

letterhead
Sierra Club
Tehipite Chapter

P. O. Box 485
Kingsburg
California 93631

13 September 1977

Supervisor
Sequoia National Forest
900 West Grand Avenue
Porterville, CA 93257

Sir:

Re. Roadless Area Inventory adjustments.

We believe you should include some additional land in Area No. 197 (Oat Mountain), as we have indicated in red on the enclosed map.* The small parcels to the west were apparently omitted because they are in private ownership. These are extremely small, certainly constituting far less than your 30% guideline. We believe the inventory boundary should go right up to the authorized National Forest boundary so long as the land qualifies as roadless and undeveloped.

Your omission of the larger area close to Delilah Lookout seems inexplicable. It appears to have been left out because of the private ownership in sections 2 and 3, but this would not have been a valid reason since those parcels are very small -- far less than 30% of the total. And since you inventoried the Delilah-White Deer road in the NW corner of section 3, why could you not also inventory it in the remainder of section 3? Even if you omitted the private land and the road, it appears that you could have brought the boundary at least up to the road.

We request inclusion of all these areas in the inventory.

Some land contiguous to Area No. 200 (Jennie Lake) has been overlooked. The boundary should be brought to the edge of logging activity in the Stony Creek-Fox Meadow Area as we have indicated in red on the enclosed map.*

Mineral King (i.e., the game refuge) should be inventoried except for the road and existing developments, as we have indicated in red on the enclosed map.*

Although an EIS has been submitted to CEQ, a decision has not yet been announced.

Furthermore, the EIS did not properly address the wilderness potential of most of the enclave. Therefore, the fact that an EIS has been done is a mere technicality which has no relevance to the roadless review process. Even if the Disney plan were implemented, there would still be some roadless land. Have you already decided whether or not those lands should be recommended for wilderness or wilderness study?

If so, when did you make such a decision? Was there any public involvement? (We would appreciate documentation of this.)

In addition, you have never addressed the question of wilderness or wilderness study status for all contiguous roadless lands at one time, as required by common sense and by your own regulations and by directive of Chief John McGuire (cf. his ruling on the Gospel-Hump appeal).

The area between Upper Little Kern and Areas No. 029, 203, and 208 should be inventoried as we have indicated in red on the enclosed map.*

A large portion of this area (to the east) has not been covered by any EIS. It is difficult to understand how you could claim that the Little Kern EIS covered this land when it is outside of the Little Kern Planning Unit!

But even the area encompassed by the Little Kern EIS should be inventoried because you failed to address the question of wilderness or wilderness study status for all contiguous roadless lands at one time. As mentioned above, this is required by common sense, by your own regulations, and by directive of Chief John McGuire (cf. his ruling on the Gospel-Hump appeal).

These comments are selective, and not comprehensive. Our failure to mention other areas should not be construed as implying lack of concern on our part.

Sincerely,

George W. Whitmore
Tehipite Chapter Representative

* Our delineation of these areas is schematic, in keeping with the base map you provided us.

bcc. M.A. Eriksen
J. Eaton/P. Farrell
J. Amodio
D. Scott
R. Mitchell
N. Collin
B. Doody
J. Fontaine

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P. O. Box 485
Kingsburg
California 93631

14 September 1977

Supervisor
Sierra National Forest
1130 "O" Street
Fresno, California 93721

Sir:

Re. Roadless Area Inventory adjustments.

The following comments are to supplement those we submitted on 20 Aug 77. All comments we made at that time are still ~~xxxxxxxxxx~~ operative, and this letter in no way reduces the importance of our previous comments.

In many places your original inventory line was set back from roads, reservoir shorelines, etc. In some cases this was in order to use a ridge as the boundary. In other cases there was no apparent reason. In any event, regardless of the reason, the boundary is supposed to come to the edge of existing developments. We request that this be done.

In addition to the areas described in our previous letter, we also recommend that the road to the Mark Mine on the west side of Area No. 047 (San Joaquin) be inventoried. Also, the mine itself should be inventoried.

This is because the Wilderness Act specifically provides for the continued conduct of mining activities within Wilderness Areas, and there would therefore be no reason to exclude the Mark Mine and its access road from a "San Joaquin Wilderness."

Apparently your inventory criteria call for omission of an area such as this because "prospecting with mechanical earthmoving equipment" is ongoing. However, this criterion ignores the reality of the law (Wilderness Act, Sec. 4.(d)(2) and (3), plus other sections of the same law). In other words, we believe this particular criterion is inconsistent with the law, and we believe the Forest Service should use the law as its guide.

For the reasons given above, we request that the Garnet Dyke Mine and its access road (beyond the locked gate) be inventoried as part of Area No. 198 (Kings River).

For the same reasons, we request that boundary adjustments be made on Areas No. 240 (Ferguson Ridge) and 241 (Devil Gulch). In fact, these two areas should probably be combined into a single roadless area (with the name presumably reverting to that used in RARE II--"South Fork Merced River").

We wish to emphasize our earlier comments on areas No. 244 (Dinkey Lakes) and No. 245 (Woodchuck) regarding your omission of the Courtright area.

The Federal Power Commission's EIS on Pacific Gas and Electric Company's Helms Pumped Storage Project cannot, by any stretch of the imagination, be considered to have been a "land management plan" in the sense that the RARE II inventory criteria intended. It was an EIS on a pumped storage project, not on a land management plan.

Discussion of proposed recreation developments within the project area was just that - discussion of recreation developments. If the Forest Service considers that extremely limited approach to constitute "land management planning", this would go far to explain the numerous debacles that have been foisted on the public in the name of "land management planning".

Furthermore, you omitted far more land from the inventory than was covered by the EIS. Most of the land you omitted lies outside the project area! (This is clearly shown on maps in the EIS.)

As in other parts of the Sierra National Forest, you drew some of the inventory lines along ridge crests instead of up to existing development (and the Helms project boundary did not follow those ridge crests).

We request that the boundaries in the Courtright area be drawn along the edge of existing developments as described in our earlier comments. When this is done, area No. 245 (Woodchuck) will once again be joined with the remainder of area No. 244 (Dinkey Lakes), as it was in RARE I.

We wish to emphasize and expand upon our earlier comments on Area No. 198 (Kings River) regarding your omission of the Rancheria area.

(1.) Your final EIS has still not been filed. This fact alone would indicate that you should inventory the area, since you have now admitted that under the present criteria the area is roadless and undeveloped. (Of course, we feel that it should have been inventoried in RARE I, but that is another matter.)

The following comments will have to be based upon the draft EIS since that is all that has been made available to us. We recognize that some of the following concerns may be addressed by the final EIS.

(2.) The draft EIS was extremely deficient in its handling of the wilderness - wilderness study possibilities. The most ~~grave~~ous flaw was that the draft failed to acknowledge that the area is in fact roadless; the discussion of a wilderness alternative was pro-forma, intended only to satisfy the technical requirements of NEPA without actually having any substance. See our comments on the draft EIS for particulars.

(3.) The wilderness potential of all contiguous roadless lands has never been addressed in any study. Consideration of all roadless lands at one time is required by common sense, by your own regulations, and by directive of Chief John McGuire (cf. his ruling on the Gospel-Hump appeal).

(4.) A formal wilderness study under the terms of the Wilderness Act is required for all roadless lands contiguous to Primitive Areas (cf. the Parker decision). Because of the presence of the High Sierra Primitive Area, the Rancheria area is subject to this requirement. No matter what the final EIS says, the EIS cannot comply with the requirements of Parker.

(5.) Secretary Cutler stated that areas which had not been inventoried in RARE I would be inventoried in RARE II even though an EIS might have been done. Rancheria falls in this category.

Sierra National Forest

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Rancheria Summary: The wilderness potential of this area has never been properly or adequately addressed by the Forest Service. It was omitted from the High Sierra Primitive Area review, it was omitted from RARE I, and now you are proposing to omit it from RARE II on a technicality of highly questionable validity.

Request for Relief: We request that the law, court/rulings, your own regulations, McGuire's guidance on his Gospel-Hump ruling, and the rules of common sense and decency be abided by. INVENTORY RANCHERIA!!

Sincerely,

George W. Whitmore
Tehipite Chapter Representative

bcc. M.A. Eriksen
J. Eaton/P. Farrell
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