

Ara Marderosian

From: Rene Voss <renepvoss@gmail.com>
Sent: Monday, March 04, 2013 12:52 PM
To: Rick Stevens; Marianne Emmendorfer
Cc: ara@sequoiaforester.org; 'Carla Cloer'; 'Lawrence, Niel'; 'Raissa Lerner'; 'Joe Fontaine'
Subject: TRRPP Scoping Letters from SFK, Sierra Club, NRDC, and Cal. Atty. General
Attachments: Carla Cloer - Sequoia TF 2007 inputTuleResBlkMnt.doc; 080924-A.TERRELL Tule River Reservation Protection NOI scoping comment.doc; NRDC Tule Res. Project Scoping Ltr-Final.pdf; Cal. Atty. Gen. Tule River Project Comments.pdf

Hi Rick,

You asked whether there is support in the scoping record for the Tule River Reservation Protection Project for closing and obliterating the roads in the previous cut-over areas of the Black Mountain Grove, and I think the following comments clearly demonstrate such support. These comments address restoring cut over giant sequoia groves to “former natural forest conditions,” including closing and re-contouring those roads in compliance with the Mediated Settlement Agreement (MSA). Here is what my colleagues wrote about this issue:

1. Nathaniel Lawrence 2008 scoping letter for NRDC on page 5:

The Black Mountain Grove contains previously logged areas. With respect to those areas, the proposed project must also comply with the MSA’s objective to “restore [cut over Giant sequoia groves] . . . as nearly as possible, to the former natural forest condition.” MSA, Sec.II.B.f.(1), at p. 27. Fulfilling this requirement needs to be a design criterion for the EIS alternatives.

a. See also Cal. Atty General’s 2008 scoping letter on pages 2 & 3:

Any fuels reduction work in the Monument, however, must comply with the court’s order and therefore must follow the management prescriptions in both the Proclamation and the MSA...

The Attorney General agrees with the legal analysis contained in the scoping comments filed by the Natural Resources Defense Council (NRDC) in response to the Forest Services’ NOI, and therefore incorporates NRDC’s September 25, 2008 letter by reference.... [W]e concur in NRDC’s analysis regarding the continued applicability of the grove protection requirements set forth on pages six through twenty-eight of the MSA.

2. Carla Cloer’s 2007 scoping letter for Sierra Club states on page 5:

The MSA requires the restoration of cut-over groves; the Black Mountain Grove is a ‘cut-over grove:

f. Regeneration of Cut-Over Sequoia Groves

(1) The objectives of regenerating cutover Giant Sequoia Groves will be to restore these areas, as nearly as possible, to the former natural forest condition.

(2) The Forest shall implement the regeneration plan required by the Stipulation for Entry of Judgment dated 12/27/89, in Sierra Club v. U.S. Forest Service, Case No. CVF-87-263 EDP.

The MSA requires that specific roads in the Black Mountain Grove are to be closed to the public. There are many dirt roads that were built solely to access grove logging units; these roads are causing watershed damage. Restoration of this grove may require some of these roads to be naturalized.

3. Ara Marderosian's 2008 scoping letter for Sequoia ForestKeeper states on page 12:

The MSA says, "f. Regeneration of Cut-Over Giant Sequoia Groves: (1) The objectives of regenerating cutover Giant Sequoia Groves will be to restore these areas, as nearly as possible to the former natural forest condition (2) The forest shall implement the regeneration plans required by the Stipulation for Entry of Judgment dated 12/27/89, to Sierra Club v US Forest Service Case No CVF-87-263 EDP."

Shouldn't restoration from logging require restoring the roads to natural? The project instead looks like a project to protect roads not to protect or restore the grove

This project is protecting logging roads that were illegal bulldozed inside of a grove. The only reason to want to thin all 12" and under trees from all those roads in the Black Mountain Road is to protect the road itself. The roads go nowhere; do not go through to safety, or to evacuate anything or anyone. They were put in to access trees and later were used for Martin Litton and all of us to document the destruction. Now the Forest Service says it has to thin 100 feet on both sides of all roads inside the grove...

Will you please consider some roads for recontouring and restoration, not protecting?

Again, it was good to speak with you again and I'm glad you and Carla finally had a chance to meet. I look forward to further discussions with you and Marianne Emmendorfer about the various aspects of the project (including an 8 inch diameter limit), and hopefully we can schedule a field trip to review the various issues, including these roads, fire/fuel ladder treatments around large giant sequoias, and prescribed fire in conjunction with manual treatments.

Please let me know when you would be able to schedule a field trip, weather permitting.

Thank you,

René Voss

415-446-9027 (phone)

renepvoss@gmail.com



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