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Department of
Agriculture

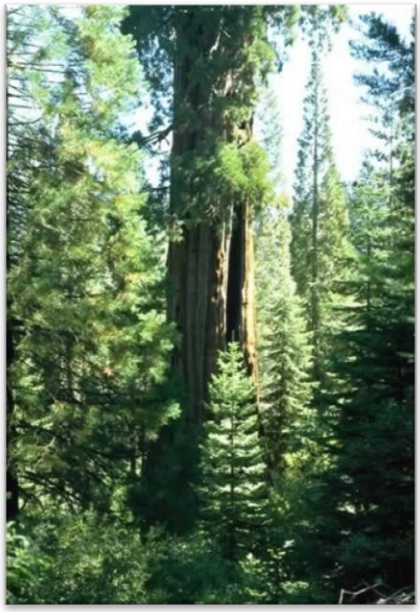
Forest Service

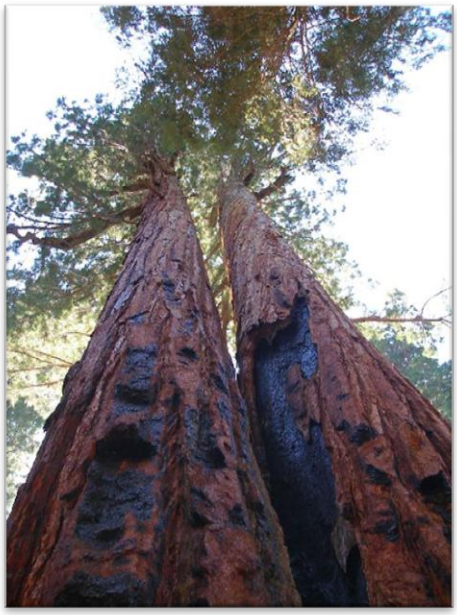
Giant Sequoia
National Monument

August 2010

Giant Sequoia National Monument

Draft Environmental Impact Statement
Volume 1





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Chapter 1 - Purpose of and Need for Action

Chapter 1 Purpose of and Need for Action

The United States Department of Agriculture, Forest Service, prepared this draft environmental impact statement (draft EIS) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal and state laws and regulations. This draft EIS discloses the direct, indirect, and cumulative environmental impacts that would most likely result from the proposed action and alternatives.

Volume 1 of this draft EIS is organized into six chapters:

- **Chapter 1. Purpose of and Need for Action.** This chapter briefly describes the purpose of and need for action, the decision to be made, and the initial proposed action developed to address the purpose and need. It also details how the Forest Service informed the public of the proposed action, provided other opportunities for public input, and involved the public and stakeholders in the development of the alternatives, as well as a summary of the issues raised by the public and how they were addressed.

- **Chapter 2. Alternatives, including the Proposed Action**. This chapter provides a detailed description of the no action alternative, the proposed action, and the other action alternatives to the proposed action that were developed in response to comments received from the public during scoping. It includes comparisons of the alternatives by land allocations and management areas, issues, and environmental effects, as well as a discussion of other alternatives that were considered but eliminated from detailed study.

- **Chapter 3. Affected Environment**. This chapter describes the human and natural environment affected by the proposed action and alternatives. It is organized by the resource areas that would be affected by this amendment or other alterations of the current direction provided in the Forest Plan.

- **Chapter 4. Environmental Consequences**. This chapter describes the potential environmental impacts of the proposed action and alternatives. It is organized by the resource areas that would be affected by an amendment or other alterations of the current direction provided in the Forest Plan .

- **Chapter 5. List of Preparers and Technical Consultants**. This chapter provides a list of the preparers and the agencies consulted during the development of this draft EIS.

- **Chapter 6. Distribution List.** This chapter lists the agencies, organizations, and individuals to whom this draft EIS is sent.

Volume 2 of this draft EIS contains the appendices, which provide more detailed information to support the analysis presented in this draft EIS.

Additional documentation, including more detailed analysis of project area resources, is located in the administrative record on file at the Sequoia National Forest Supervisor's Office in Porterville, California.

Background

On April 15, 2000, President William J. Clinton signed the presidential proclamation (Clinton proclamation) establishing the Giant Sequoia National Monument (Monument).[1]

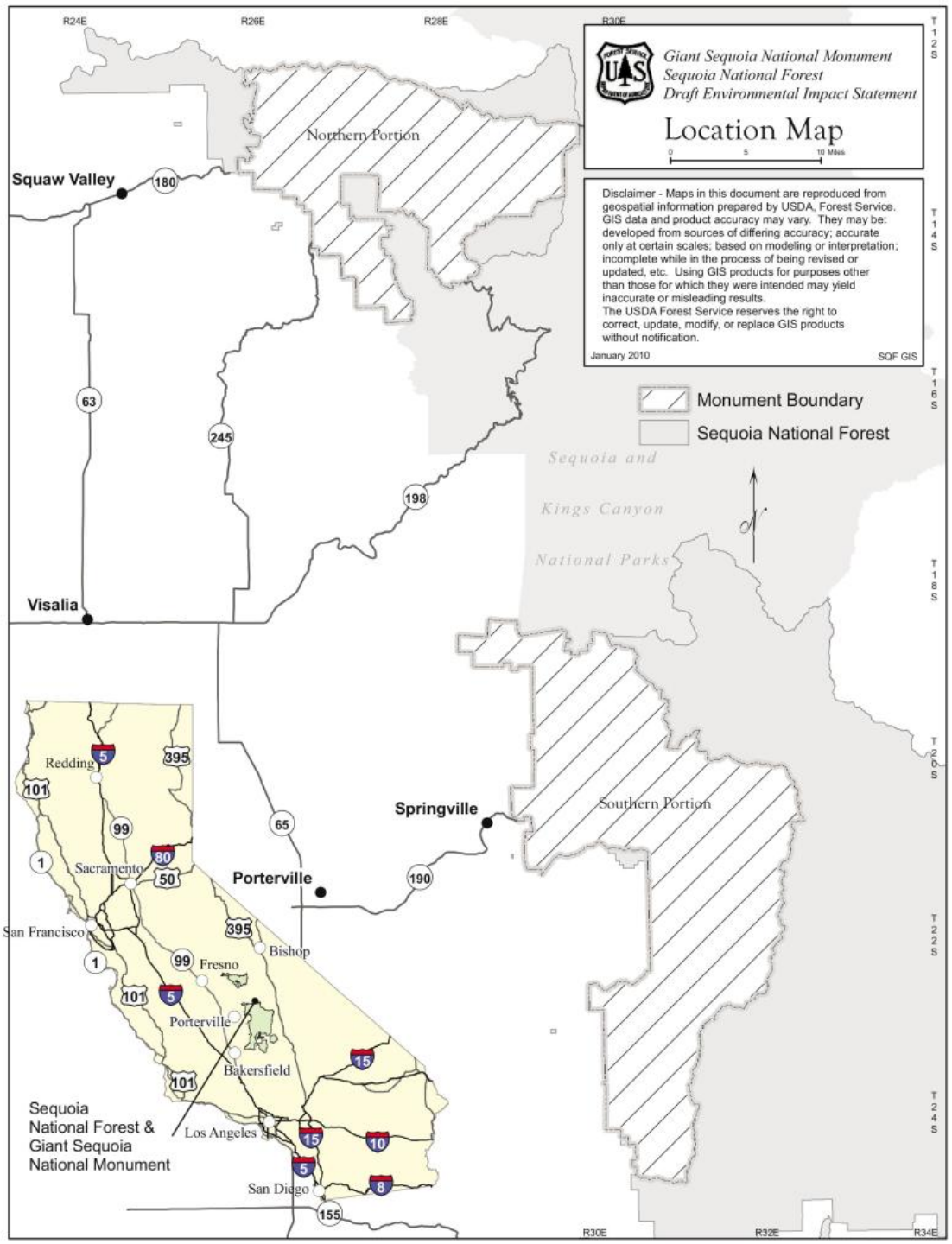
The Monument originally encompassed 327,769 acres, but changes were allowed by the Clinton proclamation: "Lands and interests in lands within the boundaries of the monument not owned by the United States shall be reserved as a part of the Monument upon acquisition of title thereto by the United States" (Clinton 2000, pages 24095, 24098). Some additional lands have been acquired by the Forest Service inside the Monument boundary. The total acreage in the Monument that the Forest Service manages is now 328,315 acres,[2] including the acreage gained through acquisition.

The Monument is located in south-central California and is administered by the Forest Service, Sequoia National Forest (shown in the following map).

1 Clinton, W.J. 2000 [April 25]. Establishment of the Giant Sequoia National Monument by the President of the United States of America. Proclamation 7295 of April 15, 2000. Federal Register. 65 (80): 24095-24100 (Clinton 2000).

2 This does not include state and private land that lies within the Monument boundary.

Map 1 Vicinity Map



The Sequoia National Forest, named for the world's largest trees, contains the greatest concentration of giant sequoia groves in the world. Thirty-three groves and grove complexes lie within the Giant Sequoia National Monument (Monument), as listed in the following table.

Table 1 Sequoia Groves and Grove Complexes

Grove or Complex Name[1]	Date Inventoried	Acres in Sequoia National Forest	Groves within Grove Complex
NORTHERN PORTION:			
1. Abbott Creek	October 2009	25	
2. Agnew	October 2009	43	
3. Bearskin	October 2009	187	
4. Big Stump	January 2002	431	
5. Cherry Gap	October 1999	170	
6. Converse Basin	November 1998	4,666	
7. Deer Meadow	October 2009	168	
8. Evans Complex	October 2009	4,256	Evans, Boulder, Little Boulder, Lockwood, Kennedy, Horseshoe Bend
9. Grant	January 2002	292	
10. Indian Basin	April 2004	448	
11. Landslide	October 1999	226	
12. Monarch	October 2009	54	
13. Redwood Mountain	September 2003	1,036	
SOUTHERN PORTION:			
14. Alder Creek	February 2004	409	
15. Belknap Complex	October 2009	3,084	Belknap, Wheel Meadow, McIntyre, Carr Wilson
16. Black Mountain	February 2004	2,614	
17. Burro Creek	October 2009	278	
18. Cunningham	October 2009	32	
19. Deer Creek	November 1998	144	
20. Dillonwood	October 2009	373	
21. Freeman Creek	October 2009	4,192	

Grove or Complex Name[1]	Date Inventoried	Acres in Sequoia National Forest	Groves within Grove Complex
22. Long Meadow	November 1999	568	
23. Maggie Mountain	October 2009	64	
24. Middle Tule	October 2009	301	
25. Mountain Home	February 2004	1,295	
26. Packsaddle	March 2004	533	
27. Peyrone	February 2004	741	
28. Red Hill	February 2004	602	
29. Silver Creek	October 2009	108	
30. South Peyrone	October 2009	115	
31. Starvation Complex	January 2000	182	Starvation Creek, Powderhorn
32. Upper Tule	October 2009	22	
33. Wishon	October 2009	171	
Total Acres of Groves in Sequoia National Forest		27,830	

1. Groves within close proximity to each other were identified as grove complexes during boundary mapping per the MSA (MSA II.B.2.c.(2)(e) ii), p.14)

Special areas are often designated through laws passed by Congress (for example, the Kings River Special Management Area). Less often special areas are designated by the president. In the case of giant sequoias, several presidents have made proclamations (in the form of executive orders) requiring their protection. Instead of the often lengthy process of passing a law, President William J. Clinton used his authority under the Antiquities Act to establish the Giant Sequoia National Monument:

> The President of the United States is authorized, in his discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments, and may reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with proper care and management of the objects to be protected. When such objects are situated upon a tract covered by a bona fide unperfected claim or held in private ownership, the tract, or so much thereof as may be necessary for the proper care and management of the object, may be relinquished to the Government, and the Secretary of the Interior is hereby authorized to accept the relinquishment of such tracts in [sic] behalf of the Government of the United States.[3]

The Monument was designated because "The rich and varied landscape of the monument holds a diverse array of scientific and historic resources. Magnificent groves of towering giant sequoias, the world's largest trees, are interspersed within a great belt of coniferous forest, jeweled with mountain meadows. Bold granitic domes, spires, and plunging gorges texture the landscape" (Clinton 2000, p. 24094).

3 Antiquities Act, June 8, 1906, as amended (34 Stat. 225, 16 U.S.C. 431-433, Proclamation of national monuments, reservation of lands, etc.)

In his proclamation, President Clinton described several features of the Monument, objects of interest to protect, and several of the uses and activities allowed. He stipulated that "removal of trees, except for personal use fuel wood, from within the monument area may take place only if clearly needed for ecological restoration and maintenance or public safety" (Clinton 2000, p. 24097).

The Clinton proclamation required establishment of a Monument management plan within three years. A Giant Sequoia National Monument Final EIS Record of Decision was signed on January 12, 2004. This 2004 management plan was challenged and lawsuits were filed in the United States District Court for the Northern District of California on January 27, 2005.[4]

In October 2006, Federal District Court Judge Charles Breyer found in favor of the plaintiffs in both cases and remanded the management plan to the Forest Service "…so that a proper Monument Plan can be developed in accordance with the Presidential Proclamation… and in compliance with the National Environmental Policy Act (NEPA)…"[5]

This draft EIS is a renewed effort to conduct the environmental analysis necessary to establish a Monument management plan. Three documents will be produced as part of this effort, including an EIS (in two volumes), a record of decision (ROD), and a separate Giant Sequoia National Monument Management Plan (Monument Plan). This draft EIS focuses on the environmental impacts of alternatives that would amend existing management direction to comply with the Clinton proclamation.

Planning Rule

This amendment to the Sequoia National Forest Land Management Plan (Forest Plan) is conducted under the transition provisions of the 2000 Planning Rule that allows use of the 1982 Rule. This is explained more fully in the December 18, 2009 Federal Register Notice.[6] The section of this Federal Register Notice on page 67074 labeled “Interpretive Rule Related to Section 219.35(a) and (b)” states in part that “Paragraph (b) allows the responsible official to elect to prepare plan amendments and revisions using the provisions of the 1982 planning regulation until a new final planning rule is adopted.”

Comments: 1

Current Management Direction

The proposed action and alternatives are guided by the 1988 Sequoia National Forest Land and Resource Management Plan (Forest Plan) (USDA Forest Service 1988a), as amended by the 1994 Kings River Wild and Scenic River and Special Management Area Implementation Plan (KRSMA), the 2001 Sierra Nevada Forest Plan Amendment (2001 SNFPA) (USDA Forest Service 2001c), and the 2007 Sierra Nevada Forest Management Indicator Species Amendment (2007 SNF MIS) (USDA Forest Service 2007a). The Sequoia National Forest is subdivided into land

4 (*Sierra Club, et al., v. Bosworth, et al., No. C-05-00397 CRB*) and March 3, 2005 (*People of the State of California, ex rel. Lockyer v. United States Department of Agriculture, et al., No. C-05-00898 CRB*).

5 (*Calif. Ex rel. Lockyer v. USDA*, No. C-05-00898 (N.D. Cal., Oct. 11, 2006)).

6 Vol. 74, No. 242, beginning on p. 67059, regarding 36 CFR Part 219 (available at http://fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5110265.pdf).

allocations (management areas with associated management emphasis) with established desired conditions and associated management direction (standards and guidelines). Land allocations that apply to this proposal are discussed in Chapter 2 of this draft EIS.

The Judgment for Case 3:05-cv-00898-CRB, Document 76, Filed 10/11/2006, Page 1 of 3, United States District Court For the Northern District of California, Judge Charles R. Breyer, ruled that the Monument area would be managed as follows:

> In the interim, and until the Forest Service issues a new Management Plan, the Monument shall be managed consistent with the Monument [Clinton] Proclamation of April 15, 2000, and in accordance with direction from the 1988 Sequoia National Forest Land and Resource Management Plan, as amended by the 1990 Mediated Settlement Agreement and the 2001 Sierra Nevada Forest Plan Amendment.

Subsequent to this judgment, the Record of Decision, June 2007, for the Sierra Nevada Forests Management Indicator Species Amendment further amended the Sequoia Forest Plan, and this direction has been incorporated into the current management of the Monument.

Additional information regarding sources of management guidance pertaining to the Monument are as follows.

Mediated Settlement Agreement (MSA)

The Forest Plan Record of Decision was appealed by several individuals and organizations. A mediator was brought in to work with the various appellants to resolve the many issues raised. The result was the 1990 Sequoia National Forest Land Management Plan Mediated Settlement Agreement (MSA) (USDA Forest Service 1990b). The MSA states, "In the interim period between signing this Agreement and finalizing an amendment incorporating this Agreement into the Plan, the Parties agree that the provisions of this Agreement shall be implemented according to the schedules indicated throughout this document" (USDA Forest Service 1990b, p. 4).

President Bush Proclamation

In 1992, President George H.W. Bush issued a proclamation for Giant Sequoia in National Forests (Bush 1992 [July 14])[7] (Bush proclamation). The Bush proclamation was specific to naturally occurring old-growth sequoia groves located in the Sequoia, Sierra, and Tahoe National Forests in California. The Bush proclamation noted that the groves are being managed for biodiversity; perpetuation of the species; public inspiration; and spiritual, aesthetic, recreational, ecological, and scientific values. The Bush proclamation contained several goals, including that the Forest Service delineate the location of such giant sequoia groves, as set forth in the MSA; withdraw the groves from mineral and geothermal leasing laws; and subsequently provide the Secretary of the Interior with a list of the designated groves and with a description of the boundaries of each of the groves.

President Clinton Proclamation

The Clinton proclamation (Clinton 2000) establishing the Monument provided direction that is clear for some management direction, while open to interpretation for other management direction. The substantive direction provided by the Clinton proclamation will be addressed throughout the alternatives in this draft EIS. In terms of

7 Proclamation 6457, Giant Sequoia in National Forests by the President of the United States of America. Federal Register. 57: 31627. http://www.presidency.ucsb.edu/ws/index.php?pid=47384 (Accessed 29 October 2009)

Monument management, the Clinton proclamation stated, “The final decision to issue any management plans and any management rules and regulations rests with the Secretary of Agriculture. Management plans or rules and regulations developed by the Secretary of the Interior governing uses within national parks or other national monuments administered by the Secretary of the Interior shall not apply within the Giant Sequoia National Monument" (Clinton 2000, p. 24098).

Comments: 2

Purpose and Need

1. There is a need for a single comprehensive management plan for the Monument. The current management direction (including the Forest Plan, the 2001 SNFPA, the KRSMA, and the 2007 SNF MIS), the MSA, and the presidential proclamations provide redundant and, at times, conflicting management direction. This makes it difficult to discern which of the above documents contains the appropriate direction for project planning. Both the Forest Service and the public have difficulty determining current management direction.

2. There is a need for compliance with the Clinton proclamation requiring the preparation of a management plan for the Monument. The Clinton proclamation directs the Forest Service to develop a management plan specific to the Monument that will protect the objects of interest and manage Monument resources to restore ecosystems and provide opportunities for public use.

Comments: 3

Decision to be Made

The decision to be made is whether to:

- Amend the Forest Plan (as amended and described previously) as proposed; or
- Select an alternative amendment that better addresses public concerns and environmental impacts.

Comments: 4

Proposed Action

The proposed action, sent out during scoping, was a general description of the desired conditions that form strategies and objectives. The proposed action was designed to meet the purpose and need by consolidating the existing array of management direction into a single comprehensive plan that provides management direction for the land and resources within the Monument. Although many objects of interest are identified, it was clear in the Clinton proclamation that the major purpose of the Monument is to protect and maintain the giant sequoia groves and their unique natural habitat. The action proposed by the Forest Service to meet the purpose and need, and which incorporates public input, is described in more detail in Chapter 2 of this draft EIS (Alternative B).

Comments: 5

Public Involvement

Public involvement has been extensive in developing a management plan for the Monument. An initial planning effort from 2001 through 2003 included public meetings, meetings of the Scientific Advisory Board,[8] and multiple documents for public review and comment. In January 2004, the Monument Plan was published as a Final EIS and Record of Decision, and implementation began. Two lawsuits were brought challenging the Monument Plan decision and, in October 2006, Federal District Court Judge Charles Breyer remanded the plan back to the Forest Service (see discussion in the background section in this chapter).

After the plan was remanded back to the Forest Service, the Sequoia National Forest's forest supervisor restarted the planning process. As part of the current public involvement process, the Forest Service engaged a variety of stakeholders in a collaborative process designed to help develop the Monument Plan and EIS as required by NEPA. The intent of this collaborative approach to planning is to involve people throughout the planning process and to ensure that this process is transparent to all. In addition, public involvement focuses on iterative conversations with stakeholders and the general public, and on being open to possibilities that are legal, fair, and practical.

On January 25, 2008, a notice of intent was published in the *Federal Register* to renew the planning effort for the Monument and to establish that the management plan would be created under the 1982 Planning Rule. The initial scoping period was for a full year.

8 The Scientific Advisory Board was formed in compliance with the Clinton proclamation. More information on this board, its advisories, and its final report can be found in the project record at the Sequoia National Forest Supervisor's Office in Porterville, California.

Third-Party Facilitation

A third-party facilitator was hired through the U.S. Institute for Environmental Conflict Resolution to lead a collaborative effort among Forest Service employees, environmental groups, community leaders, recreation groups, forest products industry representatives, homeowner associations, and others. These people were brought together to assess how to develop a new Monument Plan.

Many of the public meetings led by the facilitator focused on recreation and resulted in the formation of the Sequoia Monument Recreation Council (SMRC). These meetings were held in December 2007; January, February, May, June, August, October, November, and December 2008; and January, February, March, April, May, and June 2009. This interest group provided ideas to help the Forest Service develop and implement a management plan for a Monument that will well serve generations to come. Members of this group continued to meet after these meetings and has formed the Giant Sequoia National Monument Association.

Other public meetings were focused on fuels and vegetation management, including a demonstration of an environmental modeling tool, the Stewardship Fireshed Assessment, developed by the Forest Service. These meetings were held in May, July, September (field trip), October, and November 2008.

During 2008 and 2009, Sequoia National Forest personnel and a number of stakeholders evaluated several decision support tools, including the Strategic Decision Support (SDS) model (which includes the Stewardship Fireshed Assessment tool) and the Multi-Criteria Decision Support (MCDS) model. As a result of public and agency meetings, it was decided to use SDS as the primary assessment tool to predict effects to vegetation, fuels, and habitat conditions, and to use the MCDS decision framework tool during scoping as described in the following paragraphs. (For more information, see Appendix J of this draft EIS.)

A website was developed to collect public comments on the Clinton proclamation and the Science Advisories from the Scientific Advisory Board from July through August 2008. A number of public comments were received on the interpretation of terms used in the Clinton proclamation and on whether the scientific advisories used to develop the 2004 Giant Sequoia National Monument EIS are still relevant for this planning effort. These comments were summarized, used to prepare an interpretation of the key principles of the Clinton proclamation by the Forest Supervisor (Terrell 2009), and have been considered in developing this EIS.

On March 18, 2009, a new notice of intent and scoping letter were issued with a more detailed purpose and need statement and a proposed action for public comment. This scoping and comment period was for 45 days and included a new web-based opportunity for public comments. The Monument Public Comment Portal was developed so the public could access the scoping letter and related documents on-line, and comment on the proposed action using the web site.[9] The scoping period garnered 552 comments from 126 respondents. These comments were received on the public comment portal, at the public workshops, and by e-mail, mail, and FAX. Using these comments, the interdisciplinary team developed a list of issues to address (see the issues section in this chapter).

Four public workshops were held during the scoping period to elicit comments focused on giant sequoia grove management. These workshops were held in April 2009 in the cities of Visalia, Lake Isabella, Porterville, and Dunlap, California.

9 This virtual tool will be used throughout the planning process for public consultation and comment.

Running concurrently with the scoping period was a public opportunity to use a multiple criteria decision support (MCDS) model, the Values and Interest-Based Explorer (VIBE). This web-based tool helped users to see how the values they placed on different criteria could affect a decision among several pseudo alternatives, and gave them an idea of how the decision process works. At the general scoping stage, the MCDS consisted of a “decision framework." The decision framework was developed collaboratively through interviews, work with the Forest Service, and 12 public meetings held prior to general scoping. During public meetings, as well as on-line, the decision framework was refined to help the interdisciplinary team understand how values and interests were compared and weighed by the public (Von Winterfelt and Edwards 1986, Saaty 1992a).

After the scoping period, MCDS was used again in public meetings to adjust the decision framework based on scoping comments, and to refine the alternatives considered in detail (see Chapter 2). Two public workshops were held to discuss the draft alternatives developed in response to public comment and revisit the MCDS tool. An evening workshop was held at the Visalia Convention Center on June 18, 2009, and an all day workshop was held at the Sequoia National Forest Supervisor's Office in Porterville on June 19, 2009.

The Forest Service and U.S. Institute for Environmental Conflict Resolution will use MCDS on-line during the draft EIS comment period. The decision framework contains the amended criteria and subcriteria, the alternatives, and the ratings for each alternative. The ratings are based on the analysis that is presented in Chapter 4 of this draft EIS.

To gain input from the Tule River Indian Reservation (TRIR) tribe and landowners adjacent to the Monument, Forest Service employees met with different members of the tribe and resources staff. Two formal tribal consultation meetings were held with the TRIR Tribal Council, on April 14 and July 20, 2009. In addition, three informal meetings were held with TRIR tribal forestry and environmental staff members on February 23, August 14, and August 31, 2009, to discuss the Monument planning process and the MSA. Forest Service employees met with the Elders Council on October 14, 2009, and attended four quarterly Forest Tribal Forum meetings on January 14, April 30, August 19, and December 17, 2009.

Meetings with Mediated Settlement Agreement (MSA) Signatories

From November 2008 through May 2009, Sequoia National Forest personnel conducted a comprehensive review to determine which of the provisions of the MSA have been incorporated into amendments to the Forest Plan. This review found that a number of provisions were never fully incorporated through plan amendments. On April 13 and May 19, 2009, meetings were held with the appellants who signed the MSA to discuss which provisions may be applicable to the Monument. No formal determinations came from these meetings. The MSA review documents are in the project record on file at the Sequoia National Forest Supervisor's Office in Porterville, California. Applicable provisions of the MSA are considered for inclusion in this draft EIS.

Integrating Science

Since the Sequoia National Forest initiated the collaborative planning process in October 2007, a number of tasks were completed that link science to management, in particular for the development of the Monument Plan. The first was re-convening a portion of the Scientific Advisory Board (SAB) formed in 2001 (which functioned through 2003). In May 2008, the Forest Service met with former members of the SAB to review the science advisories that were developed between 2001 and 2003. The group discussed whether the science advisories are still relevant, how

they are being implemented, and how they may be used in developing a new EIS and Monument Plan. In July 2008, the Forest Service provided a public comment period for reviewing the advisories and determining their relevance to the present planning process.

In September 2008, the Forest Service held a Southern Sierra Science Symposium to share current scientific information with the interested public, academia, and research scientists. The symposium focused on five agents of change affecting the southern Sierra region: climate change, fire, forest management, pollutants (air), and invasive species. The goal of the symposium was to develop a program of research, resource management, and public education to help mitigate the impacts of agents of change (including climate change) on ecosystems of the southern Sierra Nevada.

As a result of the symposium, personnel from the host agencies--including the National Park Service, the Forest Service Pacific Southwest Research Station, and the U.S. Geological Survey--developed an adaptive management strategy to address climate change in the southern Sierra Nevada. In June 2009, this group produced "A Strategic Framework for Science in Support of Management in the Southern Sierra Nevada Ecoregion" (June 2009).

In October 2009, a Science Review Panel was convened to formalize a process for reviewing how the interdisciplinary team integrates current science into the development of the draft EIS and draft Monument Plan. A science review determines whether an analysis or decision document is consistent with the best available science. The review is accomplished by judging whether scientific information of appropriate content, rigor, and applicability has been considered, evaluated, and synthesized in the documents that underlie and record land management decisions. On November 10, 2009, a public meeting was held in Visalia to introduce the Science Review Panel process and the scientists who reviewed the draft EIS and Monument Plan. At that meeting, the public was asked to submit scientific resources for the panel to consider as they review the Forest Service documents. The panel of scientists prepared a report of its review of the draft documents, found in Appendix F of this draft EIS.

Comments: 6

Issues

Comments from the public, other agencies, the Tule River Indian Tribe, and other Native American groups were used to formulate issues concerning the proposed action. The public comments received during the scoping period from March 18 to May 4, 2009 surfaced several issues. Many of the comments expressed a general lack of trust in Forest Service management or reiterated the values, interests, and beliefs shared in the third-party facilitation.[10]

All comments received were reviewed and analyzed by the interdisciplinary team to " … identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review … " (Council on Environmental Quality, Sec. 1506.3). All the public comments received during scoping are in the project record on file at the Sequoia National Forest Supervisor's Office in Porterville, California.

The following issues were identified for the Monument.

10 See the public involvement section of this chapter for further information.

Issue 1 – Recreation and Public Use

Recreational use and enjoyment of the Monument is increasing, resulting in competition between different types of public use and a greater need to protect the objects of interest [listed in Chapter 2, Alternative A].

The Clinton proclamation states, "The plan will provide for and encourage continued public and recreational access and use consistent with the purposes of the monument" (Clinton 2000, p. 24097).

As part of scoping, the public identified that there is a need to provide for a wide variety of sustainable recreational opportunities, while protecting the objects of interest. Public use consists of more than the current and projected uses of the land. It also includes the historical and prehistoric human uses that must be protected, researched, and interpreted to show the connection of people to place and people to people.

How Issue 1 is addressed: The management strategies for human use or recreation management proposed to address this issue vary by alternative, based on the intent of each alternative. Unit of Measure: Recreation Demand Analysis (qualitative data). See Appendix D of this draft EIS for the complete Recreation Demand Analysis.

Comments: 7

Issue 2 – Road and Trail Access

Maintain a road and trail system that provides safe access for a diversity of uses, while reducing impacts to sensitive resources and the objects of interest, and reducing conflict between different types of use (motorized/non-motorized).

The Clinton 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 non-motorized 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 (Clinton 2000, p. 24098).

In 2001, a road system was designated to comply with the Clinton proclamation. A number of roads and trails have become impassable since that time, due to lack of use and/or maintenance. The public concern is that roads and trails will be closed, especially those that lead to favorite locations in the Monument.

How Issue 2 is addressed: The Clinton proclamation directs the Forest Service to prepare a transportation plan as part of the Monument Plan. The Clinton proclamation states clearly what types of use are allowed on designated roads and trails. Access via roads and trails varies by alternative, based on the intent of each alternative. Units of Measure: roads open to the public (miles of open roads [percent of total], and potential to change roads), and potential to change the trail system.

Comments: 8

Issue 3 – Diverse Array of Wildlife and Their Habitats

Proposed fuel reduction and ecological restoration treatments may adversely affect the amount and distribution of wildlife species and their habitat, especially the Pacific fisher.

The Clinton proclamation states:

> The great elevational range of the monument embraces a number of climatic zones, providing habitats for an extraordinary diversity of plant species and communities. The monument is rich in rare plants and is home to more than 200 plant species endemic to the southern Sierra Nevada mountain range…. This spectrum of interconnected vegetation types provides essential habitat for wildlife…. The mid-elevation forests are dominated by massive conifers arrayed in a complex landscape mosaic, providing one of the last refugia for the Pacific fisher in California. The forests of the Monument are also home to the great gray owl, American marten, northern goshawk, peregrine falcon, spotted owl, and a number of rare amphibians (Clinton 2000, p. 24096).

The objects of interest in the Monument (detailed in Chapter 2, Alternative A) include a diverse array of animal species such as the Pacific fisher, the great gray owl, the American marten, the northern goshawk, the peregrine falcon, the California spotted owl, the California condor, the western pond turtle, and several rare amphibians. A more refined list of the objects of interest can be found in Chapter 2 of this document. The best available science needs to be used to protect wildlife and the wide array of habitats in the Monument. This science needs to be relevant and timely in terms of managing Monument resources. The Monument should continue to contribute substantially to the long-term viability of habitat and populations that depend upon different stages of forest succession, in particular the mature forest.

How Issue 3 is addressed: The potential impacts on wildlife and their habitat vary by alternative based on the intent of each alternative. Units of Measure: acres of protected habitat (such as protected activity centers, carnivore den site buffers, etc.); acres of wildland urban intermix (WUI); miles of road; and number of developed and dispersed recreation sites.

Comments: 9

Issue 4 – Fuels Management/Community Protection

Fuels reduction as proposed, to protect communities and the objects of interest in the Monument, may not be effective in terms of how much is treated and the kinds of treatments used.

The Clinton proclamation states:

> Fire suppression has caused forests to become denser in many areas, with increased dominance of shade-tolerant species…. One of the most immediate consequences of these changes is an increased hazard of wildfires of a severity that was rarely encountered in pre-Euroamerican times. Outstanding opportunities exist for studying the consequences of different approaches to mitigating these conditions and restoring natural forest resilience…. Fire suppression has caused forests to become denser in many areas, with increased dominance of shade-tolerant species. Woody debris has accumulated, causing an unprecedented buildup of surface fuels (Clinton 2000, p. 24095).

Management of fuels in dense forest is not only important for forest health, but also for communities within and adjacent to national forest boundaries such as the Tule River Indian Reservation. Severe wildfires not only threaten structures, but also threaten sensitive resources, wildlife, and watersheds that provide drinking water.

There is considerable debate about the different ways to respond to the increasing threat of fire and what types of treatments are the most effective for fuels reduction and fire protection. Different methods of reducing fuels should be evaluated. Proposed treatments follow existing direction and locate fuel treatments across broad landscapes, using a combination of prescribed fire, managed wildfire, and mechanical treatments. Some of the public agrees with a recent study that mechanical treatments are only needed in the 200 to 300 feet immediately adjacent to structures. Others are concerned that the Forest Service will cut more and larger diameter trees than are absolutely necessary for fuels reduction.

The need to address the buildup of surface and ladder fuels in the Monument must be reconciled with the prohibition of removing trees except for ecological restoration and maintenance or public safety.

How Issue 4 is addressed: The management strategies for fire and fuels proposed to address this issue vary by alternative, based on the intent of each alternative. Units of Measure: size of the wildland urban intermix (WUI) zones; percentage of the Monument treated by prescribed fire, mechanical means, and managed wildfire using the SPECTRUM Model;[11] and estimated future acres of moderate and high fire susceptibility.

11 Information about the SPECTRUM Model can be found in Appendix C of this draft EIS.

Comments: 10

Issue 5 – Tree Removal

There is considerable and meaningful debate about the conditions under which trees need to be cut, and about when and in what form a tree should be removed from the Monument, for ecological restoration.

The Clinton proclamation states:

> No portion of the monument shall be considered to be suited for timber production, and no part of the monument shall be used in a calculation or provision of a sustained yield of timber from the Sequoia National Forest. Removal of trees, except for personal use fuel wood, from within the monument area may take place only if clearly needed for ecological restoration and maintenance or public safety (Clinton 2000, p. 24097).

The public is concerned that the Forest Service will cut and remove more and larger diameter trees than are absolutely necessary for ecological restoration and maintenance or public safety purposes. Some also recognize that fire alone may not achieve the desired forest conditions within necessary timeframes to protect the objects of interest and nearby communities from large, stand-replacing wildfires. Others expressed a desire for balanced and sustainable forest management that includes neither clearcutting nor leave-it-alone policies.

How Issue 5 is addressed: The amount and type of tree removal vary by alternative, based on the intent of each alternative. Unit of Measure: percentage of the Monument treated by prescribed fire and mechanical means using the SPECTRUM Model.

Comments: 11

Issue 6 – Methods for Sequoia Regeneration

There is ongoing debate about the methods that would successfully promote the regeneration, establishment, and growth of giant sequoias.

The Clinton proclamation states:

> Sequoias and their surrounding ecosystems provide a context for understanding ongoing environmental changes. For example, a century of fire suppression has led to an unprecedented failure in sequoia reproduction in otherwise undisturbed groves. Climatic change also has influenced the sequoia groves…. These giant sequoia groves and the surrounding forest provide an excellent opportunity to understand the consequences of different approaches to forest restoration. These forests need restoration to counteract the effects of a century of fire suppression and logging (Clinton 2000, p. 24095).

There are differences in opinion as to what balance of forest disturbances and what combination of fire and mechanical treatments would help promote and establish giant sequoia regeneration. There is even some disagreement as to whether openings in the canopy are necessary. Fires could be allowed to burn hot enough to create openings if relatively high mortality is acceptable. Regeneration plans should include planting and natural seeding.

A variety of scientifically based treatment methods is necessary to determine the most successful means of regenerating sequoias. Active on-site monitoring and research, in close cooperation with other agencies and the public, should be reflected in management of the Monument.

How Issue 6 is addressed: Methods for giant sequoia regeneration vary by alternative, based on the intent of each alternative. Unit of Measure: estimated acres of giant sequoia regeneration.

Comments: 12

Issue 7 – Fires Spreading to Tribal Lands

A large wildfire spreading to the Tule River Indian Reservation from the Monument could result in irreversible damage to the tribe's watershed resources and community.

Because more than half of the Tule River Indian Reservation borders the Monument, the Tule River Indian Tribe expressed concerns about the effects that large wildfires could have on cultural and sacred sites in the Monument and on the reservation. They are concerned that the existing fuels conditions (high fuel loads) on Monument land adjacent to their property present a significant wildfire hazard to the tribal community, resources, and the South Fork Tule River watershed, the primary source of water for the reservation.

How Issue 7 is addressed: A tribal fuels emphasis treatment area was created in collaboration with the tribe and appears in some alternatives. Unit of Measure: Acres of tribal fuels emphasis treatment area (TFETA[12]), if present.

Comments: 13

12 See Chapter 2, Alternative B for a map of this area.

Issue 8 – Obligation to Analyze MSA under NEPA

Bring forward and implement the agreements set forth by the MSA, analyzing the effects in the NEPA process.

The Forest Service agreed to apply the provisions in the MSA until they are incorporated into an amendment to the 1988 Forest Plan. In the Memorandum and Order for the People of the State of California v. United States Forest Service 8/22/2006, the judge states that the MSA "remains in effect to the extent it has not been amended by other NEPA-compliant amendments."[13] Through this order, the Forest Service is instructed to consider the remaining applicable provisions of the MSA in the new Monument Plan. Comments expressed concern that the proposed action understates the importance of the MSA and that the MSA continues to apply to the Monument to the extent it is consistent with the Clinton proclamation. Some of the signatories to the MSA suggested an alternative to manage the Monument as guided by the MSA.

How Issue 8 is addressed: Alternative E was developed to address this issue and incorporate the MSA provisions, as appropriate. Alternatives A, B, C, D, and F also include applicable provisions of the MSA.

Issue 9 – Manage the Monument Like Sequoia and Kings Canyon National Parks

Since this federal land is now a national monument, it should be managed like a national park, in particular like Sequoia and Kings Canyon National Parks.

The Clinton proclamation states, "The Secretary of Agriculture shall manage the monument, along with the underlying Forest, through the Forest Service, pursuant to applicable legal authorities, to implement the purposes and provisions of this proclamation" (Clinton 2000, p. 24097).

Many comments from the public expressed the desire to manage the Monument in the same way and using the same methods as the adjacent national parks, Sequoia and Kings Canyon National Parks (SEKI). There is a perception that SEKI's management practices, especially in the groves, result in less tree cutting and tree removal.

How Issue 9 is addressed: Alternative C was designed to mimic SEKI management practices and was developed in collaboration with personnel from SEKI. This alternative is not an exact replica of SEKI management because some national park management policies or direction could not be applied to the Monument. The two federal agencies, the Forest Service and the National Park Service, and their respective departments, the Department of Agriculture and the Department of the Interior, have different laws, regulations, and policies governing their management direction.

Comments: 14

13 *People of the State of California, ex rel. Lockyer v. United States Department of Agriculture, et al., No. C-05-00898 CRB.*

Issue 10 – Convene a New Scientific Advisory Board

A new Scientific Advisory Board should be convened for the current planning process as stipulated by the President Clinton proclamation.

The Clinton proclamation states:

> The Secretary, in consultation with the National Academy of Sciences, shall appoint a Scientific Advisory Board to provide scientific guidance during the development of the initial management plan. Board membership shall represent a range of scientific disciplines pertaining to the objects to be protected, including, but not necessarily limited to, the physical, biological, and social sciences (Clinton 2000, p. 24098).

A Scientific Advisory Board (SAB) was appointed in 2001 as mandated, and operated under a Department of Agriculture charter. It consisted of eight members, representing a range of scientific disciplines including the physical, biological, and social sciences. The SAB provided scientific guidance in the form of advisories during the development of the 2004 Giant Sequoia National Monument Management Plan Draft and Final Environmental Impact Statements and Record of Decision. The board met six times between June 2001 and March 2003 and provided 27 advisories to the Forest Service.

Concerns were raised in public comments that a new and independent SAB needed to be empaneled for the current planning process. Comments indicated that many scientific questions remain to be addressed, in particular regarding methods for giant sequoia regeneration (see Issue 6) and the relationships between Pacific fishers, spotted owls, and wildfire. Some feel that the Clinton proclamation's mandate for a Scientific Advisory Board remains in effect because the initial Monument management plan was not implemented but remanded by the courts.

How Issue 10 is addressed: Convening a new SAB as an issue will be eliminated from detailed study because it will not be considered in any alternative. In May 2009, the Forest Supervisor determined that a number of the existing scientific advisories are still relevant for the new Monument Plan and that the Forest Service had already complied with the need for a Scientific Advisory Board during development of the initial plan.

In the past few years, the Forest Service developed direction regarding scientific review procedures. Science review guidelines were developed and standardized, and they were codified in the Forest Service Handbook in 2006 (Forest Service Handbook 1909.12-2006-5, Chapter 40 – Science and Sustainability). This scientific review process is being used for this environmental analysis. A science review panel will review the draft EIS and Monument Plan and submit a report of their findings to the Forest Service, which will be available to the public.

Comments: 15

Issue 11 – Tribal Access to and Protection of Cultural Sites

Resource management activities and increased public use could negatively affect tribal member access to traditional sites and the cultural resources in the Monument.

The Clinton proclamation states:

> During the past 8,000 years, Native American peoples of the Sierra Nevada have lived by hunting and fishing, gathering, and trading with other people throughout the region. Archaeological sites such as lithic scatters, food processing sites, rock shelters, village sites, petroglyphs, and pictographs are found in the monument (Clinton 2000, p. 24096).

The Tule River Indian Tribe expressed concern about the effects of management activities on traditional use and sacred sites within the Monument. In particular, the tribe is concerned that increased public enjoyment of the Monument and scientific research of cultural resources could disturb those sites and hamper their access to them.

How Issue 11 is addressed: Tribal access to and protection of cultural sites as an issue will be eliminated from detailed study because current management direction for cultural resources applies to all of the alternatives. Stewardship of cultural resources and tribal access to those resources are required by federal law and regulation, and all alternatives will meet these requirements. The Forest Service will continue to consult with the Tule River Tribe in identifying and protecting cultural resource sites. The analysis of environmental consequences for cultural resources in Chapter 4 discusses the effects on cultural resources by alternative.

Comments: 16

Issue 12 – Livestock Grazing

Grazing by livestock can be harmful to monument ecosystems and, in particular, to meadow and riparian ecosystems.

The Clinton proclamation states : "Laws, regulations, and policies pertaining to administration by the Department of Agriculture of grazing permits … on National Forest System lands within the boundaries of the monument shall continue to apply to lands within the monument" (Clinton 2000, p. 24098).

How Issue 12 is addressed: Livestock grazing as an issue will be eliminated from detailed study because current management direction for grazing will not be changing in any alternative. The analysis of environmental consequences in Chapter 4 discusses the effects of livestock grazing on Monument resources.

Comments: 17

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