

March 17, 2023

Superintendent
Sequoia and Kings Canyon National Parks
Attn: Board Camp Restoration Project
47050 Generals Highway
Three Rivers, CA 93271

Sent VIA US Mail and the internet

These are comments from Wilderness Watch, Sequoia ForestKeeper, and the Kern-Kaweah Chapter of the Sierra Club regarding the Proposal to Re-establish Tree Seedlings in Severely Burned Giant Sequoia Groves and Adjacent Fisher Habitat Corridor in the Kings Canyon-Sequoia and John Krebs Wildernesses. Wilderness Watch is a national nonprofit wilderness conservation organization dedicated to the protection and proper stewardship of the National Wilderness Preservation System. Sequoia ForestKeeper is a local nonprofit forest conservation organization whose mission is to protect and restore the ecosystems of the Southern Sierra Nevada. The Kern-Kaweah Chapter of the Sierra Club is the local chapter of the Sierra Club with a long history of involvement with the Kings Canyon-Sequoia and John Krebs Wildernesses. We oppose the proposal for the reasons explained below.

Introduction

*With regard to areas of wilderness we should be guardians not gardeners.
--Howard Zahniser, 1963, author of the Wilderness Act.*

Aside from the trammeling aspect of this proposal, we also object to the potential use of motorized equipment. We address these issues in more detail in the following sections.

By way of introduction, and to ensure our substantive concerns will be addressed, we refer you to two other pieces of correspondence on this issue. The first is our scoping comments (Wilderness Watch and Sequoia ForestKeeper) sent on March 25, 2022 for a smaller proposal for the Board Camp Grove in the John Krebs Wilderness. We understand from reading the documents that this proposal incorporates and replaces the earlier proposal. The second is the extensive letter of January 2, 2023 (René Voss on behalf of Sequoia ForestKeeper, Wilderness Watch, the Kern Kaweah Chapter of the Sierra Club and the Sequoia Taskforce of the Sierra Club) to Elizabeth Boerke detailing the flaws with the previous proposal, which was much smaller than this latest proposal. We incorporate those letters and submissions into this scoping comment. With a few exceptions to provide background, we have generally refrained from repeating those earlier comments.

As stated in our earlier scoping comments:

We also question the gathering of cones/seeds from the project area prior to this scoping notice. It was a cumulative and connected action and should have been analyzed prior to doing so. As such, it has biased the NEPA analysis, which is supposed to provide for an objective analysis of alternatives. While few details are provided, the seed and cone gathering venture in Wilderness does raise another serious question: Did the collection of cones or seeds prevent greater natural seedling establishment in the area?

In addition, because the proposed action could set a precedent for future similar planting and

ecological manipulation actions in Wilderness, it is significant, to comply with NEPA, the Park Service must fully analyze its proposal in an Environmental Impact Statement.

Frankly, we are deeply concerned the NPS would treat Wilderness in such a cavalier manner. This latest proposal would have much greater impact on the Wilderness than even the earlier one and has no justification, even under the seriously flawed Reference Manual 41 regarding Ecological Interventions in Wilderness. Rather, this proposal is the agency doubling-down in its apparent antipathy to Wilderness by proposing even more extensive manipulation.

Wilderness Background

Our earlier scoping comments provide background of sound stewardship of Wilderness. We repeat some key paragraphs regarding Wilderness below:

The project would allow a level of manipulation and trammeling of the John Krebs Wilderness not permitted by the 1964 Wilderness Act. Any supposed future wilderness benefits are speculative and equivocal.

Howard Zahniser, drafter of the Wilderness Act, stated that “[a] wilderness is an area where the earth and its community of life are untrammled by man. (Untrammled – not untrampled – untrammled, meaning free, unbound, unhampered, unchecked, having the freedom of the wilderness.)” While the National Park Service (NPS) is rationalizing ecological intervention based on supposedly uncharacteristic fire and other human-induced changes, “[t]hese threats do not justify further interventions into the natural processes within wilderness areas. These projects, whose purposes are to restore (or redirect) natural processes through the exercise of human agency, are precisely the intrusions of human culture that the Wilderness Act meant to exclude from these special places.” See Kammer 2013.

The fundamental tenet of wilderness stewardship was reiterated in a program review initiated by the four federal agencies and conducted by the Pinchot Institute for Conservation in 2001. The purpose of the study was to examine the critical management issues facing Wilderness. One of the eight “fundamental principles” for stewardship emphasized the need to preserve the wildness in Wilderness. As the Pinchot report stated, “Protection of the natural wild, where nature is not controlled, is critical in ensuring that a place is wilderness... Since wild is a fundamental characteristic of wilderness that is not attainable elsewhere, if there is a choice between emphasizing naturalness and wildness, stewards should err on the side of wildness.”¹

The NPS’s attempts to resist natural processes and change through active manipulation of the wilderness are not only at odds with the Wilderness Act, but the Park Service’s own management guidance. Vegetation changes, fire interval and intensity, and wildlife disturbance attributable to a changing climate cannot logically represent degradation of wilderness character. And there is nothing in the enabling legislation of Sequoia National Park that would allow the Park Service’s to override the strictures in the Wilderness Act or the act that designated the John Krebs Wilderness. And, in fact, the legislation that created the Sequoia-Kings Canyon and John Krebs Wilderness provides no exceptions that would allow the types of activities proposed here. See Pub. L. 98–425, title I, § 106(a)(2), Sept. 28, 1984, 98 Stat. 1627; Pub. L. 111–11, title I, § 1902(1), Mar. 30, 2009, 123 Stat. 1068; 16 U.S.C. 1132 note (providing only exceptions to

¹ In any case, “naturalness” does not appear in the Wilderness Act. It is natural conditions.

repair small check dams and associated helicopter use, but no exceptions for ecological manipulation through planting or helicopter use for such activities).

The scoping letter and FAQ suggest the Wilderness Act is internally inconsistent, of secondary importance, and merely a procedural statute where checking boxes in a minimum requirements analysis absolves the agency of its duties under the Act. The following summarize the counter to this fallacious view:

- Untrammelled wilderness and natural conditions are not in conflict in Wilderness. Rather, natural conditions are what flow from untrammelled Wilderness. Wilderness is “in contrast” to areas where our actions and decisions dominate the landscape. Nature should roll the dice in Wilderness, not managers, even if the managers believe the dice are loaded.
- The idea that we can manipulate Wilderness to what we think it ought to be has a recent history and is a gross distortion of the Wilderness Act.
- *Keeping It Wild 2: An Updated Interagency Strategy to Monitor Trends in Wilderness Character Across the National Wilderness Preservation System, Landres et al. 2015. RMRS-GTR-340* itself cites to Lucas (1973, p. 151), “If ecological processes operate essentially uncontrolled within the Wilderness frame of reference, the results, whatever they might be, are desirable by definition. The object is not to stop change, nor to recreate conditions as of some arbitrary historical date, nor to strive for favorable change in big game populations or in scenic vistas. The object is to let nature ‘roll the dice’ and accept the results with interest and scientific curiosity.” The proposed action is not consistent with this direction, yet the NPS relies on the reductionism in this protocol to circumvent the Wilderness Act, and therefore abuses the protocol.

Again, we refer you to our earlier submissions that address these points in detail.

Trammeling Wilderness by Planting and Use of Motorized Transport and Equipment

Overt trammeling, regardless of the scale, harms wilderness character. And this proposal is large, nearly 1700 acres of intensive trammeling. Wilderness character is about allowing natural processes to operate. Indeed, NPS policy recognizes, “fires resulting from natural ignitions are considered a natural process that contributes to ecosystem function and is necessary to maintain wilderness in an unimpaired condition.” (NPS Directors Order 41 at 10) The question needs to be asked where in the Wilderness Act is planting or gardening valued above the untrammelled nature or process of wilderness?

Aside from the trammeling, there will be negative impacts from the sheer number of people doing the work, the length of time involved, and the proposed use of motorized equipment. While the NPS is telling the public this proposal is not yet decided, the fact that it has been radically increased in size since scoping last year demonstrates the agency intends to do even more harm to the Wilderness.

While the scoping letter and FAQ sheet are seemingly inconsistent on some of the following details, the proposal in the scoping letter to plant up to 1200 acres of groves and an additional 485 acres of corridor with 200 to 600 seedlings per acre seems impractical. That would amount from 337,000 to 1,011,000 seedlings, which are likely not yet available. Such a number seems impractical for anything but a long time frame and/or many staff, which would intensify and/or continue the negative impacts to Wilderness for many, many years.

The proposal would also be ineffective. The scoping materials state that regeneration is only 33 trees per

acre in some areas, undoubtedly a number cherry-picked from the area with the lowest natural regeneration. Indeed, the earlier scoping letter indicated just under 100 trees per acre for Board Camp Grove in the areas with the lowest natural regeneration. Even assuming the lowest regeneration, planting 200 to 600 trees per acre does not begin to approach the number the NPS alleges is “natural” after fire, some 36,000 seedlings per acre.

Furthermore, the corridor planting is supposedly for Pacific fisher. If we assume as the NPS alleges, contrary to some post-fire studies of Pacific fisher habitat, that fire completely destroys fisher habitat, then that area won't be habitat for many decades.

The scoping letter does not provide much information about helicopter or other motorized use. The NPS does not yet know whether landings would even be “needed” or how many helicopter landings would take place. We also don't know about other motorized equipment like chainsaws.

Compliance with the National Environmental Policy Act (NEPA)

Aside from the issues raised in our earlier submissions—the precedential nature of this proposal, the need for an EIS, cumulative impacts, and possible connected actions—the NPS must seriously consider alternatives, including no-action if it decides to proceed on this ill-advised course. Other potential alternatives should include no use of motorized transport or equipment.

For example, the NPS is planning to implement several other projects in the Wilderness over the same timeframe, including the logging of roadside trees from within the edges of the SEKI Wilderness and thinning and fuel reduction work to fell, pile, and burn within and around 11 unburned Giant Sequoia groves. In fact, this latter work has not yet been analyzed properly under NEPA, as the NPS decided to proceed with this work even though it does not comply with its own Fire and Fuels Management Plan because that plan does not allow tree felling treatments of this kind in the SEKI Wilderness. The NPS intends to amend that plan with a NEPA analysis sometime in the future to allow these types of activities, but these types of actions are generally not allowed in Wilderness.

The cumulative effects to Wilderness are much more extensive than the NPS has disclosed in the EA and will occur over a long duration, probably for years. Attached as Exhibits A & B is the decision for thinning and the Environmental Assessment for roadside treatments in the Wilderness, which together must receive a cumulative effects analysis in an EIS. Attached as Exhibit C is our comment letter for the KNP Complex Wildfire Tree Hazard Mitigation Environmental Assessment.

The agency needs to slow down. The scoping letter and other actions indicate that much assessment is needed on the current conditions. It admits that this project may not be needed, based in ongoing and future inventories. Rushing the NEPA process to begin implementing this proposal this year is premature.

Summary

We don't see how this project can be legal in Wilderness. As such we suggest the project be dropped now.

Please keep us updated on this project.

For Wilderness Watch, Sequoia ForestKeeper, the Kern-Kaweah Chapter of the Sierra Club,

Kevin Proescholdt
Conservation Director
Wilderness Watch

Exhibits A-C attached