

cc. Tony Coelha (copy of questions)
25 Aug 26

AN OPEN LETTER TO CONGRESSMAN B. F. SISK

Dear Bernie: Seven of us* from the Tehipite Chapter of the Sierra Club recently called upon you to discussx the Kaiser Wilderness Study legislation (H.R. 3656). We had given considerable thought to selection of the questions we most wanted to ask you, and had looked forward to having a meaningful discussion with you. We did not expect you to reverse your long-standing opposition to the bill, but we did think we would have the opportunity to provide you with information which you apparently have been lacking, and that we would be able to explain our ideas to you.

Although the meeting got off to a bad start when you rejected our proffered thanks for your Rules Committee vote on the New River bill, we still hoped for a substantive discussion on the Kaiser issue. But you quickly dashed our hopes for that by your refusal even to read, let alone answer, the first question which we presented to you. This was followed by a refusal even to read any of the questions on our list, and your rapid-fire monologue seemed clearly calculated to prevent any of us from getting a word in or raising a question.

Instead we sat there while you dominated the scene (I can't call it a discussion) with a laundry list of complaints against wilderness in general and the Sierra Club in particular. Then you topped it off by saying, "I know you people don't like me."

Throughout your invective it was clear that you weren't about to listen to us because you thought you already knew what we had to say. You already had us pigeon-holed and, because you assumed that we were polarized, you became polarized. You make a great self-fulfilling prophet, Bernie.

It's too bad that you didn't make use of the opportunity to learn what a diverse group you had in front of you. Yes, the various hues of

liberalism and radicalism were represented. But did you know that at least three of those people who were trying to talk with you are registered Republicans? Or that one of the others has a John Birch Society member in the immediate family? Or that the National Rifle Association was represented among us? Perhaps you were so busy talking that you didn't notice that one of us kept trying to tell you he is in favor of cutting the trees. Had you tried listening, you just might have discovered that some of your notions regarding the Sierra Club (and Kaiser Ridge) have no basis in fact.

Before the meeting each of us obviously believed there was some point in meeting with you, for otherwise he would not have gone to the trouble of being present. But I believe you succeeded in convincing some of us that it was a total waste of time, and that is what I resent the most.

It is difficult to convince people that our government is truly representative and that their voices can be heard. Your performance at this meeting reinforced the cynics, and severely damaged the rapidly eroding confidence in their government which seven citizens once had. And I consider that to be a far greater sin than being wrong on a specific issue such as Kaiser.

Sincerely,

George W. Whitmore

8/21/76

* Those present and trying to participate were Nancy Collin, Al Grote, John Konior, Roger Mitchell, Hal Thomas, Bert Woodruff, and the writer.



Tehipite Dome by W. A. Starr 1896

TEHIPITE CHAPTER

SIERRA CLUB

P. O. Box 5396

Fresno, California 93755

18 October 1976

Supervisor
Sierra National Forest
Federal Building - 1130 "O" Street
Fresno, CA 93721

Sir:

This is in response to your Draft Environmental Impact Statement for the Rancheria Management Unit.

We feel the document is rife with inadequacies, inconsistencies, ambiguities, and factual errors. It also fails to meet NEPA's primary requirement, which is that you let the public know what you are proposing to do.

Time constraints do not permit an exhaustive commentary on the document's many faults, so we will limit our remarks at this time to a few of the more important points.

I. AREA QUALIFIES AS WILDERNESS.

Perhaps most seriously, you have failed to acknowledge that the Rancheria Management Unit is roadless, undeveloped, and eminently qualified for consideration as a potential addition to the National Wilderness Preservation System.

As you should know, the Wilderness Act of 1964 makes clear that land need not be pure, pristine, and untouched by man in order to qualify as wilderness. One of the key phrases is that the imprint of man's work must be "substantially unnoticeable"; this obviously does not mean "non-existent," even though this seems to be the Forest Service's preferred interpretation.

Another key phrase is that a wilderness area "generally appears to have been affected primarily by the forces of nature." That phrase contains three very significant qualifiers (emphasis provided), all of which reinforce the "substantially unnoticeable" concept. Again, the Forest Service seems to prefer to ignore the law, and instead takes the position that Congress didn't really mean what it said or know what it was doing.

II. ORV TRACK DOES NOT DISQUALIFY AREA.

We thus have the present ridiculous situation wherein, because rubber tires have created a track through the woods, you are claiming that land up to two miles away fails to qualify as potential wilderness. Never mind the fact that the track is merely laid upon the land with

absolutely minimal cutting of a few small trees and minor blading in an extremely limited area. Never mind the fact that countless miles of foot trail in existing wilderness areas have been blasted out of solid granite, built up with extensive fill and retaining walls, and fitted with steel stanchions and cables. Never mind the fact that countless miles of foot trail in existing wilderness areas have eroded into gullies many times deeper than anything on the entire Rancheria ORV track. All this means nothing to you because you decided long ago that you were going to log the Rancheria area, and you would seize upon any pretext to achieve your goal, even if that pretext had to be something as nebulous and contrived as the fact that rubber tires have crushed some pine needles and scuffed some dirt.

On page six you state, "Through years of use and light maintenance, these vehicle ways have developed a cross-section, which along much of the route, resembles the cross section of a low-standard road." We ask that you define (1) "cross section of a low-standard road"; in particular, how does it differ from that of a foot trail, aside from being a little wider? And (2), please define "much"; we have personally studied every yard of the ORV track, and have found significant soil movement on only a very limited portion of the total distance.

Regarding Exhibit C, facing page six, this map shows an erroneous alignment for the ORV track, especially in the section between Garlic Meadow and the western edge of the management unit.

Also regarding Exhibit C, and accompanying statements, we question the existence of the special use permit vehicle way from Cow Meadow to Crown Valley. The permit may exist, but we have found no evidence that the vehicle way does.

III. SITUATIONS AND ASSUMPTIONS: WILDERNESS RESOURCE POORLY DONE.

Almost in its entirety, the Wilderness Resource (page 18) under Situations and Assumptions is poorly written.

In the second paragraph it is stated that "There are no outstanding unique features in either the geological or biological communities..." This statement appears to be in conflict with the repeated recent observations of wolverine and condors. It is also in conflict with the statements regarding the unusual hydrology of the basin.

The author of this section apparently thinks that an area has to be "unique" in order to qualify as wilderness. We suggest that he try reading the Wilderness Act; he will find that there is no such requirement.

The author also seems to feel that "opportunities for solitude, unusual adventure, challenge and self-reliance" can be found only in "higher elevation areas" (ie. places devoid of trees). Again, we suggest that he read the Wilderness Act a little more closely; there is no prohibition on including trees within the Wilderness System. He might also ponder the likelihood that Daniel Boone found "solitude, unusual adventure, challenge and self-reliance" in the forests of Kentucky. My own personal experience is that these experiences are more readily encountered in a trackless forest than they are on a rock pile.

Exhibit K (facing page 18) is apparently intended to illustrate

the total extent of the wilderness resource--all 3,800 acres of it (this is confirmed by item C on page V). This incredible map is almost insulting! Not only are we told that wilderness must be "unique" and of "high elevation," but the map shows that it may include only the very highest portion of the Crest Zone (and a section of barren cliffs in the Front Zone). Large portions of the present Crest Zone are omitted from the areas designated as being potential wilderness.

Much of the omitted Crest Zone area is now proposed for "maximum timber harvesting" under all of the alternatives except "D". And these are areas which present Forest Service policy states shall be managed "to protect and enhance the fragility and beauty of the area" (Multiple Use Plan), and whose timber stands shall be managed "primarily for their in-place values such as aesthetics and soil protection" (Regional Coordinating Requirements).

Since the basic analysis of the wilderness resource displays such a grievous lack of understanding of what wilderness is all about, and provides for conversion of Crest Zone forests to "maximum timber harvesting," it is hardly surprising that wilderness gets short shrift throughout all the rest of the DEIS. We urge that the entire document be revised by someone who at least understands what wilderness is. Unless this is done, the EIS will inevitably be found to be "inadequate."

IV. "PAST EXAMINATIONS" NOT VALID.

On page vi, regarding alternative D, you state that "past examinations" have found the Rancheria area "unsuitable for wilderness study." You specifically mention:

A. Establishment of the John Muir Wilderness.

This occurred prior to passage of the Wilderness Act of 1964. We thus question the relevance of that decision in light of the new criteria and procedures which were subsequently spelled out by the Wilderness Act. Also, the decision did not relate to wilderness study, as you claim, but rather to wilderness designation.

B. Roadless Area Review and Evaluation.

The reason you gave at that time for failing to inventory the Rancheria area was the presence of the ORV track. As explained elsewhere in this letter, we totally reject that rationale, and thus the decision which ensued from it.

C. Decisions of the Regional Forester and the Chief on appeal.

These decisions were largely simply reiterations of your RARE decision. In addition, they were based upon erroneous Forest Service information which claimed that the area under appeal contained paved highways and areas which were either already logged or were under contract. Although these contentions were patently false, they nevertheless were used to justify a denial of the appeal. We suggest that you are getting on thin ice when you attempt to justify your present proposal by citing previous decisions which were based on erroneous information.

V. ROAD SYSTEMS NOT DESCRIBED.

One of the most significant impacts is that caused by introduction of a road system into a previously unroaded area. The location of the

various roads is extremely critical in determining the nature and extent of impact. Yet you have given absolutely no indication whatsoever as to probable, or even possible, road locations. Since you have stated estimated road mileages for each alternative, you must have at least a general idea of where the roads would probably be located, so why not [redacted] tell the public what you have in mind? You also refer to closure of some roads following logging activity, but this information means very little unless you indicate which roads or areas you would plan on closing and which you would plan on leaving open.

VI. IMPACT ON NORTH KINGS DEER HERD STUDY NOT ASSESSED.

We are puzzled that the impact of the proposed development on the North Kings Deer Herd Study has not been addressed. There are various references to the deer herd itself, but very little regarding the likely fate of the Study.

If the Forest Service starts introducing the practically unlimited variables which a new road system, logging, and other activities and developments would bring, then it would appear that the validity of the Study would be severely impaired if not destroyed. In other words, the introduction of countless uncontrolled and unpredictable variables into a study violates one of the basic principles of scientific method. And yet this is precisely what you are proposing to do. You have failed to address [redacted] this impact of your proposed action.

VII. DEIS NOT AVAILABLE TO PUBLIC.

We are especially concerned that you failed to make the DEIS reasonable available. You apparently printed only enough copies for those who (1) knew that the document was being written, and (2) fortuitously requested a copy in [redacted] advance, rather than waiting for its publication to be announced before making their request.

We feel that your actions may constitute a violation of NEPA's requirement for adequate public disclosure. It may be that the only way you could rectify this would be by printing enough additional copies to satisfy the demand, or by printing a revised DEIS, with a new comment period. The latter approach would constitute what is sometimes called a "recycling," and would be especially appropriate because of the extremely serious flaws in the present (first) draft.

VIII. WE FAVOR ALTERNATIVE "D".

Finally, we should make it clear that we favor Alternative D, which would provide for a formal wilderness study of the entire Rancheria Management Unit. Because of the numerous problems inherent in the administrative land-use planning process---a few of them having been described and alluded to above---we feel that a formal wilderness study, with the ultimate decision being made by Congress, is the only way to achieve objectivity in the resource allocation process.

Very truly yours,

George W. Whitmore
Tehipite Chapter Representative

MAILGRAM SERVICE CENTER
MIDDLETON, VA. 22645

western union **Mailgram**®



2-033915E293002 10/19/76 ICS IPMRNCZ CSP FSOD
1 2098973692 MGM TDRN KINGSBURG CA 10-19 0320P EST

GEORGE WHITMORE
BOX 485
KINGSBURG CA 93631

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2098973692 MGM TDRN KINGSBURG CA 100 10-19 0320P EST
ZIP
PRESIDENT GERALD FORD
WHITE HOUSE
WASHINGTON DC 20500

PLEASE SIGN INTO LAW THE WILDERNESS OMNIBUS BILL FOR NATIONAL WILDLIFE
REFUGE AND NATIONAL FOREST LAND. I AM ESPECIALLY ANXIOUS THAT THE
KAISER WILDERNESS AREA RECEIVE THE PROTECTION WHICH YOUR SIGNATURE ON
THIS BILL WOULD PROVIDE. AS A REPUBLICAN I AM GRAVELY CONCERNED OVER
THE POOR ENVIRONMENTAL RECORD WHICH THE PARTY HAS. YOUR SIGNATURE ON
THIS BILL WOULD HELP TO CONVINCE THE VOTERS THAT YOUR YELLOWSTONE
NATIONAL PARK SPEECH WAS TRULY SINCERE AND WOULD DO MUCH TO BRIGHTEN
OUR PARTY'S TARNISHED IMAGE.

GEORGE WHITMORE
BOX 485
KINGSBURG CALIFORNIA 93631

1522 EST

MGMCOMP MGM