

Declaration

County of Fresno
State of California

SS

I, George W. Whitmore, declare:

1. I reside in Fresno County.
2. I am familiar with the San Joaquin Roadless Area (B 5-047) in the Inyo and Sierra National Forests, and the Jennie Lakes Roadless Area (5-200) in the Sequoia National Forest.
3. Jennie Lakes is a little jewel. It is a microcosm of larger, more remote wilderness areas. A lot of scenic excitement is packed in this "small" (13,000 plus acres) area. There are lakes--most notably, of course, Jennie Lake; streams; meadows; forests; and rugged "little" mountain peaks. One might call it a Bonsai wilderness.
4. Jennie Lakes is the closest wilderness area to Fresno. People from Fresno can enjoy this area in just a one or two day trip. Its accessibility to a major population center (Fresno) is, alone, a significant reason for preserving it in its natural state. It is located adjacent to both Sequoia and Kings Canyon National Parks and is frequently traveled through by wilderness users and hikers destined for these places. Accordingly, the Jennie Lakes area is not only important because of its own intrinsic value, but also because of its strategic location as a means of preserving the integrity of these other areas and enhancing their use.
5. The only part of the San Joaquin Roadless Area that was recommended by the U.S.F.S. in RARE II for Wilderness was the very heart of the area. However, the surrounding areas are also valuable for their wilderness qualities and should be carefully considered for Wilderness designation. Any change in their wilderness quality should, at a minimum, be fully addressed before it is altered in any way.

6. On the Inyo side of the San Joaquin are the Deadman and Glass Creek drainages. Glass Creek is unique on the east slope of the Sierra because of its large, lush meadow. Even in August it is a virtual oasis. It is about a mile long and a quarter mile wide and is a most welcome sight and experience after hiking up from the eastern valley floor through interesting, but dry, volcanic rock country.
7. Over the ridge from Glass Creek is Deadman Creek. It supports the largest stand of virgin Jeffrey Pine on the east slope of the Sierra. This magnificent stand was the subject of considerable controversy in the 1950's when the USFS planned to extract the timber. Conservationists obtained a "stay of execution" and wish to extend that stay for esthetic, scientific, and ecological reasons.
8. The upper portion of Deadman Creek is of great interest to zoologists and botanists because of its diversity and relict populations. It is adjacent to one of the lowest points in the Sierra Crest, and consequently, over time, there has been significant floral and faunal migration through the divide and into the Deadman area. Thus the area has scientific value and provides an outstanding natural laboratory in which to study these phenomena. The diversity of flora and fauna is also a joy to the uninitiated but alert hiker just passing through.
9. Just west of the Glass Creek and Deadman Creek drainages, on the Middle Fork of the San Joaquin River, one side of the valley was designated Future Planning while the other side was designated Non-Wilderness. Such inconsistent designation could negatively affect options in the Future Planning area.
10. The South Fork of the San Joaquin River drainage is quite a large area. I am most familiar with the east side of the South Fork drainage. It has outstanding wilderness characteristics and is one of my favorite areas. Because of rudimentary access and its

isolated location, this is a kind of "backwater;" that is, it is less traveled than most other parts of the Sierra. As demand for wilderness increases and use of wilderness areas increases, as has happened dramatically in the past decade, each such "backwater" becomes increasingly important to seekers of solitude such as myself. The area is truly isolated and wild. I have seen sign of mountain lion in this area, and the bears here are "real" bears because they live off the land instead of looking upon passing hikers as a source of groceries.


11. This is an interesting area to travel through because of noticeable climatic changes from one part to another. The southern part is in a rain shadow. Loose granitic soil rapidly drains the little moisture that does find its way into the soil, thus much of the area is almost desert-like. Vegetation changes noticeably from mile to mile as one proceeds north, each mile supporting a more dense forest.
12. The U.S.F.S. plans to log the more densely forested part of this area, utilizing helicopters because of the difficulty of access. I have studied this issue carefully and have come to the conclusion that helicopter logging, or any kind of logging, is probably economically not feasible. Because of the difficult access, this area was not even included in the allowable cut until just the last few years. But because of apparent overcutting in the rest of the forest, this area was added in order to justify a higher allowable cut than would otherwise be permitted. A careful cost/benefit analysis should be performed for this area before committing it to Non-Wilderness.
13. There is a lovely forest on the west side of the South Fork of the San Joaquin; yet many of the trees are scattered and grow in thin,

sandy soil. The 1971 Multiple Use Plan for the Ranger District said, "The timber site (in the Crater-Rattlesnake portion of the South Fork) is low site, low production, and difficult regeneration...This unit cannot be considered a high potential timber producing area." But now, under the current Multiple Use Plan, a major timber operation is planned for the Crater-Rattlesnake area. However, I have seen no facts to support the change in management plans for the Crater-Rattlesnake area, which constitutes a major portion of the South Fork's west slope. It is, however, "wild," and is an important integral part of the whole San Joaquin watershed/wilderness area.

14. The EIS for RARE II fails to discuss the attributes of these areas or the impacts upon them of designating them Non-Wilderness. I submitted comments to the U.S.F.S., on behalf of the Tehipite Chapter of the Sierra Club, which addressed these and other areas. The U.S.F.S. failed to respond to the specific points I addressed.
15. Designation of these areas as Non-Wilderness will irreparably harm the areas.

I declare under penalty of perjury that the above is true.

Executed at Fresno California on October 10, 1979.


George W. Whitmore

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Testimony of
George W. Whitmore
on behalf of

Fly Fishermen for Conservation (Fresno, California)
Committee to Save the Kings River " "
Golden Valley Ecological Society " "

Before the Subcommittee on Public Lands
of the Committee on Interior and Insular Affairs,
House of Representatives

Re: H.R. 5578 and H.R. 5586

15 November 1979

Mr. Chairman and Members of the Committee, the organizations for which I am speaking hold diverse views and represent a broad spectrum of interests. But one ideal which they share in common is a belief in the value of preserving our lands and waters in a natural state.

Fly Fishermen for Conservation and the Committee to Save the Kings River are primarily concerned about preservation of the San Joaquin and Kings River ecosystems, while the Golden Valley Ecological Society is concerned with preservation of all areas which still remain in a natural condition and which provide habitat for native flora and fauna.

These organizations believe that addition of these lands and waters to the National Wilderness Preservation System is an effective means of achieving such preservation, and they therefore support the concept and the approach of the Burton bill -- H.R. 5578.

Because these groups favor preservation, they vigorously oppose the "release" clause in the Johnson bill -- H.R. 5586. A Congressional mandate which would legally "lock in" the extremely deficient Administration RARE II recommendations is simply too high a price to pay in return for the small amount of Wilderness which would be gained.

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Notes of George W. Whitmore from which he spoke in presenting his oral testimony before the Public Lands Subcommittee of the Committee on Interior and Insular Affairs of the House of Representatives. Hearing was on California Wilderness legislation, H.R. 5578 (Burton) and H.R. 5586 (Johnson). Hearings were held November 13, 15, and 16, 1979. Whitmore was scheduled to testify on the 15th, but was not called up until the 16th. In addition to the oral testimony (based on the notes below), a prepared written statement was submitted at the hearing, and a follow-up written statement was submitted for the hearing record later.

The first portion of the following statement was read verbatim:

"Mr. Chairman and Members of the Committee, I am George Whitmore of Fresno, California. In addition to Fly Fishermen for Conservation, I am also speaking for the Committee to Save the Kings River and the Golden Valley Ecological Society.

"In addition to the written statement I have submitted on behalf of the above organizations, I will be submitting additional written comments for the hearing record on behalf of the Tehipite Chapter of the Sierra Club.

"I have also been asked to deliver three letters to you. One letter is from Douglas Harwell in support of Mr. Burton's bill, with special emphasis on the San Joaquin Wilderness proposal, and also mentioning Kings River, Dinkey Lakes, Woodchuck, Mount Raymond, and Jennie Lakes. Another letter is from California Trout, an organization of 1,500 members, specifically requesting preservation of the San Joaquin Roadless Area. The third letter is from Robert Hackamack requesting protection for the North Mountain area. I would like to ask that these letters be included in the hearing record.

"The organizations for which I am speaking support the concept and the approach of the Burton bill, and vigorously oppose the "release" clause in the Johnson omnibus.

"We feel that wilderness provides a conservative or "fail-safe" approach which keeps society's options open. If a Wilderness designation is reversed, the land is still available for development, while society usually does not have the opportunity to convert a developed area back into a wilderness."

(From this point to the end the testimony was ad libbed, using the following as a basis from which to speak.)

I am here to speak on several areas in the Central Sierra--

- cf. significance of central location between the two largest population centers, in the heart of the most populous state.
- also lies between two very heavily used National Parks, Yosemite and Sequoia-Kings Canyon.

RATS report.

- all roadless areas in Sierra N.F. could be placed in Wilderness and yield would still be 25% above recent harvest levels.

I will now comment on specific areas.

Mount Raymond, Jennie Lakes, North Mountain: All are small but high quality, and also important to protection of National Park values.

Dinkey Lakes: Negotiate ORV corridors?

Kings River (including Rancheria, Oat Mountain, and Agnew):
Ecotype (oak-grassland) not found elsewhere in Wilderness System in
Central California. Superb wild trout fishery, white water recreation,
wilderness experience.

San Joaquin: Also contains a river system of even greater
magnificence.

--timber. cf. distinction in South Fork between east (Pincushion)
side, and west side.

emphasized) ———> --Transportation Study of South Fork (combines both east and
west side, even though circumstances vastly different).

--even so, benefit/cost ratios are all negative on all
alternatives for first ten years.

--report assumes positive ratio in long run, but offers
no rationale or explanation for that conclusion.

--quote statement from page II-1

"In early 1979, the preliminary RARE II recommenda-
tions were issued, placing the Pincushion in the
non-wilderness management category. At this time,
the need became urgent to define the basic feasi-
bility of timber management relative to transporta-
tion costs."

emphasized) ———> --above is example of Forest Service making a decision,
then doing a "study" to try to justify it.

--110 year culmination of mean annual increment (state-
ment of John Kruse to Seiberling at Jackass Meadow),
versus: TMO statement that all timber would be
removed in 50 to 60 years (and Transportation Study
implies it would all be removed in 30 years!)

--above points up destruction of multiple use values
for most of the 200 year conversion period (almost as
long as this country is old!)

--Crater/Rattlesnake area: previous multiple use plan said
area is not productive (thin soils, steep slopes,
low-value species, "cannot be considered to be good
timber-producing land") and had it in a special manage-
ment unit.

--but present MUP treats the area as though it were just
as productive as the rest of the general forest.

emphasized) ———> --What kind of management is this that abolishes thin
soils, steep slopes, and low-value species with the
stroke of a pen?

At this point Whitmore circulated to the Subcommittee members two
color prints showing two different types of forest cover in the South
Fork area, emphasizing the one which illustrates complete lack of
regeneration in an open Jeffrey stand with deep soil, bare mineral
soil surface, plenty of sunlight, and a generous supply of seed cones
scattered over the ground. Point was that conditions vary drastically
throughout the South Fork, and Subcommittee should beware of generali-
zations to the effect that it is all productive.

It was stated that this was the end of his prepared notes, but
that Whitmore wished to respond to some points brought up earlier in
the hearing.

Mr. Pashayan earlier had asked (of Modin) why would timber industry wish to log an area if it were not profitable.

Because of importance of point, Whitmore reiterated Modin's response that the stumpage price is lowered to whatever level is necessary to enable the operator to turn a profit, even though the total costs of the sale may be ~~less~~^{more} than the revenue it generates.

Whitmore then pointed out that, in spite of recent giveaway prices, some timber sales offered have received no bids, which would seem to suggest that there is insufficient mill capacity to handle the supply.

Mr. Pashayan asked for the names of the sales. His question was addressed in the statement which Whitmore later submitted for the hearing record.

Mr. Pashayan had asked Hank Abraham (Bendix Forest Products) to explain why timber industry believes recent harvest levels in RATS report are too low. Abraham had said:

- 1) It failed to include volume from the Kaiser timber sales, and
- 2) it failed to include the unregulated cut.

Whitmore pointed out that the Kaiser timber was never sold, and "recent harvest" means timber actually sold and cut.

Whitmore also pointed out that the unregulated cut had come from that portion of the Forest already roaded (ie. not in the RARE II inventory), and it would continue to come from those lands regardless of whether the roadless areas are designated as wilderness or not. It is therefore immaterial whether it is included in the recent harvest figure, because the differential between actual recent harvest from developed lands and the potential harvest from those lands would remain the same whether the unregulated cut was added to both sides of the equation or not.

Whitmore also agreed that, yes indeed, Forest Service studies should be examined critically, but that his experience has been that Forest Service bias is invariably in favor of development. Based on this observation, it would seem likely that if any flaws the RATS report may contain were corrected, the figures would probably then show an even greater advantage in preserving the roadless areas and paying more attention to the areas already roaded and developed!

Mr. Seiberling, at the end of testimony from the panel Whitmore was on, asked whether existence of "release" language (such as proposed by Biz Johnson) in law would hinder environmentalists in pressing administrative appeals or lawsuits. After discussion among the panel (Eric Gerstung, John Modin, Sami Izzo, Whitmore) during a break, Whitmore responded to the question since no one else seemed so inclined. He said that, in his experience, such a law would not have interfered substantially with the actions he was familiar with, since they were usually based on procedural questions and technicalities. The simple desire to see an area designated as Wilderness, while that may be the ultimate goal, normally does not provide much basis for an appeal or lawsuit. (Testimony presented later in the hearing by Trent Orr of the Natural Resources Defense Council appeared to corroborate Whitmore's opinion.)

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Testimony of
George W. Whitmore
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Before the Subcommittee on Public Lands and Reserved Water
Of the Senate Committee on Energy and Natural Resources
U.S. Senate

Re: S. 1515, S. 5, and H.R. 1437

28 July 1983

Mr. Chairman and members of the Committee, the three organizations I am representing share a common interest in supporting significant additions to the National Wilderness Preservation System on the west slope of the central Sierra Nevada. To that end they feel that all of the bills under consideration serve as steps in the right direction, but that all of the bills need to be improved by the inclusion of additional areas for Wilderness or National Park status.

The significance of that common conclusion is enhanced if you understand that each organization is comprised of different people, and thus has a different philosophy and orientation.

SIERRA ASSOCIATION FOR ENVIRONMENT (SAFE) has perhaps the broadest spectrum of concerns, including such diverse issues as urban planning, water quality, energy production, forest management, and wilderness. They feel that our public lands have already been developed (and abused) beyond the point of reason, and that most of those lands still remaining in a natural condition should remain that way. They feel that the process of negotiation and compromise relected in H.R. 1437 and S. 5 has gone too far, and that many of the areas left out of those bills should be incorporated in a new, expanded Senate bill.

In addition to those areas already in H.R. 1437, SAFE would especially like to see the following added:

- Devil Gulch (IRA 5-241) (South Fork of the Merced River)
- Shuteye (IRA 5-243)
- Granite Creek and lands west of the San Joaquin River's
South Fork (San Joaquin IRA 5-047)
- Western portion of Dinkey Lakes (IRA 5-244)
- Western portion of Rancheria (part of Kings River IRA 5-198)
- All of the Oat Mountain (IRA 5-197) and Kings River
(IRA 5-198) areas
- Sycamore Springs (IRA 5-246)

Sycamore Springs is particularly importantto SAFE because it is traversed by Dinkey Creek, which is a creek SAFE has been pouring out its heart and soul to try to protect from hydroelectric development.

(over)

COMMITTEE TO SAVE THE KINGS RIVER (CSKR) was formed many years ago to preserve the Kings River in a free-flowing state. Their concerns have expanded over the years as they considered the inter-relatedness of issues. Their focus is still primarily on keeping our remaining streams and rivers in a free-flowing condition, and on preserving lands which contain free-flowing streams and rivers.

This means that CSKR, in addition to supporting H.R. 1437 and S. 5, is sympathetic to the addition of other lands such as Devil Gulch (South Fork of the Merced River) and Sycamore Springs (containing Dinkey Creek).

Most notably, CSKR is extremely unhappy over the deletion of the Kings River and Oat Mountain areas, since these are the lands through which the Kings River itself still flows free! CSKR feels very strongly that these areas should be added to the Senate bill.

GOLDEN VALLEY ECOLOGICAL SOCIETY (GVES) is especially concerned for the protection and preservation of wildlife habitat, especially that of threatened or endangered species. Because of the large number of species which prefer undisturbed areas free of man's influence, GVES supports H.R. 1437 and S. 5, but feels that some important lands have been left out and should be added back in. They will send you a list of those areas for the hearing record.

All of us will be submitting detailed comments for the hearing record, and specific areas will be discussed. The main point we wished to make at the actual hearing is that H.R. 1437 and S. 5 are products of negotiation and compromise, and that we feel that process went too far. We believe it is essential to incorporate additional areas into the Senate bill if a reasonable balance is to be achieved.

Thank you for permitting us the opportunity to be heard.

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