seen one since the Special Edition on August 29.

On August 9 I sent an email to several Yosemite staff. The nature of the message was such that an acknowledgement of it would have been expected, but there has been total silence.

Yesterday I happened to spot a "News in Brief" item in the Fresno Bee indicating that a comment period was open until September 26 on something having to do with "repairs" at the Ahwahnee Hotel. The news item also indicated that there would be an opportunity to comment in person at the hotel at 1 p.m. on September 22. (If it is truly a matter of "repairs", then why would public comment be solicited?) This is the only information I have seen re. this project.

Other projects have been undertaken without any notification to the public that I am aware of. (I think particularly of the Indian Village Cultural Center, and all the new construction at Curry and Boystown. But there have been additional projects on which I did not see any public announcement, let alone a rationale.)

It appears that a breakdown in communication with the public has occurred.

Or is it just some members of the public? If it were everyone, I would think you would be hearing from others.

Can you shed any light on this?

Thanks.

George

[Scott, I first sent this to you a week ago. It probably got overlooked in the midst of the Jarvis/Salazar visit. So here it is again. All that is needed is a "yes" or "no". Thanks. George]

(George wrote October 8:)
Hello Scott,

I sent Kristine Bunnell an inquiry on October 1st. I heard back from her yesterday. She said she could not answer my question because she had not seen the Fresno Bee article, and she said I should ask you. So here is the message I sent to Kristine. As I mention at the end, it seems likely that you could reply with a simple "yes" or "no". Looking forward to hearing from you.

Thanks.

George

(George wrote:)
.....I am wondering about the accuracy of something which appeared in the Fresno Bee. The online version from last night [Sep 30], and also the hard copy this morning [Oct 1], says of the [Merced River] Settlement Agreement,

"Also to be addressed is capacity -- not for Yosemite Valley as a whole, but for individual sites on the floor that are popular with tourists.

"Park officials say it will be difficult to put numeric limits on people at such places as Yosemite Falls, but the government agreed to do so in the agreement."

Did the Settlement Agreement really make this decision? That numeric limits are to be imposed only at specific sites, and that Yosemite Valley as a whole will not be considered? I don't see how such an approach would address the problem of traffic congestion, for example.

Also, it seems to me that such a decision is so profound in its implications that the process of arriving at such a decision should be done only through a lengthy and thorough planning process, with lots of public input.

.....this [issue] is huge, more or less in a class by itself.
I hope that it is easy for you to answer my question, maybe with a simple "yes" or "no, the Bee is wrong".

(end)-----