

Tom Tidwell  
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April 5, 2011

Dear Chief Tidwell:

Thank you, again, for finding time to meet with us on March 23<sup>rd</sup> to discuss the planning effort for the Giant Sequoia National Monument. We appreciate very much the leadership and perspective you bring to the Forest Service, and your willingness to consider our views.

Few issues resonate so deeply with our 2.5 million members and activists as the largest trees on Earth and their supporting ecosystem. Creation of the Monument was an extraordinary moment for the country, for this ecosystem, and for the Forest Service – which aggressively advocated that it oversee the Monument. The current planning process provides the Forest Service a priceless opportunity to showcase its conservation ethic in a globally prominent venue.

As we discussed, planning for the Monument currently falls short of what the resource deserves, the agency is capable of, and the Proclamation demands. To be successful, the planning process needs to provide three missing elements:

1. A protocol that assures compliance with the Proclamation's strict limits on tree removal;
2. An alternative in a revised or supplemental DEIS that truly implements the vegetation management successfully practiced next door at Sequoia-Kings Canyon; and
3. Guidance from the Science Advisory Board required by the Proclamation.

The protocol is needed because the Proclamation prohibits tree removal unless it is “clearly needed for ecological restoration and maintenance or public safety.” This prescription requires that the agency demonstrate both that tree removal effectively advances either restoration or safety and that there is no reasonable alternative for reaching those goals. The Proclamation makes the removal of trees a last resort, rather than the primary tool. Currently, nothing proposed in the planning process would assure achievement of this mandates.

The agency has to circulate a new alternative as none in the DEIS will result in the vegetative management used at Sequoia-Kings Canyon, which has the best track record restoring ecological values in sequoia groves and their surrounding ecosystem. The alternative in the DEIS that purportedly mirrors the Sequoia-Kings Canyon management approach is fundamentally flawed because it lacks standards to assure on-the-ground park style management and it relegates most of the Monument area to zones where thinning, rather than fire, is the primary tool.

The Proclamation mandates that the Forest Service create its initial management plan with guidance from a Science Advisory Board. The agency has not met this legal obligation because there is no initial plan yet. The previous Science Advisory Board provided advice on a plan wholly invalidated in court, and its written advisories do not bear on the current alternatives.

Attached is a brief summary of the essential features of the protocol, plan alternative, and science board we believe are necessary to manage the Monument's world-famous resources successfully and meet the legal requirements of the Proclamation.

Thank you again for meeting with us and for you interest in the welfare of this iconic place.

Sincerely yours,

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## ESSENTIAL ELEMENTS IN A RAPID FIX FOR THE GIANT SEQUOIA NATIONAL MONUMENT PLAN

### A Tree Removal Protocol:

- The Monument plan must articulate the Proclamation's "clearly needed" presumption against cutting down<sup>1</sup> trees, and provide standards that permit cutting or other removal only if ecological or safety reasons make that both (1) effective and (2) unavoidable.
- The protocol will need to create a default zone within which tree cutting presumptively meets the "clearly needed" standard for safety purposes, and specify the factors such as extreme topography that could justify a different distance. Consistent with the scientific literature, the default zone should extend about 200 feet from buildings and infrastructure.
- The protocol should specify that boles of cut or fallen trees be presumptively left on site, and only removed from the Monument if required for an ecological or safety reason.
- Speed of restoration will not by itself make cutting trees "clearly needed."
- The plan should drop reference to biomass production and salvage logging, because planned commercial use of fiber is inconsistent with the "clearly needed" standard.

### At Least One Proven Ecological Alternative:

- An alternative must effectuate the Sequoia-Kings Canyon approach in the Monument.
- Its standards will enforce the park's presumption against cutting trees over 8" dbh.
- The alternative may have different standards for overcoming the 8" presumption depending on whether the trees are inside or outside of the safety zone.
- The alternative will specify fire as the presumptive tool for active restoration and indicate how to evaluate site specific factors in deciding when fire alone poses an unacceptable risk.
- Because the DEIS has no alternative close to this, a supplemental or revised draft is needed.

### The Mandated Science Advisory Board:

- A new Science Advisory Board needs to provide guidance on the scientific issues raised by the Proclamation's requirements, particularly those concerning vegetative management.
- Beyond the few disciplines mentioned in the Proclamation, to be effective the Science Advisory Board should include at least one expert in giant sequoia ecology and someone thoroughly experienced with Sequoia-Kings Canyon management practices.
- The agency should in no way constrain the board's guidance; the Proclamation does not call for merely a science consistency check or answers to set questions posed by managers.
- The board needs the freedom to report a less than unanimous opinion.
- The Science Advisory Board need not significantly extend the planning process, as no lengthy or formal procedure for its guidance is required by the Proclamation.

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<sup>1</sup> The Proclamation uses the broad term "removal" rather than "logging" or any other more specific word. Cutting is a form of removal and requires a "clearly needed" finding. Interpreting the Proclamation so narrowly as to prohibit only physical transport of trees out of the Monument would conflict with the Proclamation's protective purposes and lead to the irrational result that trees could be logged for any reason and piled off in a corner of the Monument. Moreover, even if the Proclamation had mandated a "clearly needed" finding only for physical removal beyond the Monument's boundaries, that finding would still be required for any cutting likely to result in such transportation.