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Marked sections are new material
not contained in Senate testimony.

STATEMENT ON H.R. 3656
TO DESIGNATE THE KAISER WILDERNESS STUDY AREA
BY GEORGE W. WHITMORE, REPRESENTING THE SIERRA CLUB
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS,
HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
WASHINGTON, D. C.
May 25, 1976

Mr. Chairman and members of the Committee, my name is George W. Whitmore, and I reside in Kingsburg, California. I am the Vice Chairman for Federal Lands within the Sierra Club's Northern California Region. I am on the Sierra Club's National Committee for Wilderness, and also on the Sierra Club's National Committee for Forest Practices. I am speaking for the Sierra Club.

My impressions and opinions of the Kaiser Roadless Area have been formed within the context of many years of hiking, backpacking, and climbing throughout many of the wilderness regions of North America, including the Kaiser Roadless Area.

Let me start by noting that the Sierra Club has not been actively seeking introduction and passage of legislation for all roadless areas in California, and I do not anticipate that we will. But we have concluded that the Kaiser Roadless Area is a unique and valuable area which deserves special attention and consideration. We feel that its natural values should ultimately receive the protection which can be provided only by Wilderness classification. We feel that a full-fledged Wilderness study under the terms of the Wilderness Act of 1964 is a necessary step in this direction, and therefore we fully support H.R. 3656.

I am attaching a letter (dated February 21, 1975) from the Resources Agency of California to the Sierra National Forest Supervisor. This letter presents an overview of the State's comments on the Aspen-Horse-thief Timber Sale draft Environmental Statement. The Forest Service received these comments after their deadline, and consequently the comments did not appear in the final Environmental Statement. For this reason I would like to ask that the entire letter be included in the hearing record.

The entire letter is extremely interesting, but I would especially like to point out that it concludes that "wilderness classification may be more amenable to long-term productivity from a multiple-use standpoint than intensive timber management. This possibility should be thoroughly evaluated through detailed study prior to approval of logging and roading any portion of the Kaiser Inventoried Roadless Area..." Furthermore, "a decision as to whether to proceed with the proposal should be postponed pending future detailed study of the Kaiser Inventoried Roadless Area for Wilderness Classification."

In January of 1975 the Forest Service issued a brochure in which they gave four reasons why they did not select the Kaiser Roadless Area as a New Wilderness Study Area during the Roadless Review process which culminated in 1973.

First, they stated that there had been a "lack of emphasis by the public." We believe there were several reasons for this. Among these were an almost total lack of awareness by the public as to the significance of the Roadless Review process, due largely to the great haste with which

the public participation phases of it were conducted. We also feel that many people who might have recommended Wilderness study at that time did not do so as a result of the Forest Service's long-standing campaign to arouse public hostility toward the Wilderness concept. In any event, as the threat to the Kaiser Roadless Area has become more imminent the public has apparently developed a very considerable interest in having a Wilderness study of the Kaiser Roadless Area, and we feel that a lack of expressed interest in the past is not really relevant to developing policy for the future.

Second, the Forest Service stated that the Kaiser Roadless Area was not selected as a New Study Area because of the "quality index of the area." For a number of reasons which you have heard before, we do not accept the validity of the quality index rating system nor of its implementation. Aside from these objections, however, we believe it is instructive to review the Forest Service's own records. Of the nineteen New Study Areas which the Forest Service did select in Region Five (California), nine areas had a quality index above 129, one area had an index of 129, and nine areas had an index below 129. In other words, the indexes ranged from 159 to 102, and 129 just happened to be the median. In view of these figures, which were of the Forest Service's own making, we find it quite incredible that the Forest Service would now claim that the median quality index (129) of the areas they did select is nevertheless so low as to warrant the rejection of the Kaiser Roadless Area, to which they assigned a quality index of 129!

Third, the Forest Service stated that the Kaiser Roadless Area was not selected because of a "position of the Fresno County Board of

Supervisors." We feel it is instructive to note that the supervisors opposed the designation of any additional Wilderness areas on National Forest land in Fresno County, thereby raising considerable question as to their objectivity. We also feel it is instructive to note that that particular Board was hostile to most environmental issues, and that previous and subsequent Boards have displayed a much greater sense of responsibility on land use issues, including advocacy of Wilderness classification for certain National Forest lands.

Fourth, the Forest Service referred to "other Resources and protection needs of the area." By this we assume that they refer primarily to the timber resource, and it is certainly true that the Roadless Review process was skewed in such a way as to produce a very strong bias against selection of areas containing significant numbers of trees.

I certainly do not question the fact that there are many trees in the Kaiser Roadless Area. I have seen them myself, and I have made a point of observing the forests closely in order to be better informed concerning the relative merits of logging operations versus protection of natural values.

I have no doubts whatsoever that if this issue is approached from a broadly based perspective that the conclusion will be that the area's natural values should be protected and preserved. I feel it is entirely appropriate to approach the issue on a cost/benefit basis, but I also feel that "costs" and "benefits" should be stated in the broadest sense, and not merely in terms of dollars alone. In effect, I am asking that

you consider the costs and benefits in environmental and social terms as well economic ones.

It seems to be traditional for timber production from public lands to be equated with "the public good." This is perhaps because its benefits are mostly expressed in dollars and, since dollars are the chosen measure, of course the "cost" side of the ratio is traditionally very low. While economic costs may possibly be low, I would like to suggest that social and economic costs can be and often are quite high. As evidence of this I would like to introduce into the record a letter written on November 5, 1973 by the present Supervisor of the Sierra National Forest. (This letter is included as an attachment to this statement.)

In this letter Supervisor Muniz states that he has "never indicated to anyone that an area that is designated for timber harvest will be suitable for recreational enjoyment." He states that areas where timber is harvested are his "industrial zones," and that he does "not deny these effects (of timber production) are unsightly." He states that "many people go into our general Forest zone...and expect to find a recreational setting," and that "of course this produces a shock; it is the same type of shock you would experience if you were to take your family and spend a Sunday afternoon within sight, smell, and sound of a winery or a manufacturing plant." He concludes by hoping that "the public will soon understand that National Forests must have their 'industrial zones'," and that only "about 1/3" of his Forest is zoned in this way.

I find this letter to be quite frightening in its statements and implications. It illustrates quite clearly the Supervisor's obsession

with timber production, and his willingness to commit most, if not all, of the Sierra National Forest's General Forest Zone (46per cent of the total area!) to a form of management (timber production) which by his own admission excludes recreational use.

Given this incredible bias and lack of understanding by the Supervisor, we feel that the only hope of retaining multiple-use values in the Kaiser Roadless Area is for Congress to intervene.

I have referred to "multiple-use" values because that is precisely what we feel Wilderness classification would preserve. Of the five major resource values identified in the Multiple Use-Sustained Yield Act of 1960, only one is incompatible with Wilderness designation, and of course that is timber production. The other resource values--grazing, wildlife, watershed, and recreation--clearly are compatible with Wilderness designation.

That is one major reason why we feel that eventual inclusion of the Kaiser Roadless Area in the Wilderness System would provide the greatest good for the greatest number in the long run.

Perhaps a rip off of the timber would provide a short-term economic benefit at little economic cost. But we trust that Congress will have the wisdom to see far enough into the future to realize that social and environmental costs--some of them described so eloquently by Supervisor Muniz--could very likely end up outweighing the economic benefit. This is especially true when it is realized that, sooner or later, inevitably some administrator of the Sierra National Forest will decide that the Kaiser area truly should be an "industrial zone." Present promises of only partial despoilation would be forgotten or considered to be inopera-

tive, and the entire timbered portion of the Kaiser area would end up being no different from the other "industrial zones" in the Sierra National Forest.

The Forest Service will probably go into much detail explaining the various mitigating measures they propose to take on the Home Camp and Line timber sales. It should be kept constantly in mind that they are speaking only of these specific, initial-entry timber sales. The Environmental Analysis Report (approved June 23, 1975) for these sales states that their purpose is to begin management of the area for production of timber. There is little, if any, discussion of the nature of timber operations which would be conducted in the future.

I have made this point repeatedly, before various forums, and over a long period of time. And yet the Forest Service has never attempted to allay the concern I have expressed. I can only conclude that they have no intention of employing mitigating measures except in the initial entry, and that subsequent timber operations would be conducted with the Forest Service's usual destructive disregard for multiple-use values.

Furthermore, it should be remembered that discussion tends to focus only on the North Shore area. On the north and west sides of the Kaiser Roadless Area the Forest Service is planning the Horsethief timber sale. The Environmental Analysis (approved March 5, 1976) for the Horsethief sale states that there have been "no significant changes" in Forest Service planning for this sale, even though planning started in 1970. In other words, in the Horsethief area the Forest Service plans no significant mitigating measures--in spite of citizen concern expressed over a period

of several years.

We would like to bring to your attention a letter to Senator Floyd Haskell from Forest Service Chief McGuire, dated 11 November 1975; this letter is printed on page 35 of the Senate Committee Report on S. 75. Mr. McGuire stated that, in the event that timber production were to be foregone in the Kaiser Roadless Area, "Annual (timber) sale offerings would return to near normal thereafter" (ie. after fiscal year 1976). We would like to point out that only one month remains in fiscal year 1976, and that we have thus almost reached the point where Chief McGuire anticipated a return to "near normal" timber sale offering volume.

An attachment to Chief McGuire's letter is printed on pages 32 and 33 of the Senate Committee Report. It states that "Local mills now have about 300 million board feet under contract but uncut. This is equivalent to about two years of sale volume for the Forest."

The availability of this huge volume of timber which is already under contract , plus Mr. McGuire's anticipation of a return to "near normal" volume of sale offerings after fiscal year 1976, indicate that passage of this legislation will not impact the timber industry except in a very minor way. The mills can easily absorb temporary variations in the Forest Service's sale program by drawing upon the huge volume of timber which they already have under contract.

In a letter from John Underwood (the Sierra National Forest's Timber Management Officer) to Osmond Molarsky, dated 30 September 1975, Mr. Underwood indicated that it would be "not sound management" to cut younger trees while the Forest still has untouched stands of older trees.

He stated that "the management objective" is to remove the old growth "on a priority basis" in order to "place the stand in a productive condition.

Mr. Underwood has made it clear that the Sierra National Forest's decision that they must cut in the Kaiser Roadless Area (as well as in two other roadless areas), and that no other timber is available for harvest, is a decision which was based on their particular philosophy of management, as opposed to a factual basis for the decision. In other words, he has not denied that other timber is available; but instead he has indicated that it is their policy that it shall not be cut so long as they are still able to enter and harvest virgin stands of old-growth timber.

Rather than trying to strip our few remaining stands of virgin forest as quickly as possible, the Forest Service could be taking more constructive steps to provide the nation with a future supply of timber. In general, we feel they should adopt the idea of using the most productive (and otherwise appropriate) lands for more intensive timber production, thus freeing the less productive lands to be used for non-commodity purposes. (This is not intended to be a blanket endorsement by us of any and all tree-farming techniques!)

In Forest Policy for the Future (Resources for the Future, Inc.: Washington, D.C. June 1974) Marion Clawson mentions a number of possible ways to increase the production of wood fiber. These include:

- control of fire, including more thorough slash disposal.
- planting and replanting.
- thinning: -precommercial.
 -commercial.
- control of insects and disease.
- fertilization.
- control of livestock.(grazing).

- site preparation (for natural or artificial seeding or planting).
- control of competing species ("weeds").
- genetic improvement:
 - seed selection (repeated up to four generations can yield perhaps double or more the growth under the same site conditions; cf. page 155.)
 - new strains:
 - hybridization.
 - mutation.
 - other.

Obviously some of these techniques have a potential for creating environmental problems, and that is why I hasten to point out that we are not giving the list a blanket endorsement. I am presenting it simply in order to indicate that there are ways of increasing the supply of timber, and that it is not necessary to continue to rip off our remaining virgin timber, most of which is not of high quality nor is it on productive land.

As an additional benefit of using such an approach to timber management, it would create jobs! We believe it is high time that more people started making a living growing trees, thereby making it possible for other people to continue to make a living cutting them down.

In a widely distributed brochure issued by the Sierra National Forest on January 29, 1975 it was stated that the 12,000 acre Crest Zone portion of the Kaiser Roadless Area has "had its roadless-primitive character guaranteed by zoning since it was designated Crest Zone in 1961-62." Specifically, it was stated that "Management Decisions" for the Kaiser Crest Zone include a prohibition on motorized vehicles, including snowmobiles, and that "Logging activity and stand improvements are excluded from this unit," and that "Roads will not be constructed into this unit."

I was curious as to the source of these policy statements and management decisions for the Kaiser Crest Zone, as I could not find them in the current revision (1973) of the Pineridge Ranger District Multiple Use Plan, nor could I find them in the current revision (1970) of the Northern California Subregion Management Guide.

I finally found the prohibitions on motor vehicles, logging, and road construction in the previous revision (April 21, 1971) of the Multiple Use Plan.

It is instructive to note that these protective "management decisions" for the Kaiser Crest Zone which had appeared in the previous Multiple Use Plan have been dropped from the present Multiple Use Plan:

- Formerly there was a complete prohibition on motor vehicles, including snowmobiles. Now vehicles are permitted "on the now-designated vehicle access roads and trails," and snowmobiles are not mentioned.
- Formerly "logging activity and stand improvement" were excluded, whereas now there is no prohibition on such activity.
- Formerly road construction was excluded, but now there is no such prohibition.

Presumably the Forest Service's rather gross error in having quoted from a superceded Multiple Use Plan was just that--an error. However, the damage done is just as real and as great as if there had been a wilful attempt at deception. The brochure was very widely distributed, and as a consequence there is a very widespread misconception that certain protective management decisions have been guaranteed by zoning. We trust that this statement will serve to set the record straight at least as far as Congress is concerned, and that Congress will realize that the current management direction for the Crest Zone portion of the Kaiser

Roadless Area does not contain in any way, shape, or form the protective features which have been claimed for it.

At one time the Forest Service used a standard printed enamel metal sign which said:

"Closed to Motor Vehicles"

"The area back of this sign is classified under regulations of the Secretary of Agriculture to preserve its primitive environment"

"Travel by motor vehicle is prohibited and violators will be prosecuted."

Many years ago these signs were posted at a number of entry points on the periphery of what is now known as the Kaiser Roadless Area. Some of the signs are still posted although in a state of disrepair, while others have been removed entirely

In the past, according to these signs, the administration sought "to preserve (the Kaiser area's) primitive environment." But now we find that the posted signs are being removed, and that protective language has been stricken from the Multiple Use Plan. We cite these examples to illustrate the futility of attempting to rely upon administrative management decisions as a guarantee of future Forest Service actions.

On December 20, 1971 the present Supervisor of the Sierra National Forest spoke before the Madera County Board of Supervisors. His purpose was to explain why the Forest Service had concluded that a highway over Minaret Summit (in eastern Madera County) would have adverse impacts upon the national forest resources. He pointed out that although the impact of the highway would be negative, the Forest Service was not taking a position either in favor of or in opposition to the highway.

Of great relevance to our purposes at this hearing today, the

Supervisor also stated that he did not favor Wilderness status for the Minaret Summit area. As reasons, he stated that almost 25% of the Sierra National Forest is already Wilderness, and that the National Park Service will be recommending additional nearby lands as Wilderness.

We point out that the reasons the Supervisor gave for not favoring Wilderness classification for the Minaret Summit area would, if valid, be applicable to the entire Sierra National Forest! Thus, in effect, the Supervisor gave notice as early as December 1971 that he would not favor any additional Wilderness anywhere in the Sierra National Forest.

On other occasions subsequent to that date the Sierra National Forest Supervisor has repeatedly made it abundantly clear that he has an aversion to Wilderness in general, and that he is especially opposed to the establishment of any additional Wilderness areas. With further research I could name dates and places when I have heard the Supervisor make these remarks, but I trust that the example cited is sufficiently explicit to illustrate the point.

My purpose in presenting this information is to make it clear that it is impossible for citizens to get an objective consideration of potential Wilderness areas in the Sierra National Forest. unless Congress mandates a study and makes the ultimate decision!

(A footnote to this section is included as an attachment to this statement.)

On March 16, 1970 the previous Supervisor of the Sierra National Forest, in a letter to the Regional Forester, described his establishment of the "Cassidy--Junction Bluff Frontier Management Unit." His management direction specified that there would be no roads, nor use of motor vehicles

by the general public. The area's "frontier nature" was to be maintained in order that the visitor might "experience a feeling of solitude and adventure short of classified wilderness." The Supervisor stated that he planned to establish similar management direction in other parts of the Forest.

In effect, the previous Supervisor had established a "semi-wilderness" by administrative action, and we viewed this as a giant step forward in enlightened forest management.

In early 1973 I wrote to the present Supervisor inquiring into the status of his predecessor's announced intention to establish similar management direction in other parts of the Forest. I was told that it had been decided that no further Frontier Management Unit designations were needed.

I was not told that the previously established Frontier Management Unit had already been abolished or was about to be. However, I later learned that someone within the Forest Service had, quietly and without notice, done exactly that! I learned this quite by accident upon reviewing the Pineridge Ranger District's newly revised Multiple Use Plan which had been adopted May 5, 1973.

Our purpose in describing this sequence of events is to illustrate the utter futility of attempting to rely upon administrative management decisions as a guarantee of future Forest Service actions. The Sierra National Forest can make all the promises it wants regarding enlightened and environmentally sensitive management of the Kaiser Roadless Area's timber and other resources. The fact remains that they have given us no reason to believe the promises will be kept, and our past experience actually gives us reason to expect that the promises would be broken.

This is why we feel that we have no recourse except to ask Congress to mandate a Wilderness study, and then to make a land classification decision which will carry the force of law.

Compared to establishment of the old Primitive Areas, it seems clear that there is much more deliberation, concern, and involvement of various entities in the establishment of a congressionally mandated Wilderness Study Area. Considering the intensity and seriousness of commitment experienced in establishing a Kaiser Wilderness Study Area, it seems that the degree of protection given to it should be at least as great as that afforded the Primitive Areas in the past.

Under the terms of the Wilderness Act, the Primitive Areas are protected until Congress decides on their ultimate classification. But the present language in Section 2 of H.R. 3656 provides for only a four-year period of protection following the initial two-year study period.

With such limited protection, it would be very easy for the area to be lost through delay and inaction. Although the Kaiser Wilderness Study proposal presently has strong support in Congress, it would be all too easy for some future legislator to delay congressional action beyond the present four-year limit. After the time and effort which will have been expended in a study, a final decision by default hardly seems justifiable. One way or the other, Congress should actually make a bona fide decision.

To achieve this, we suggest that language providing for protection of the area "until Congress determines otherwise" should replace the wording which presently specifies only a four-year period of protection.

(Footnote to page thirteen.)

As a point of information it should be noted that the Forest Service has:

1. Recommended Wilderness classification for 36,000 acres in the Kings Canyon area. This was the result of the High Sierra Primitive Area review, involves practically no resource conflicts, and is partially in the Sequoia National Forest.
2. Established the North Fork San Joaquin New Wilderness Study Area of 33,580 acres as a consequence of the Roadless Review process. (This is in the Minaret Summit area previously mentioned.) There were strong indications that this Study Area was established over Forest Service objections, and only upon insistence from unusually high levels within the Executive Branch.