

Tehipite Chapter letterhead

P. O. Box 485  
Kingsburg  
California 93631

18 January 1976

James Moorman  
Sierra Club Legal Defense Fund  
311 California Street, Suite 311  
San Francisco, CA 94104

Dear Jim:

Re. Appeal of Kaiser timber sales, Sierra National Forest.

I am enclosing a copy of the Sierra National Forest's "Periodic Sales Announcement" which is dated 13 January 1976, and which I received from the Sierra N.F. just a few days ago.

Two of the Kaiser sales (Homecamp and Horsethief) now appear on the firm program. This is the first time that these sales have been on the firm program; previous announcements have included them on the tentative program. (The Line timber sale is still shown on the tentative program.)

Is this (placing of Homecamp and Horsethief on the firm program) the actionable administrative decision which we have been awaiting, and which we now have thirty days in which to file an appeal?

If so, what do you want us to do? I will try to reach you by phone, but am placing this in the mail in the meantime.

Sincerely,

*gw* George W. Whitmore

cc. Francia Welker  
Hal Thomas  
Roger Mitchell (new Tehipite Chapter Chairman)

Tehipite Chapter letterhead

P. O. Box 485  
Kingsburg  
California 93631

18 January 1976

Francia Welker  
Sierra Club Legal Defense Fund  
311 California Street, Suite 311  
San Francisco, CA 94104

Dear Francia:

Re. Appeal of Rancheria Creek timber sales, Sierra National Forest.

I am enclosing a copy of the Sierra National Forest's "Periodic Sales Announcement" which is dated 13 January 1976, and which I received from the Sierra N.F. just a few days ago.

The first of the Rancheria timber sales (Three Springs) is back with us again, scheduled on the tentative program for July 1976.

I have checked back through previous "Periodic Sales Announcements" and found that the last time Three Springs appeared was on the PSA which was issued 22 January 1973. At that time Three Springs was in the firm program for March 1973, and was listed at 13.2 MMBF

Now, three years later, the USFS is listing it again, and still at the same volume of 13.2 MMBF, even though they have not even produced the draft EIS. (Apparently it is supposed to be out about mid-February.)

It appears to me that the good faith of the FS is in question. It looks as though they are simply cranking up the same plan that they had three years ago, on the assumption that the draft EIS will not raise any questions which might cause them to change their plans. Is this not an indication that they have already made up their minds what they are going to do, and that the EIS process is not going to change anything?

Do you feel that we should challenge this at this time? Or should we simply say nothing and wait for the draft EIS?

Sincerely,

George W. Whitmore

cc. Jim Moorman  
Hal Thomas  
Roger Mitchell (new Tehipite Chapter Chairman)



by Ansel Adams in *This is the American Earth*

## SIERRA CLUB

~~xxxxx Tower~~, San Francisco ~~xxxxx~~

P. O. Box 485  
Kingsburg  
California 93631

February 11, 1976

Honorable Alan Cranston  
452 Russell Senate Office Building  
Washington, D.C. 20510

Attention: Kathryn Files

Sir:

Re. Kaiser Wilderness Study Bill, S. 75.

At the time of the hearing on S. 75 last September 30 there was some confusion regarding the map which accompanied the bill. Prior to the hearing we agreed with your staff and Senator Haskell's staff that it would not be productive to get involved in a discussion of the map during the hearing process, and that is why we did not challenge John McGuire's suggestion that the inventoried roadless area boundaries had been accepted by all parties.

There are several reasons why we feel it would be undesirable for the bill to use the Forest Service's inventoried roadless area boundary to delineate the area of concern. These are--

1. The Forest Service keeps changing the boundaries. They are still not final--at least in the Sierra National Forest--even though several years have elapsed since the inventory process was conducted. Even in the committee report you will notice that the map facing page 26 does not show the same boundaries as the overlay maps at the end of the report, and neither of these has the same boundaries which were first made public in 1972.
2. The Forest Service boundaries do not include all contiguous roadless and undeveloped land.
  - (a.) Around the entire periphery the boundary was pulled back at least five hundred feet from any development. In a number of places the boundary was pulled back far more drastically by "rounding corners," etc.
  - (b.) Entire blocks of land were omitted at the northeast and southwest corners. (These are the cross-hatched areas on our accompanying map.) No reason was given for omission of the northeast corner. The southwest corner was omitted ostensibly because of the presence of a jeep trail (shown as a dashed black line on our accompanying map). But more land was omitted than would have been necessary even if that were a valid criterion, and part of the jeep trail is still inside the inventoried area!

So the reason given and the action taken are simply contradictory, and the result is nonsensical. (This is shown quite clearly on our accompanying map.)

In drawing the accompanying map it was our intention to bring the boundary to the edge of the developments (roads, timber sales, etc.) which surround the inventoried roadless area. Would it be possible to insert such a statement into the bill in order to make the Congressional intent clear? (Perhaps even the Forest Service map might be acceptable provided such a qualification were inserted into the bill.)

In any event, the problems at the northeast and southwest corners need to be cleaned up. The Forest Service boundaries would make very poor wilderness boundaries.

-----On the southwest corner the Forest Service line would be illogical and undefensible, constituting an open invitation to off-road vehicle enforcement problems.

-----On the northeast corner the Forest Service line omits an area which lies directly astride one of the most heavily used trails. Inclusion of this area would be essential to maintain the quality of the visitor's experience. It is a beautiful area and worth preserving in its own right, as well as being an integral part of the visitor's trip into the heart of the Kaiser area. The timber in this area is mostly lodgepole, which is commercially a very inferior and low-valued species.

We should emphasize that, to our knowledge, our map does not include any developed land. The only exception is the jeep trail. We have inspected this trail very closely. It has never been bladed, and very few trees were cut; it is simply a track which has been laid upon the surface of the land. If a wilderness study indicates that this particular area should receive wilderness designation, the trail would soon become unnoticeable as needles fell and vegetation grew upon it.

We believe that our map covers an area of approximately 28,000 acres. The reason the Forest Service uses a smaller acreage figure is because their map does not include all the roadless land.

For the reasons stated above, we respectfully request that you use our map to accompany S. 75.

Thank you for your strong support of wilderness study for the Kaiser area. Your efforts are deeply appreciated and will certainly be remembered by us.

Sincerely,

George W. Whitmore  
Regional Vice-Chairman for Federal  
Lands

cc. Hon. Floyd K. Haskell (attention: Tom Williams)  
Charles M. Clusen, Sierra Club

27 April 1976

TO: Bob Rutemoeller, Earl Blauner, Bill Collins, Marlene Testaguzza  
FROM: George Whitmore  
RE: Legal action on black bear hunting.

Enclosed are copies of articles which have recently appeared in publications of the California Wildlife Federation and the California Waterfowl Association. Both articles characterize the action as being "anti-hunting" in character, and state that the Sierra Club has "joined" with Wildlife Alive (and others) in taking the issue to the California Supreme Court.

In phone conversations with Bob Rutemoeller today I have learned that our reason for becoming involved apparently hinged on a technical legal point, and our desire either to avoid or to establish a precedent. Apparently our motivation is thus quite different from that of the parties who originally started the action. In keeping with this, apparently we have become involved as "friends of the court", and not ~~as a party to the suit~~ as a party to the suit.

In the meantime, we are being tarred with the "anti-hunting" label again. I strongly believe that these perennial conflicts with other organizations are seriously handicapping our efforts to protect wildlife habitat.

Earl: Could you send a brief note to the editors of the CWF and CWA publications explaining why the Sierra Club became involved, that we are not a party to the suit, and that for them to characterize our involvement as "anti-hunting" is totally erroneous? You could do this much more quickly ~~than~~ and accurately than I, since I do not yet possess all the facts and might not use the correct legal terms even after I do have the facts.

(1)

California Waterfowl Association  
2200 Sand Hill Road  
Menlo Park, CA 94025

(2)

Harold Edgar, Editor  
California Wildlife Federation  
P. O. Box 9504  
Sacramento, CA 95823

Bill and Marlene: Can you devise an appropriate resolution for consideration by the NCRCC, and later by the SCRCC? We probably need to make it clear that we are not insisting on an EIR for each and every action the Fish and Game Commission wants to take. It seems to me that we need to clarify what we do feel is necessary under CEQA as far as seasons, bag limits, etc., Since this question has arisen several times now (New Jersey deer, ~~black~~ black brant and other waterfowl on the east coast, California black bear); the first two involved actions brought under NEPA, if I recall correctly), it appears likely that similar problems will continue to arise. That is why I think we need to clarify our policy. If we can come up with something good enough, perhaps we might want to recommend that the BOD adopt something similar for the whole country.

-/-/-

BCC.T.chosteen (28 April 76)

P. O. Box 485  
Kingsburg  
California 93631

28 April 1976

Earl Blauner  
Sierra Club Legal Defense Fund, Inc.  
311 California Street, Suite 311  
San Francisco, CA 94104

Dear Earl:

Re. legal action on black bear hunting in California.

This is a follow-up to the memo I sent you yesterday on the same subject. I wanted to get that memo in yesterday's outgoing mail, and did not have time to include the additional information which I am sending you now.

In that memo I asked you to contact the California Waterfowl Association and the California Wildlife Federation, to explain to them(briefly) why the Sierra Club became involved, that we are not a party to the suit, and that for them to characterize our involvement as "anti-hunting" is totally erroneous. (I included the editorial addresses for each organization.)

I wanted to give you additional information which you might find useful in writing to the two organizations. This is the text of two different Sierra Club policy statements on hunting:

From an NCRCC resolution adopted 2 March 1974--

The Sierra Club "...has never been opposed to the hunting of game species provided such hunting is done ethically and in accordance with laws and regulations designed to prevent depletion of the resource."

From the Sierra Club's National Wildlife Policy adopted by the Board 5 May 1974 (this section of the policy was reaffirmed at a meeting of the NCRCC and SCRCC on 20 April 1975)---

"...the Sierra Club believes that acceptable management techniques include....regulated periodic hunting and fishing..."

I believe that, if you mentioned to the organizations what the Sierra Club policy on hunting actually is, it might do much to help dispel their apprehensions.

Sincerely,

George W. Whitmore