George Whitmore, Chair
Sierra Club Yosemite Committee
PO Box 5572
Fresno, CA 93755

January 2, 2002

Yosemite Planning Office
Attn: Lower Yosemite Fall Project
PO Box 577
Yosemite National Park, CA 95389

Fax: 209 379 1294

Gentlemen:

The following constitute the Sierra Club's comments on the Lower Yosemite Fall Project environmental assessment. The comments are in two parts. Part I deals with procedural aspects of the situation, while Part II covers specific aspects of land use planning and management. We thank you for the opportunity to comment.

PART I, PROCEDURAL CONSIDERATIONS.

1. We ask for an extension of the comment period. This premature and inappropriate EA was put out over the holidays, with public comments due the day after New Years. This is the worst time of year for the public to be able to put its attention to such a document. In addition, the EA is not available on any NPS web site (as all NPS web sites are down). Although the National Park Service has made it available on the Yosemite Association web site and has put out a postcard to that effect, the only people who would receive the post card are those who were already on NPS notification lists and should presumably already have the EA in hand (although some who requested it did not, in fact, receive it.) As a result, the rest of the public who would attempt to go to the NPS web site either specifically to look at the LYF/EA or to keep abreast of Yosemite Planning documents would have no way of knowing about its availability on the Yosemite Association web site.

2. A plan for the Lower Yosemite Fall area should not be developed without first having an approved finalized transportation plan for Yosemite National Park in place.

3. The Lower Yosemite Fall project was inadequately described in the Yosemite Valley Plan with but scant description on a few pages, scattered and hard to find, throughout the entire 6 volume document. Those few pages did not contain an adequate description of the project and did not give the public an opportunity to understand the plan and comment on it. The maps in the Draft Yosemite Valley Plan and EIS do not reflect accurately the Lower Yosemite Fall preferred alternative. Yet the Lower Yosemite Fall EA purports to be based on the Yosemite Valley Plan as a disclosure document. There was little difference between the action alternatives.

4. The Lower Yosemite Fall EA now modifies even the little that was disclosed in the Yosemite Valley Plan. The LYF/EA reverses what is probably the most environmentally beneficial part of the plan, the removal of the rock rubble pile in the stream bed near the Lower Fall bridge.

5. A project of this magnitude requires an EIS. The Lower Yosemite Falls area is the most visited area of the Park. It is 56 acres in size and the LYF project plans to disturb approximately 1/2 of the area -- an area with riparian areas, wetlands and numerous Outstandingly Remarkable Values of the Merced River. A portion of the LYF Project is within the Wild and Scenic River boundary and it is this portion that would see some of the most environmentally disturbing portions of the project, including new and newly hardened and widened pathways in an area which currently has little or no disturbance. Occasional and abandoned use paths would be hardened and widened into permanent paths and basically new paths would be created leading from a newly created principal entrance to the LYF area. All this in an area that instead could be left to continue to recover or be actively restored as an important part of the ecological integrity of the area. A new bridge (#7) would be created and a destroyed bridge (#6), along with others, would be rebuilt -- the necessity of these bridges is questionable.

6. This project does not protect the many Outstandingly Remarkable Values of the Merced River which are found in the LYF area and would be the cause for degrading or further degrading many of them.

7. The following comments regarding this project are meant as scoping for a Lower Yosemite Falls Project EIS after the above issues have been rectified. We urge these to be used as the basis for the new Preferred Action Alternative and represent what we believe are the best actions to take regarding a LYF project.

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PART II, SPECIFIC ISSUES.

A. The man-made rock rubble pile (as described in the Yosemite Valley Plan and the LYF/EA) should be removed before planning and commencing the Lower Yosemite Falls project. This would be step number one to have any logic to this project. Yet the project puts off its removal to a "study" which would only take place after the project is already constructed. Obviously, at that time with new structures in place with 20' pilings built as "permanent-style" rather than "temporary" structures, there would be no will to actually remove the rock rubble pile.

B.. The Western trail should remain as the primary access to the Lower Yosemite Fall and Lower Yosemite Fall area. We are ok with some minor realignment of the Western trail, provided there is no removal of oak trees. We support a minimal realignment at the western approach to the Lower Fall bridge area, only within the area as shown on the Alternative 2 Site Plan, which is shown as in the Hutchings View Corridor.

C. We support resurfacing of the Western trail with surfaces such as blue rock, pulverized granite or hardened dirt. We suggest weaving the trails edges within the currently impacted area path alignment to provide a slightly less linear path; however, not wider than eight feet in width and provided there is no removal of oak trees (quercus). All trails should be lower grade which will be allowed to meander with the streams.

D. The Eastern Lower Yosemite Fall trails should be retained at their present standard. The existing bridges should be treated with benign neglect. When they become a hazard they should be removed. This is currently the case with Bridge # 6 which is unusable and should be removed.

E. We are opposed to the "interim" policy for buses. There is no need to park tour buses on Northside Drive as per the LYF/EA. An alternate tour bus parking area should be determined prior to planning for the Lower Yosemite Fall area. There is also no need for the inappropriately located "Interim Tour Bus Loading/Unloading Zone" as per the LYF/EA and it should not be developed.

Tour buses which currently park in the Lower Yosemite Falls Parking lot should be permanently moved to park in the currently existing northeast section of the Yosemite Lodge parking area. This area has more than enough empty spaces to park all the tour buses currently parking in the Lower Yosemite Falls parking lot. This would not only eliminate tour bus parking from the LYF area, it would not require any new construction, new parking lots or paved areas. This parking area is located across from the commencement of the Western path, the primary access to the Lower Yosemite Falls area. It directly accesses the existing pedestrian cross walk to the LYF area. This will also immediately eliminate the tour buses entering and exiting the Lower Yosemite Falls parking lot and area. In addition, the footprint of the LYF parking area can be decreased by the amount of these relocated tour bus parking spaces and the recovered LYF parking area restored. With the reduction since 1997 in the older Lodge cabin units, this underutilized northeast lodge parking lot area can become a well positioned and efficient bus parking area with minimal re-striping and curb / entrance adjustment or realignment. In order to minimize impact to the busy LYF intersection, the buses can enter this parking lot by proceeding through the LYF intersection (when coming from Yosemite Village) and continuing along the road (less than 1/4 mile) until they can bear left into the west end of the lodge area, then continuing on through the lodge area until they can make the right turn into this northeast lodge parking area.

According to the long-time former Yosemite National Park Rangers on the Yosemite Committee, there used to be no problem with the LYF intersection until tour bus parking was put in the LYF parking lot. If needed during peak visitation periods, a traffic control manager should be posted at the crosswalk.

F. The Yosemite Valley Shuttle bus stop should remain permanently within the prism of the existing LYF parking lot. No new shuttle bus stop should be created on Northside Drive.

G. We support maintaining a restroom in the current location. We support construction of a restroom containing additional stalls and accommodating wheelchair/handicapped access. This new restroom can be screened from the LYF trail by means of appropriate native bushes and other vegetation. To relocate the restroom to the location indicated in the LYF/EA not only would require digging an entirely new sewer line, but excavating through a very important archeological site which should not be and does not need to be disturbed. Construction of a new rest room as per the LYF/EA Alternative 2 would also be constructing a new building in the floodplain of the Merced River and within or near the Wild and Scenic River corridor.

H. We oppose the construction of massive structures intended to withstand large floods. Some statements seem to suggest an engineering mindset wherein structures are designed to resist natural processes. Is it not self-evident that structures should be removed from the influence of natural processes, rather than being designed to alter and overcome them? Structures should be built with the acknowledgment that they WILL wash out in high water events, so that natural processes will be allowed to prevail. The Lower Yosemite Falls area is a dynamic braided stream alluvial fan area in which the streams tend to meander and move laterally -- this movement must be allowed, not thwarted by the creation of structures, including bridges, intended to restrict and override the hydrologic and other natural process dynamics.

I. We do NOT agree with the ideas expressed by NPS staff during the August walk-through that non-wilderness natural areas in the park, such as the Lower Yosemite Fall area, should conform to urban/suburban design concepts. Yosemite Valley and the Lower Yosemite Fall area are not a city park and should not be treated nor designed as one. They are part of Yosemite National Park, and should be treated as such.

J. The failure of both the Merced River Plan and the Yosemite Valley plan to address user capacity is evidenced in the Lower Yosemite Fall plan. The policy of allowing unlimited visitation and simply expanding support infrastructure to accommodate an unmanaged visitor load neglects the needed planning and due diligence that is necessary for proper environmental protection, preservation, and responsible stewardship of an irreplaceable natural treasure such as Yosemite.

K. The Lower Yosemite Fall plan creates many new environmentally harmful impacts which are either not disclosed in the LYF/EA or not adequately disclosed. It moves the primary access point for the LYF area to a new area on the east side of Yosemite Creek and hardens and widens old occasional footpaths, most of which are relatively little used, into major access trails. In the process an area that is either undisturbed or in recovery would suffer major impacts. In addition, this area is either in the Wild and Scenic River corridor or near it and contains many Outstandingly Remarkable Values.

L. The EA is not based on necessary data collection and surveys of the ORVs including wildlife, biologic and hydrologic studies. The east side of Yosemite Creek with its braided stream channels is a prime example of this lack of documentation and lack of protection.

We ask the National Park Service to withdraw the current Lower Yosemite Fall EA and reissue an EIS at the appropriate time as per the above comments,

Sincerely yours,

George Whitmore, Chair, on behalf of the Sierra Club Yosemite Committee

Cynthia Peters, 06:15 PM 7/18/02 , Here is your copy (Subject: Fi

To: Cynthia Peters
From: George Whitmore <geowhit@qnis.net>
Subject: Here is your copy (Subject: Fire Management Plan)
Cc:
Bcc:

Hi Cynthia---
Gee, now I know you as a real, live person, instead of just words on a computer screen. It is my great hope that you won't see this until after the 20th, as that would tend to suggest that you didn't have to leave Tuolumne Meadows prematurely. I hope the symptoms went away as soon as I did, and it is also my MOST EARNEST HOPE that my presence didn't have anything to do with the symptoms! How awful to think that I might have to say all the wrong things again in order to find out!! (I think it's called challenge and response; you subject the person to something in order to find out whether the allergic reaction occurs.) PLEASE TELL ME I DIDN'T DO IT!!! On the other hand, if I did then I would know how to avoid it in the future. So either way maybe there is some hope.
The following is, in effect, a "blind copy." You are the only person outside the Committee who is receiving it. I didn't want them to see your name and start asking, "Who's Cynthia?" So that's why I am sending this separately, and I wanted you to know it is a "blind copy." If you are so inclined, please feel free to jump in with your opinions.
I think that sometimes there is such a thing as ESP (mind over matter, whatever), and right now I am thinking good thoughts about you up in TM. Hopefully the good thoughts are getting through and your experience will be even better than it otherwise would have been. Bye for now. George.

Hello Yosemite Committee---
Committee member Cal Mehlert sent this to me shortly before I left for Canada, and things have been pretty hectic since I got back, so that's the reason for the delay in sending this on to you. (Cal had said, "I wouldn't mind if this were repeated to members of the committee.")
We had a limited discussion of the Draft FMP at our Committee meeting on 30 June. Other than that, and Cal's comment below, I haven't gotten any feedback from the Committee members. We had some discussion at the RCC meeting in Palo Alto on 13 July as to how (or whether) to coordinate Sierra Club comments on the Draft FMP. I'm guessing there is a wide divergence of views within the Club as to how we should be responding, so if the Yosemite Committee has a particular view we ought to be putting it out there for consideration by others.
REMEMBER THE NPS OPEN HOUSE ON SATURDAY 20 JULY, PART OF WHICH WILL BE ON THE DRAFT FMP. (See my message of 11 July.) More to follow. George.

To: yose planning@nps.gov
From: George Whitmore <geowhit@qnis.net>
Subject: Fire Management Plan
Cc:
Bcc:

27 August 2002

Superintendent
Yosemite National Park
Attn: Fire Management Plan

yose planning@nps.gov

Sir:

The following comments on the Draft Fire Management Plan are submitted on behalf of the Sierra Club.

1. EXPLANATORY NOTE. Throughout these comments we refer to "trees." We have made no attempt to define at what point a "seedling" or "sapling" becomes a "tree." Our comments are intended to refer to all woody species without regard to stem diameter or overall height.

2. ISSUE A NEW DRAFT PLAN.

(a.) The present Draft violates the National Environmental Policy Act (NEPA). In a nutshell, it is incomprehensible. Failure to present the material in a way which can be understood by a reasonably informed and intelligent public constitutes a violation of NEPA, the most basic intent of which is to DISCLOSE the nature of the propposed action and its potential impacts. You have failed to disclose.

(b.) NEPA requires that there be an opportunity for the public to COMMENT, which the incomprehensibility of the present draft renders almost impossible. Failure to provide for public comment is another NEPA violation.

(c.) The present Draft fails to make clear whether it is a programatic document, or is intended to be at the implementation (project) level. This is a basic flaw which suggests that the Park Service itself didn't know. Little wonder that the Draft Plan has resulted in so much confusion, which can be clarified only with a new Draft. If the intent was to provide a programmatic document, then the procedures by which further environmental compliance would be achieved need to be spelled out. If the intent was for the Draft to be at the implementation level, then it is grossly lacking in the required detailed analyses of the impacts of the specific projects.

(d.) The present Draft violates Yosemite's 1980 General Management Plan (GMP). Some of the most basic assumptions underlying the present Draft are not consistent with the GMP, which calls for the focus to be on restoring natural PROCESSES. Instead, the present Draft puts forth a convoluted proposal to restore someone's concept of natural CONDITIONS. See Points 3. and 4. below.

(e.) The massive revisions which would be required to bring the present Draft into compliance with the 1980 GMP would also require public review and comment. You cannot simply ignore the provisions of the 1980 GMP. If you wish to amend the GMP, then there are procedures you must go through to be legally compliant. You have not done this.

(f.) To haul large volumes of logs (former trees) out of the Park would probably a violation of your Organic Act, which calls for preserving the natural features unimpaired for the enjoyment of future generations.

(g.) The Draft Plan appears to have two quite different objectives in mind. One of these is to reduce the risk of catastrophic fire in the wildland/urban interface. We agree with the need to address this problem. The other objective seems to be to restore some (all??) forested areas to whatever condition they might have been in had natural fire never been suppressed. We believe this objective to be flawed in its most basic assumptions, and we do NOT agree that it should be pursued. (There are additional comments below which

address this point.)

In any event, it is difficult to determine what the Park Service is proposing to do, and in which areas. This difficulty appears to be due in no small measure because of the commingling of the two drastically different objectives. GO BACK AND START OVER AGAIN! Whatever it is you are proposing to do, please explain it in such a way that the public can figure out what in the world you are talking about!

3. It is totally illogical to select the year 1860 as a benchmark, with the assumption that many of the trees which started growing since then are "unnatural," and therefore subject to being cut. The Park Service picked 1860 because some attempts to suppress wildfires started at that time. In actuality, the suppression attempts would have been largely ineffective because of the primitive nature of communications and transportation, lack of mechanized equipment, lack of firefighters, etc. And the Park boundaries have undergone massive changes since 1860, so the land base then isn't even the same as now. The use of the 1860 date as a basis for the calculations would result in the CUTTING OF TREES UP TO 31.5 INCHES IN DIAMETER, and EVEN LARGER on the more productive sites, which is totally unacceptable. See Point 2.(f.) above.

4. There should be no adoption of ANY year, or time frame, as a basis for determining what is "natural." Any date selected would be arbitrary, irrelevant, and contrary to the 1980 General Management Plan.

This is because the NPS is trying to pick a date that represents a time when "natural conditions" prevailed, and "natural conditions" is in the mind of the beholder. After thousands of years of human intervention, we have no idea of what a "natural condition" would look like now---meaning if humans had never affected the natural processes. And why should conditions created by the setting of fires by Native Americans be considered any more natural than conditions BEFORE arrival of the Native Americans?

To the extent that open, park-like forest stands did exist, how do we know it was the result of burning by Native Americans, and not lightning caused? In other words, whom are we trying to emulate, the Native Americans or God? Perhaps we should be attempting neither.

As a matter of fact, one of the five broad goals in the 1980 General Management Plan is "Allow Natural Processes to Prevail." The only concession to "simulating" nature is in the case of "developed areas like the Valley." That paragraph concludes by saying, "In areas that have been disturbed by man's activity, natural processes will be allowed to restore the scene."

SUMMARY of Points 3. and 4.: The focus should be on restoring natural PROCESSES, while trying to minimize human-caused catastrophic events. That is PROCESSES, not CONDITIONS! The selection of a date is required only if the attempt is to create someone's perception of what a "natural condition" would be now, if only people hadn't intervened in the past. If the goal is to "Allow Natural Processes to Prevail," then no date selection is required!

The selection of 1860, or any date, has and will lead to a Draft Fire Management Plan which contravenes the 1980 General Management Plan. The use of the "natural condition based on 1860" concept is so ingrained in the Draft Plan that the only solution is to reject the present Draft and start over again!

5. There should be an absolute prohibition on removal of wood from the Park, particularly if it would be put to commercial use. If a commercial operator is allowed to haul logs out, inevitably there will be pressure to cut and haul more trees in order to pay for the operation. All cut material should be recycled (natural decay, mechanical treatment, burning) within the Park as close to its point of origin as possible, in order that habitat and nutrients would be available for numerous species, including future trees. (Some material would need to be removed to a safer location within the Park if leaving it where it lies would result in unacceptable fire risk.)

6. It is totally outrageous to think of hundreds of truck loads of former trees being hauled out of the Park to sawmills annually. (A conservative calculation suggests MORE than five hundred logging truck loads per year.) THIS IS WHAT THE PRESENT DRAFT PLAN WOULD RESULT IN! Even if this could be justified scientifically, which seems unlikely, it

would establish the horrible precedent that commercial logging in Yosemite is acceptable.

In view of the (appropriate) Park Service prohibition on the removal of any natural material from the Park, what is the visitor to think when he has been told he must leave his pine cone at the entrance station on his way out, as he observes a load of logs passing through on its way to the mill? This logging program could very well result in greater difficulties getting the public to understand and cooperate with the concept of preserving the Park and its natural processes unimpaired for the enjoyment of future generations.

7. The judicious use of prescribed fire, managed wildland fire (lightning strikes), and hand cutting of brush and "smaller" trees should be utilized whenever necessary to reduce the risk of catastrophic fires. The cutting of "larger" (as opposed to "smaller") trees should be considered only under exceptional circumstances, such as protection of Giant Sequoia groves, or proximity to valuable and/or historic structures. The cutting of "larger" (as opposed to "smaller") trees is almost always unwarranted for fuel reduction purposes, and should be contemplated only when site specific analysis has identified no alternative to the removal of such tree or trees. The idea of cutting trees of any size to "restore natural ecosystems" is so problematic as to be unjustified without considerably more knowledge than we have currently.

8. To the extent that the cutting of some trees may be warranted for fuel/hazard reduction purposes, there is no formula, or "magic number," for all situations to determine the maximum diameter of a tree which would be permissible to cut. There are simply too many variables.

In addition to fuels build up, density and size of living materials, etc., many other factors affect the risk of fire becoming catastrophic.

Some of those factors are slope, aspect, elevation, average temperatures and moisture content, typical prevailing winds, latitude, geographic location, etc. Some of this would fall under the headings of "macro" and "micro climate." Additional major factors are proximity and condition of surrounding forests (especially downslope, and including degree of canopy closure), proximity to valuable and/or historic structures, and recovery time if something were destroyed (e.g. thousands of years in the case of a sequoia grove).

Given the possibly endless combinations of variables, each different site (or grouping of sites with somewhat similar conditions) requires a site specific analysis to determine whether a tree or trees, if any, must be cut to achieve the necessary fuel/hazard reduction.

SUMMARY of Point 8.: Any determination on whether to cut a tree or trees on any given site for fuel/hazard reduction must be determined through a RIGOROUS ANALYSIS which is SPECIFIC TO THAT SITE. Because of the highly contentious nature of tree-cutting within a national park, the SITE SPECIFIC ANALYSIS must be an open process, with notification to the public, and with ample opportunity for public input to the process. It is also imperative that any analysis must be limited to the sole purpose of determining which of the fuel/hazard reduction options available, while most closely paralleling natural processes, would be the most effective. Any attempt to commingle the fuel/hazard reduction purpose with the idea of restoring the Park to someone's speculative vision of what it looked like in 1860 (or any other year) would be immensely complicated, invalid, and probably illegal.

It is possible that the Park Service is anticipating a process which would result in site-specific analyses such as requested above. But the present Draft Plan does not appear to commit
to such a process. A new Draft must do so.

Thank you for the opportunity to comment.

George Whitmore, Chair
Sierra Club's Yosemite Committee
P.O. Box 5572
Fresno, CA 93755

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To: Sam Cogswell
From: George Whitmore <geowhit@qnis.net>
Subject: litigation
Cc:
Bcc:

Sam---
Speaking of litigation, the way things are currently being handled within the Club is an even bigger mess than what we went through last summer over getting approval to sign onto the amicus on the Merced River litigation.

For whatever reason, the amicus attorney (Pete Frost) apparently does not wish to talk to me. Of course Joyce never does. And I never hear from Julia, but then we are not her client. So I know absolutely nothing about the appeal. What is the basis for it, what is the strategy, what is the chance of prevailing? These are pretty basic questions that I think any prudent client would want answered, rather than just giving his attorney carte blanche to do whatever the attorney wants to do.

And yet Pete Frost is planning on doing another amicus, and is planning on using the Club name again. When I inquired of the Club's legal department as to what is going on, that stirred up quite an exchange. The last I heard, the legal department is thinking that, since the Board of Directors Ex Comm approved the participation last time, maybe that is the way to go this time.

I am simply not going to call a meeting of the Yosemite Committee to discuss what our recommendation should be, and who should be our liaison to Pete Frost, when I have no information to provide the basis for a rational discussion. I believe it would be a total waste of the Committee's time. (Of course it is not realistic to try to do it by e-mail, because of the "leakage" problem.)

So it will be interesting to see what happens when the media notes that the Club is signed onto another amicus. Whom are they going to for juicy quotes? I'm afraid, "I don't know anything of this matter" is not very quotable.

I would not tolerate the above sort of situation on any litigation over the Fire Management Plan. I would insist on full control over the process, and not let others totally screw it up the way they have on the Merced River.

Anyway, let me know about the Foundation money. Thanks, Sam. George.

Ron Mackie, 09:36 PM 9/6/02 -, Vote needed on litigation

To: Ron Mackie
From: George Whitmore <geowhit@qnis.net>
Subject: Vote needed on litigation
Cc:
Bcc:

Hi Ron,

The Yosemite Committee needs to take a formal vote on a litigation matter.

Normally this would be handled by selecting a date and place when the most people can make it, meeting as a committee, laying information out on the table, discussing it, and then voting on what to do about it. However, we have been overtaken by events, and we do not have time to go through the formal meeting process for this issue.

Of course the next best is usually to discuss it via e-mail. However, in the case of litigation matters, the need for confidentiality precludes conducting an e-mail forum.

So what I need is to contact each Committee member separately, lay out the issues as I see them, and ask for your opinion. Normally the biggest drawback to this approach is that there is no discussion, but in the particular case at hand that actually won't make much difference, as I will explain below. (There is no information to discuss.)

The subject matter this time is the litigation being pursued by Friends of Yosemite Valley (FOYV) and Mariposans for Environmentally Responsible Growth (MERG) against the Park Service challenging the validity of the Management Plan for the Merced Wild and Scenic River. You will recall that the plaintiffs basically lost in the District Court, and are appealing the adverse ruling before the Ninth Circuit Court of Appeal.

You will also recall that, last summer, the Sierra Club went through a very traumatic process in which it was ultimately decided that the Club would sign onto an amicus brief which was subsequently filed with the District Court. Those who were not traumatized by this internecine battle may consider themselves fortunate. I, as Chair of the Yosemite Committee, made a recommendation that the Club participate because I knew from our extensive prior discussions that that would be the position of the Committee. You may recall that I then submitted the recommendation to a vote of the Committee, and was backed up on an eighteen to one vote. That very strong vote of support was cited by the Club President as being one of the reasons the Executive Committee of the National Board of Directors ultimately put the Club on record in support of joining in that amicus. So eighteen of you had a personal role in influencing the favorable ruling by the Executive Committee of the Board of Directors.

But that was more than a year ago, and much has happened in the interim. Perhaps more to the point, much has not happened. As the lawsuit has progressed through the various briefs, hearings, the adverse ruling, the filing of an additional action by the Park Service, the District Court's response to that, the scheduling of various steps which will occur in the Ninth Circuit Court, AND THE PLANNED FILING OF ANOTHER AMICUS BRIEF, this time before the Ninth Circuit, I have found myself increasingly excluded from access to any information.

What little information I have obtained has been through the media and the Park Service, which strikes me as being a very sad commentary on the distrust of one another being manifested within the environmental community.

So, in the absence of any information upon which to base a discussion, I see no point in wasting your time by calling a meeting to decide whether we wish to let our name be used (again) by those who will be filing the amicus brief.

In fact, at this point, there is no time to call a meeting even if the plaintiffs should decide to favor us with their presence and the information that they are privy to.

I would never vote in favor of letting our name be used unless the attorneys (or their liaison) were willing to let me, at the very least, have some insight into their perception of the legal basis for an appeal, what the strategy is (i.e. what's the point of appealing), and the probability of success.

My recommendation is that you vote NOT to let our name be used by those who will be filing the amicus brief.

I realize there are other opinions out there. Please express them to me.

Please do not start a discussion of this via e-mail going out to the entire Committee. I have found that such matters sometimes end up on the Park Service's computers. That's one of the reasons the plaintiffs do not trust us as a body. But when their distrust extends to me personally, after what I went through last summer, I have to say that we need to move on with our own legal program independently of FOYV and MERG.

And there ARE matters which we will want to be litigating. I have already had offers of help in pursuing a challenge to the Fire Management Plan if that should prove to be necessary. But we have to stand on our own feet and not be used as a doormat by those who refuse to include us in the loop.

The question: Should we let our name be used on the amicus brief for the Merced River litigation? Yes. No. Abstain. Other.

Please respond ASAP, as a decision is needed quickly. If you need more information, please let me know. Thanks. George.

-----Original Message-----
From: George Whitmore [mailto:geowhit@qnis.net]
Sent: Friday, September 13, 2002 2:44 PM
To: Ron Mackie; Sherri Maurin; Mary Anna McKinley; Marsh Pitman; John Rasmussen; Mark Reedy; Sylvia Robbins; Ione Scott; David Underwood; Calvin Mehlert; Vicky Hoover; George Whitmore; Sam Cogswell; Bill Wendt; Greg Adair; Joyce Eden; Lorraine Unger; Kathleen Smith; Krysten Elbers; Cynthia Peters
Cc: carltonal@yahoo.com; Allan Eberhart; Eric Parfrey; Robin Ives; Cal French; lois.snedden@sierraclub.org; dansullivan63@earthlink.net; rmackie@sierratel.com; Mike McCloskey
Subject: Sierra Club position on Merced River litigation

Hello Yosemite Committee, RCC Steering Committee, & Mike McCloskey,

I have just received the following message from Aaron Isherwood. I thank the Yosemite Committee members who responded promptly to my call for a vote on this issue, making it possible for the Board Ex Comm to act in a timely manner. (At last count the vote was 12 to 2, with six not yet heard from, and one out of the loop because she does not have e-mail.)

I URGE EVERYONE TO KEEP THIS ABSOLUTELY CONFIDENTIAL. I have been told the brief is due in two weeks, so at that time the fact that the Sierra Club is not signing onto the brief will become public information. Until then, it could be harmful to the plaintiffs if this information were to become public. We certainly intend no harm to the legal challenge, and only wish we had been allowed to know what was going on and to assume a

Samuel Cogswell, 06:17 PM 9/13/02 , CONFIDENTIAL!! RE: Sierra Clu

meaningful role in the proceedings. George.

-----Original Message-----
From: George Whitmore [mailto:geowhit@qnis.net]
Sent: Friday, September 13, 2002 7:10 PM
To: Ron Mackie; Sherri Maurin; Mary Anna McKinley; Marsh Pitman; John Rasmussen; Mark Reedy; Sylvia Robbins; Ione Scott; David Underwood; Calvin Mehlert; Vicky Hoover; George Whitmore; Sam Cogswell; Bill Wendt; Greg Adair; Joyce Eden; Lorraine Unger; Kathleen Smith; Krysten Elbers; Cynthia Peters
Cc: carltonal@yahoo.com; Allan Eberhart; Eric Parfrey; Robin Ives; Cal French; lois.snedden@sierraclub.org; dansullivan63@earthlink.net; rmackie@sierratel.com; Mike McCloskey
Subject: Litigation confidentiality

Hello Yosemite Committee, Steering Committe, & Mike McCloskey---

Be advised that someone on these lists leaks our communications to the Park Service. That is excactly why I was trying to avoid having an e-mail discussion forum.

I have already received an inquiry as to whether a response should be sent out to the entire list. My recommendation is that you not start an e-mail forum. I will not participate in it, if it does get started.

I will be leaving at 6:15 in the morning for the meeting at El Chorro. The Yosemite Committee has a workshop at 10:00. We are on the agenda for the plenary sessions. In other words, I will be out of touch until Sunday night. George.

To: Pete Frost
From: George Whitmore <geowhit@qnis.net>
Subject: caution! (Yosemite amicus)
Cc:
Bcc:

Pete,

I really don't see any point in trying to get information upon which to base a recommendation to the Yosemite Committee, as I question whether it is possible to jump through all the hoops by Thursday. The Club's processes are Byzantine and time-consuming. And there is no assurance as to the outcome of another vote.

At Sam's insistence, I agreed to let him set up a phone call. I did not realize he had in mind a conference call, and I have some misgivings about that format. If Sam is on a call, you would be well advised to be careful what you say, as Sam has displayed some remarkably poor judgment in what he has e-mailed to a rather lengthy list of recipients. I would suggest that you request that it NOT be a conference call. If it is a conference call, you probably would not be able to tell me any more than I already know. George.

To: Yosemite Committee
From: George Whitmore <geowhit@qnis.net>
Subject: Letter to Yosemite Superintendent (diesel busses).
Cc: George's List, Steering Committee NC/N RCC, John Holtzclaw, Ken Ryan, Ken Smokoska, Jeanne/Lou Aceto
Bcc:

22 January 2003

To: Michael Tollefson, Superintendent
Yosemite National Park

Attention: Gary Ingram

FAX: (209) 372-0220

Re: Shuttle Bus Procurement project, Yosemite Valley.

As you requested, we are providing the following set of questions. It is based on indications from the Park Service that they are intending to proceed to acquire a new fleet of shuttle busses for Yosemite Valley, and that these busses would be diesel-electric hybrids. If any of the information requested is contained in the Yosemite Valley Plan, we would appreciate page-specific citations so we can find the material.

My earlier message (29 Dec 02) was intended primarily to get someone's attention. This message supersedes that earlier message, which no longer needs to be addressed.

I. PHILOSOPHICAL BACKGROUND, WITH SOME QUESTIONS.

Replacement of the present Yosemite Valley fleet of diesel shuttle buses offers the opportunity to improve the visitor experience and resource protection.

But the replacement-selection process appears to have gone awry, with the Park Service leaning toward still another round of diesel-based technology. The high cost of the new fleet would ensure that it would be in place for many years to come.

Why commit the Park to mediocrity? There is an opportunity to achieve some major improvements and, at the same time, demonstrate a vision and set a standard for future management of Yosemite.

How can the Park Service have any credibility in trying to reduce the pollution from countless diesel tour busses if the NPS itself has opted for diesel? Or has it been decided that the Park Service has no control over the continuing degradation of the Park caused by the tour bus industry?

The Park Service needs to take the moral high ground.

When it comes to Yosemite, there should be no conflict in philosophy between what is cheap and familiar, as opposed to what is best for the visitor experience and resource protection.

As recently as this past summer Park Service spokespeople involved with the shuttle bus procurement project indicated a strong preference for propane power, specifically propane-electric hybrid.

However, now the same people are indicating a preference for diesel-electric hybrid.

What has happened to bring about this reversal of commitment and thinking?

II. JOHN REYNOLDS' COMMITTMENT, AND A QUESTION.

In March 2001, then-Western Regional Director of the National Park Service John Reynolds stated before a Congressional subcommittee that the Park Service would acquire "the cleanest busses in the world."

URL for transcript of March 27 hearing:
http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107 house hearings&docid=f:71353.wais

> "Mr. Reynolds. And I might clarify that the buses that we are specifying are California standard buses for the future standard. They are the cleanest buses in the world. They are not the traditional bus that exists today."

Diesel-electric hybrids are most certainly NOT "the cleanest busses in the world."

Why has it been decided to ignore the promise made to Congress by John Reynolds?

III. QUESTIONS MOSTLY PERTAINING TO COMPARISONS OF DIESEL WITH OTHER FUELS.

We ask that a comparison be provided for at least the following emissions:

Particulates (Size should be stipulated. PM2.5 seems to be the one discussed currently as being most critical to human health.)
Carcinogens (Whichever ones you have data on; if you do not have the data, please so state. It is important that these emissions be quanitified, since diesel is noted for being especially bad on carcinogens.)
Metals, including nickel
NOx
SOx
Hydrocarbons

Please note that diesels are notorious for their particulate and carcinogen emissions, and information suggests that there is an interrelationship between these, with the carcinogens being carried into and becoming lodged in human lungs because they adhere to the very small particulates. Even if carcinogens were somehow to be eliminated, the huge problem of particulate-induced asthma and other diseases would remain. Even if you do not have data, you owe the public an explanation of why you would select a technology which carries such a horrendous price in human suffering.

Diesels have significant crankcase emissions. Please indicate whether the figures include this, or are for tailpipe only.

We ask that diesel-electric hybrid be compared against against (1.) propane-electric hybrid, and (2.) gasoline-electric hybrid. And also against (3.) straight propane (not hybrid), since that appears to be a possibility which gets away from the problems of high cost and unproven technology which hybrid applications introduce.

It has been suggested that a biodiesel blend of fuel would be used, with it being implied that the NPS would use 20% biodiesel, and 80% standard No. 2 diesel fuel. But our information indicates that the NPS has found that they cannot use that high a percentage of biodiesel without experiencing problems, particularly in the winter.
What would the percentage actually be? Would it vary seasonally?
And what is the point of using any biodiesel at all?
Would emisissions be reduced? Which ones? Would some be higher?

If the use of a biodiesel blend changes the emissions, it should be stated what blend is being assumed when making the comparisons.

IV. QUESTIONS SPECIFIC TO DIESEL.

As touched upon in John Reynolds' statement (above), California has some standards that are more stringent than the federal ones. When there is a difference, will the NPS adhere to the more stringent standards regardless of whether or not they are legally required to?

In particular, will the NPS adhere to the low sulfur fuel standards as they come into effect? California? Federal?

Will the NPS retrofit any diesel engines with particulate traps/filters as improved fuels making their use feasible become available?

V. QUESTIONS AS TO WHY PROPANE OR GASOLINE COULD NOT BE USED AS THE FUEL.

Propane has recently been placed in service at Zion and Glacier National Parks. Has it already been decided that these were mistakes?

Propane is currently in use in Yosemite for the open trams. And propane was used in the old double-decker busses in Yosemite. Has it been decided that these were mistakes?

The spokesperson for the NPS's consultant made much of the fact that "large propane engines are not being manufactured." Is this correct?

What was the source of the propane engines being used at Zion and Glacier?

Cummins makes one of their diesel engines available as a propane conversion. Has this engine been considered, either as straight propane or as a hybrid application?

Electric hybrid systems use smaller engines. So if engines to run busses on straight propane are available, is not a smaller propane engine adequate for an electric hybrid available?

For that matter, since a hybrid system requires a less powerful engine, could gasoline be used for the powerplant?

VI. QUESTIONS AS TO BATTERY AND CHASSIS RELIABILITY.

We are told that the electric busses used in Yosemite kept breaking down because the battery plates were damaged by rough road conditions. Would the hybrid bus batteries suffer the same fate?

Other mechanical problems have been blamed on certain brands of bus chassis which have been used in Yosemite, so it is felt that a diesel bus must be used in order to get a reliable chassis. But, see the following question.

VII. QUESTION COMBINING ALL THE ABOVE CONSIDERATIONS.

Is there any reason why the Park Service cannot stipulate whatever combination of chassis, fuel, and propulsion system they want? Each system is independent of the others, so it should be possible to specify any desired combination.

VIII. NOISE.

Diesels are strikingly noisier than other engines.

The diesel-electric hybrid bus which was demonstrated in the Park in October was quiet when accelerated gradually. What would the noise levels have been had it been accelerated more quickly, or with a heavy load (which it did not have during the ride which I took), or climbing a grade?

IX. DOLLAR COSTS, AND OTHER CONSIDERATIONS.

Much of the above focuses on human and environmental costs. Please provide a comparison of dollar costs for the different fuels and technologies mentioned above. (Notably diesel-electric hybrid, propane-electric hybrid, gasoline-electric hybrid, and straight propane.)

Please break this down as to acquisition cost, operating cost, and maintenance cost. We note that sometimes this information is provided on a total life-cycle basis. How many years is it spread out over for each different fuel and technology? Cost per year?

The question of dollar cost has been raised by the Park Service, and we hope you are able to quantify it.

The management and maintenance infrastructure costs associated with changing away from the present diesel operations may be significant. Could this be offset by stipulating that the manufacturers are to provide maintenance contracts, and re-training programs for affected Park employees?

It is our understanding that the current generation of diesel technology is maturing, and that within a couple years or so there will be major changes in fuels and engines. It has been suggested that this is not the appropriate time to make major new committments (expenditures) to a technology which is about to undergo substantial change. Do you feel this is relevant? I.e. Is the proposed action prudent?

X. CLEAN AIR ACT AND AMENDMENTS.

Have you taken into account Title 42 {7470(2)} which deals with preserving, protecting, and enhancing air quality in national parks?

Have you taken into account Sections 7472 and 7473 which state that national parks are Class I zones?

When will Yosemite meet the standards for visibility contained in the Clean Air Act Amendments? Did the bus selection analysis process take this into account?

Please indicate the relative merits of the different fuels and technologies mentioned above (particularly diesel-electric hybrid, propane-electric hybrid, gasoline-electric hybrid, and straight propane) in meeting the requirements of the Clean Air Act and its amendments.

XI. GAO REPORT.

We note that the General Accounting Office report to Congress (15 November 2002, "National Park Service: Opportunities to Improve the Administration of the Alternative Transportation Program") suggests that this project did not undergo analysis to determine its need and cost-effectiveness. It suggests that there may not have been adequate consideration of alternative ways of dealing with congestion, an analysis of the project's relationship to Park "carrying capacity", an analysis of total cost including operations and maintenance over the life of the fleet, nor an analysis of the cost-effectiveness of the project. In fact, out of the twenty projects analysed in the GAO report, this project seems to have one of the worst scores.

Our question: Are these allegations of the GAO valid?

XII. CONCLUSION.

Thank you for having asked that we submit this list of questions. We have tried to avoid rhetoric, and have not intended any of the questions to be rhetorical. Since most of the questions are of concern to a broad cross section of the public, we hope that you will feel that staff time devoted to this is well spent. We look forward to hearing from you.

George Whitmore, Chair
Sierra Club's Yosemite Committee

P.O. Box 5572
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P.O. Box 5572
Fresno, CA 93755

18 August 2003

Superintendent
Yosemite National Park
ATTN: East Valley Utilities Improvement Plan
P.O. Box 577
Yosemite, CA 95389

FAX: (209) 379-1294
Email: 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 may lead to improvements in protection of the visitor experience and of the natural resources.

Our primary concern all along has been whether the capacities to which the various utilities will be constructed will be appropriate. This determination logically would start from a plan which has defined the level of use which can be sustained without impairing either the visitor experience or the natural resources.

But such a plan does not exist. The 1980 General Management Plan made a start on addressing the concept of carrying capacity, but that effort was nullified by the 2000 Valley Plan.

However, it is clear that the drafters of the Utility Plan EA had something in mind, because there are explicit drawings in the document showing proposed diameters of various sewer lines throughout the project area. Since such detailed plans would have to have originated with some particular capacity level in mind, the question arises as to what that capacity is.

We have gone back and forth through the document repeatedly looking for the capacity information, but have finally concluded that it is not there. If the information is not there, we believe that would constitute a clear violation of the NEPA process. Even if the information is there, but is buried in such a way that we cannot find it, that in itself would constitute a violation of the NEPA process.

Without capacity information for the various proposed utility systems, it is impossible to compare one alternative against another. There are basically only two alternatives offered, one being the No Action alternative. That doesn't give very much to pick from, but, at the very least, capacity information should have been presented so the reader could

determine how the Preferred Alternative compares to the existing systems. Are you proposing to increase the capacities above what they are now? By how much? What level of visitor use are you planning for?

The numerous maps showing utility line routes, both existing and proposed, are of interest. But adequate information as to what would be placed in those trenches is absent.

The lack of such basic information makes it impossible for the reader to comment in a meaningful way.

Any project which involves digging trenches throughout the east end of Yosemite Valley to the tune of 76 million dollars is a good candidate for an EIS. It is beyond reason to think that such a project would not have major environmental impacts during construction. And, if the capacity to which the utilities are constructed is excessive, the long-term impacts could far exceed the short-term ones.

We are requesting a full EIS, with public notification and involvement, an appropriate range of alternatives, and sufficient information to enable the public to evaluate the alternatives. That most certainly would require disclosure of the capacities for each different system for each different alternative.

We are also calling for an extension of the comment period. The cover letter signed by the Superintendent clearly states that the deadline for comments is today. But, during the day today, the Park web site was stating that yesterday was the deadline. How many people who started to comment decided that they had missed the deadline, and so gave up? There needs to be a new notice, preferably not limited just to the web site, making clear to the public that they can still comment.

Thank you for listening.

George W. Whitmore

George Whitmore, Chair
Sierra Club's Yosemite Committee

To: Yosemite Committee
From: George Whitmore <geowhit@qnis.net>
Subject: Info ($$$) to supplement Fresno Bee article
Cc: Jeff McGraw, John Modin
Bcc: Yosemite Committee bcc's, Barbara Moritsch

Greetings Yosemite Committee + Jeff McGraw & John Modin, from George:

The following numbers and dates were found in the Fresno Bee article, the text of which I sent you earlier today. Most of the following information came from some graphics which did not accompany the text in the electronic version.

Note the amount for construction compared to the amount for restoration, and the latter is not even on the radar. It could be years out. The name of the game is tear the guts out of the Valley NOW with bricks and mortar projects. Maybe they will run out of money before they get around to the really bad stuff.

Also, note that the Bee reporter was told that there will be "no net loss of parking spaces in the next three years." If you look at what is going on at the Lower Fall, and the EAs for Yosemite Lodge and Curry Village, this is clearly not so. Why did they tell the reporter something that is contradicted by their own published documents? The parking IS being reduced WITH NO PROVISION FOR PUBLIC TRANSPORTATION beyond the present inadequate system.

Don't be surprised if annual visitation continues to decline. Until they put in the new roads and parking spaces for the tour/excursion buses.

	(millions)	(begin)	(finish)
Curry Village employee housing	$43	fall '03	spring '05
Yosemite Lodge	39.2	spring '04	summer '06
Utilities (phase one) (about $56 million more in future years)	19.6	fall '03	?
Curry Village/Campgrounds	19.3	fall '03	fall '04-'05
Lower Yosemite Fall	12.6	in progress	Sept '04
Visitor Center upgrade	.8	Oct '03	spring '04

Total of above projects $134.5 million (Fresno Bee said $140 million).

Plus the additional $56 million in Utilities Project = $190.5 million.

It appears that all of the above is for construction.

Compare that against an estimated $0.5 million for restoration of the former campground sites, which is planned for some unknown future date.

The above is for Yosemite Valley only. (The Valley Plan called for $441 million, but some of that is outside the Valley.)

Flood recovery money provided by Congress was $176 million. A substantial amount of that has already been spent (e.g. El Portal road).

Park's share (80%) of gate fees 1997 through 2004 estimated at $130 million. Subject to Congressional cut off (and confiscation to pay for Iraq?).

To: Yosemite Planning
From: George Whitmore <geowhit@qnis.net>
Subject: Curry Village/East Valley Campgrounds
Cc:
Bcc:

Curry

P.O. Box 5572
Fresno, CA 93755

11 October 2003

Superintendent
Yosemite National Park
ATTN: Curry Village and East Yosemite Valley Campground Improvements
P.O. Box 577
Yosemite, CA 95389

FAX: (209) 379-1294
Email: 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 may lead to improvements in protection of the visitor experience and of the natural resources.

The scale and scope of this project are of such magnitude that significant environmental impacts will be unavoidable. A properly done Environmental Assessment (EA) process would have led to a conclusion that a full Environmental Impact Statement (EIS) is necessary. An EIS should include an appropriate and meaningful range of alternatives and opportunity for more meaningful public input, both of which are lacking in this EA.

In view of the above, we are requesting that a full EIS be done for this project.

Of the many individual actions called for in this EA, the one which most concerns us is the one which is conspicuous by its absence. We do not agree that the Employee Housing project received adequate environmental review in the Valley Plan process. It should have been included in the Curry Village EA.

The recent revelation that a ground source heat pump ("geothermal") system is planned for the employee housing was quite enlightening. We question whether there was any discussion in the Valley Plan process of possible environmental impacts from the geothermal system. Any project that has the potential to raise earth temperatures permanently by as much as seven degrees clearly needs environmental review.

Is the movement of groundwater across the heat transfer fields known? Where would the excess heat end up? If the root systems of trees would be heated to that extent, we find it hard to believe that there would be no environmental consequences.

We aren't saying we are opposed to a "geothermal" system. What we are saying is that probably not enough is known about its possible environmental impacts, and a NEPA process should be followed.

The Employee Housing project in its entirety clearly needs to be subjected to a NEPA process.

The amount of material contained in this EA is so great that it is essentially impossible for the public, or volunteer organizations such as the Sierra Club, to obtain within the allotted time a clear and comprehensive view of what the project entails. That is especially true given the fact that another EA (Yosemite Lodge), of similar magnitude and complexity, was released at the same time, and has the same comment deadline.

No one that we know had a full thirty days to comment. Delays in delivery of the EA seem to have given some people 24 to 26 days or so to comment. (We do need to acknowledge, however, that some who phoned in requests for the document received it the following day, and we appreciate the prompt service on those requests, though much of the thirty day comment period had already run.)

In view of the above, we are requesting an extension of the comment period on this EA. Since no one can anticipate an extension, it would be somewhat meaningless unless at least another thirty days were allotted, along with adequate public notice of the extension.

Thank you for listening, and taking these comments to heart.

George Whitmore, Chair
Sierra Club's Yosemite Committee

P.O. Box 5572
Fresno, CA 93755

11 October 2003

Superintendent
Yosemite National Park
ATTN: Yosemite Lodge Area Redevelopment
P.O. Box 577
Yosemite, CA 95389

FAX: (209) 379-1294
Email: 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 may lead to improvements in protection of the visitor experience and of the natural resources.

The scale and scope of this project are of such magnitude that significant environmental impacts will be unavoidable. A properly done Environmental Assessment (EA) process would have led to a conclusion that a full Environmental Impact Statement (EIS) is necessary. An EIS should include an appropriate and meaningful range of alternatives and opportunity for more meaningful public input, both of which are lacking in this EA.

For these reasons we are requesting that a full EIS be done for this project.

The proposed relocation of Northside Drive far overshadows other problems posed by this development plan. It is not necessary (see below), and it would make a mockery of the highly touted "restoration" aspects of the Valley Plan.

The removal of many units at the Lodge following the 1997 flood was an excellent start on restoration. Eventual removal of the Alder, Maple, Hemlock, Juniper, and Laurel lodge units will be another very large step toward restoration.

The re-routing of Northside Drive through the area where those five lodge units currently stand would nullify the potential restoration. There would be no net gain. Given the traffic, and the pollution which accompanies traffic, this plan would be worse than leaving the present five lodge units in place.

Development of the Indian Cultural Center and expansion of Camp Four will introduce even more congestion into the area between Yosemite Lodge and the talus. It will make it even more important that a wildlife corridor be established between the Lodge and the river.

Such a restored corridor would open up views to the south from the Lodge area. With the exception of Yosemite Falls, most of the viewing potential is to the south. We have always found the obsession with the Falls view a bit strange, considering how few months the Falls actually have a significant flow. The value of the rest of the view opportunities seems to be overlooked, even though the views are always there and are quite remarkable.

Let it be noted that relocation of Northside Drive is NOT necessary to enable the rest of the Lodge project to move forward. Everything in the present plan could be done while leaving Northside Drive exactly where it is now.

Should there be some compelling reason to consider relocating the road to the south side of the Lodge, then that could be considered in the future without affecting what has already been done.

It is our understanding that the main reason for wanting to relocate the road is to minimize conflicts between pedestrians and vehicles. Even if present levels of traffic and pedestrian use continue, there are other ways of dealing with the conflicts. The most obvious solution would be a pedestrian overpass. Even this probably would not be necessary, for the following reasons.

1. Relocation of the shuttle bus stop (underway) and tour bus parking (in a state of flux) will reduce the conflict level significantly.

2. Closure of the road into the Lodge complex from the (former) four-way intersection is in the plan, and also will reduce the conflict level significantly.

3. Elimination of day-use visitor cars from the Lodge complex—called for in this plan—will reduce the conflict level significantly.

4. Closure of Northside Drive west of the Lodge (as called for in the Valley Plan) would dramatically reduce the conflict level.

However, let it be noted that we are strongly opposed to the closure of Northside Drive west of the Lodge. The point is that changes are afoot, and it is premature to relocate Northside Drive to the south side of the Lodge at this time.

The rationale for relocating Northside Drive is based on past conditions, not future ones. Does it not go without saying that plans should be based on the future, not the past?

The amount of material contained in this EA is so great that it is essentially impossible for the public, or volunteer organizations such as the Sierra Club, to obtain within the allotted time a clear and comprehensive view of what the project entails. That is especially true given the fact that another EA (Curry Village/East Valley Campgrounds),

of similar magnitude and complexity, was released at the same time, and has the same comment deadline.

No one that we know had a full thirty days to comment. Delays in delivery of the EA seem to have given some people 24 to 26 days or so to comment. (We do need to acknowledge, however, that some who phoned in requests for the document received it the following day, and we appreciate the prompt service on those requests, though much of the thirty day comment period had already run.)

In view of the above, we are requesting an extension of the comment period on this EA. Since no one can anticipate an extension, it would be somewhat meaningless unless at least another thirty days were allotted, along with adequate public notice of the extension.

Thank you for listening, and taking these comments to heart.

George Whitmore, Chair
Sierra Club's Yosemite Committee

To: Mike Reynolds
From: George Whitmore <geowhit@qnis.net>
Subject: Shuttle bus acquisition
Cc:
Bcc:

Hi Mike,

Glad to see that you and John Modin are setting up a meeting re Northside Drive relocation. Will look forward to that.

In the meantime, I was at Zion for several days, and took a good look at their propane powered shuttle fleet and the way they operate it. The more I learned, the more I became totally baffled why Yosemite could not do the same thing.

All the objections I have heard as to why it can't be done in Yosemite were negated by my observations in Zion. All the more puzzling because they said that someone from Yosemite had been there to study their operation.

They operate on grades steeper than anything in Yosemite Valley, on a narrow road, hauling large loads (68 seats plus standing). The units are unobtrusive and don't emit the carcinogens and particulates that diesel-fueled vehicles do. (The Zion units are propane-fueled conversions of a Cummins diesel engine.) They start early, run late, and operate on short headways. They have 30 buses and 20 trailers, which covers Zion Canyon plus the Springdale gateway community loop.

I inquired of several people as to reliability, and could not determine that there is a problem. I inquired as to funding, and could not determine that there is a problem.

So what is the problem in Yosemite? As you know, I made a major effort to get information last January, and it was never forthcoming. At the Open Houses the response was always: This is the way we have to do it. Nothing else will work. We're not going to try anything new. We've gotten burned before, and it's not going to happen again.

Bottom line: What is the problem in Yosemite?

(Could we talk about it when we get together next week?) George

To: Ex Comm Tehipite LIST
From: George Whitmore <geowhit1954@comcast.net>
Subject: Measure Z
Cc: Kevin Hall, Tom Eliason
Bcc: Aimee Leyva

Friends,

(For those who may not have the time to go through and consider the following, I have provided a brief synopsis at the end, immediately following my signature.)

I have been researching Measure Z, and the first thing that caught my attention was that the description which appears on the ballot bears little resemblance to the actual text of Measure Z, as posted on the Fresno County Elections Department web site.

The text of Measure Z (Fresno County sales tax increase to fund the Chaffee Zoo) says,

"A MINIMUM [emphasis provided] of two-thirds of the funds distributed shall be for capital improvement projects in the Chaffee Zoo approved by the Authority Board based upon PRELIMINARY [emphasis provided] plans submitted by the Chaffee Zoo."

The remainder of "Up to one-third...may be available for operations and maintenance..."

Notice the interesting distinction between "shall" and "may". The lion's share "shall" go to capital improvements, whereas whatever might be left "may" go to operations and maintenance.

Incredibly, out of fourteen pages of text, this is the closest it comes to telling you how the money would be spent.

Wanting more information, I asked the following two questions at the public forum on 14 October. The responses follow the questions:

1. Q. What is the date of this plan?

   A. There is more than one plan. (The panelist named a couple of them).

2. Q. Where can I see it?

   A. "I don't know."

This is like a blank invoice. You are going to be charged a tax, but they can't tell you what it is for.

The proponents made much of the fact that Measure Z doesn't say the zoo would be expanded. That's true...Measure Z doesn't say ANYTHING! But $60 million (MINIMUM!) is an awful lot of money to be spent on capital improvements if there is not going to be any expansion.

On the one hand there might be NO expansion. This is inconceivable, considering the amount of money available, and all the talk about expansion which we are hearing from the Measure Z proponents. On the other hand, the zoo could expand so greatly that it would almost completely obliterate Roeding Park. Measure Z simply does not say how the money would be spent, other than that a MINIMUM of two-thirds of it would be on capital improvements.

Measure Z does not provide for the creation of a governing body to come up with a spending plan, nor does it even define who is to speak for "the Chaffee Zoo". To the extent that these issues may be addressed, it is NOT in the language of Measure Z.

A major article in the Fresno Bee October 13 described how the Measure Z campaign committee is still making decisions as to how the zoo should be managed. Got that? They want us to vote for something when THEY still haven't decided what it ought to be. And why the campaign committee? It's not coming from the Chaffee Zoo management, or the City Council, but from a self-appointed group of private citizens headed by a local businessman.

In spite of all the uncertainty, one thing is very clear. The Measure Z campaign committee clearly is seeking expansion of the zoo at the expense of Roeding Park.

If passed, Measure Z would put Roeding Park at risk if the campaign committee has anything

to say about it. And, so far, the campaign committee seems to be calling the shots.

For those who care only about the zoo, and who don't care about Roeding Park, consider this: Measure Z would sunset in ten years. After years of building up the zoo, and putting its support entirely on a sales tax supported basis, with the zoo having been made independent of Fresno City, all funding would suddenly cease. What happens to the sad-eyed elephants then?

One interesting point raised at the forum was, if a similar measure were being proposed for a facility at Woodward Park, does anyone really think it would stand a snowball's chance? There is an "environmental justice" component to this issue, and it has some significant ramifications for the Sierra Club.

I would like to see the Tehipite Chapter oppose Measure Z. But, considering our procedures and the shortness of time, I think opposition may be impractical. Oppostion would require approval by the state-wide Sierra Club, with the attendant delays.

What WOULD be feasible would be an expression of concern over the lack of information as to the intent of Measure Z, and the potential risk to Roeding Park which that entails. And a concern that the issue of the Chaffee Zoo future should have been addressed within the Roeding Park context, rather than in isolation. A measure could have been crafted which would have provided for the future of both institutions, rather than one at the expense of the other.

I am searching for the best way for the Chapter to address this. Suggestions would be welcome. George

SYNOPSIS:
There is a mass of often conflicting material available; the text of Measure Z essentially says nothing; the summary description on the ballot is not supported by the actual text of the measure; various governmental, quasi-governmental, private entities, and individuals are all making different claims as to what Measure Z would do...and the various claims are in a state of flux.

This morass of confusion is, in itself, more than enough reason to go back to the drawing board and start over. And the second time around there had better be talk about Roeding Park as well as the zoo, making clear the interrelationships between the two, AND WHETHER THE PUBLIC WILL HAVE ANY VOICE in what happens to the zoo and to Roeding Park.