February 1, 2013

USDA Forest Service
EMC, RPC-6th Floor
Attn: Judicial and Administrative Reviews
1601 N. Kent St.
Arlington, VA 22209

Re: Facts and Arguments in Support of and Opposition to Various Giant Sequoia National Monument Plan Appeals

On December 21, 2012, Tule River Conservancy and Carla Cloer (hereafter “TRC”) submitted their Request to Intervene in all eleven appeals of the Giant Sequoia National Monument Plan. On January 2, 2013, the Appeal Reviewing Officer for the Chief, James M. Pena, granted TRC’s intervention request. According to Optional Appeal Procedures, section 14(c), TRC has submitted this timely statement of facts and arguments in support of a number of these appeals within 30 days. Concurrently, TRC has furnished copies of all its submission to each appellant, in accordance with section 14(d) (see Cc list on last page).

In general, TRC supports the issues raised and arguments submitted by the following appellants and provides additional facts and arguments in support of these appeals as indicated below:

- Bud Hoekstra
- Snowlands Network
- Sierra Club
- Sequoia ForestKeeper
- Western Watershed Project
- Attorney General of California
- John Muir Project of Earth Island Institute
- Natural Resources Defense Council (NRDC)
- National Parks Conservation Association (NPCA)

TRC generally opposes the issues raised and arguments submitted by the following appellants:

- California Forestry Association
- American Forest Resources Council / Sierra Forest Products
Moreover, we also support and incorporate the facts and arguments submitted by intervenors Sierra Club and Sequoia ForestKeeper without repeating those herein.

I. FAILURE TO PREPARE AN ADEQUATE TRANSPORTATION PLAN

The issue of an inadequate Transportation Plan was raised in appeals by Sierra Club, Sequoia ForestKeeper, Snowlands Network, and NRDC.

The GSNM Proclamation states:

The management plan shall contain a transportation plan for the monument that provides for visitor enjoyment and understanding about the scientific and historic objects in the monument, consistent with their protection. For the purposes of protecting the objects included in the monument, motorized vehicle use will be permitted only on designated roads, and nonmotorized mechanized vehicle use will be permitted only on designated roads and trails, except for emergency or authorized administrative purposes or to provide access for persons with disabilities. No new roads or trails will be authorized within the monument except to further the purposes of the monument. Prior to the issuance of the management plan, existing roads and trails may be closed or altered to protect the objects of interest in the monument, and motorized vehicle use will be permitted on trails until but not after December 31, 2000.

Hence, transportation planning necessarily encompasses roads, trails, motorized, and non-motorized recreation and transport. But the Plan fails to adequately address all of these issues.

A. The Part 4 – Transportation Plan has been inappropriately limited to address only roads

While “Part 4 – Transportation Plan” (hereafter Part 4) only briefly mentions existing trails, non-motorized recreation, and over-snow-vehicles (OSVs), Part 4, for all intents and purposes, only addresses roads. Transportation is not limited to roads, and because the Proclamation addresses “nonmotorized mechanized vehicle use ... on designated roads and trails” under its Transportation Plan mandate, Part 4 must necessarily include a plan for existing trails and non-motorized mechanized use on those trails. Moreover, “motorized vehicle use ... on designated roads” also includes OSVs and snow grooming equipment, which are motorized vehicles limited to designated roads. And because in winter many of the high-elevation roads are covered with snow, as a limitation on other types of non-snow vehicles, Part 4 needs to deal with OSVs and snow grooming separately, for the simple reason that these roads are also used by non-motorized recreationists (skiers, hikers, and snow
shoers) during the winter. These roads also provide access to near and remote areas for OSVs, which allows ingress for already rampant illegal snowmobile use on trails and off-road.

The only mention of these transportation uses in Part 4 is limited to:

Current management of the Monument complies with the Proclamation direction to limit motorized vehicles to designated roads, with the exception of Trails 27E04 and 27E05 in the Kings River Special Management Area (KRSMA). (GSNM Plan, p. 125)

Complete 6th-field watershed analysis, and review the transportation system in the Monument using forest-scale travel analysis to inform future opportunities for changes in road status, including changes in maintenance level, decommissioning, or conversion to trails. (Id.)

10. Convert roads to trails or other uses, or decommission roads not needed to meet management objectives. (Id., p. 126)

13. Manage the road system to allow: ...  
b. Over-snow vehicles (OSV) use on designated roads.  
c. Non-motorized mechanized vehicles (such as bicycles) on designated roads and trails. (Id.)

Note that while this “plan” allows bikes on designated trails, there is nothing that references which trails are designated closed or open, or where the public could find information or maps to find trails where bikes are or are not allowed. The current policy is that trails are open to bikes unless designated closed, which could hardly be considered a “plan.”

In the “Trail System” and “Snowmobile Use” sections that follow on GSNM Plan, p. 127, Part 4 does nothing more than describe the trail distances and snowmobile facilities.

Thereafter, the management strategy again mentions the conversion of roads to trails (Id., p. 128). On p. 129, Part 4 touches on “changes in the trail” system, but there is no plan, standards, or guidelines, or anything else that mentions how these potential changes would be considered in some “future” evaluation, referring to the roads analysis process (RAP). The RAP, however, was never intended to include trails or non-motorized mechanical uses of trails and is therefore inapplicable.

In addition, the selection of only “6th-field watershed analysis” is arbitrary when an analysis of the impacts to the Monument’s Objects of Interest might be more
appropriately applied to 5th-field or 4th-field watersheds – complete watersheds from the top of the watershed to the bottom and from ridge line to ridge line.

B. The Transportation Plan fails to address trails and snowmobile route grooming

Considering the Recreation Demand Analysis’ disclosure that, of 55 activities surveyed by the California State Parks in 2002, the most frequent activity people engage in (91.1%) was walking for fitness and fun, (FEIS, Appx. D, p. 307) it is surprising that trail planning, and walking on trails in particular, has been given so little attention in the Plan.

In 2000, the Forest Service issued interim OHV and bike maps. The presumption then was that the GSNM Plan would provide direction about how the actual routes would be established and finalized, with public input. But the GSNM Plan and Part 4 are silent in this respect, except to state that all roads are open to OHVs and all trails are open to bikes unless designated closed. The current GSNM Plan basically allows unlimited numbers of OHVs on roads and bicycles on trails.

Similarly for snowmobiles (OSVs), which are motorized vehicles, the current interpretation of the Proclamation would presume to allow snowmobile use on every road. But without guidance from the Plan, the Western Divide Ranger district has approved the grooming of certain roads to be used by snowmobiles and has omitted others without any specific criteria. In fact, the new District Ranger has acknowledged that the grooming goes beyond designated roads, allowing OSVs on old routes that should be closed to all motorized vehicles. There is simply no criteria in the Plan for where, when, and how OSVs can be used in the Monument.

Moreover, in the past there were snowmobile outfitters operating under special use permits, and there still may be. If they are, these permits have also not been addressed in the Plan; that is, how many permits should be allowed, the carrying capacity of OSVs, and how the outfitter permits should be monitored and enforced. The same applies to outfitters to guide bike or horse users. Any outfitter, whether for bike, snowmobile, or horse use, should inform their clients about the rules and etiquette of use, including the requirement to stay on designated trails, safety, litter, and other issues that require regulations.

There should also be guidance in the Plan about special use permits for 'events' with criteria for post event clean up, pre-event posting of trails, etc.

As for bicycle use on trails, it is our position that there should not be bike use in giant sequoia groves except on roads (dirt, gravel, paved) and throughout the Monument on trails that are steeper than a 35% grade for protection of both bikers
and the resource. The adverse effects on these objects of interest are discussed in the next section.

The Plan should include identified areas of the Monument that are sensitive, unsafe for certain uses, and should provide for a variety of safe recreation experiences. And because there are so many roads in the Monument open to OHVs and OSVs, the Plan should provide areas where the public can have motor-free quiet recreation near roads. Quiet hiking, horseback riding, snow play, sledding, cross-country skiing, and snow-shoeing are all incompatible with noisy racing snowmobiles.

C. With respect to OSVs and trail uses, the plan is incomprehensible

The issue of incomprehensibility was raised by Sierra Club and Sequoia ForestKeeper.

The Plan first states that all roads and trails are open to OHVs and that any changes result from changes in the road or trail network. If roads are closed or obliterated, then the plan implies that there will be no more bike or motorbike use on that closed road. The Plan, however, does not provide clarification of other statements that imply that some of the existing trails and roads are open to bikes and OSVs while other roads and trails on the maps are not available to bikes and ORVs.

The Plan also keeps referring to Forest Service regulations (36 C.F.R. § 212.5) and other documents for present and future guidance, which implies that the agency’s hands are tied to the existing policies that cover all other national forest lands. But the Monument should be guided by the Proclamation and should have a standalone plan that does not rely on external changing direction.

Therefore, this is not a stand-alone Plan, as asserted, and as required by the court in its holding that invalidated the first attempt at a plan.

The confusion over the issue of trail and snowmobiling and bike use is also illustrated by attempts to limit ORV and bike use in some alternatives, contrary to the position that the agency will allow ORV and bike use on all roads or trails. The Proclamation, however, does not say that the plan should allow ORVs on all roads (and trails in the case of bikes) but rather only those designated in their Plan. This distinction is important. The FEIS takes both positions (contradictory, confusing) but the primary position of the GSNM Plan is that the Proclamation itself limits the agency’s discretion and requires that all roads and trails, by default, must be open to OHVs and bikes, respectively.

These positions are irreconcilable and make the plan incomprehensible with respect to the use of roads and trails and future planning for OHVs and bikes.
II. FAILURE TO ADEQUATELY ANALYZE EFFECTS FROM ROADS, TRANSPORTATION, AND RECREATION

Sierra Club, Sequoia ForestKeeper, and Snowlands Network raised the issue of inadequate NEPA analysis from the effects of roads, transportation, and recreation.

The GSNM FEIS in no way addresses the impacts of roads, snowmobiles, OHV's, or bikes on Monument objects, to other recreational users, or to each other. It also does not address impacts from special use permits, which can apparently be issued without limitations. The GSNM Plan calls for monitoring of impacts from many activities, but it fails to include any monitoring of recreational activities and special use permits.

A. There is no NEPA analysis of the effects from roads or the transportation system on the Monument or its Objects of Interest

As the Forest Service admits,

The Road Analysis is not a NEPA process; it is an integrated ecological, social, and economic approach to transportation planning, addressing both existing and future transportation roads. (Transportation Specialist Report, p. 39).

Moreover, there is no detailed analysis in the FEIS about the effects from roads, the use of roads by vehicles, and the overall transportation system on Monument resources and objects of interest.

Surprisingly, the GSNM FEIS treats roads and the transportation system as a resource to be affected rather than an effect on Monument Objects of Interest, even though roads, trails, and motorized recreation are not considered objects of interest. See FEIS, pp. 617-636. Instead, the FEIS analyzes the effects of the GSNM plan and its accompanying restrictions on roads, the transportation system, trails, and motorized recreation. Id.

And while the FEIS mistakenly asserts that these types of effects are not the result of the GSNM plan, because they are “strategic and make no site-specific project decisions” (p. 379), it is clear that the GSNM with its adoption of the MVUM maps and statements that all roads are open to motorized vehicles and all trails are open to bicycles (unless designated closed) is a decision with resulting effects that needs no further site-specific decision.
B. There is no NEPA analysis of the effects from bicycle use on trails or on the Monument and its Objects of Interest

The current GSNM Plan basically allows unlimited numbers of bicycles on every trail with no disclosure of how many are using it now, what the carrying capacity is, no mention whatsoever of existing impacts from bikes on Monument objects, such as giant sequoia groves, and no mention of how many bike outfitter permits exist now or how many will be allowed. Based on studies as far back as 1996, bike use is still increasing rapidly (see Exhibit A – PSW-RP-226 Mountain Biking: Issues and Actions for USDA Forest Service Managers) there is no analysis of what the Forest Service expects bike use to be in the 10-15 year life of the Plan. There is not a word about safety to bikers, to other user groups, and no mention of recreational quality of non-bikers, such as hikers, horse riders, etc. Even in 1996, the agency recognized the need for planning direction for mountain bikes: “Managers need to include provisions for mountain bike use in forest plans.” *Id.* pp. 10-11. Moreover,

Results of this study indicate that mountain bike use is associated with potential problems, most importantly:
- Impacts on natural resources
- User conflict
- Safety issues.

Management actions to address the issues presented here are from forest managers. The actions can be grouped into these categories:
- Information/education
- Personal interaction/cooperation/partnerships
- Resource hardening and maintenance
- Use restriction and enforcement. (*Id.* p. 11).

Bike tires cause more trail damage than horses and mules. For example, the rutting is ten times as bad now as when a daily mule trail went up the Nelson Trail. Bikes are using the trails as downhill speedways, going up on side hills, widening turns, scarring sequoia trunks and roots. They even use downed sequoias logs as jumps and alternative trails, or for construction of obstacles. *See Exhibit B – Cloer & TRC GSNM DEIS Comments, pp. 16-18* (photographs of impacts from bikes on Nelson Trail and giant sequoia logs); *see also* Sierra Club GSNM DEIS Comments, Exhibit – Impacts from Mountain Bikes on Nelson Trail (additional photographs of bike impacts on Nelson trail).

Moreover, use of the Nelson Trail includes a special use permit, allowing Mountain and River Adventures Outfitting and Guiding to operate guided mountain bike trips down the Nelson Trail and through the Monument on trails, through the various giant sequoia groves, and the Slate Mountain inventoried Roadless Area. But the Plan has not considered the cumulative effects from the outfitter’s activities and other bike use on the Monument’s trails, groves, and objects of interest. These
impacts are described in Exhibit C – Cloer Declaration, ¶¶ 9-16. This omission violates NEPA. See High Sierra Hikers Assn. v. Powell, 150 F. Supp. 2d 1023, 1043-44 (N.D. Cal. 2001) aff’d High Sierra Hikers Assn. v. Blackwell, 390 F.3d 630 (9th Cir. 2004) (holding that the Forest Service violated NEPA by failing to consider the cumulative effects from various pack station permits on wilderness resources in the Inyo and Sierra National Forests).

C. The GSNM Plan does not authorize special use permits for OSVs or discuss snowmobile grooming activities

The same applies to snowmobiles and any special use permits for snowmobiles and grooming activities. The Forest Service has not disclosed the effects from these activities in the GSNM Plan.

As with bikes, for OSVs there should be identification of areas that are sensitive to wildlife (such as fishers, martens, owls, and goshawks) or unsafe in area where there are non-motorized recreation uses from skiers, snow-shoers, sledders, etc.

Currently, there is little, if any, enforcement or mention of enforcement in the Plan. We have about 20 short video clips made by a Ponderosa cabin owner (and TRC member) showing snowmobile tracks all over the Ponderosa area inside the Monument. Some tracks lead from private property onto the Monument. Others tracks connect one groomed road with another, creating user-made loops and connections off designated roads or routes. Apparently there were some signs a few years ago, but now there are user made routes using flagging, even on illegal routes.

This aggrieved Ponderosa cabin owner has been fighting the illegal snowmobile uses for about 10 years with no resolution from the Forest Service. Although the Forest Service did give him signs a few years ago and told him to post them himself where needed, there has been no enforcement by the Forest Service, despite the owner’s mapping of the trespasses, and reporting of other property owners who the owner personally witnessed riding on to the illegal routes on the Monument. See Exhibit D – Jon Innis Letter re Snowmobiles at Ponderosa; see also Exhibit E – Mel Palmer letter re Snowmobiling (also describing encounters with illegal snowmobilers).

This is occurring now and the cabin owner has provided evidence from as recently as the weekend of January 19-20, 2013 while out cross country skiing. Attached as Exhibit F is a video showing the illegal off-road use of a snowmobile in the Monument near Ponderosa.

Moreover, there is no question that snowmobiles have adverse effects to the American marten, which must hunt all winter to survive because they don't
hibernate:

Recreation has the potential for significant impacts to marten populations, especially winter recreation that occurs in high-elevation montane forests or subalpine zones. The sound of engines from off-highway vehicles (OHVs) is presumed to be a disturbance, but in winter, the use of snowmobiles can also have indirect effects by compacting the snow, permitting access to marten areas by competing carnivores that would not typically be able to traverse deep snow (Buskirk et al. 2000).

... Martens typically avoid open areas that lack overhead cover or tree boles that provide vertical escape routes from predators (Drew 1995), are more susceptible to predation if they must cross such areas, and have been shown to avoid areas when >30 percent of mature forest is removed (Bissonette et al. 1997). Snow compaction from grooming alters surface consistency, making it easier for larger bodied carnivores (e.g., coyotes)—which, unlike martens, are not adapted for deep, soft snow—to expand their winter ranges and compete with or prey on martens (Buskirk et al. 2000, Bunnell et al. 2006).

Zielinski et al. (2013, in draft), p. 15 (attached as Exhibit G).

In addition, there is no question that road use, especially during winter, is having a devastating effect on Pacific fishers:

Road-killed fishers are relatively common, even in national parks with relatively low posted speed limits (L. Chow, pers. comm.). Berg and Sweitzer (unpubl.) found that fishers were detected closer to roads than would be expected, particularly near high-use roads during the winter.

Id., p. 20.

The Plan does not identify what routes can be used by snowmobiles, grooming, the criteria used to select the routes, or the impacts. There is no enforcement or monitoring plan.

D. The Plan fails to discuss effects from hunting outfitters

While hunting is regulated by CDF&W, permits for hunting outfitters are still regulated by the Forest Service in the Monument. Permits for outfitters for hunting and fishing and their effects on Monument objects should have been addressed in the FEIS and Plan. While legal hunting was not changed by the Proclamation, it also did not guarantee the continued rights to any outfitter for any activity, including hunting. The Plan should provide guidelines for how many, where, and
during what seasons the outfitter can operate to be compatible with other uses and to protect the Monument objects.

E. The Plan fails to discuss recreation carrying capacity

With respect to all recreation, the Plan and Proclamation encourage recreation consistent with protection of Monument objects. The Plan and FEIS, however, do not provide the necessary guidance or analysis to determine what the carrying capacity for each use can be in the various locals in the Monument. There is no guidance for how many, if any, outfitters can be accommodated. There is no guidance with respect to how many users and what types can be accommodated in popular recreation sites or on popular trails. Even if the Forest Service does not believe there is a user capacity issue now, it should have a plan for how to deal with the increasing demand and conflict from recreation. The recreation demand analysis clearly shows that as our population increases, there will be an increasing number of users in the Monument. But there is no plan for how to deal with this increased use.

III. REMOVING AND RE-CONTOURING ROADS IN LOGGED-OVER GROVES SHOULD HAVE BEEN INCLUDED IN THE GSNM PLAN, ACCORDING TO THE MSA

Sierra Club’s and Sequoia ForestKeeper’s appeals raised issues based on a failure to implement the Mediated Settlement Agreement (MSA) and restoration of giant sequoia groves.

Roads are an integral part of the “logging damage” in giant sequoia groves that were logged in the late 1980’s, the restoration of which the MSA addressed:

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

MSA, p. 27. This necessarily requires removing and re-contouring the logging roads to the “former natural forest condition” that existed before logging.

The GSNM Plan, however, does not address this MSA mandate, and provides no analysis with respect to where these roads were built and where this restoration should occur.

In fact, one of the first projects proposed in a giant sequoia grove, the Tule River Restoration Protection Project, proposes to retain and even create fuel breaks along the logging roads that were used to log the Black Mountain Grove in the 1980s. See Exhibit H1 – TRRPP Scoping Document, p. 3 (listing roads “21S12B, 21S25 (including spur roads A-D)” to be treated 100 ft on each side of the road); see also
Exhibit H2 – TRRPP Scoping Map. As the map shows, “Fire Break Treatments” are proposed on the network of roads in the western part of the grove where it was logged (plantations), which infers that these roads and this grove will not be restored to its “former natural forest condition.” This violates the MSA mandate.

IV. UNCERTAINTY REGARDING PIIRTO & ROGERS (1999) AND INADEQUATE GROVE INVENTORIES

Sierra Club, Sequoia ForestKeeper, and NPCA raised issues associated with the misuse of the Piirto and Rogers (1999) paper to describe desired future conditions in giant sequoia groves. They also raised the Tule River Reservation Protection Project (TRRPP), which implicates the inadequate grove inventory for the Black Mountain Grove.

The Black Mountain Grove inventory is being used in the proposed Tule River Reservation Protection Project. See Exhibit H1, p. 2 (TRRPP scoping). This inventory was supposed to meet the MSA requirements, but it did not. It omitted an inventory of the plantations, meaning that the areas with the greatest concentration of larger sequoias (left standing in the clearcuts) were omitted. See Exhibit I – Black Mountain Grove Inventory, PDF, p. 4 (“This inventory did not sample the plantation areas ….”). It is interesting to note that PDF, pp. 27-28, shows photographs of some of the largest giant sequoias, located within these plantations, even though these trees were presumably excluded from the inventory sample. There is nothing in the Inventory Design criteria which suggests that plantations should be excluded from the grove inventories. See Exhibit J – Sequoia Grove Inventory Design.

This also means the areas with huge swaths of planted pines and other trees were omitted. See Exhibit H2 (TRRPP scoping map showing plantations). It is impossible to determine the needs of the grove by averaging plots taken from widely varying aspects, slope, elevation, if the inventory has omitted these previously logged areas.

The Black Mountain Grove inventory makes recommendations by comparing these already skewed results with what Piirto & Rogers (1999) recommended in their paper for desired future conditions in groves. See Exhibit I, PDF pp. 4-5. While the Piirto & Rogers paper does not recommend any particular management, the Forest Service is reinterpreting that paper as a guideline for management. See Sierra Club and Sequoia ForestKeeper Appeals, pp. 39-42 (discussing the uncertainty and misuse of Piirto & Rogers in light of criticisms from Dr. Nathan Stephenson). There, the appellants point out how the Forest Service undermined the desired future conditions for groves by excluding a science advisory that shed light on the uncertainties in the Piirto & Rogers (1999) paper.
The Plan’s reliance on Piirto & Rogers (1999) and its disregard of the huge body of research carried out mostly in Sequoia and Kings Canyon National Parks, which backs up the use of natural processes rather than heavy handed manipulation, should have been addressed in the EIS. The degree of uncertainty or controversy surrounding reliance on this particular strategy is not addressed in the analysis.

The Forest Service cannot now claim that they did not know they were heading in a “structure restoration” direction that is strategically different and risky when compared with the “natural process” direction of the adjacent National Parks. The FEIS should have disclosed the rationale for using this strategy and not going with the strategies suggested in the park-like alternative, and those different approaches should have been compared and contrasted, and the degree of uncertainty, controversy, and trade-offs should have been discussed. The FEIS does not disclose any drawbacks or compare the potential consequences and dangers of adopting a “structural restoration” paradigm instead of the Park's proven “process restoration” strategy. This approach, the Piirto & Rogers paper, and the underlying data, are also criticized in an opinion editorial in the Fresno Bee, written by the then-Superintendent of the Sequoia and Kings Canyon National Parks, published in 2005 in the Fresno Bee. See Exhibit K – Russell Wilson Op-Ed Fresno Bee 2005.

Dr. Nate Stevenson specifically addressed these comparisons in his Sierra Nevada Ecosystem Project analysis of giant sequoia groves and their management, which is included in the project record. See Stephenson (1996) (“Ecology and management of giant sequoia groves. In: Sierra Nevada ecosystem project (SNEP): final report to congress, vol. II, assessments and scientific basis for management options.”). That report, which is referenced in the FEIS, discusses the different approaches in a lengthy discussion at pp. 1444-47 (under “Structural versus Process Restoration”). The tradeoffs of these different approaches and the uncertainties, however, are not discussed in the FEIS or in comparing the various alternatives.

Former Superintendent Russell Wilson explains the practical reasons why process restoration is much more feasible, which is equally applicable in the GSNM where commercial logging and tree removal is prohibited:

First, much of the forested land in national parks is too steep or remote to be thinned with chain saws and building expensive road networks to complete this work defies laws passed by Congress to establish national parks. Secondly, it is not cost-effective over large areas ($2,000 per acre for mechanical removal vs. $130 per acre for prescribed fire). Thirdly, no amount of mechanical removal will replace the role of fire in a giant sequoia forest. Chain saws do not replace nutrients or stimulate the production of seedlings.

The efficiency of the National Park Service program has been proven over time. The public overwhelmingly supported our new Fire and Fuels
Management Plan. This plan is balanced and scientifically sound based on the current level of knowledge (not information from a generation ago).

Exhibit K, pp. 2, 3. Yet, there are no comparisons of the structural versus the proven process restoration approach in the GSNM Plan or FEIS.

V. FAILURE TO DISCLOSE AND ANALYZE EFFECTS FROM ROADS ON INCREASED FIRE RISK

Sierra Club and Sequoia ForestKeeper discussed the issues of roads, fuels, and increased fire risk. In particular and in addition to the direct effects from roads, roads indirectly increase fire risk:

In the Western United States, most of the more than 378,000 miles (608,000 km) of national forest roads traverse heavily managed forests with the greatest potential for high-severity fire. According to the Forest Service, more than 90 percent of wildland fires are the result of human activity, and ignitions are almost twice as likely to occur in roaded areas as they are in roadless areas (USDA Forest Service 1998, 2000). Although it can be argued that roads improve access for fire suppression, this benefit is more than offset by much lower probabilities of fire starts in roadless areas.


Moreover, in his study of the effects of roads on wildfires in national forests in California, Robert F. Johnson concluded that over 52 percent of human-caused fires occurred within 33 feet of a road edge (Johnson, R.F. 1963. The roadside fire problem. Fire Control Notes 24: 5-7.). Other studies showed similar results, reinforcing the correlation between roads and wildfire. See Show, S.B., C.A. Abell, R.L. Deering, and P.D. Itchson. 1941. A planning basis for adequate fire control on the southern California national forests. Fire Control Notes 5: 1-59; see also California Division of Forestry and USDA Forest Service, Region 5. 1968. Fire hazard reduction guide for roadsides. Calif. Dep. Conserv. and USDA (concluding that showed that 74 percent of all fires on national forests in California occurred within 10 feet of a road edge). See also Stephens, Scott L. 2005. Forest fire causes and extent on United States Forest Service lands. International Journal of Wildland Fire 14:213-222 (“Human-caused fires commonly occur near transportation corridors.”).

The extensive 822+ mile road network in the Monument (see Part 4) increases fire risk, which must be analyzed in the FEIS. But the section in the FEIS that
discusses the environmental consequences and “Effect on Fire and Fuels” does not mention the increased fire risk from roads. FEIS, pp. 408-425.

The section in the FEIS on Effects on Transportation does acknowledge fire risk from roads: “Fire: Because roads provide easier access to many forest areas, forest roads often allow more human caused fires to be ignited. Roads also provide access for fire suppression and can serve as firebreaks that interrupt the spread of low-severity ground fires.” FEIS, p. 618. Thereafter, however, the only consideration is about the benefits of roads for fire protection without any analysis of the tradeoffs of continuing to maintain the extensive 822+ mile road system. Even the discussion under Alt. C, which reduces public access from maintenance level 2 roads, lacks any discussion or analysis on a potential benefit in reducing fire risk. And there is no comparison between the alternatives on the relative fire risk of retaining the various road system scenarios in the Monument. This failure to analyze the increased fire risk from roads violates NEPA.

For Carla Cloer and Tule River Conservancy (cac@ocsnet.net),

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