

# STEWARDS OF THE SEQUOIA

**Non-profit 501c3**

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**Wofford Heights CA 93285**

August 15, 2022

Objection Reviewing Officer  
Deputy Regional Forester Elizabeth Berger  
USDA Forest Service Pacific Southwest Region  
1323 Club Drive  
Vallejo, CA 94592;

Re: Objections to Revised Land Management Plan for the Sequoia National Forest FEIS  
Via Email: [objections-pacificsouthwest-regional-office@usda.gov](mailto:objections-pacificsouthwest-regional-office@usda.gov)

Dear Deputy Regional Forester Elizabeth Berger,

We submit these objections on behalf of over 3000 Stewards of the Sequoia (Stewards) members who enjoy all forms of recreation in the Sequoia National Forest. Our members care deeply about public access, recreation and the environment. Stewards are stakeholders and have invested thousands of hours in performing volunteer trail maintenance in the Sequoia National Forest clearing over 10,000 downed trees, building over 5000 water bars and brushing hundreds of miles of trails and planting over 500 trees to speed reforestation after wildfires.

Stewards have been engaged in the Sequoia Forest Plan Revision since 2011 when we participated in the Sierra Cascades Dialogs where our objections caused the Forest Service to host a Recreation Dialog. This turned out to be the best attended dialog producing an outcome the Forest Service was not expecting, namely that the Forest Service has closed too many routes and trails and access, and that more routes and trails and access need to be provided. Stewards members will be directly affected by the management decisions of the Sequoia National Forest Plan Revision.

We offer the following objections to your Revised Land Management Plan for the Sequoia National Forest FEIS Draft Record of Decision R5-MB-325 June 2022 (Sequoia Forest Plan Revision), based new information as well as issues raised in our most recent comment letter September 26, 2019 - Sequoia Forest Plan Revision Revised DEIS Comment, and related to our other past comments, including but not limited to our below listed 10 comment letters, which were not addressed by the Forest Service in that Revised Sequoia Forest Plan.

1. July 8, 2014 - Comment on the Updated LRMP Revision Need to Change.
2. September 21, 2014 - Wilderness Evaluation Comment

3. September 29, 2014 - Forest Plan Revision Comment for Sequoia, Sierra and Inyo
4. July 13, 2015 - Wilderness Evaluation boundary adjustment recommendations
5. November 5, 2015 - Concerns with Changes to PCT Management in Forest Plan Revision
6. August 25, 2016- Comment on Sequoia, Sierra, Inyo DEIS/DRLMP
7. August 5, 2018 - Tiering of Forest Plan Regarding Pacific Crest Trail for Sequoia, Sierra and Inyo
8. August 20, 2018 - Opposition to New Wilderness and Backcountry Designation Areas
9. October 20, 2018 - Pacific Crest Trail and Public Health and Safety
10. September 26, 2019 - Sequoia Forest Plan Revision Revised DEIS Comment

**Our analysis of the Sequoia Forest Plan Revision has shown it to be in violation of the-**

- National Scenic Trails Act of 1968
- 1982 Pacific Crest Trails Comprehensive Management Plan
- 1981 Sequoia Pacific Crest Trails Comprehensive Management Plan
- NEPA pre-determined outcome and process errors
- FSH 1909.12-24.43(1e) Forest Plans must be compatible with PCT Management Plans
- FSH 24.3 Forest Plan must be compatible with PCT designated area plan
- FSM 1926.15 to correct Recreation Opportunity Spectrum (ROS) inconsistencies.
- FSH 1909.12 Part 24.43 protecting the resource values for which the trail (PCT) was designated
- Primary PCT purpose by eliminating or reducing the viewing of multiple use.
- Need for Transparency and contains misinformation

Some of our objections may appear repetitive, however they are only repeated where there is a new instance of objection which is examining a different point. We would appreciate going over each one with staff during the objection review meeting so that Forest staff can be sure to address each point and correct all violations or concerns.

The following instructions were included to help the public understand what can be included in this Revised Sequoia Forest Plan Pre-Objection version.

It states that the Sequoia Forest Plan does not provide site specific direction for recreation trails.

*Pre-Objection Sequoia LRPs set the overall management direction and guidance for each of our national forests. Many of us are more familiar with site-specific Forest Services projects that occur in a single ranger district or in a particular watershed. In contrast, Pre-Objection **Sequoia LRPs do not provide site-specific direction**, such as where to put a **recreation trail** or what timber will be harvested, but instead guide management activities at a forest wide scale, providing direction of uses within each national forest. (Citizen Guide Part 1)*

1. We therefore object to the Revised Sequoia Forest Plan creating a PCT Management Corridor as this is clearly trail specific, as well as district specific, and therefore cannot be part of this Pre-Objection Sequoia LRP.
2. We also object to the Revised Sequoia Forest Plan “superseding” the 1981 Sequoia PCT Comprehensive Management Plan is clearly trail specific and cannot be part of the Pre-Objection Sequoia LRP.

As you will see one of our primary objections is that this programmatic Sequoia Forest Plan cannot supersede or replace the trail specific 1981 Sequoia Comprehensive PCT Management Plan or change trail specific PCT management in any way, as this is not allowed in a programmatic Forest Plan. While we also make objections about the content or lack of content of the proposed changes to PCT Management, we must stress this in no way means we approve of the Forest Plan creating any changes to PCT Management. Instead, it is our objecting to every level of violation and improper forest planning regarding changing PCT Management, as this is our only opportunity to file objections.

We applaud the Sequoia National Forest for removing the proposed PCT Corridor from the Sequoia Forest Plan Revision. We hope the Sequoia National Forest will also remove the PCT Management Area and all changes to PCT management from the Sequoia Forest Plan Revision due to their lack of compliance with a Forest Plan as described in this objection letter. However, we caution the Sequoia National Forest that the PCT Corridor should not be reintroduced since it suffers from all the objection points we have raised in this objection letter about the PCT Management Area and would therefore not be suitable in the Sequoia Forest Plan.

It is expected that the Sequoia Forest Plan Revision would start with the existing 1988 Sequoia Forest Plan revise each section.

1. We object that the proposed Sequoia Forest Plan Revision does not contain a revised recreation demand section 3-42 as the existing 1988 Sequoia Forest Plan does. (As noted in our comment of July 8, 2014 Comment on the Updated LRMP Revision Need to Change.)
2. We object that the Sequoia Forest Plan Revision does not address recreation demand and carrying capacity. Dispersing recreation is the cornerstone of what makes recreation sustainable. Recreation demand and public preferences, including preserving and increasing motorized recreation opportunity for current and future generations, must be part of the Forest Plan (FSM 1909.12 23.23a).
3. We object that the Forest Service has not Coordinated with Kern County and perhaps other counties as required by law for the Forest Plan Revision.
4. We object to the Sequoia Forest Plan Revision incorrectly stating that Kern County supports the Forest Plan. The Kern County Planning Department has informed us they do not support the Forest Plan and the Forest Service has not engaged with them and that the Revised Sequoia Forest Plan may not comply with existing Kern County plans.

## **Forest Plan Needs to Protect PCT View of Multiple Use Lands**

It is new information that the Forest Plan is proposing a PCT Management Area.

As the Forest Service has stated in the Revised Sequoia Forest Plan the appropriate management of National Scenic Trails (36 CFR § 219.10(b)(1)(vi)) is addressed in FSH 1909.12 Part 24.43 stating-

*c. The Interdisciplinary Team shall use the national scenic and historic trails rights-of-way maps required by 16 U.S.C. 1246(a)(2) to map the location of the trails. Where national trail rights-of-way have not yet been selected, the Interdisciplinary Team shall reference the establishing legislation (16 U.S.C. 1244(a)) as the primary source for identifying and mapping the national scenic and historic trails right-of-way. If the right-of-way has not been selected, either through legislation or publication in the Federal Register, the Interdisciplinary Team should use other information to delineate a national scenic and historic trails **corridor** that **protects the resource values for which the trail was designated** or is being proposed for designation (16 U.S.C 1244(b)).*

The Sequoia Forest Plan used the above to justify the creation or expansion of a PCT Corridor and now uses it to justify the creation of a PCT Management Area supposedly to **protect the resource values for which the trail (PCT) was designated**.

The Sequoia Forest Plan has also referred to the above as “providing for the **nature and purposes**” of the PCT trail.

The Revised Sequoia Forest Plan FEIS acknowledges it will manage the PCT according to the 1982 PCT Comprehensive Management Plan, which states -

*Within Federal lands outside National Parks and Wilderness (57% of the trail), the trail **must co-exist in harmony with all other resource uses and activities of the land** as determined through the land management planning process. The trail will cross a mosaic of areas differing in primary management emphasis. This could be grazing, key wildlife habitat, special interest such as scenic or geologic, developed recreation, unroaded recreation research natural, or intensive timber management. **Viewing and understanding** this array of resources and management is **one of the primary recreation opportunities** to be made available over these portions of trail. Some activities such as road construction, logging, prescribed burning, herbicide application, mining, etc., will require considerable informational and interpretive skills to be placed in a positive perspective from the standpoint of the user. **The agencies should look at this as an opportunity to explain the multiple use concept.***

(1982 PCT Comprehensive Management Page 21)

Accordingly, the Sequoia Revised Forest Plan must manage the PCT with “one of the primary recreation opportunities” on the PCT to “view and understand” multiple use and co-exist in harmony with all other uses. With this in mind-

1. We object that the Revised Sequoia Forest Plan creation of a PCT Management Area is harming that primary PCT purpose by eliminating or reducing the viewing of multiple use in violation of the above FSH 1909.12 Part 24.43 and the 1982 PCT Comprehensive Management Plan. (Page 21 above).
2. We object that the Revised Sequoia Forest has not protected the PCT viewing of multiple use lands outside of Wilderness, which is “one of the primary recreation opportunities” of the PCT

in violation of the above FSH 1909.12 Part 24.43 and the 1982 PCT Comprehensive Management (Page 21 above).

3. We object that the Revised Sequoia Forest has not shown that a PCT Management Area is necessary or would help to promote or protect “one of the primary recreation opportunities” of the PCT to view multiple use lands. Indeed, it would actually harm one of the primary opportunities of PCT recreation.
4. We object to the Sequoia Forest Plan Revision seeking to restrict or change the “view” to a very high standard which is not in keeping with the requirement for the PCT to “view” multiple use lands outside of Wilderness including road construction, logging prescribed burns and off-road vehicles.
5. We object to the Sequoia Forest Plan Revision not acknowledging the need to explain the multiple use concept and that one of the primary recreation opportunities on multiple use lands, such as the Piutes is for PCT users to view and understand multiple uses such as motorized recreation.
6. We object to the Sequoia Forest Plan Revision not acknowledging that they have not done their job by neglecting to explain the multiple use concept to PCT users and that one of the primary recreation opportunities on multiple use lands, such as the Piutes is for PCT users to view and understand multiple uses such as motorized recreation.

The Revised Sequoia Forest Plan FEIS defines the proposed PCT Management Area -

*“The Pacific Crest National Scenic Trail Management Area includes the area in the **visual foreground landscape zone** encompassing resources, qualities, values, associated settings, and **primary uses**. The visual foreground landscape zone is the area that is visible from the trail’s centerline at a height of 5 feet above the ground, extending up to one-half mile of the centerline, where visibility is not obscured by terrain.”*

(Revised Sequoia Forest Plan Record of Decision Page 26)

With this in mind-

1. We object to the Sequoia Forest Plan Revision creating a PCT Management Area with a visual zone that intends to reduce the ability of the PCT to enjoy “one of the primary recreation opportunities” on multiple use lands, such as the Piutes is for PCT users to view and understand multiple uses such as motorized recreation.
2. We object to the Sequoia Forest Plan Revision creating a PCT Management Area restricting or controlling “**primary uses**” to a different standard than the overall existing Roaded and Motorized ROS in the Piutes or other areas, or at a different standard than the overall General Recreation area in the Piutes or elsewhere outside of wilderness.

As the Sequoia Forest Plan ROD below states there are very few sections of the PCT left on multiple use lands.

*Of the 47 miles of the Pacific Crest National Scenic Trail on the Sequoia, 34 miles (about 72 percent) are within designated wilderness. The three areas of the Pacific Crest National Scenic Trail that are outside wilderness are: Piute Mountains (9.2 miles), Scodie Mountains*

*(2.3 miles) and Kennedy Meadows (1.3 miles). These areas are within General Recreation Areas and Challenging Backroad Areas, both of which are less developed than Destination Recreation Areas.*

(Revised Sequoia Forest Plan Record of Decision Page 22)

It is of extreme importance then to protect the full PCT multiple use experience in these few remaining non-wilderness areas per the National Trails Act and in compliance with the 1982 PCT Comprehensive Management Plan under which the Revised Sequoia Forest Plan seeks to manage the PCT.

To be honest about the only place where the PCT Management Area would have any impact is in the 9-mile section of multiple use lands in the Piutes.

- We object that the Revised Sequoia Forest Plan has not protected this 9-miles section of multiple use in the Piutes where the PCT resource of viewing and experiencing multiple use activities can be continued in order to comply with the 1982 PCT Comprehensive Management Plan.
- We object that the Revised Sequoia Forest Plan is instead harming the ability of the PCT to enjoy one of the primary recreation opportunities of viewing and experiencing multiple use in the Piutes outside of wilderness with the creation of a PCT Management Area limiting multiple use in violation of the 1982 PCT Comprehensive Management Plan.

## **We Object that Congress does not change Forest Service ROS**

It is new information according to the Revised Sequoia Forest Plan, that Congress changed the Sequoia Kiavah ROS

The Revised Sequoia Forest Plan FEIS states-

*However, the recreation opportunity spectrum map for alternative A shows the Scodie Mountains as mostly primitive because Congress designated the area as the Kiavah Wilderness in 1994, **which changed the recreation opportunity spectrum class**. This change is a result of the wilderness designation by Congress and not forest plan revision, so it is not included as a change to be analyzed. (FEIS Vol 2 Page 570)*

***This change is a result of the wilderness designation by Congress and not forest plan revision.*** (FEIS Vol 2 Page 579)

1. We object that Congress does not change Forest Service ROS. Only the Forest Service can change their ROS and it must be done in a valid NEPA planning process. The California Desert Protection Act creating the Kiavah Wilderness does not mention anything about ROS. The Congressional designation of Wilderness would cause the Forest Service to change the ROS to non-motorized during the next valid Forest Plan process, which in the case of Kiavah would be this Revised Sequoia Forest Plan process.
2. We object that the Revised Sequoia Forest Plan is attempting to change the Kiavah ROS to non-motorized without clearly disclosing that it is doing so.

3. We object that the Revised Sequoia Forest Plan is trying to hide the loss of 43,803 acres of Kiavah motorized ROS opportunity by claiming this is the existing condition as they show in the no action (Alternative A FEIS Vol 6 Map 16). Yet the current 1988 Sequoia Forest Plan shows the Kiavah area as motorized ROS and the Forest Service has as yet not changed that ROS to non-motorized in any valid plan.
4. We object that the Revised Sequoia Forest Plan does not analyze the need to rebalance the ROS to make up for the loss of the 43,803 acres of Kiavah motorized ROS.
5. We object that the Revised Sequoia Forest Plan is not tracking Kiavah motorized closure compensation credits per Sierra Nevada Plan Mediated Settlement Agreement page 103.
6. We object that the Revised Sequoia Forest Plan has not disclosed that there is currently a requirement to track motorized closure credits and the Forest Service has not determined that this requirement should be abolished.
7. We object that the Revised Sequoia Forest Plan does not show on any map where the below stated increase in SPM for the Alternatives.

*In the Sequoia National Forest, under alternatives B and B-modified, recreation opportunity spectrum classes would shift with more area allocated to semi primitive motorized and rural and less area allocated to roaded natural, compared with alternative A. However, primitive, roaded natural, and semi primitive motorized would continue to be the predominant recreation opportunity spectrum classes. (FEIS Vol 2 Page 581)*

## **We object the Forest Plan Has Not Addressed the Recreation Opportunity Spectrum Being Out Of Balance**

The Sequoia Forest Plan has not addressed our past comments about Recreation Opportunity Spectrum.

The creation of the Kiavah Wilderness took away 43,803 acres of Semi Primitive Motorized ROS lands and made them non-motorized without adjusting the motorized ROS elsewhere to make up for this huge loss. Yet the current 1988 Sequoia Forest Plan had determined that those 43,803 acres of motorized ROS were needed. This change to non-motorized has created a severe imbalance in the ROS with far more non-motorized and far less motorized than needed. Also, the Forest Service is aware the demand for motorized recreation is increasing.

1. We object that the Revised Sequoia Forest Plan has not at least preserved the existing 1988 Sequoia Plan motorized ROS acres, let alone designating more semi primitive motorized recreation opportunity in order to meet future motorized and mechanized needs. (Cordell et al 1999).



2. We object that the Revised Sequoia Forest Plan has not corrected ROS inconsistencies. (FSM 1926.15) as it claims to have done per *FEIS Vol 2 Page 569*, such as changing to motorized ROS where there are existing historic designated motorized Forest Service system motorized trails within non-motorized ROS areas including Long Canyon 34E40, Willow Gulch 34E41, Little Dry 32E52, Dry Meadow 34E31 trails and Siretta Trail 34E12 trails.

The Sequoia Forest Plan Revision states that “ROS classes are corrected and updated and are complementary to the recreation management area framework described above”. (Page 32 FEIS Vol1)

3. We object that the Revised Sequoia Forest Plan has not updated the ROS to complement the existing historic designated motorized use to SPM for the Piute area of Long Canyon 34E40, Willow Gulch 34E41, Little Dry 32E52, Dry Meadow 34E31 trails and Siretta Trail 34E12 trails.
4. We object that the Sequoia Forest Plan should treat the change of Kiavah Wilderness lands from SPM to SPNM after 1988 in this Forest Plan Revision, just as they are for lands around Lake Isabella acquired after the 1988 plan.

*Notes: The larger Total ROS under alternatives B, B modified, C, D, and E, compared with A, is the result of land that was acquired around Lake Isabella after the release of the Sequoia National Forest plan in 1988. The Forest Service decided to wait until this current plan to map the recreation opportunity spectrum for this land. Therefore, the no-action alternative does not include this land in the recreation opportunity spectrum acreage totals. (FIES Vol 2 Page 570)*

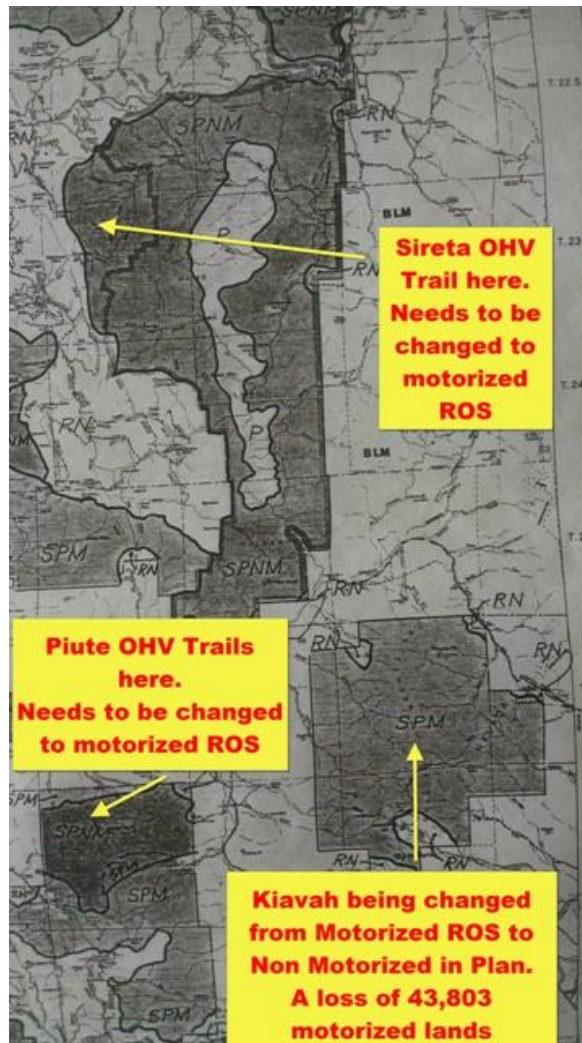
These acres around Lake Isabella were open to motorized travel before the land transfer so this does not really provide any increase in motorized acres

The Sequoia Forest Plan ROD states- *ROS and recreation management area maps both provide management direction for future projects.*(Page 21)

- We object that the Revised Sequoia Forest Plan does not change the ROS to motorized for the designated historic motorized Long Canyon 34E40, Willow Gulch 34E41, Little Dry 32E52, Dry Meadow 34E31 trails and Siretta Trail 34E12 trails to match direction for future projects, such as continued trail maintenance. The Sequoia National Forest has applied for and received tens of millions of dollars in OHV Grant funding which is used to maintain these trails.

SEE MAP NEXT PAGE





**Changes need to be made to Current Sequoia Recreation Opportunity Spectrum from 1988 Forest Plan**

## ROS Acre Issues

The Sequoia Forest Plan has not addressed our past comments on this issue.

- We object that the Revised Sequoia Forest Plan No Action Alternative A ROS acres Table 83 (below) are vastly different from the current 1988 Sequoia Forest Plan ROS Acres Table 3.10 (below). The Revised Sequoia Forest Plan mentions that some acres were acquired around Lake Isabella since the 1988 plan, but does not state how many acres, and those should not be reflected in Alternative A no action since there has been no Forest Plan amendment to include or adjust those ROS acres. The Revised Sequoia Forest Plan should show in Alternative A the ROS acres per the 1988 Sequoia Forest Plan in order be correct and to allow the public the ability to compare what is being changed in the Sequoia Forest Plan Revision and for the deciding official to be able to clearly understand what may be changed.

Revised Sequoia Forest Plan No Action Alternative A ROS acres Table 83-

**Table 83. Acreage of recreation opportunity spectrum classes by alternative, Sequoia National Forest**

<b>Recreation Opportunity Spectrum Class</b>	<b>Alternative A Acres (percentage of total acres)</b>	<b>Alternatives B, B-Modified, and D Acres (percentage of total acres)</b>	<b>Alternative C Acres (percentage of total acres)</b>	<b>Alternative E Acres (percentage of total acres)</b>
Primitive—Total	300,326 (38%)	300,326 (37%)	453,046 (56%)	431,969 (53%)
Primitive—Designated Wilderness	300,326 (38%)	300,326 (37%)	300,326 (37%)	300,326 (37%)
Primitive—Outside of Wilderness (Designated or Recommended)	0	0	0	0
Primitive—Recommended Wilderness	N/A	0	152,720 (19%)	131,643 (17%)
Semiprimitive Nonmotorized	39,338 (5%)	39,311 (5%)	28,452 (4%)	38,450 (5%)
Semiprimitive Motorized	174,529 (22%)	252,950 (31%)	133,744 (16%)	148,177 (18%)
Roaded Natural	273,899 (34%)	195,621 (24%)	173,880 (21%)	169,718 (21%)
Rural	8,290 (1%)	22,357 (3%)	21,443 (3%)	22,251 (3%)
<b>Total ROS</b>	<b>796,382</b>	<b>810,565</b>	<b>810,565</b>	<b>810,565</b>

Notes: The larger Total ROS under alternatives B, B modified, C, D, and E, compared with A, is the result of land that was acquired around Lake Isabella after the release of the Sequoia National Forest plan in 1988. The Forest Service decided to wait until this current plan to map the recreation opportunity spectrum for this land. Therefore, the no-action alternative does not include this land in the recreation opportunity spectrum acreage totals.

1988 Sequoia Forest Plan ROS Acres Table 3.10

**Table 3.10 - Current Dispersed Area Acres, Capacity (PAOT), and RVD's by ROS Class**

<b>ROS Class</b>	<b>Acres</b>	<b>PAOT</b>	<b>1982 RVD's</b>
P	35,900	1,100	2,000
SPNM	122,400	6,200	88,000
SPM	76,500	41,800	42,000
RN	340,400	761,100	761,000
R	<u>1,700</u>	<u>43,600</u>	<u>689,000</u>
<b>Total</b>	<b>576,900</b>	<b>853,800</b>	<b>1,582,000</b>

- We object to the Revised Sequoia Forest Plan showing a large increase in SPM for Alternative B, however there is no explanation of how or where this increase in SPM

acreage is proposed. While there is a valid need to increase SPM ROS acres, we are not aware of any increase.

## **We object that the Sequoia Forest Plan has a Predetermined Outcome to create a PCT Management Area in violation of NEPA**

This is new information as the PCT Management Area was just now brought up in the FEIS.

- We object that the Revised Sequoia Forest Plan has a predetermined outcome of creating a PCT Management Area in every Alternative B, C, D and E shown below-
    - *Alternative B would create a management area for the Pacific Crest National Scenic Trail.*
    - *Compared to alternative B, alternative B-modified would include the same amount of recommended wilderness (4,906 acres in the Sequoia National Forest), and the same management direction for the Pacific Crest National Scenic Trail Management Area.*
    - *The Pacific Crest National Scenic Trail Management Area would be the largest, relative to all alternatives, under alternative C and based on the Scenic Attractiveness A inventory layer.*
    - *The Pacific Crest National Scenic Trail Management Area would be smaller than under alternatives B and B-modified. No areas of recommended wilderness are included under alternative D.*
- (Sequoia National Forest Revised Forest Plan FEIS Vol 1)*

In prior versions of the Sequoia Draft Plan it was also a predetermined outcome to have the creation of PCT Corridor in each Alternative. It appears that the Forest Service realized that changing or creating a PCT Corridor in a Forest Plan would be trail specific as the PCT Corridor is discussed in the PCT Comprehensive Plan, which is clearly trail specific. So, the Forest Service changed tactics by changing the name of the PCT Corridor to a PCT Management Area, which is really the same thing and certainly is still trail specific and therefore cannot be created in a Forest Plan. We are dismayed by the Forest Service dogged pursuit to create a PCT Corridor or PCT Management Area in the Sequoia Forest Plan without any valid need, contrary to existing land management, contrary to the 1981 Sequoia PCT Management Plan and 1982 PCT Management Plan and in total disregard of proper Forest Planning policy.

## **We Object that the Sequoia Forest Plan Revision Violates National Scenic Trails Act, 1982 PCT Comprehensive Management Plan and 1981 Sequoia PCT Comprehensive Management Plan**

The “superseding” of the 1981 Sequoia PCT Comprehensive Management Plan is new information

The Sequoia Forest Plan ROD states-

*The 1981 Sequoia National Forest Section Pacific Crest National Scenic Trail Management Plan (alternative A: existing plan direction), which identifies trail*

construction and communications objectives, as well as Sequoia National Forest segment-specific direction (for issues such as trail camps, water, litter disposal, interpretation, and signing), *is superseded in its entirety<sup>9</sup> and replaced with the management area direction in the revised forest plan.* The 1981 Sequoia National Forest Section Pacific Crest National Scenic Trail Management Plan did not include scenery, lands special uses, vegetation management, or fuels treatment-related direction. The management area in the revised forest plan provides a more comprehensive and modern suite of potential responses to effectively manage the impacts of increases in the numbers of trail users. *For example, while past visitor use planning focused centrally on carrying capacity, the science of recreation management has evolved considerably.* Managers will implement visitor use management strategies to minimize impacts to desired conditions for natural resources and visitor experiences through education (such as increasing visitor contacts), site management (such as relocating a facility), regulation (such as initiating a permit system), and enforcement (such as prohibiting access at a particular time) (MA-PCT-GDL 06).  
(Draft Sequoia Forest Plan Record of Decision Page 25)

- 1) Based on the above statement we object to the Sequoia Forest Plan Revision “superseding” the current valid 1981 Sequoia Comprehensive PCT Management Plan and “replacing” that trail specific plan with a programmatic Forest Plan, which is prohibited from being trail specific.
  - We object to the Sequoia Forest Plan Revision violating National Scenic Trails Act by “superseding” or eliminating the current Congressionally required 1981 Sequoia PCT Comprehensive Management Plan. (The National Trails System Act of 1968 and (P.L. 90-543, as amended through P.L. 111-11, March 30, 2009) (also found in *United States Code*, Volume 16, Sections 1241-1251)
  - We object that superseding the 1981 Sequoia PCT Comprehensive Management Plan has never been mentioned in any prior Sequoia Forest Plan draft, scoping or analysis and as such is not appropriate to be included in the FEIS. It has not been vetted by the public, nor will there be any opportunity for the public at large to comment. It is too late to introduce a new concept such as superseding the 1981 Sequoia PCT CMP.
  - We object that the public was never made aware that this Forest Plan would replace or supersede the 1981 Sequoia PCT Comprehensive Management Plan and as such were not allowed to be engaged on the elimination of the current Sequoia PCT plan or the creation of a new PCT Plan. This is a NEPA violation.

- 2) Furthermore, we object to the Sequoia Forest Plan Revision above claiming that PCT over use can be managed without a carrying capacity limit, but rather by education and enforcement and a permit system.
  - We object that there already is a PCT permit system of 50 people per day in place which has allowed extreme over use.
  - We object that the Forest Service has been unable to enforce the permit system. We object that the best method to limit PCT use is by enforcing a carrying capacity, which the Forest Service has been unwilling to do.
  - We object the Sequoia Forest Plan Revision has not provided details of exactly how they intend to limit PCT use.
- 3) The above Sequoia Forest Plan ROD states it “*will implement (PCT) visitor use management strategies*”. We object to the Revised Sequoia Forest Plan is programmatic and cannot change or implement specific PCT trail management.
- 4) We object to the Revised Sequoia Forest Plan not acknowledging the need to comply with the 1981 Sequoia PCT Management Plan carrying capacity of the PCT to be "140 people at one time (PAOD)" and established methods to ensure capacities were not exceeded, so as not to harm the PCT or the ecosystem. Forest staff have confirmed the required PCT capacity restrictions have not been implemented in Sequoia, violating the 1981 Sequoia Forest PCT Plan, the 1978 National Trails Act and possibly harming the forest. This is especially troubling considering other costlier and time-consuming aspects of the Sequoia PCT Plan appear to have been completed such as land acquisition, trail building, bridge construction, while implementing simple PCT carrying capacity limitations have been ignored. We object that this 37-year oversight needs to be acknowledged and addressed in the Sequoia Forest Plan Revision as well as every National Forest Plan Revision where the PCT carrying capacity restrictions have not yet been implemented. (As noted in our comment letter of November 5, 2015 Concerns with Changes to PCT Management in Forest Plan Revision)
- 5) It is also extremely troubling that the Sequoia Forest Service seeks to create a PCT Management Area limiting multiple in order to protect the PCT when in reality the main and perhaps only threat to the PCT is overuse, which the Forest Service has done nothing to prevent or manage and now seeks to eliminate the very carrying capacity which could meaningfully protect the PCT experience.
- 6) The ROD goes on to “*state the science of recreation management has evolved considerably*”. We object that Revised Sequoia Forest Plan has not shown what that new science is and how it can possibly be more effective in limiting overuse, compared to actually limiting use per the existing carrying capacity which the Forest Service has failed to enforce.

- We object that the Revised Sequoia Forest Plan does not state what the new Sequoia PCT permit would require. Would there be a certain number per day?
- We object that the Revised Sequoia Forest Plan only provides a very general description of ways that it will limit PCT trail use and fails to provide the specific methods which will be required to manage the PCT.

The 1981 Sequoia PCT Comprehensive Management Plan is the current authorized comprehensive management plan for the PCT in Sequoia. It embodies all authorized PCT management and protections for the PCT as mandated and created by the order of the National Scenic Trails Act and endorsed by the 1982 PCT Comprehensive Management Plan.

- 7) We not only object to the Forest Service “superseding” the 1981 Sequoia PCT Management Plan in a Forest Plan, but also object the Forest Service has not shown any compelling need to do so, and object that a programmatic Forest Plan cannot create, replace or supersede a trail specific management plan.
- 8) We object to the Sequoia Forest Plan Revision attempting to supersede the 1981 Sequoia PCT Comprehensive Management Plan, which according to the 1982 PCT Comprehensive Management Plan, *“embraces the Comprehensive Plan as the document providing overall guidance, direction and strategy for development, management, and administration of the trail”* (1982 PCT Comprehensive Management Page 25).  
The 1981 Sequoia PCT Comprehensive Management Plan was signed off and approved by the Sequoia Forest Supervisor, Forest Management Planner and Environmental Coordinator, Lands and Mineral Officer, Forest Engineer, Fire Management Officer, Range, Wildlife and Watershed Management Officer, Timber Management Officer, Recreation Officer, and Assistant Recreation Officer.
- 9) We object that if the Forest Service wishes to consider changing PCT Management, as it clearly does based on the illicit proposed PCT Management changes in the Sequoia Forest Plan, then the only course of action would be for the Forest Service to revise the 1981 Sequoia PCT Comprehensive Management Plan.

The 1981 Sequoia PCT Management Plan Introduction (below) states PCT Management Plans were created due to Congressional Act and Forest Service direction.

- This being the case we object PCT Management being changed in the Sequoia Forest Plan Revision instead of by amending the 1981 Sequoia PCT Management Plan with full NEPA process.

***The National Parks and Recreation Act (P.L. 95-625, November 10, 1978) requires a comprehensive plan for the acquisition, management, development and use of the Pacific Crest National Scenic Trail (PCNST).***

***U.S.D.A. Forest Service, through its Pacific Southwest Region (R-5) has directed each National Forest Supervisor and each agency head, where other jurisdictions are involved, to develop a management plan***



***for their respective portions of trail.***

(1981 Sequoia PCT Comprehensive Management Plan Page 1)

Since Region 5 Forest Service directed the creation of individual PCT Management Plans for each National Forest in which the PCT is located (above), it seems likely that Sierra and Inyo National Forests have complied with this and have existing PCT Management Plans for their Forests. In order to make any PCT Management changes, such as the proposed Forest Plan creation of a PCT Management Area, the 1981 Sequoia PCT Comprehensive Management Plan, Inyo and Sierra PCT Management Plans must first be amended or changed through full NEPA process. If PCT Plans do not yet exist for the Sierra and Inyo National Forests they are out of compliance with Region 5 direction and the Forest Plan must disclose that PCT Plans must be created in order to change or create PCT Management for those Forests.

- 1) We object to the Revised Sequoia Forest Plan Revision replacing or changing PCT Management by claiming that the Sequoia Forest Plan Revision is tiering off the 1981 Sequoia PCT Comprehensive Management Plan. As noted in our comment letter August 5, 2018, Tiering of Forest Plan Regarding Pacific Crest Trail for Sequoia, Sierra and Inyo
- 2) Yet the 1982 PCT Comprehensive Management Plan directs that “[e]ach National Park, Bureau of Land Management District, and National Forest ***will integrate the direction and guidance provided by the Comprehensive Plan into their respective land management planning processes***” (1982 PCT Comprehensive Plan Page 18).
- 3) So, the PCT Comprehensive Plans are the highest level PCT plans which will be “integrated” into each Forest Plan. We object that the Revised Sequoia Forest Plan cannot create or dictate PCT Management
- 4) We object to the Revised Sequoia Forest Plan Revision including anything other than a reference to each of the plans under which the PCT is authorized, namely the 1981 Sequoia PCT Comprehensive Management Plan, 1982 Pacific Crest National Scenic Trail Comprehensive Management Plan and the National Trails System Act
- 5) Furthermore, we object to Revised Sequoia Forest Plan Revision creating new PCT guidance, objectives and management for the PCT when the below clearly states that the PCT Comprehensive Plan provides that. Again, the Sequoia Forest Plan Revision must only acknowledge that the PCT will be managed according to the 1981 Sequoia PCT Comprehensive Management Plan, 1982 Pacific Crest National Scenic Trail Comprehensive Management Plan and the National Trails System Act.

*House of Representatives Report. No. 95-734, October 21, 1977. In describing the purpose of the Comprehensive Plan, the USFS stated that it intended the Plan to be “a fully coordinated document that provides overall guidance and objectives for development and management of the trail. More specific planning will be accomplished at the Bureau of Land Management District, National Park, and National Forest level and will deal with the specific issues and opportunities for that portion of the trail.” (1982 PCT Comprehensive Plan at i. See Ex. 4. )*



Furthermore,

*Based on an Environmental Assessment which selected a management alternative providing a variety of recreation experience levels, the intent of this Management Plan for the Sequoia National Forest section of the Pacific Crest National Scenic Trail (PCNST) is to provide management direction so that this trail will provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant' scenic, historic, natural, or cultural quantities of the area through which it passes. The plan will provide specific direction to relate the Forest wide goals, policies and objectives of PCNST management to the issues, concerns, and opportunities associated with the trail.*

*It provides information on the numbers, types, experience levels, and location of trail camps, trail heads and similar facilities which are or will be available along the Sequoia National Forest administered section of the PCNST. Direction is also included on signing and public information brochures to assist the public in using and enjoying the PCNST.*

*The Plan also provides information on acquisition, and completion of trail segments both within and outside Forest boundaries. It outlines the essentials of an inter-agency agreement with the Bureau of Land Management for trail maintenance and specifies restrictions of use on private land segments.*

*Finally, the Plan deals with carrying capacity by trail segment and establishes methods to ensure that the capacities are not exceeded.*

*(1981 Sequoia PCT Comprehensive Management Plan Page One)*

- 1) As we can see per the above the 1981 Sequoia PCT Comprehensive Management Plan already provides all required PCT management direction and protections. We object to the Revised Sequoia Forest Plan creating additional PCT Management requirements.
- 2) We object to the Revised Sequoia Forest Plan eliminating PCT management direction and protections without revising the 1981 Sequoia PCT Comprehensive Management Plan.
- 3) We object to the Revised Sequoia Forest Plan characterizing the 1981 Sequoia PCT Comprehensive Management Plan as some minimal document. Yet the above clearly states the 1981 Sequoia PCT Comprehensive Management Plan will provide management direction for the trail and specific direction to Forest wide goals, policies and objectives of PCTNST management to the issues concerns, and opportunities associated with the trail.
- 4) Finally, the 1981 Sequoia PCT Comprehensive plan as required by law, deals with carrying capacity by trail segment and establishes methods to ensure the capacities

are not exceeded. We object the Revised Sequoia Forest Plan is not acknowledging or complying with this.

The Sequoia Forest Plan acknowledges that they must manage the PCT according to the 1982 PCT Comprehensive Management, which states on page one that it-

— *Provides for a diversity of appropriate outdoor recreation opportunities **limited principally by the carrying capacity of the area** and the Congressional restriction on motorized use.*

- We object to the Revised Sequoia Forest Plan eliminating the specific Sequoia PCT carrying capacity limitation which the above PCT Management Plan states is the principal factor in limiting PCT use in order to protect the PCT experience and the environment.

The Revised Sequoia Forest Plan states-

*14 This would include adoption of any elements of the 1981 Sequoia National Forest Section Pacific Crest National Scenic Trail Plan in any other planning decisions. (FEIS Vol1 Page 32)*

- 1) We sought clarification on the above but the Forest Service declined. We agree with it. However, if the Revised Sequoia Forest Plan is calling for adopting of any elements of the 1981 Sequoia PCT Comprehensive Management Plan then it cannot be superseding or changing any aspect of the 1981 Sequoia PCT Comprehensive Management Plan.
- 2) We object that the Revised Sequoia Forest Plan has other sections which attempt to supersede the 1981 Sequoia PCT Plan and create new PCT management as shown in this objection letter.

Multiple Use motorized management is the emphasis within motorized ROS. The Pacific Crest Trail footprint is a non-motorized trail that is allowed in the Piute Semi Primitive **Motorized** area. The PCT shares these public lands with other forms of recreation. Motorized recreation is the primary land use in the Piutes. We would also point out the Forest Service established the Piute Landers Camp as an **OHV emphasis area**, not a PCT emphasis area. Also, the Sequoia Draft Plan acknowledges that *“Off-highway vehicle use (four-wheel-drive and all-terrain vehicles, dirt bikes, and other high-clearance vehicles) is concentrated in the Greenhorn Mountains, Piute Mountains, and Kern Plateau.”* (FIES Vol2 Page 567)

- We object that the Sequoia Forest Plan Revision should not allow the PCT to restrict or limit multiple use management or motorized use or create defacto non-motorized areas beyond the PCT trail tread itself in motorized ROS areas such as the Piutes.

The Forest Service foresaw the possibility of the PCT being used to expand non-motorized areas and restrict other forms of recreation. The 1982 PCT Comprehensive Management Plan (CMP) addressed these concerns by requiring the -

1. PCT to be a good neighbor to other forms of recreation
2. PCT to coexist in harmony with other forms of lands use (recreation)
3. PCT being a multiple use experience
4. Removal of corridor language from the PCT CMP

5. Acknowledging the Forest Service would need to educate the public about the PCT multiple use experience including seeing logging, road building and off-road vehicles.
- We object that the Sequoia Forest Plan Revision is not acknowledging the need to further the education of the public about the PCT being a multiple use experience.
  - We object that the Sequoia Forest Plan Revision should not be eliminating the PCT multiple use experience with the creation of a PCT Management Area restricting multiple use management contrary to the existing motorized ROS and General Recreation Area.

## Sequoia Forest Plan Violates Forest Regulations

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

FSH 1909.12-24.43(1e) - The Forest *"Plan components must be compatible with the objectives and practices identified in the comprehensive plan for the management of the national scenic and historic trail."*

- We object to the Sequoia Forest Plan Revision creating a PCT Management Area which limits or restricts multiple use management or effects travel management such as limiting or restricting other uses or causing existing in process historic motorized trails from being designated (FSM 1909.12 Chapter 20). To do any of the above would stop the PCT meeting the objectives of the 1982 PCT Comprehensive Management Plan such as coexisting in harmony with, or being a good neighbor to, this form of recreation. This would be a violation of above FSH 1909.12-24.43(1e).
- We object to the Sequoia Forest Plan Revision creation or expansion of the PCT Corridor Management Area as it would violate those requirements. It would not be keeping with the direction contained in comprehensive plans (CPs) (FSH 1909.12-43(1a))

FSH 24.3 – *Designated Area Plans. "The designated area authorities may require specific plans (such as wild and scenic river plans or national scenic and historic trail plans) for a designated area with additional requirements than those of the Planning Rule. The land management plans must also be compatible with these designated area plans (e.g. the PCT CMP) or either the land management plan or the designated area plan must be amended to achieve this compatibility."*

- We object that the Sequoia Forest Plan Revision creation or expansion of the PCT Corridor or PCT Management Area would be in violation of a number of requirements under the 1982 PCT CMP such as the five listed above, and therefore the Sequoia Forest Plan would, not be compatible with, and in violation of FSH 24.3 (above).
- We object that the Sequoia Forest Plan Revision is violating FSH 24.3 (above) by not making this Sequoia Forest Plan compatible with the designated 1981 Sequoia PCT Comprehensive Plan.

According to FSH 24.3 if the Forest Service wishes to consider the need to create or expand the PCT Corridor or create a PCT Management Area they must amend the 1982 Pacific Crest Trail Comprehensive Management Plan and the 1981 Sequoia Pacific Crest Trail Comprehensive Management Plan, which are the primary management plans for the PCT.

- We object that the Sequoia Forest Plan Revision creation or expansion of a PCT Corridor Management Area is in effect creating a restricted non-motorized area and restricting multiple use management, which is not compatible with the existing Piute Semi Primitive **Motorized** ROS

designated area (FSH 24.3) , or in harmony with the purpose for which the Semi Primitive Motorized area was designated. (FSH 1909.12-24.2(1b)

Likewise, in regards to National Scenic Trails (PCT), the Forest Plan must consider other aspects of the plan such as recreational settings (ROS) and existing rights of way. (FSH 1909.12-24.43(1f)

- 1) We object that the Sequoia Forest Plan Revision is seeking to create a PCT Management Area or PCT Corridor of Very High Scenic Integrity through the General Recreation Area contrary to FEIS Vol 6 Map 20. Please note that the Piute area is designated as medium to high scenic integrity, not very high which would restrict many forms of recreation and management options allowed in General Recreation Areas, as shown in Alternative B Scenic integrity objectives, alternatives B, B-modified, and D; Sequoia National Forest.
- 2) Furthermore, we object to the Revised Sequoia Forest Plan creating a PCT Management Area on top of the Piute General Recreation Area of multiple use in Semi Primitive and Roaded ROS area, as well as adjacent to private property. It is not justifiable and makes no sense to have a Management Area held to a different more restrictive standard overlaid on a General Recreation Area and opposed to the primary area motorized opportunity setting.
- 3) We would also like to point out that the Piute Semi Primitive Motorized areas and 2010 Piute Travel Management NOI establish a right of way for all existing non-system motorized trails in the area since the Travel Management Rule requires they remain open until the Piute Travel Plan analyzes them and either designates or closes them. Therefore, we object to the creation of a PCT Management Area that would restrict or limit the designation of those in process non-system trails would not provide for and manage those right of ways in violation of (FSH 1909.12-24.43(1a) and (1b) and FSH 1909.12-24.43(1f)
- 4) While FSH 1909.12-24.43(2f) says a Corridor "**May**" be created for a National Scenic trail. It does not require it. We object that the Forest Service does not recognize that PCT Corridor or PCT Management Area is not appropriate for the many reasons we provide in this comment letter and others. The Sequoia Forest Plan FEIS has introduced a new concept in the form of a PCT Management Area instead of a PCT Corridor. Since there were huge valid objections to the PCT Corridor it seems the Forest Service now wants to call it by another name, but it is still objectionable for all or many of the same reasons as well as others.
- 5) We object to the use of a Management Area specific to a trail such as the PCT. From the Forest Plan Glossary Definition Management Areas are not endorsed by the National Scenic Trails Act, as the Corridor was. It is clear Management Area was meant to apply to vegetation management not trails. As such it is not suitable to apply Management Area to a trail. Also, the Forest Plan is programmatic and cannot be trail specific so it cannot create a PCT Management Area.
- 6) We object that the Revised Sequoia Forest Plan has not acknowledged that the National Trail System Act and 1982 PCT Comprehensive Management Plan (along with the EA that was prepared to adopt the 1982 PCT CMP) makes it very clear that multiple use activities are consistent with the nature and purposes of the PCT.
- 7) While we appreciate the Revised Sequoia Forest Plan has recognized the need to increase the pace and scale of forest management and fuel reduction, we object that it has then severely

hampered those efforts by creating a PCT Management Area which would restrict active management in the Piutes and elsewhere.

- 8) For the above reasons and others, we object that the Sequoia National Forest plan must ensure multiple use management is allowed surrounding and crossing the PCT outside of wildernesses and parks. In the case of the Piutes the Sequoia National Forest plan must ensure this entire area is continued to be managed as a motorized emphasis area and motorized ROS. and that the existing in process non-system Piute motorized trails are all considered for designation and not restricted due to new PCT management direction.

As the Sequoia Forest Plan ROD states-

*I chose plan components that will help implement the National Trails System Act requirements to “**protect the nature and purpose of the (PCT) trail and to provide for the conservation and enjoyment of the nationally significant scenic, historic, natural, and cultural qualities of the areas through which the trail passes,**” **including plan components both for the (PCT) trail tread itself and its broader management area.***  
(Sequoia National Forest Revised Forest Plan Draft ROD 2022 Page 22)

*The (PCT) trail tread is open to foot and horse travel and closed to motorized<sup>2</sup> and mechanized travel.<sup>3</sup> **The management area is intended to protect the nature and purposes of the trail and to be responsive to the specific needs of the Sequoia.*** (Sequoia National Forest Revised Forest Plan Draft ROD 2022 Page 22)

- 1) We therefore object that the Revised Sequoia Forest Plan will harm the **nature and purpose** of the PCT by eliminating the PCT carrying capacity making it a human highway, harming solitude and the environment in violation of the National Trails System Act.
- 2) We object to Revised Sequoia Forest Plan “**including plan components both for the (PCT) trail tread itself and its broader management area**”, as this would clearly be creating trail specific management, which a Forest Plan is prohibited from doing.
- 3) The above claims the PCT Management Area is responsive to the needs of the Sequoia, however we object that this not correct. For example, the PCT Management Area will-
  - a) harm the environment and other forms of recreation and reduce needed multiple use management options
  - b) be contrary to the current land management designations of motorized ROS in the Piutes, dominant motorized recreation use in the Piutes and the proposed General Recreation Management Area.
- 4) These being the case we object that the above Sequoia FEIS justification is invalid for choosing the PCT Management Area Plan Component or any changes to PCT Management, and must be withdrawn.

The Sequoia Need to Change Supplement (Page 27) states that the condition of the Pacific Crest Trail was-  
*Declining outside designated wilderness, due to increased visitor use*

- 1) We object that the Sequoia Draft Forest Plan Revision has done nothing to limit PCT visitation to address this declining PCT condition both inside and outside Wilderness.

- 2) We object that the Sequoia Draft Forest Plan Revision seeks to eliminate the existing PCT Carrying Capacity, which would allow further unchecked increase in PCT visitor use, further damaging the PCT experience and the environment which the Forest Service is required to protect.
- 3) We object that the Sequoia Draft Forest Plan Revision has failed to disclose that the Sequoia Forest Service has not enforced the existing PCT Carrying Capacity as required and this is the primary cause of degradation of the PCT experience and the environment.
- 4) We object to the Sequoia Draft Forest Plan Revision not recognizing that the Kern County Sheriff seven-month investigation determined that claims about increased motorized trespass on the Sequoia sections of the PCT were untrue and that there was no damage caused by motorized use on the PCT.
- 5) We object that the Sequoia Draft Forest Plan Revision does not cite or include the Kern County Sheriff Report which was provided to them.

We would point out that the Sequoia Draft Forest Plan has not shown that the condition of the PCT has declined due to any other impacts other than increased PCT visitor use stated above (Page 27).

The Sequoia admits there is no evidence of motorized trespass-

*"Managers have not received any reports of incidents or conflicts on the portions of the trail that travel through the Sequoia National Forest." (Sequoia National Forest Assessment December 2013 Page 204).*

- We object that the Revised Sequoia Forest Plan indicates that motorized trespass on the PCT in Sequoia has degraded the PCT when there is no evidence to that.
- We object to the Sequoia Forest Plan Revision creating a PCT Management Area which will cause conflict with other uses, contrary to managing the PCT to harmonize with other established multiple uses per the 1968 National Scenic Trail Act (below)

*Section 7(a) of the 1968 Act establishes the relationship between the trail and the management of adjacent land:*

*Management and development of each segment of the National Trails System shall be designed to **harmonize with and complement** any established multiple use plate for that specific area in order to ensure continued benefits from the land.*

We would point out that the existing Piute inventoried motorized trail system is and established multiple use plate which the PCT must harmonize with.

We appreciate that the FEIS acknowledges that the current 1988 Sequoia Forest Plan includes visual resource management, but not trail specific tied to the Pacific Crest Trail.

*"The existing plans include forest wide standards and guidelines for visual resources management. This includes areas visible from the Pacific Crest National Scenic Trail, but*

*that management is not explicitly connected to the Pacific Crest National Scenic Trail. There is limited specific plan direction to guide activities near the trail tread.*  
(Revised Sequoia Forest Plan FEIS Vol 1, Page 21)

That is because a Forest Plan is prohibited from being trail specific. Any trail specific management must be done through a trail specific. In the case of the PCT that would be revising the 1981 Sequoia PCT Comprehensive Management Plan.

- We object that the Revised Sequoia Plan cannot create a management area that is “explicitly connected to the Pacific Crest National Scenic Trail”, such as the PCT Management Area or new PCT Desired Conditions, Goals or Objectives, as this would be trail specific and should not be part of a programmatic Forest Plan.
- Furthermore, the above infers that the Forest Plan action alternatives would include plan direction for the PCT to “guide activities near the trail tread. Again, we object that a Forest Plan cannot create PCT trail specific management direction. The only correct way to implement a PCT Management Area would be instead to revise the 1981 Sequoia PCT Comprehensive Plan.
- We object to the Sequoia Forest Plan Revision not disclosing that the current 1982 PCT Comprehensive Management Page 25 below, deleted language that requires the establishment of zones or corridors. We feel this also means to not include management area which is a form of zone or corridor.

*Revisions are recommended as follows:*

— *delete language that requires the establishment of zones or corridors.*  
— *delete "Pacific Crest Trail Guide for Location, Design, and Management" and substitute "Comprehensive Plan."*

- We object that the Sequoia Forest Plan Revision has not integrated all aspects of the 1982 PCT Comprehensive Management Plan as shown in this objection letter, even though they state it has.
- We object that the Sequoia Forest Plan Revision affects Travel Management as stated below that it would “guide management activities” that could affect the PCT, which could include the management of other trails.

*The up to 1-mile management area in the forest plan encompasses the visual foreground for Pacific Crest National Scenic Trail users, and therefore I found it to best **guide those management activities** that could most affect the experience of the Pacific Crest National Scenic Trail users.*

(Sequoia Forest Plan Record of Decision Page 27)



## PCT MANAGEMENT CHANGES CONTRARY TO PACIFIC CREST TRAIL MANAGEMENT PLAN

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

It would be useful to determine if there is any basis for new proposed PCT Desired Conditions, Objective, Standards, and Guidelines created in the Revised Sequoia Forest Plan. Fortunately there is a PCT Comprehensive Management Plan (CMP) and surprisingly the new PCT proposals are totally CONTRARY to that plan which was prepared by the Forest Service and the PCT Advisory Council (PCTA) and *"the Forest Service intends that the Comprehensive Plan be a fully coordinated document that provides overall guidance and objectives for development and management of the trail."* and the *"National Forest will integrate the direction and guidance provided by the Comprehensive Plan into their respective land management planning processes."* (1982 PCT CMP)

**Therefore, the Forest Plan Revision MUST follow the 1982 PCT Comprehensive Management Plan which states that-**

*Existing Management on Forest Lands meets the purpose of the PCT*

*"Management objectives and policies embodied in the establishing legislation creating such areas (Forest Service Lands) are sufficient to meet the purposes of the Pacific Crest National Scenic Trail." (PCT CMP Page 17)*

*The Pacific Crest National Scenic Trail will not impact other land uses*

*Section 7(a) of the 1968 Act establishes the relationship between the trail and the management of adjacent land: Management and development of each segment of the National Trails System shall be designed to harmonize with and complement any established multiple use plan for that specific area in order to ensure continued benefits from the land. (PCT CMP Page 20)*

*PCT will exist in harmony with all other lands uses*

*Within Federal lands outside National Parks and Wilderness (57% of the trail), the trail must co-exist in harmony with all other resource uses and activities of the land as determined through the land management planning process. (PCT CMP Page 21)*

*Acknowledges PCT was built in areas where OHV use is the primary activity. It is not appropriate to attempt to restrict or eliminate those historical motorized uses which often predate the PCT.*

*Motorized use (4-wheel drive and motorbike), of adjacent lands, in some situations, were the primary recreation activity. Trail construction through these lands posed administrative problems. (PCT CMP Page 13)*

*PCT will cross developed recreation, intensive timber management*

*The trail will cross a mosaic of areas differing in primary management emphasis. This could be grazing, key wildlife habitat, special interest such as scenic or geologic, developed recreation, unroaded recreation research natural, or intensive timber management. (PCT CMP Page 21)*

- We object that the Revised Sequoia Forest Plan has not disclosed that Trail class objectives in keeping with current Forest Lands Recreation Opportunity Spectrum could be sufficient to protect the PCT trail, rather than the new requirements such as visual conditions and restrictions on other uses listed in the Revised Sequoia Forest Plan PCT proposal.

*If the PCT requires a Wilderness experience then the Forest Plan should recommend closing all sections of the PCT which are outside of Wilderness in order to meet this condition.*

*The increasing pressure on public lands to produce wood, forage, and minerals to meet the nation's need brought with it the question of the relationship between the trail and its basic premises, and the management of other resources from the adjacent lands. The user generally perceives the trail as offering an opportunity to get away from the sights and sounds of man, a "wilderness" or "primitive" type opportunity. The user generally objects to management activity adjacent to the trail. This concept of the trail held by the majority of the users, stems partly from their own perception of what a National Scenic Trail should be and partly from what the agencies have, through their own brochures, exhibited the trail to be. Almost without exception, all information brochures have used photographs that depict landscapes untouched by man, giving the impression that the trail — at least across public lands — is a wilderness or primitive experience. (PCT CMP Page 12)*

The PCT Comprehensive Management Plan also mentions the "good neighbor" program (page 23) regarding where the PCT crosses private property. Based on the stated tolerance for multiple use the good neighbor policy was also no doubt intended to be applied to other forms of recreation on public lands. One section of the PCT Comprehensive Management Plan talks about working with other user groups to maintain positive relations and understanding.

- We object that the PCT Management Area proposal in the Revised Sequoia Forest Plan reflects an arrogant we will manage the PCT any way we want in violation of PCT Management Plans because we want it all and do not care what that does to anyone else attitude. It could even be said the PCT proposal intentionally seeks to restrict or eliminate other forms of recreation and multiple use management.

## **Multiple Use and Other Forms of Recreation Not a Threat To PCT Purpose**

The Sequoia Forest Plan has not addressed our past comments on this issue.

Back in 1968 the PCT CMP determined that existing Forest Plan guidance was sufficient to protect the values of the PCT. At that time clear cut logging was a standard practice and motorized use was allowed anywhere cross country. Since that time a plethora of environmental regulations have been put in place, timber cutting has been severely restricted and motorized travel is restricted to designated routes. With far greater protections in place today we have exceeded the PCT protections as defined in the PCT Comprehensive Management Plan. So, where is the threat to the PCT? There is none. The PCT is mostly located in Wilderness where the PCT Management Area is virtually meaningless, so the purpose of the proposed PCT Management Area is to do an end run on land management and create pseudo Wilderness areas on multiple use lands without Congressional or public approval. The one-mile PCT Management Area would remove 21 square miles or 13,440 acres from existing multiple use management.

- We object that the Revised Sequoia Forest Plan has provided no justification for a PCT Management Area especially when protections have increased beyond what the PCT Comprehensive management plan calls for.

The 1981 Sequoia PCT Comprehensive Management Plan (Page 13 below) established a number of Ranger District Tasks which would have provided better PCT management.

- We object that the Sequoia National Forest did not perform these tasks which are needed to protect the nature and character of the trail.
- We further object that doing these tasks along with enforcing the carrying capacity would better protect the nature and character of the PCT than a PCT Management Area.
- We object that the Revised Sequoia Forest Plan did not consider or disclose the above.

*Ranger District Tasks are:*

- a. Identify potential overnight sites on the Experience Level 1 segments.*
  - b. Establish the overnight capacity of the sites.*
  - c. Determine which sites are suitable for equestrian Users*
  - d. Designate, if necessary, a certain number of these sites for current use, reserving the remainder as replacement sites while the currently used sites naturally rehabilitate.*
  - e. Monitor use and impacts on all segments through establishment of a patrol/law enforcement action plan.*
  - f. Revise carrying capacity if situation warrants.*
  - g. Initiate permit system if capacities are exceeded.*
- (1981 Sequoia PCT Comprehensive Management Plan, Page 13)

The 1981 Sequoia PCT Comprehensive Management Plan stated that it was created by order of the The Act of November 10, 1978 to identify PCT trail carrying capacity to protect the resource, and to plan for its implementation.


Finally, the Plan deals with carrying capacity by trail segment and establishes methods to ensure that the capacities are not exceeded.

## C. Carrying Capacity.

### 1. Introduction

The Act of November 10, 1978 requires the identification of the trail carrying capacity and a plan for its implementation.

Policies (FSM 2353.046, R-5 Interim Directive No. 5, 2/20/79)

1. Manage as part of a National and Regional trails system.
2. Maintain at maintenance level 3.
3.  Identify and establish carrying capacity to protect resource and social values.

2. Specific Direction

Based on the introductory material, it follows that the social carrying capacity for the 46.8 miles of primitive segments of PCT for which the Sequoia N.F. has management responsibility is 140 people at one time (PAOT).

(1981 Sequoia PCT Comprehensive Management Plan Page 10)

Therefore,

- We object to the Revised Sequoia Forest Plan eliminating the PCT resource protection of a carrying capacity which is required to be in place per the Act of 1978.
- We object to the Revised Sequoia Forest Plan eliminating that 1981 Sequoia PCT plan which implemented the PCT carrying capacity as required under the National Park and Recreation Act.
- We object to the Revised Sequoia Forest Plan eliminating the existing PCT carrying capacity per the 1981 Sequoia PCT Comprehensive Management Plan, which was established to protect the nature and character of the PCT as well as to provide solitude which the Forest Service admits it must do. Furthermore, the creation of a PCT Management Area would do little or nothing to protect the solitude, nature or character since the Forest Service has allowed and encouraged the PCT to become a "human highway" with far too many users crowded on the trail destroying solitude from within as well as creating environmental issues.
- We object that the Revised Sequoia Forest Plan has not shown specifically how they are going to promote solitude and the nature of the PCT by eliminating the limitation on PCT use carrying capacity.
- We also object to the Forest Service not informing the public that the Forest Plan was going to replace the 1981 Sequoia PCT Comprehensive Management Plan until now in the FEIS when the public is prohibited from commenting.

## Piute PCT Carrying Capacity from 1982 PCT CMP (page 18) PAOT is "people at one time"

On the Piutes segment, an Experience Level III segment, the same rationale is applicable, except that a greater number of daily encounters is acceptable. Assuming that the "tolerance" level of backpackers is twice the encounters they prefer, than a capacity of one group per each three quarters of a mile seems acceptable. While the overnight capacity on this segment is a maximum of 15 backpackers at Mace Camp and 15 equestrians at Weldon Camp, the capacity of the trail allows for an additional day-use limit of 12 PAOT. The Piute segment capacity is shown as follows:

Piute Segment	- 7 miles: 42 PAOT
Backpacking overnight capacity	- 15 PAOT
Equestrian overnight capacity	- 15 PAOT
Day use	- 12 PAOT

## Number One Threat To PCT Experience Is Overuse Caused By Forest Service Not Enforcing Carrying Capacity

The Sequoia Forest Plan has not addressed our past comments on this issue.

Using the Piute Mountain Road PCT trail registers Dr. Mulvaney compiled the data showing PCT usage showing the Forest Service violated the 15 Piute PCT backpackers at one time maximum carrying capacity-

- 61 times in 2019 with up to 133 backpackers at one time
- 39 times in 2018 with up to 99 backpackers at one time
- 38 times in 2018 with up to 183 backpackers at one time
- 17 times in 2018 with up to 196 backpackers at one time

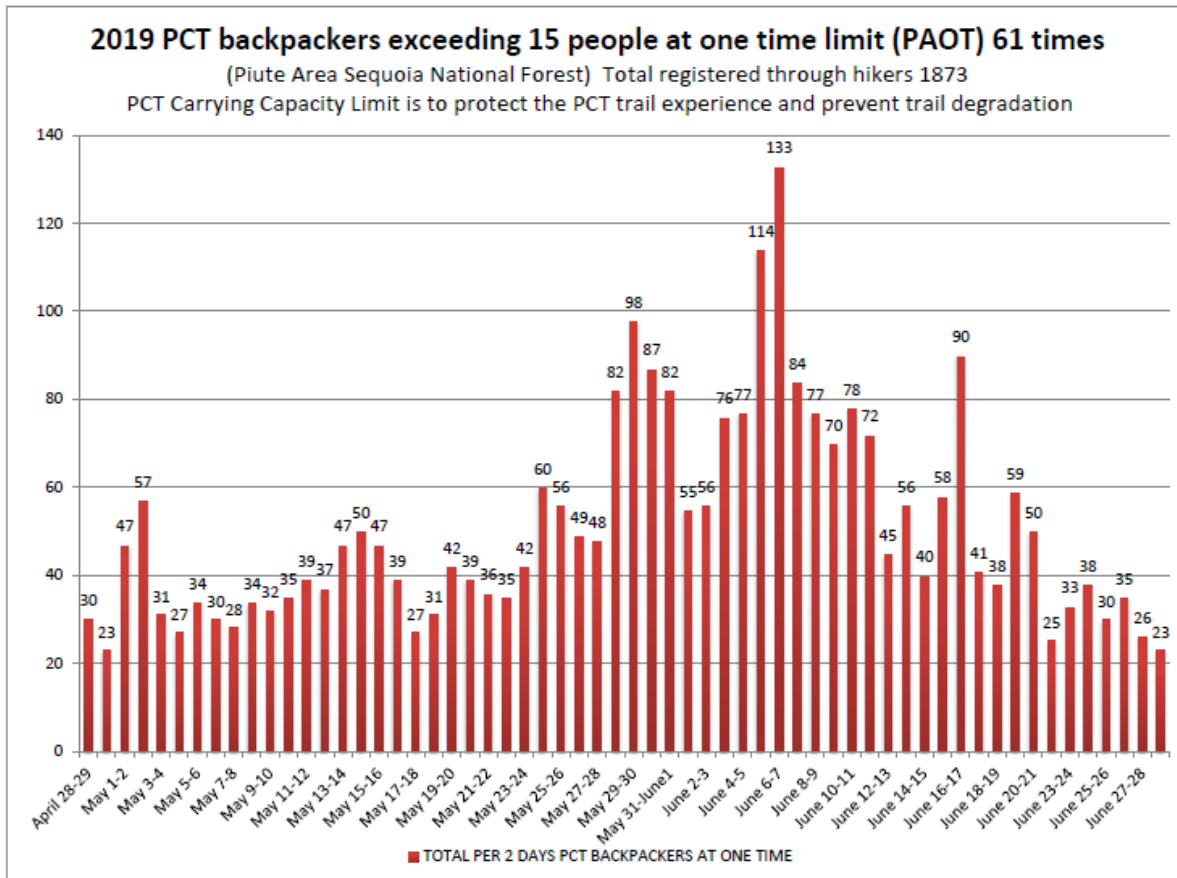
Dr. Mulvaney the Piute PCT Angel who maintains the Piute PCT water cache and aids PCT hikers informed the Forest on December 18, 2019 –

*I am truly stunned the Forest Service has failed in their job of managing the PCT and is harming the PCT experience and the environment by allowing as many as 1300% too many hikers on the trail with associated increased human waste, trash and denuding of expanded camping areas. Solitude is supposed to be one of the PCT experiences. The Forest Service has caused the PCT to become a human highway with up to 199 PCT hikers on the trail at one time in the Piutes instead of 15. It is also clear from the Piute PCT user numbers that the overall 140 Sequoia PCT users at one time is being far exceeded and I ask you take immediate steps to comply with your Sequoia PCT Management Plan to ensure PCT hikers are kept within the required carrying capacity limits next year.*

- We object that the Revised Sequoia Forest Plan has not disclosed the above overuse numbers or cited Dr. Mulvaney's PCT Trail Register Report.
- We object that the Revised Sequoia Forest is seeking to remove the PCT carrying capacity contrary to the evident dire need of it.

Deaths and rescues have been on the rise with Kern County Search and Rescue stretched to the limit. Frivolous PCT rescue calls are on the rise wasting hundreds of man hours, where PCT hikers might want some food or water and then continue on their way once Search and Rescue provide it

- We object that the Revised Sequoia Forest Plan has done nothing to protect public health and safety on the PCT and will allow it to escalate by eliminating the PCT carrying capacity and the creation of the PCT Management Area.



**Chart showing PCT use is far in excess of PCT carrying capacity**  
**This is the greatest threat to the nature and purpose of the PCT**  
(Dr. Jana Mulvaney Pacific Crest Trail Carrying Capacity Violations, December 18, 2019)

## **We object to the Sequoia Forest Plan Revision Harming World Class Piute OHV Trail System**

The Sequoia Forest Plan has not addressed our past comments on this issue.

While Sequoia Forest staff insist the Revised Sequoia Forest Plan does not close trails, there can be little doubt that the intent of the PCT Management Area is to reduce existing historic Piute motorized routes.

- We object that the Revised Sequoia Forest Plan will close existing historical inventoried routes through the implementation of their PCT Management Area and new PCT management conditions.

The PCT is about 86 miles long within the three Forest Planning area of Sequoia/Sierra/Inyo National Forests. Virtually the entire trail is in designated Wilderness which already provides a very large protected and exclusive use area for the PCT. The only place where the proposed PCT Management Area restricting multiple use management and other forms of recreation would make any real difference is the 10 miles where the PCT already coexists with the world class Piute OHV trail network.

The Piute trail network is a world class destination motorized trail system. Most likely the only remaining contiguous single-track motorized trail system left in California. Many feel the Piutes are without doubt the best motorized trail system in California.

- We object that the Revised Sequoia Forest Plan creating a PCT Management Area up to one mile wide cutting a swath through the middle of the Piute OHV trail system thereby fragmenting the underlying motorized ROS and decimating the Landers OHV emphasis area loop trail system and destroying the overall Sorrell Valley OHV trail integrity and possibly eliminating roughly 60 miles of Piute OHV loops through the closure of at perhaps 30 miles of existing historic motorized trails shown below from the Piute Travel Management NOI Map and Piute Trail Plan List 2011.

U00015 Alternate Trail	U00114 Jawbone Trail
U00045 Roadrunner Trail	U00020 Saddle Trail
U00037 Stubbs Trail	U00111 Sorrel Peak Trail
U00145 Mouse Trail	U00048 Sorrel Peak Trail
U00220 Stubbs Trail	U00054 Jawbone Trail
U00010 Squirrel Trail	U00051 Sorrel Peak Trail
U00312 Jawbone Trail	U00030 Jawbone Trail
U00012 Saddle Trail	

SEE MAP NEXT PAGE





trails that would likely have become designated if the Piute Travel Management had been completed as promised over the past decade without a PCT Management Area.

- We object that the creation of the PCT Management Area will affect Piute Travel Management, which a Forest Plan is prohibited from doing. Further we object that it is the intent of the Forest Plan to create barriers that will eliminate routes in Piute Travel Management. (FSM 1909.12 Chapter 20).

## Plan Harms The Economy and Sustainability

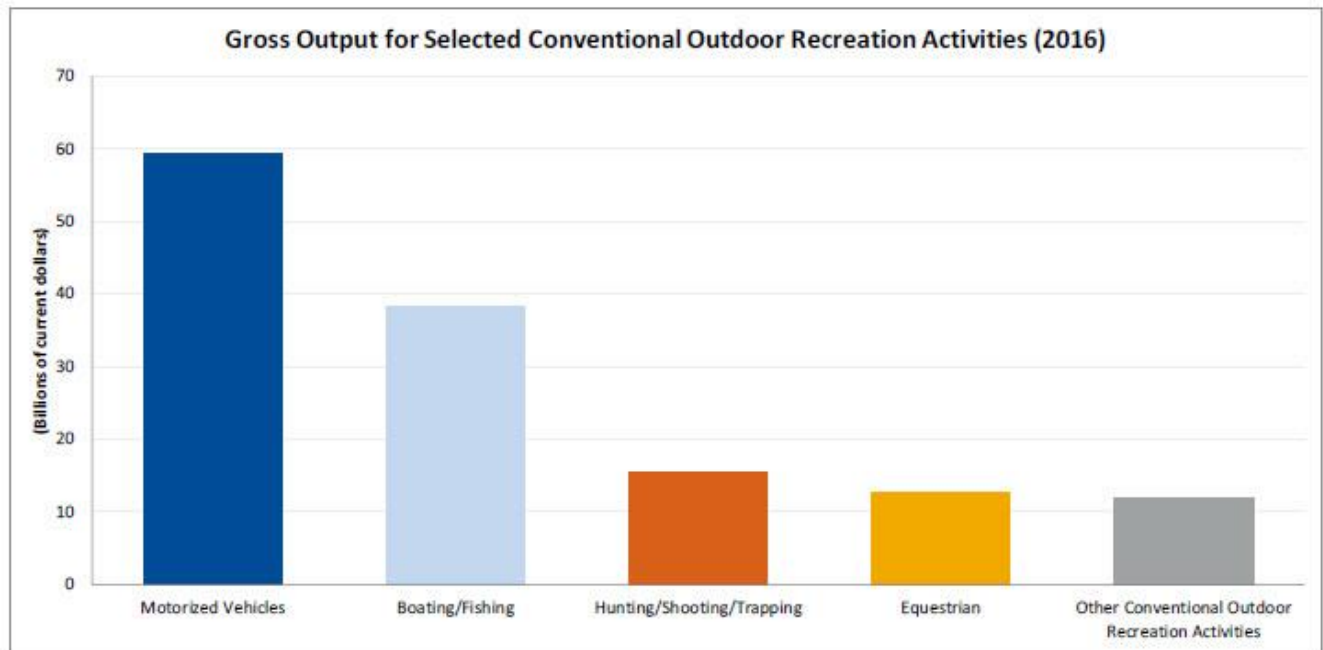
The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

The Forest Plan FEIS, as did the DEIS, continues to claim Alternative C and E will have "*some long-term beneficial effects on the sustainability of economic conditions in local communities*" (FEIS Vol 2, Page 77), but provides few specifics of how it will do this.

From a recreation perspective we find the opposite to be true. That Alternative C and E would be the MOST harmful to the local economy, as they have the most acres of restrictive designations, such as largest PCT Management Area and others, and the least amount of multiple use acres. From this we can only conclude that Forest Staff are placing a greater value on non-mechanized recreation. Yet that is not in keeping with the existing motorized designations and needs and desires of the public who recreate in the Piutes.

- We object that the Revised Sequoia Forest Plan has not treated all forms of recreation equally, and needs to preserve all existing recreation opportunity in order to benefit the economy.
- We object that each Alternative does not increase sustainability and help the economy. Instead we find every Alternative, except the No Action Alternative, will harm sustainable recreation and the recreation economy.
- We object that the Revised Sequoia Forest Plan does not recognize or consider the following literature which was previously provided -
  - **Motorized recreation is by far the largest economic form of recreation** (Outdoor Recreation Satellite Account: Prototype Statistics for 2012-2016, Bureau of Economic Analysis), (The Outdoor Recreation Economy, Outdoor Industry Association 2012)
  - **RECREATION AND TOURISM ARE VITAL TO MOST RURAL COMMUNITIES:** This is true for virtually all rural communities but especially important to counties with high percentages of public land. Actions by public agencies to reduce or limit access to recreation on public lands have a direct impact on the local economy. **Limiting access by closing roads, campgrounds, RV parking, and trails impact the surrounding communities.** ( Jobs Economic Development and Sustainable Communities, Humiston, USDA Rural Development 2010 )

- The number of participants in OHV activities increasing by 8 million participants between 1982 and 1995 (Cordell and McKinney 1999), with a 16 percent increase projected nationally over the next 50 years (Bowker et al. 1999).
- Need to develop more areas and opportunities for off-highway motorized recreation as identified among the specific issues to address in the *2008 California Outdoor Recreation Plan*



1. The likely closure of 30 miles of trails in the Piutes due to the creation of a PCT Management Area and new PCT Management direction will decimate the trail system and harm the economy.
2. Actions by public agencies to reduce or limit access to recreation on public lands have a direct impact on the local economy. Limiting access by closing roads, campgrounds, RV parking, and trails impact the surrounding communities. RECREATION AND TOURISM ARE VITAL TO MOST RURAL COMMUNITIES: This is true for virtually all rural communities but especially important to counties with high percentages of public land.<sup>1</sup>
3. The creation of recommended Wilderness will take away from multiple use lands where the majority of the public recreate. Few people recreate in Wilderness in Sequoia and spend far less in local communities than any other form of recreation.

## **The "Greatest Good" Is Not Being Served**

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

<sup>1</sup> Jobs, Economic Development and Sustainable Communities, Humiston 2010, USDA Rural Development

The Revised Sequoia Forest Plan has not revised the existing 1988 Forest Plan recreation demand studies.

However, we understand there were 1800 PCT hikers in 2019 per the PCT Trail Register Report in Piutes. However, there should only have been 330 PCT hikers under use limitations to protect the nature of the PCT trail. Clearly 330 people or even 1800 pales in comparison to the many thousands of Piute OHV trail users each year. Also consider most of the Piute trail users are repeat visitors and spend considerable money in the local town, whereas the PCT users are primarily one-time visitors and cannot purchase much since they cannot carry much and often have their supplies shipped in from elsewhere providing little local economic benefit.

- We object the Revised Sequoia Forest Plan is not following the Forest Service mandate to "provide the greatest good" by enacting management favoring the small segment of PCT users "the few", and harming the recreation opportunity of "the many" thousands of Piute OHV users.
- We object the Revised Sequoia Forest Plan is attempting to claim that their PCT changes are needed to protect the, however the PCT is doing fine without a PCT Management Area.

## Majority of PCT users Oppose PCT Corridor

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

- We object that the Revised Sequoia Forest Plan proposed PCT Management Area and superseding the 1981 Sequoia PCT Comprehensive Management Plan are solutions without a problem. It turns out the majority of PCT users have little or no issue with sharing their public lands with other Forest uses including motorized trails users.

Kern County Sheriff performed a two-year investigation including receiving 490 written surveys, where 89% of PCT users stated that "*seeing or hearing motorized trail bikes near the PCT did not detract from their PCT experience*".

The investigation was in response to allegations by ORV Watch that OHV's were trespassing on the PCT in the Sequoia National Forest in greater numbers and causing irreparable harm to the trail. The Sheriff's report determined the **allegations "were unfounded"**. Forest Service field surveys have found **no OHV trespass on the PCT**. This indicates there is no justification for restricting OHV trails near or crossing the PCT.

- We object that the Revised Sequoia Forest Plan has not acknowledged the Kern County Sheriff report and findings and used this as justification for not having a PCT Management Area.
- We object that the Kern County Sheriff report is not part of grey literature and best science in the Revised Sequoia Forest Plan.

During the investigation the Deputies interviewed 40 PCT users, who when asked about problems with motorized trespass and noise near the PCT made statements such as "It does not seem to be a problem" and "It's probably fabricated or something. It doesn't make sense." (Kern County Sheriff Memorandum Report 6/12/14)

The Sheriff report concluded-

***"It is clear that the vast majority of Pacific Crest Trail hikers and off-highway vehicle recreationists coexist harmoniously and peacefully. During the many in-person contacts with Pacific Crest Trail hikers, it was far more common for deputies to hear them express wonder and amazement at seeing motorcycles traversing a trail on a nearby hill than it was to hear expressions of dissatisfaction with having to share the environment with them. In many cases, the hikers expressed gratitude toward the off-highway vehicle recreationists for their offers of food and water. The survey responses from the legitimate users of the Pacific Crest Trail, the hikers, also support this conclusion."*** (Kern County Sheriff, Pacific Crest Trail OHV Trespass Investigation and Hiker Survey Report 10/18/16)

## **We object that the Sequoia Forest Plan seeks to reduce PCT Multiple Use Experience**

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

The vast majority of Piute PCT users have no desire for a PCT Corridor harming other forms of recreation on public lands as noted in the above section. However, the Pacific Crest Trail Association (PCTA) has stated their goal is to make the PCT, as much as possible, a "Wilderness experience".

The PCTA has also stated on their website that the Piute Travel Management NOI is unacceptable.

Clearly the creation of a PCT Corridor or now the PCT Management Area would further the PCTA agenda of making the trail more of a Wilderness experience and eliminating many existing Piute motorized trails as well as eliminating many multiple use management options and fuel treatments, but without having to fight to close the motorized trails, or go through Congress for Wilderness designation.

- We object that the Revised Sequoia Forest Plan is abusing the Forest Planning process to create trail specific management and pandering to the PCTA. Add to that the PCT is required to be a multiple use experience, yet making the "PCT Management Area" as proposed in Draft Alternatives B, C, D and E and the PCT Management Area would restrict multiple use management.



## PCT Search and Rescue Hampered

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

Kern County Search and Rescue, as well as Kern County Sheriff have complained to the Forest Service of the increasing number of PCT users in need of rescue and increasing deaths of PCT users. Most PCT rescues are possible due to rescuers being able to gain access to the PCT via motorized routes near the victim's location on the PCT.

- We object that the Revised Sequoia Forest Plan would harm safety contrary to Forest Service policy. Clearly a PCT Management Area would -
  - Seriously hamper Search and Rescue efforts to recover PCT victims
  - Increase the time to get to PCT victims
  - Likely increase the seriousness of PCT injuries and deaths due to longer rescue response times
  - Increase the cost of PCT rescues
  - Reduce the number of PCT calls that Search and Rescue could respond to due to lack of resources
- We object that the Revised Sequoia Forest Plan FEIS is not being realistic when it offers that Search and Rescue could access the PCT for rescue by non-system trails. However, if those trails are closed then they will be too brushed over for Search and Rescue to use.
- We object to the Sequoia Forest Plan Revision not acknowledging, disclosing and addressing the public safety issue of deaths and rescues on the PCT, especially since they have been increasing at a most alarming rate. (From our comment letter October 20, 2018 - Pacific Crest Trail and Public Health and Safety)
  - A perceived risk of death or injury to PCT hikers should have triggered emergency closure of the PCT under CFR Title 36 Section 261.53 Special Closures. In the past the Forest Service has closed other routes that merely had a perceived risk. The Sequoia National Forest has recently closed the PCT for public safety due to wildfire. These actual deaths and increasing rescues of PCT hikers demand the immediate closure of the entire PCT, so the Forest Service can come up with a plan to protect public health and safety and determine how to allow appropriate safe use of the PCT in future.
  - The Forest Service should implement and enforce the existing carrying capacity visitor numbers for the PCT of no more than 140 people at one time on the PCT in the Sequoia National Forest (*1981 Sequoia PCT Management Plan page 12*).
  - The Forest Plan should acknowledge the need to enforce existing carrying capacities such as those in 1981 Sequoia PCT Comprehensive Plan in order to comply with existing regulations and proactively address this issue of increased risk on remote hiking trails.
  - As part of their PCT safety program the Forest Service should institute a mandatory PCT permit program and require completion of an approved backcountry survival

program in order to qualify for a PCT permit and ensure reasonable safety of PCT hikers.

- The Forest Service has a program to fine lost hikers in the mountains East of Pasadena. The Forest Service should institute fines for PCT hikers who get lost and a program to charge hikers for rescues and body removal. Those fines and charges should be used to help pay County search and rescue.
- Counties should be reimbursed by the Forest Service for each search and rescue on the PCT.
- Removal of all PCT related management changes from the Sequoia National Forest Plan revision and all other Forest Plan revisions, since they would harm public health and safety, contrary to Forest Service mandate.
- The Forest needs to consult with County Search and Rescue in each National Forest to determine how to provide sustainable rescue for PCT hikers.

## **Encourage Loop Trails and Wider Spectrum of Alternatives**

The Revised Sequoia Forest Plan has not addressed our past comments on these issues.

- We object that the Revised Sequoia Forest Plan has neglected to include our proposal to make small Wilderness Boundary adjustments of 42 acres, 750 acres and 1465 acres which would restore more than 70 miles of loop trails and bring the Wilderness boundaries in compliance with FSM 1909.12, improve access to Wilderness, as well as many other benefits described in our proposal.

There are more than 70 miles of motorized loop trails that were inadvertently cut or closed off by past arbitrary Wilderness designations on the Rincon, Schaeffer, Rattlesnake and Moonachie trails.

Stewards of the Sequoia submitted a proposal on 7/13/15 for three minor Wilderness boundary adjustments-

- We object that the Revised Sequoia Forest Plan has not included our recommendation of adjustment of Wilderness boundaries as it is within the scope of the Forest Plan.
- We object that the Revised Sequoia Forest Plan did not include our Wilderness boundary adjustment proposal in the alternatives. This would provide a wider range of alternatives and address the Forest Service requirement to encourage loop trails.

To address this the following three proposals should be included in the Revised Sequoia Forest Plan:

<http://stewardsofthesequoia.org/pdf/WildernessBoundaryAdjust-Rincon-Binder.pdf>

<http://stewardsofthesequoia.org/pdf/WildernessBoundaryAdjust-HookerMeadowTrail-Binder.pdf>



The 1981 Sequoia PCT Management Plan explains Level III areas such as the Piutes where the PCT is not the dominant activity. (below)

- Level III, where users will still experience a feeling of being in expansive, relatively undeveloped country but where other land management activities will be dominant but not readily observable.

- We object to Revised Sequoia Forest Plan PCT Management Area will change the type and experience "Level" of recreation, by creating new restrictions on the "dominant" activity (motorized trail recreation) in areas such as the Piutes in direct violation of the 1981 Sequoia PCT Management Plan, so that it will no longer be Level III. This would be a PCT trail specific change and would affect Travel Management which a Forest Plan is prohibited from doing.
- We object to Revised Sequoia Forest Plan creating a PCT Corridor in the Piute Mountain area of the Sequoia National Forest, where existing semi primitive multiple use recreation would be the most negatively impacted by the newly proposed PCT based restrictions, is listed as a Level III experience area. The 1981 Sequoia PCT Management Plan states that Level III areas are where other non PCT land management activities (such as multiple use trails) will be dominant.

## What is On Or Along The Pacific Crest Trail?

The Sequoia Forest Plan has not addressed our past comments on this issue.

The Sequoia Forest staff recognize the importance of the Piute Travel Management Plan in preserving the world class historic Piute motorized trail system and the Revised Sequoia Forest Plan has added sections about how Travel Management will be affected by the PCT Management Area (below). However, without a definition of **"on or along"** the PCT, there is the potential for huge problems and errors in Piute Travel Management Planning and other future management plans. Considering that the Sequoia Forest Plan already contains a section on Piute Travel Management we feel it would be remiss in not defining **"on or along"** the PCT.

### Key Points About How Plan Components Relate to Travel Management Planning

Travel Management decisions:

- may designate motorized routes within the management area if travel management planning determines that motorized travel within the management area would not occur **on or along** the Pacific Crest National Scenic Trail and motorized travel would not **substantially interfere with the nature and purposes** of the Pacific Crest National Scenic Trail (MA-PCT-STD 04);

- must include rationale for the specific selected locations of motorized routes/areas within the management area and the widths of motorized route/area crossings of the trail and must explain how routes/areas designated within the management area are consistent with the prohibition of motorized travel **on and along** the trail and the prohibition of motorized travel that would **substantially interfere with its nature and purposes** (MA-PCT-STD 04); and
- may include the following, if necessary, to ensure motorized travel does not **substantially interfere with the nature and purposes** of the Pacific Crest National Scenic Trail—however, such actions are not automatically mandated for all routes or areas within the management area (MA-PCT-STD 04):
  - *closure of designated motorized routes or areas within the management area;*
  - *re-route of designated motorized routes within the management area to locations*
  - *removal, blocking, or naturalizing unauthorized routes within the management area.*

Therefore,

- We object that the Revised Sequoia Forest Plan has not defined the term **on or along** the Pacific Crest National Scenic Trail. We feel without a definition there will be inappropriate action to close motorized trails.

We feel **on or along** the trail is one in the same thing, referring to on or along the 24" PCT trail tread. In other words, on the PCT 24" trail tread or along the length of the PCT 24" trail tread. That it does not mean on or along the one-mile wide PCT corridor management area or crossing the PCT or being nearby the PCT.

- We object that the Revised Sequoia Forest Plan has not defined the term, ***does not substantially interfere with the nature and purposes of the Pacific Crest National Scenic Trail.***

According to the 1982 PCT Comprehensive Management Plan seeing multiple use including road building, logging and off-road vehicles in one of the primary PCT experiences. That being the case we feel that seeing motorized trail use not only does not interfere with the PCT, but is a required PCT experience that the Sequoia Forest Plan must acknowledge.

## Need to Increase Dispersed Motorized Recreation Not Addressed

The Sequoia Forest Plan has not addressed our past comments on this issue.

The current 1988 Sequoia LRMP has sections on Dispersed and motorized recreation Which shows that 64% of recreation in Sequoia was dispersed and there is an increasing demand for dispersed motorized recreation.

- 1) We object that the Revised Sequoia Forest Plan has not addressed or acknowledged this increased need for dispersed motorized recreation.

*e. Dispersed Recreation Opportunities*

*Participation in dispersed recreational activities on the Sequoia NF is*

*significant. In 1982, for example, approximately 64 percent of the total Forest use was in this category.*

*There is increasing use and demand for dispersed motorized activities on the Sequoia NF. (1988 Sequoia LRMP)*

- 2) We object that the Revised Sequoia Forest Plan has not provided sections on dispersed recreation.
- 3) We object that the Revised Sequoia Forest Plan is not addressing the increased demand for dispersed motorized recreation opportunity.
- 4) We object to the Revised Sequoia Forest creating a PCT Management Area that will likely hamper the ability to add motorized trails contrary to the acknowledged need for more.
- 5) We object that the Sequoia Forest Plan Revision does not plan for more multiple use trails in response to national trends indicating rapid growth in OHV use, with the number of participants in OHV activities increasing by 8 million participants between 1982 and 1995 (Cordell and McKinney 1999), with a 16 percent increase projected nationally over the next 50 years (Bowker et al. 1999). We feel the increase in Sequoia is even far greater percentage than the National trend, as indicated by the increasing use of local motorized trails.
- 6) We object to the Sequoia Forest Plan Revision not acknowledging the need to develop more areas and opportunities for off-highway motorized recreation as identified among the specific issues to address in the *2008 California Outdoor Recreation Plan*, which Stewards commented on July 8, 2014 Comment on the Updated LRMP Revision Need to Change.
- 7) We object to the Sequoia Forest Plan Revision not pointing out the need to eliminate Fixed Date Season of use in southern or high desert Forests where the wet weather is extremely variable and unpredictable per Forest Service own weather data. With fixed date closures the trails are often closed during the best weather to enjoy them. This has inappropriately closed more than 180 miles of routes,  
Rather than Fixed Date Season of Use forest orders on specific trails should be issued where wet weather actually occurs and when wet weather is a real problem and include a length of closure specify in the order to reopen when wet weather has ended, as Stewards commented on July 8, 2014 Comment on the Updated LRMP Revision Need to Change.

## **National Recreation Trail Issues**

The Sequoia Forest Plan has not addressed our past comments on this issue.

The Sequoia Forest Plan states for National Recreation Trails that-

*New plan direction would help **protect the attributes or which these trails were designated.***

- We object to the below section of the Revised Sequoia Forest Plan not disclosing that the Cannell Meadow National Recreation Trail will be managed according to the 1979 Cannell Meadow Establishment Report, such as being single track motorized for the entire length **which is an attribute the trail was designated for.** This should be disclosed in the Sequoia Forest Plan. The Revised Sequoia Forest Plan is required to state under what authority or plan each National Recreation Trail will be managed. There has been no Forest Order closing any part of the Cannel trail to motorized single track use, nor has there been any process changing use of the trail.

### ***National Recreation Trails***

*The Secretary of Agriculture has designated three national recreation trails on the Sequoia National Forest: Cannell Meadow National Recreation Trail, Summit National Recreation Trail, and Jackass National Recreation Trail (figure 20, appendix A). The Summit National Recreation Trail is entirely within the Giant Sequoia National Monument. As a result, the Giant Sequoia National Monument Plan applies to the Summit National Recreation Trail and the following plan components only apply to the Cannell Meadow National Recreation Trail and the Jackass National Recreation Trail.*

#### *Desired Conditions (DA-NRT-DC)*

*01 National recreation trails meet the intended goals and preserve the values and recreation opportunities for which they were established.*

*02 The trail setting provides a variety of opportunities that complement the desired recreation opportunity spectrum class where the trail segment is located.*

*03 Foreground views from the trail meet a scenic integrity objective at least as high as shown on the minimum scenic integrity map.  
(Sequoia Forest Plan FEIS Chapter 3 Page 126)*

### **New Judicial Precedent**

This is new information. Based on 36 CFR § 219.53 which states, “the [objection](#) concerns an issue that arose after the opportunities for formal comment.”

- We object that the Revised Sequoia Sierra Forest Plans need to act according to statutory authority and “clear congressional authorization” according to WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL. This ruling seriously calls into question the Roadless Area Conservation Rule. Until the Roadless Area Conservation Rule is codified in statute, we believe it would not withstand judicial scrutiny according to new legal precedent set by WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL.

According to the ruling, “the Government must point to “clear congressional authorization” to regulate in that manner.” 597 U. S. \_\_\_\_ (2022) “Under this body of law, known as the major questions doctrine, given both separation of powers principles and a practical understanding of legislative intent, the agency must point to “clear congressional authorization” for the authority it claims. *Utility Air*, 573 U. S., at 324. Pp. 16–20.

The Roadless Area Conservation Rule is not based on “clear congressional authorization. As such, we believe the **Revised Sequoia Sierra Forest Plans** need to develop alternatives that don’t rely on implementation of the Roadless Area Conservation Rule until that rule is codified by Congress or adjudicated.

- We object to **Revised Sequoia Sierra Forest Plans** must re-analyze any Recreation Opportunity Spectrum designations that designate parts of the forest as non-motorized because those areas are designated as roadless by the Roadless Area Conservation Rule.

We also believe that the precedent set by *WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL* calls into question the validity of the 2015 Subpart C Travel Management Rule for management of over-snow vehicles. This is another example of an agency rulemaking process that is not grounded in clear statutory authority based on clear congressional authorization.

- We object to any elements of the **Revised Sequoia Sierra Forest Plans** that contemplate implementation of the Subpart C Travel Management Rule.

The objection process necessarily anticipates the possibility and potential likelihood of success in subsequent litigation brought by an objector. In such a challenge the Administrative Procedure Act (APA) waives the United States’ sovereign immunity for those aggrieved by “final agency action.” 5 U.S.C. §§ 702, 704; *Lujan v. National Wildlife Federation*, 497 U.S. 871, 882 (1990). APA section 706(2) provides the relevant standard of review: a reviewing court shall “hold unlawful and set aside agency action, findings, and conclusions found to be—(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; [or] (C) short of statutory right; [or] (E) unsupported by substantial evidence....” This standard of review is “narrow” but the agency -

*must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made....Normally, an agency rule would be arbitrary and capricious if the agency has relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.*

*Motor Vehicle Mfrs. Ass’n v. State Farm Mutual Automobile Ins. Co.*, 463 U.S. 29, 43 (1983)

## Too Little Active Management

This is new information

The Sequoia Forest Plan states they will -

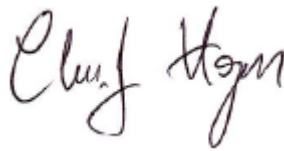
- Increase mechanical treatments from between 7500 acres to 12,000 acres
- Increase prescribed burns from 1500 acres to 12,000 acres over the next 15 years
- Double allowance of wildfire burns in the next 15 years to 76,400 acres

If we assume each of those figures is for 15 years, then the Sequoia is seeking to treat about 7000 acres a year.

- We object to the Revised Sequoia Forest Plan has not shown why it only seeks to treat 7000 acres each year. There are hundreds of thousands of acres of standing dead trees leaving huge fuel loads for future super-hot fires. There are thousands of acres of overgrown dying forest. These areas need to be thinned now. Clearly 7000 acres a year is not in keeping with the Forest Service talks about increasing the pace and scale of fuel reduction.
- We object to the Revised Sequoia Forest Plan does not comply with Sequoia's part in meeting the treatment of 500,000 acres per year by 2025 on Region 5 Forests per the "Agreement For Shared Stewardship Of California's Forest and Rangeland 2020". There are 20 National Forest in California, so if each were to take an equal part Sequoia would need to treat 250,000 acres over 10 years or 25,000 acres a year to comply with the agreement.
- We object that the Sequoia Forest Plan should allocate more mechanical treatment harvesting which provides a renewable product and jobs, and less burning that creates massive air pollution in the form of smoke and particulate matter, which is a health hazard.

We respectfully submitted the above objections to the Revised Land Management Plan for the Sequoia National Forest FEIS Draft Record of Decision R5-MB-325 June 2022. We look forward to meeting with you to discuss these objections and how the Forest Service can correct these concerns and violations.

Sincerely,



Chris Horgan  
Executive Director  
Stewards of the Sequoia  
501c3 non-profit  
[chris@stewardsofthesequoia.org](mailto:chris@stewardsofthesequoia.org)

*"Since being founded in 2004, Stewards of the Sequoia continues to be the largest on-the-ground organization of volunteers in the Sequoia National Forest. Our crews have maintained over 4,000 miles of trails and have planted hundreds of trees in reforestation projects. We represent in excess of 3000 members whose activities include camping, hunting, fishing, hiking, mountain biking, motorized recreation, boating, windsurfing, rock climbing and horse riding"*

**Promoting Responsible Recreation & Environmental Stewardship**