



August 25, 2014

Mr. Woody Smeck, Superintendent
Sequoia-Kings Canyon National Parks
Attn: DEIS/WSP
47050 Generals Highway
Three Rivers, CA 93271

Dear Superintendent Smeck:

We appreciate this opportunity to provide the following public comments on the **draft Wilderness Stewardship Plan (WSP) and Environmental Impact Statement (EIS)** for Sequoia-Kings Canyon National Parks. Our comments herein are supplemental to comment letters submitted by both the High Sierra Unit (HSU) of Backcountry Horsemen of California and a comment letter submitted today by HSU's legal counsel, The Garden Law Firm, P.C.

For the purpose of conforming to electronic submittal requirements of the National Park Service's PEPC website (which limits submittals to no more than 35,000 characters at a time), we are making a series of three submittals of no more than 10 pages each that comprise the entirety of our public comments. Each of our three submittals will contain salutatory and signature information, but they are intended to be read, analyzed and responded to by the Park Service as one whole document. We intend also to submit, via email, to park personnel a complete pdf copy of these comments.

About Back Country Horsemen

Founded in 1973, BCHA is a national 501(c)(3) non-profit organization. **Our mission is to perpetuate the common sense use and enjoyment of horses in America's back country and Wilderness and to ensure that public lands remain open to recreational stock use.** A large part of our mission includes assisting the various government agencies and non-profit organizations in the maintenance and management of public trails and horse camps. We also educate, encourage and solicit active participation in the sustainable use of the back country resource by the general public and horsemen/women commensurate with our heritage.

BCHA works in cooperation with government agencies to help clear trails, maintain historic sites, assist ecological restoration activities, sponsor educational seminars and clinics, and assist with service projects as requested. **In 2013 alone, BCHA volunteers documented in-kind contributions to the tune of approximately \$14 million** for various projects throughout the nation. As you know, members of Backcountry Horsemen of California's High Sierra Unit have long been partners with Sequoia-Kings Canyon National Parks in addressing backcountry maintenance needs that include limited trail work and, more recently, assistance in the removal of invasive plants in park Wilderness.

We greatly appreciate and value the recreational experience provided to horsemen and users of recreational pack and saddle stock in Sequoia-Kings Canyon National Parks. We take seriously our responsibility to demonstrate BCHA's ethic and commitment to preserving wilderness character. This includes BCHA's [Leave No Trace Stock Users Education Program](#). BCHA has become the primary national trainer of stock users in *Leave No Trace* principles and practices through our *Leave No Trace Master's Education Program*. The program is a partnership between BCHA, state and affiliate members, and the U.S. Forest Service the *Leave No Trace™ Center for Outdoor Ethics*.

Cultural Significance of Recreational Stock Use

The use of saddle and pack stock has played an important role in American culture. There is a long tradition of using pack and saddle stock not only in Sequoia-Kings Canyon National Parks but throughout the West. BCHA carries on this tradition in modern times, as does the robust and highly-respected pack stock program run by Sequoia-Kings Canyon National Parks that is used to support of park administration and scientific investigation. Today's horsemen and women relish this cultural heritage and readily embrace the responsibility and obligation to protect and enhance our parks and Wilderness.

Use of saddle and pack stock is an historic and culturally significant use that preceded congressional designation of Sequoia-Kings Canyon National Parks and federally designated Wilderness. Horseback riding, packing and hiking have occurred in harmony within current boundaries of park Wilderness for well over a century. BCHA carries on a tradition of primitive travel and use of primitive tools in Wilderness that is unrivaled among non-governmental organizations. We do so in strong partnership and mutual cooperation with respected regional and national not-for-profit organizations like the **Pacific Crest Trail Association, the American Hiking Society, and The Wilderness Society**. These partners recognize the cultural significance of recreational stock use.

Guiding Principles

We recognize the seemingly conflicting policy directives given to the NPS under its Organic Act, the parks' enabling and Wilderness legislation that demand the agency to simultaneously devote the parks to recreation while also protecting wilderness character. BCHA is committed to the long-term sustainable management of our national parks, public lands and Wilderness in a way that ensures compatible recreational uses are allowed to continue for the use and enjoyment of present and future generations. **We are heartened to know that the legislative history of Sequoia-Kings Canyon National Parks specifically recognizes and embraces recreation stock use in park Wilderness**, including a recent congressional committee report that declared: "The use of pack and saddle stock is an appropriate and historically accepted recreational activity, as documented in the 2006 General Management Plan for the parks." House Report No. 110-694 (*4)(June 5, 2008)(110th Cong., 2nd Sess. 2008).

Accordingly, we appreciate recognition given in Chapter 1 of the draft WSP/EIS that states: "Private and **recreational stock use is a historically and culturally significant traditional use** that is an appropriate means for fulfilling the recreational purpose of wilderness" (DEIS, p.32). Nonetheless, the former Superintendent remarked during public scoping for the WSP that **horse and stock use in SEKI is currently among the most restricted/limited within the entire National Park System**. The WSP/DEIS

also recognizes the fact that **use of pack stock enhances the ability of the Park Service to retain primitive methods in Wilderness**, including its use of pack teams to replace helicopter use in many non-emergency situations (Wilderness Character Assessment, p.21). These are three important declarations that should be used to guide direction of park Wilderness management.

We support the stated objectives of the WSP process for the protection of wilderness character within the parks. Those objectives are stated in the draft WSP/EIS (Executive Summary, p. iii) to include:

- Preserve wilderness character;
- Provide opportunities for and encourage public use and enjoyment of wilderness in accordance with the Wilderness Act and other laws and policies;
- Improve conditions in areas where there may be unacceptable levels of impacts on wilderness character; and
- Protect the natural and cultural resources within wilderness.

In addition, we subscribe to a central tenant expressed in the draft WSP that reads as follows:

Visitors would have opportunities to recreate in an **unconfined, self-directed manner**, subject only to **those regulations that are necessary to preserve wilderness character** (Executive Summary, p. vii, emphasis added).

The above criterion forms much of the basis of our concerns regarding the draft WSP. In other words, our scrutiny of the WSP and restrictions proposed with respect to recreational stock use are viewed largely within the context of whether such measures might *unduly* inhibit our enjoyment of a relatively unconfined and self-directed Wilderness experience. Importantly, **we voice opposition to proposed restrictions that do not appear “necessary to preserve wilderness character,”** particularly where less onerous restrictions and/or visitor education might be used in combination to preserve wilderness character. As demonstrated elsewhere in this comment letter, such options appear yet to be contemplated in the WSP.

For example, another stated objective of the WSP process is to **“work to reduce conflicts between user groups** as well as between users and sensitive resources (Executive Summary, p. vi, emphasis added). Regarding the former, **the draft WSP fails to consider options (i.e., mitigation) regarding visitor education to address identified hiker-horse conflict**, whether or not the conflict is real or perceived. Instead, alternatives articulated in the draft WSP, including the Preferred Alternative, appear to take statements on the existence of conflict at face value.

We find it ironic that the Park Service appears quick to restrict recreational stock use in Wilderness based on reports from a minority of backpackers who proclaim conflict. Backpacking as we know it today did not exist when the landscapes that comprise Sequoia-Kings Canyon National Parks were designated by Congress. Primary trail uses then were day hiking and overnight stock-assisted pack trips. Indeed, a number of large scale excursions in park backcountry, including organized trips by the Sierra Club leadership, were aided and supplied by pack stock.

It was not until the late 1960s/early 1970s when light-weight materials for backpacking were made available via mass markets that backpacking became enjoyed by a broader public. As such, backpacking shares much less history and cultural significance than does stock use. Yet Back Country Horsemen embrace and support hiking and backpacking as complimentary modes of primitive wilderness travel. We do not seek to restrict hiking and backpacking uses in the parks, as a great number of us also enjoy these Wilderness-consistent uses.

According to the parks' 2011 Wilderness Visitor Survey,¹ as described in more detail elsewhere in this comment letter, statements of hiker-horse conflict are not widely claimed nor are they generally held with strong conviction. Nonetheless, **the draft WSP/EIS and its Appendix H, the plan's accompanying Wilderness Information and Education Strategy, fail to explore the perception of conflict in any detail.** The existence of hiker-horsemen conflict is treated largely as fact and blown out of proportion in the draft WSP/EIS.² As such, alternatives developed in the WSP represent merely a continuum of potential restrictions to horse and stock use in park Wilderness (thereby adversely affecting the unconfined and self-directed nature of our Wilderness experience) and have not been demonstrated to be necessary for the purposes of preserving wilderness character.

In summary, we take exception to restrictions proposed in the draft WSP for horse and pack stock use based primarily on the "desired experiences" of other wilderness visitors—particularly visitors whose notions of appropriate use in Wilderness do not extend beyond their preferred mode of travel. It is our belief that this attitude of "exclusivity of use" fails to recognize the cultural significance of recreational stock use and is inconsistent with congressional intent in the establishment of the national parks and Wilderness areas.

Baseline Conditions by Which to Determine a Need for Change

Our understanding is that the baseline datum against which all wilderness management alternatives are to be compared is the date when park Wilderness was first designated by Congress. For the majority of park Wilderness the datum is 1984 (California Wilderness Act) and, with respect to the John Krebs Wilderness, 2009 (Omnibus Public Lands Act). According to the draft WSP/EIS, "the Wilderness Act requires that as a minimum, wilderness character be preserved from the time of designation, although (NPS) Management Policies also allows for improvements to wilderness character" (Chapter 1, p. 10). In other words, **a goal of the WSP is to restore and protect wilderness character of SEKI Wilderness Areas using as a baseline those conditions that existed when Congress designated landscapes within Sequoia-Kings Canyon National Parks as Wilderness.**

¹ Sequoia and Kings Canyon National Parks (SEKI) Wilderness: Taking Stock of Visitor Perceptions and Trends, Manager Recollections, Long-term Observations and Resource Conditions (January 2013).

² With the sole exception of one statement in Appendix H regarding specific desired outcomes of the Wilderness Information/Education strategy, which is to include the specific desired outcome (out of six total) that: "Visitors recognize the spectrum of legal uses in wilderness. The result: they experience neither conflict nor decreased satisfaction when they encounter uses different from theirs" (Appendix H, p. 7).

Restrictions to Private Stock Use Not Supported by Visitation Trends and Visitor Surveys

Agency recordkeeping documented 6,060 “private use nights” for recreational stock users in 1975. The Park Service documented a rapid and substantial decline of overnight use of pack stock in Sequoia-Kings Canyon National Parks since accurate recordkeeping was instituted in the mid-1970s:

Private stock use nights have been on the decline since 1985 (according to [NPS] numbers). From 1985 to 2004, private stock use nights fell between 994 and 2880. Since 2005, they’ve been under 1000 (ranging between 563 in 2010 and 949 in 2006) (draft WSP/EIS, p. 163).

The WSP/EIS fails to offer a rationale for the decline of private stock use during the past 40 years. The fact that horse and stock use in SEKI is currently among the most restricted/limited within the entire National Park System no doubt is one factor that served to facilitate the precipitous decline. However, with current private stock use levels less than half, if not nearly one-third of levels documented since 1975, the WSP/EIS must be clear in its rationale in support of proposed restrictions to stock use.

At present, stock use by private parties currently comprises only two percent (2%) of all overnight use in park Wilderness. For the period between 2002 and 2012, Wilderness stock-use permits averaged about 2% of total permits issued each year by the NPS and adjacent national forests combined (draft WSP/EIS, p.334). Moreover, recreational stock use in the parks by private individuals, like Back Country Horsemen, today is less than half (58%) of the levels documented by the NPS in the 1980s, when the 1984 California Wilderness Act was enacted (Source: NPS, Summary of Stock Use Nights in Sequoia & Kings Canyon National Parks – 1960-2009).

Given statistics that point to the drastic curtailment of private stock use, the draft WSP/EIS fails to justify the need for the Park Service to impose further restrictions on private stock users. If localized conflicts are thought to indeed exist, we implore the Park Service to seek first to implement targeted visitor outreach, education, and/or other means of separating incompatible recreational uses (a concept at SEKI to which we do not subscribe) instead of targeting private stock users who represent *only two percent* of all overnight Wilderness use.

Draft WSP/EIS Fails to Divulge that the Extent of Reported Stock-Related Conflict have Decreased Since 1990, Some Substantially

The Trend Analysis located within the 2011 Wilderness Visitor Survey (Appendix I, which is not included among the list of WSP-related documents on the SEKI PEPC website) provides strong support for our questioning the need for new restrictions to private horse and pack stock use . In all comparisons of visitor attitudes and perceptions with a similar study conducted in 1990, visitor evaluation of conditions related to horse/stock use has improved, sometimes to a significant degree. In every aspect, from Horse Manure on Trails, to Party Size to perceived Damage to Vegetation, respondents to the 2011 survey demonstrate more tolerance (or acceptance) for the presence of horses and pack stock. (Table 7, p. 120, Average evaluation of conditions comparisons 1990/2011).

Consequently, there is clearly a relaxing of attitudes, if not demonstration of greater inclusiveness, from the hiking/backpacking community to horse and pack stock users over this 20-year timeframe. The degree to which beliefs are strongly held as to conditions in the Wilderness as a result of stock use have relaxed. It is typified in the degree to which “goal interference” (i.e., conflict) with “Groups with horses/pack animals” has decreased significantly.

Indeed, the report summary states (page 162): **“In every potential problem explored in both 1990 and 2012, the overall average extent of the problem decreased, some substantially.”** Consequently, the **WSP/DEIS fails to document these trends and, in light of this data, offer a valid rationale for proposals to further restrict stock use at this time.** As described in additional detail throughout this comment letter, the parks’ 2011 Wilderness Visitor Survey contains abundant data to demonstrate specific restrictions proposed in the WSP/EIS for recreational stock use are not supported by the vast majority of visitors surveyed.

Draft WSP/EIS Does Not Represent a Reasonable Range of Alternatives

The draft alternatives, while noteworthy in many respects, **do not appear to represent a “reasonable range of alternatives” given the stated purposes of the WSP.** For example, Alternatives 4 and 5 appear inconsistent with several aspects of the park’s General Management Plan (GMP) and NPS policy.

Alternative 4 fails to meet the stated objective to “provide visitors with a greater range of wilderness experiences” should the proposal to prohibit open meadow grazing by recreation pack stock be implemented (our rationale follows in subsequent pages of this comment letter). In addition, Alternative 5 would prohibit any off-trail travel by horse and stock users. We offer the following examples of the impracticalities associated with the proposal to ban off-trail travel.

Should Alternative 5 be implemented, a person on horseback would be in violation of park rules for leaving the trail tread for the purpose of watering their horse in an adjacent creek. In addition, individuals or horse parties, which already are required to be small in size off-trail in park Wilderness (no more than 12 people and 8 head of stock), would not be allowed to step off the trail tread to enjoy a picnic lunch in the shade of an adjacent stand of trees. Any time a riding individual or party stopped for a break, it would be forced to occupy the trail and remain blocking it from other travelers (with the exception of designated campsites). A resting stock party would force other parties, be they on foot or horseback, to venture off-trail in order to circumvent the resting party. This could result in some visitors reporting incidents of increased “crowding” in park Wilderness, particularly if they had to circumvent multiple resting stock parties on a given day.

Perceptions of crowded conditions often prompt complaints that stock users are responsible for creating negative impacts in Wilderness. Those negative impacts could then be cited to by anti-horse-and-stock individuals or organizations as justification for the Park Service to further restrict stock use in the park. Simply put, a ban on off-trail travel in park Wilderness represents a potential show-stopper, and would prevent or preclude people with pack animals from wanting to visit SEKI park Wilderness as a result of these logistical challenges and/or fear of being in violation of park rules simply through the act of watering one’s horse. The proposal in Alternative 5 to ban off-trail travel by stock users in light of the

*above discussion, appears arbitrary and would represent an abuse of agency discretion. Moreover, the ban on off-trail travel would not appear to comport with the stated purposes of the WSP that include affording visitors opportunities to recreate in an **unconfined, self-directed manner**, subject only to **those regulations that are necessary to preserve wilderness character**.*

Park management direction—both stated and implied—in the GMP indicate there are few documented resource concerns or user conflicts associated with the existing park Wilderness trail system. Yet Alternatives 3 through 5 include reductions in the amount of trail miles available for recreational stock use. **The draft WSP/EIS is deficient as it is not clear on what basis formed the rationale for these proposed reductions.**

As stated previously, pack stock use by private parties has decreased substantially over the past several decades. It would follow that adverse or unacceptable impacts resulting from stock use on Wilderness trails would therefore be substantially fewer at present than the WSP baseline datum of 1984 (or 2009 for the John Krebs Wilderness). Lastly, **the draft WSP/EIS fails to document “unacceptable impacts”—be it to water quality, cultural or natural resources—that can be attributed to use of private horse and pack stock in park Wilderness.**

Even the draft EIS analyses of the potential for disturbance by recreational stock use and trampling of Yosemite toad and Yellow-legged frog is qualified numerous times throughout the draft WSP/EIS as representing merely a “minimal overall adverse effect on Yosemite toad populations (given) the scale of the parks.” This is because the amount of toad/frog habitat readily accessible by private stock users is infinitesimally small as compared to overall habitat both within SEKI Wilderness and the Sierra Nevada. Yet **the draft WSP/DEIS contains several conflicting statements regarding the severity of impacts to threatened species.** For example it states:

Yosemite toad populations may be adversely affected by degradation of habitat due to the presence of trails and injury or mortality from human or stock trampling. Under alternative 1, there are few locations where Yosemite toad populations are known to exist near trails; therefore, the overall potential for degradation and trampling under this alternative would continue to be limited (DEIS, p. 366).

The biological analyses for Alternatives 2 through 5 merely infers that less human use in park Wilderness would bring minimal, if any, population-related benefit to threatened species, as “no measurable impacts would occur at a population level” (Draft WSP/EIS, p. 378, regarding Alternative 3, which ironically would “Provide More Opportunities for Primitive Recreation”). **Consequently, the draft WSP/EIS fails to make the case that either current or additional private stock use would adversely affect sensitive species. Nor does it make a compelling case that restricting private stock use (i.e., Alternatives 2, 4 and 5) is necessary in order to preserve the natural quality of wilderness, to preserve general wilderness character, or for the more stringent purpose of protecting critical habitat under the authorities granted to the Park Service under the Endangered Species Act.**

The draft WSP/EIS is therefore deficient as it fails to disclose a rationale to further regulate private stock use (Alternatives 2, 4 and 5) in the absence of identified natural or cultural resource-related regulatory triggers. While a remote potential nonetheless remains for stock users and hikers/backpackers alike to trample individual toads/frogs or their habitat, **we implore the Park Service to consider other measures to mitigate documented threats to threatened species and wilderness character. Such measures could include re-routing of problematic trails, enhanced visitor education, placement of interpretive materials, or targeted seasonal closure of known vulnerable habitats**, if deemed necessary. These site-specific measures stand in contrast to the approach currently applied in the draft WSP that includes sweeping restrictions in terms of maximum party size, trails available for stock-related travel, broad closures to grazing of open meadows, and wholesale prohibitions of meadow grazing (Alternative 4) and off-trail travel (Alternative 5).

Lastly, no attempt was made to distinguish in the draft EIS/WSP between potential resource impacts associated with private stock use (and its corresponding 2% of all overnight park Wilderness visitation) versus potential impacts associated with the remaining 98% of overnight use associated with either backpacking, commercial outfitters (including stock-assisted trip) or the parks’ administrative use of pack stock. Thus, **proposed reductions in trail miles available to private stock users in WSP alternatives 2 through 5 are wholly unwarranted, unjustifiable and have not been documented as being necessary to preserve wilderness character.**

Draft WSP/EIS Fails to Justify Proposed Hiker-Only Trails

With respect to current on-trail travel, nearly all maintained wilderness trails in the parks are open to stock (636 of 647 miles). Stock travel also is permitted on 78 miles of informal and abandoned trails; however, not all such trails open to stock are maintained to stock standards.

According to the draft WSP/EIS, Table 45, Element 8, Stock Use Access and Travel On-Trail (DEIS, p. 229), miles of trail available for private stock use under the draft WSP alternatives would total as shown in the following table.

Table 1. Stock Travel Allowed On-Trail in Park Wilderness, by Alternative

Alternative	Alternative’s Theme	Trail Miles Proposed Open to Stock Use	Percent Reduction in Currently Available Trail Miles (counting both formal and currently informal/abandoned trails)
Alternative 1	No Action/Status Quo	636 of 647 stock travel also permitted on 78 miles of informal and abandoned trails	
Alternative 2	Protect Wilderness Character by Implementing Site-specific Actions (NPS Preferred Alternative)	653 miles of 695 miles of maintained trail	8.5% reduction in currently available trail miles for stock users
Alternative 3	Provide More Opportunities for	669 miles of 707 miles	6.3% reduction in

	Primitive Recreation	of maintained trail	currently available trail miles for stock users
Alternative 4	Emphasize Undeveloped Quality and Non-commercial Recreation	527 miles of 637 miles of maintained trail	26.2% reduction in currently available trail miles for stock users
Alternative 5	Emphasize Opportunities for Solitude	663 miles of 695 miles of maintained trail	7.1% reduction in currently available trail miles for stock users

The draft WSP/EIS fails to disclose sufficient rationale as to why such reductions are proposed in the absence of data demonstrating that park Wilderness is experiencing overuse or unacceptable impacts as a direct result of horse and stock use.

Enabling Legislation Precludes the Designation of Exclusive Use Trails

It is further questionable whether or not the Park Service has authority to designate “exclusive use” trails or areas, at least with respect to Sequoia National Park. If stock use were to be prohibited from any trail or area, as currently proposed in WSP alternatives 2 through 5, hikers and backpackers would effectively have an “exclusive privilege” on that trail or in that area. As stated in the aforementioned public comment letter from The Garden Law Firm, P.C. (dated August 25, 2014), **legislation establishing portions of Sequoia National Park prohibits the creation of exclusive use trails or areas.** The legislation states that “No exclusive privilege shall be granted within said park, or on or over the roads and trails therein, except upon ground leased for the erection of buildings or camps thereon”(16 U.S.C. § 45d).

We oppose proposals to create hiker-only trails based on criteria that include perceived conflicts. For example, **the Monarch Lake Trail a wonderful trail and important to recreational stock users. Its closure would diminish opportunities for unconfined recreation in park Wilderness.** This is but one example of the 42 miles of trail proposed closed to stock use in WSP Alternative 2, the Preferred Alternative (DEIS, p. 115)

Park Service Relied Primarily on Opinions of Hikers Regarding Designation of Hiker-Only Trails

The universe of visitors whose perceptions were sought in the parks’ 2011 Wilderness Visitor Survey³ was limited to only hikers and backpackers. Only 1 person of 632 interviewed (or 0.2% of the sample population) rode into park Wilderness on horseback (p. 12 of the Report). Thus, in implementing the Wilderness Visitor Survey, **the NPS failed to investigate the perceptions of horseback and packstock users.** Therefore, the NPS relied primarily on input provided by hikers/backpackers to characterize the degree of conflict between hikers and horsemen. **The WSP/EIS also fails to adequately summarize the perceptions of horse/stock users in regard to the controversial proposal to designate hiker-only trails.**

³ See footnote 1

Designation of Hiker-Only Trails Not Supported by Wilderness Visitor Survey

Available data collected by the Park Service, including the parks' 2011 Wilderness Visitor Survey, does not support the need for designation of hiker-only trails in park Wilderness. In fact, the survey revealed a remarkably low level of reported hiker-horse conflict. The questionnaire used with hikers and backpackers in the field included a question that goes straight to the heart of potential on-trail conflict. Question 31 asked: "Did the actions or behavior of any other group or individual interfere with your enjoyment of the wilderness on this trip?" (Report, p. 69). Among 622 respondents to this question, nearly 80% (78.5%) replied "No." That overwhelming response should immediately signal to the Park Service that the vast majority of hikers/backpackers in SEKI Wilderness do not view recreational stock use as a conflict. **Yet the DEIS fails to disclose and discuss this particular piece of compelling data.**

Importantly, of the 134 people who reported conflict (21.5% of the overall sample), only 54 (or 8.5% of overall sample) said the conflict was a result of "Groups with pack animals." (Report, p. 70, Question 32). **Yet the Park Service is proposing to designate hiker-only trails, which would be closed to recreational stock use, based in part on the appearance of conflict as reported by less than 10 percent of hikers and backpackers? This apparent favoritism does not comport with existing law and NPS policy, as described in further detail below.**

The draft WSP/EIS fails to disclose that a greater number of respondents (n=61) to the Wilderness Visitor Survey reported that the behavior of fellow hikers/backpackers resulted in conflict. Ironically, it appears the Park Service is quick to propose restricting recreational stock use in SEKI Wilderness when, in fact, it appears that hikers and backpackers are causing more conflict within their own ranks than that which is erroneously attributed in the draft WSP/EIS to hiker/stock use conflict. Moreover, in response to Question 32 of the Visitor Survey, another 41 individuals reported some type of conflict that was related neither to recreational stock use nor hiker/backpacker use. Taken in sum, these 41 individuals plus the 61 who reported conflict due to fellow hikers/backpackers *total nearly twice the number of persons (n=54) who reported conflicts with groups with pack animals.* Yet the draft WSP/EIS proposes alternatives that primarily target restrictions on Wilderness-related travel on recreational stock.

As discussed previously, irrespective of any perceived level of conflict (either within-group or between groups with differing modes of primitive Wilderness travel) we encourage park personnel to consider options to mitigating any conflicts associated with recreational stock use in Wilderness prior to implementing outright trail closures. Not doing so would appear inconsistent with NPS policy, as described below.

Alternatives 2 through 5 Appear to Violate NPS Policy as They Represent De Facto Closures to Recreational Stock Use

As described previously, there appears to be no reasonable basis to support the restrictions proposed in alternatives 2 through 5 relative to which trails remain available for private recreational stock use. **To structure WSP alternatives that include reductions/restrictions to hiking or stock use appears to us to represent a *de facto closure* that is neither warranted nor supportable.**

Current NPS *Management Policies* describe a series of steps to be taken by park superintendents in order to determine visitor carrying capacity (Section 8.2.1). Only after that process has completed its course, should decisions to restrict an otherwise “appropriate” visitor use be considered. NPS policy regarding visitor carrying capacity can be summarized as follows:

1. Superintendents will identify ways to monitor for and address **unacceptable impacts** on park resources and visitor experiences.
2. The level of analysis necessary to make decisions about carrying capacities is commensurate with the potential impacts or consequences of the decisions. **The greater the potential for significant impacts or consequences on park resources and values or the opportunities to enjoy them, the greater the level of study and analysis and civic engagement needed** to support the decisions.
3. If and when park uses reach a level at which they must be limited or curtailed, the preferred choice will be to continue uses that are encouraged under the criteria listed in section 8.2, and to limit or curtail those that least meet those criteria.

NPS Management Policies, Section 8.2.1, emphasis added.

Section 8.2, Visitor Use, of the NPS Management Policies defines “unacceptable impacts” on park resources and visitor experiences as “impacts that, individually or cumulatively, would:

- be inconsistent with a park’s purposes or values, or
- impede the attainment of a park’s desired conditions for natural and cultural resources **as identified through the park’s planning process**, or
- create an unsafe or unhealthy environment for visitors or employees, or
- diminish opportunities for current or future generations to enjoy, learn about, or be inspired by park resources or values, or
- **unreasonably interfere** with park programs or activities, or an appropriate use, or the atmosphere of peace and tranquility, or the natural soundscape maintained in wilderness and natural, historic, or commemorative locations within the park, or NPS concessioner or contractor operations or services.”

Emphasis added. The policies go on to state the following:

“If and **when a superintendent has a reasonable basis** for believing that an ongoing or proposed public use would cause unacceptable impacts to park resources or values, the superintendent must make adjustments to the way the activity is conducted to eliminate the unacceptable impacts. **If the adjustments do not succeed in eliminating the unacceptable impacts**, the superintendent may (1) temporarily or permanently close a specific area, or (2) place limitations on the use, or (3) prohibit the use” (Section 8.2, emphasis added).

Clearly the WSP has yet to follow the course recommended by NPS policies and, **at present, there is no reasonable basis for placing limitations on private recreational stock use in park Wilderness in the absence of compelling data on “unacceptable impacts” on park resources and visitor experiences resulting from such use. We recommend that action alternatives in the WSP that restrict hiking and private stock use be amended to eliminate the de facto closures currently included in the alternatives. Accordingly, and for reasons described in detail later in this comment letter regarding the impropriety of the parks’ proposed new trail classification system, we recommend that the Park Service develop a trails management plan separate from the WSP process.** The trails planning process should include a similar survey of stock user attitudes and preferences as that applied in the 2011 Wilderness Visitor Survey.

Draft WSP/DEIS Fails to Consider Adaptive Management in Lieu of Alternative-based Restrictions

For those WSP alternatives that restrict either hiking/backpacking or recreational stock use, we encourage the Park Service to disclose the body of science being relied upon to form the basis of the proposed restrictions. **As an alternative to be included in the WSP, we propose the application of adaptive management techniques** like visitor education and interpretive opportunities, the rerouting of segments of trail where conflicts are known to occur, or other less onerous restrictions including additional quotas regarding either the number of parties—or even revisiting the concept of zoning (or merely “temporal” zoning)—in lieu of WSP alternatives that begin with the assumption that private stock use must be limited.

Certainly, existing adaptive management frameworks like Limits of Acceptable Change (and the NPS version, Visitor Experience and Resource Protection) could be employed in the SEKI WSP in order to lay a foundation for the collection of visitor data on potential user conflicts and management options to minimize or avoid “unacceptable impacts” that “unreasonably interfere” with park programs or activities.

We remain optimistic that most types of visitor conflict can be resolved through education and broader awareness of the history and role of horse and stock use in the parks. Consequently, BCHA supports the development of additional alternative(s) that better meet the objective to “provide visitors with a greater range of wilderness experiences” within the confines of the Wilderness Act and NPS policy.

Proposals to Limit Maximum Stock Party Size Not Supported

During public scoping for the WSP, park personnel stated publicly their desire to reduce confusion and create consistency with maximum party size limits applied within adjacent national forest Wilderness. It is our understanding that the current maximum party size for stock parties on the Inyo National Forest, for example, is 15 people and 25 head of stock. We appreciate the flexibility offered to stock users as proposed by the NPS in the draft WSP in applying a maximum party size that is inclusive of both people and stock, versus merely maximum totals of both people and stock. However, **it appears that the maximum party sizes indicated for alternatives 2 through 5 make little sense (and thus are not reasonable) by their proposals to decrease maximum on-trail party size to less than what we understand to be consistent with adjacent forests** (i.e., 15 people/25 head, total maximum party size of 40). We request that the WSP/EIS better clarify both the objective(s) in determining maximum party size (both on-trail and off-trail) and how the NPS’ selected alternative compares with maximum party size limits on adjacent national forests.

Results of the parks’ 2011 Wilderness Visitor Survey, for example, do not support a reduction in the maximum party size for stock users. Of the nearly 600 hikers/backpackers who answered the question, 86.6% of respondents reported they had either no or a “Small Problem” seeing “Groups With Too Many Horses.” Only 5.7% ranked it as a “Big Problem” (Report, p. 77, Table 34h). Based on these numbers alone, **the WSP/EIS fails to document public demand as supporting a decrease in maximum stock party size.** If there were other rationale, we would hope this would be made clear in the WSP/EIS.

Proposals to Limit Open Meadow Grazing Not Supported by Available Science

The proposal in Alternative 4 to eliminate open meadow grazing by all horses and pack stock goes far beyond the requirements of NPS policies, the Wilderness Act and related legislation. It is one thing to state that the complete elimination of grazing by pack stock might result in incremental, positive impacts. It is quite another, and contrary to prevailing law and policy, to select a management alternative that would result in the near-elimination of a traditional and historic user group within park Wilderness—recreational stock users.

Should the NPS adopt Alternative 4, horse and pack stock users would virtually be precluded from visiting the park for anything short of a simple day ride. The inability to allow saddle and pack stock to graze park meadows, even for a few hours, would mean that all overnight stock users would be forced to pack in feed (as per the proposed requirements outlined in the draft WS/DEIS for all alternatives). In response, stock parties would need to be larger to incorporate more animals for the sole purpose of hauling additional feed for the duration of their stay. Other horse and stock enthusiasts likely would opt out of future visits to park Wilderness, given the complicated logistics of in-park travel and requirement to bring more stock animals (assuming they even had access to surplus animals). The result would be counter to a primary objective of the WSP: reduced or outright lost opportunities for primitive and unconfined recreation, and reduced recreational diversity and variety of individual choice. **The WSP/DEIS fails to disclose these impacts and that the proposal in Alternative 4 to eliminate or severely curtail meadow grazing by horses and pack stock would result in significant, long-term negative consequences with respect to overall opportunities for primitive recreation throughout park Wilderness.**

We also question the concept of prohibiting open meadow grazing by horses and pack stock primarily for the purpose of “scenic” value, as proposed in alternatives 2, 3 and 5. Horsemen often understand and support the need for prohibitions related to open grazing in meadows as a result of the presence of sensitive cultural or natural resources. However, **current WSP alternatives that would prohibit open meadow grazing, particularly along high-use trails, appear both unwarranted and unpractical.** As described below, we are unaware of a science-based rationale that would support the restriction.

Designation of Meadows Closed to Grazing for Social and Scenic Values Not Supported by Parks’ Wilderness Visitor Survey

Results of the parks’ 2011 Wilderness Visitor Survey do not support a desire by hiker and backpackers to view ungrazed meadows. The reported mean of respondents who ranked “stock damage to meadows (e.g., trampled vegetation) was 1.55, which puts it about halfway on the referenced scale as being between “Not a Problem” to a “Small Problem.”

Closure of open meadow grazing for “social and scenic value” presupposes a fundamental question of whether most hikers and backpackers would have the knowledge and/or experience to identify the cause of a meadow they witnessed as being “trampled.” For example, deer and bighorn sheep can leave evidence of “patchy grazing” in park meadows. Also, deer are known to flatten vegetation when bedding down in meadows or other high grasses.

We question whether the layman public would be able to discern the difference between a meadow trampled by excessive human (i.e., foot and tent site flattening of vegetation) use and a meadow trampled by horse/stock use in the absence of either horse manure and/or extensive equine hoof prints. **The draft WSP/EIS fails to disclose why it is thought that most hikers and backpackers would.** Even personnel from Yosemite National Park admitted in a recent EIS that they could not discern a difference in human and equine trailing in alpine meadows studied for the Merced Wild and Scenic River Plan.⁴ However, assuming some SEKI Wilderness hikers could discern the difference, **the WSP/DEIS fails to discuss the degree that such knowledge would diminish their view of the parks' overall wilderness character, including its naturalness.**

We would argue that viewing even a handful of grazed meadows would unlikely cause a Wilderness backpacker to declare their experience ruined and/or that park Wilderness had lost its naturalness. In our view, it is partly an issue of scale. While the presence of a given grazed meadow—or even a trail tread carved through a meadow in park Wilderness—might detract somewhat from the “naturalness element” associated with wilderness character, **the WSP/EIS analysis is deficient when it tries to imply that the scale of any loss of “naturalness” is significant as a result of the act of viewing a grazed meadow(s).** In summary, we offer that the WSP/EIS is deficient in that it proposes to prohibit currently open meadow grazing to recreational stock use even though doing so would unnecessarily limit stock users “opportunities to recreate in an **unconfined, self-directed manner**, subject only to **those regulations that are necessary to preserve wilderness character.**” We contend the WSP/EIS fails to adequately document the need for such regulations.

Lastly, the Wilderness Visitor Survey (p. 76, Table 34f), demonstrates that two-thirds of all (hiker/backpacker) respondents rated “Stock damage to vegetation (i.e., trampled meadows)” as “Not a Problem.” Another 17.8% rated such damage as a “Small Problem.” **So a cumulative total of 84.5% of hikers/backpackers viewed stock damage to vegetation as either not at all a problem or as a small problem.** Only 15.5% rated “Stock damage to vegetation” as being in their view either a “Moderate” or “Big Problem.”

We believe the Park Service has not thought this issue through and, consequently, believe that **the proposal to restrict meadow grazing based in part on the desire to protect “social or scenic values” is unfounded and arbitrary. For example, the Parks' stated objective of providing “at least one ungrazed meadow per drainage” is arbitrary and not supported by the available data.** The WSP/EIS alternatives that support this line of thought are flawed, if not outright biased against horse/stock use because they appear overtly preferential to the perceived concerns that might—or might not—be expressed by a vocal minority of hikers/backpackers.

⁴ Merced Wild and Scenic River Comprehensive Management Plan/Draft EIS, p. 9-197, which reads: “Five subalpine meadows had some informal trails present, with Merced Lake–Shore having the most, likely due to its proximity to Merced Lake High Sierra Camp. The study could not differentiate between human and equine trailing on those sites with pack stock use (Ballenger et al. 2011).”

Designation of Meadows Closed to Grazing Near High-Use Trails for Scientific Value Not Supported

As documented earlier in this comment letter and in the draft WSP/EIS, the level of current recreational stock use is less than half of what it was when park Wilderness first designated in 1984—the date that forms a baseline by which the Park Service is to measure improvement in wilderness character. In addition, approximately half of all meadows in park Wilderness are either currently closed or inaccessible to recreational stock. So there appears to be no sound rationale to further restrict meadow grazing in light of these statistics.

The draft WSP/EIS is further deficient by citing criterion for “scientific evaluation” for those meadows proposed closed to recreational stock grazing in proximity to high-use trails like the Pacific Crest Trail, John Muir Trail, and High Sierra Trail. To the contrary, there are hundreds of ungrazed meadows throughout park Wilderness—many accessible via trails—to serve the purpose of scientific evaluation. **Credible scientific validation for why the Park Service would want to use meadows located near high-use trails for scientific study of natural or otherwise ungrazed meadows is not made clear in the WSP/EIS, particularly given the availability of hundreds of other natural meadows available for study where widespread camping-related impacts would not be expected.**

The term “logistical value” appears to be used as a relative means by which to rate the biological value of meadows in the draft WSP/EIS. **Yet a definition is not provided in the glossary nor is the term defined anywhere in Chapter 2 or Appendix D.** Table D-14 located within Appendix D lists Forage Areas of High Logistical Value (a total of 55 such meadows); however, none of the meadows proposed to be closed to pack stock grazing in alternative 2, 3 and 5 are listed. **The Final WSP/EIS must identify what is meant by the term “High Logistical Value” meadows and which meadows, if any, proposed for closure in the Park Service’s Selected Alternative meet that definition.**

According to the draft WSP/EIS:

Unless use patterns or levels change markedly, grazing would be expected to occur in less than half of the areas open to grazing. In the other half, grazing would rarely occur, despite its allowance. Stock use would continue to be highly variable at the meadow scale, with some meadows having significant use in one year and none the next (Draft WSP/EIS, p.365).

These statements seem to further negate the purported scientific value expected to accrue from the elimination of stock grazing on open meadows in proximity to the PCT and JMT.

Designation of Meadows Closed to Grazing Near High-Use Trails Would Create Significant Logistical Challenges for Long-Distance and “Through Travelers”

We are concerned that the designation of meadows closed to horse and stock grazing near high-use trails would represent a potential show-stopper for many long-distance and through-travelers on the Pacific Crest Trail/John Muir Trail. Such closures, as proposed in WSP alternatives 2, 3 and 5 would present logistical problems for horse/stock-aided trips along the roughly 250-mile stretch of PCT/JMT with no road crossings. **The potential for such an adverse impact to through-travelers is not disclosed or discussed in the draft WSP/EIS.** Permits obtained from the agencies for such long-distance use of the PCT currently cover at least 500 miles. In general, the longer the trip being contemplated/permitted, the

more likely there would be hardships associated with PCT users having to bypass viable grazing opportunities should the current suite meadow closures to stock grazing be implemented. This could make a PCT long-distance trip supported by stock infeasible.

Upon close inspection of the draft WSP/EIS and associated tables and maps, we found that **few alternate meadows exist in proximity to those proposed closed to stock grazing along high-use trails (PCT, JMT, HST), despite statements by the NPS to the contrary.** For example, one such proposed closure (Bighorn Plateau Lake) would result in an 11-mile stretch of the PCT/JMT along which there would be no meadows open for horse/stock grazing. This would make PCT-related travel logistics untenable, particularly if severe weather (e.g., late afternoon thunderstorms) forced a stock-assisted party to quickly set up camp in order to wait out the storm. We have included more details about how proposed meadow closures would adversely affect horseman and stock users in Appendix A, included at the end of this comment letter.

Proposals to Remove Many Drift Fences and Hitch Rails Size Not Supported

The NEPA analysis does not adequately support proposals among draft WSP/EIS alternatives to remove many drift fences and hitch rails located in park Wilderness. Hitch rails minimize pawing of tree roots by tied stock, while fences prevent stock from accessing sensitive areas as well as containing administrative stock at the Hockett, Kern, and Roaring River ranger stations.⁵ As such, these “structures” serve to protect wilderness resources and often serve to project the packer’s wilderness experience, lest pack stock drift beyond open meadows and return unknown to trailheads. Such a scenario has played out before in park Wilderness and brings the potential to create a safety hazard to users camping near or using such trails. Thus, **drift fences and hitch rails serve as a valuable management tool whose benefits for protecting wilderness character are not adequately disclosed in the draft WSP/EIS.** In addition, it appears that the Park Service is not being consistent in their application its minimizing the presence of “structures” in park Wilderness (be they communication relay stations, weather stations, USGS gaging stations, bridges, cabins, etc.) as drift fences and hitch rails serve a direct and often tangible benefit to protecting park resources yet are relatively obscure as a result of their relatively natural wood materials.

The proposal among draft WSP alternatives 2 through 5 to perhaps replace some drift fences with temporary fencing is infeasible. Once removed, there would be little incentive to authorize their replacement, particularly given potential requirements for NEPA and/or Minimum Requirements Analysis, which would serve to further discourage the NPS from such an undertaking. Further, **the draft WSP/EIS fails to disclose how the presence of drift fences and hitch rails materially affects the parks’ wilderness character.** To the contrary, the parks’ Wilderness Character Assessment (2014) makes a case that while these structures might reduce the undeveloped quality of wilderness character they also “help to protect certain natural features such as subalpine forests and lakeshores.”⁶

⁵ Wilderness Character Assessment for Sequoia Kings-Canyon National Parks, 2014, p. 19.

⁶ *Ibid*

If concern exists over the ability of the Park Service to maintain drift fences and hitch rails in park Wilderness, our local BCH California units would be happy to enter into a Memorandum of Understanding to be responsible for their upkeep and ongoing maintenance, as per specifications desired by the NPS. We believe this is a mitigation measure that should be included in the WSP/EIS.

Draft WSP/EIS Fails to Support Proposal to Create a Trail Classification System

We believe that proposal to create a new park Trail Classification System is neither warranted nor supportable by NPS policy at this time. We were largely unaware of the existence of the proposal to change the park's Trail Classification System until the draft WSP/EIS was released for public review and comment in June 2014. We see no indication that it was announced during the public scoping period.

The proposal is essentially to adopt a truncated version, for Sequoia-Kings Canyon National Parks, of the U.S. Forest Service *Trails Management Handbook* (Forest Service *Handbook* 2309.18 "USFS Trails Handbook"). The proposal reflects a potentially far-reaching shift in Park Service policy and administration of NPS Wilderness. Implementing a new system of trail classification should only be contemplated with the benefit of full public input and NEPA review after the WSP is adopted. As stated previously in this comment letter, NPS Management Policies set out a process whereby decisions regarding visitor carrying capacity are to be made in light of several pertinent criteria, none of which appear to have been satisfied in the development of the proposed Trail Classification System.

We view the proposed Trail Classification System as a means by which the park might create Defacto trail closures that adversely and unfairly target recreational stock users, with no potential for future public involvement and NEPA analysis. For example, the plan provides the following definition of its proposal for Class 1 trails (out of three classes in total):

Class 1 (Minimally Developed) – These trails are as much routes as trails. The trail is **indistinct and difficult to find** in places, and may require route-finding skills to follow. The trail surfaces may be **very rough and rocky, and logs, brush and limbs may only infrequently be cleared**. Structures such as walls and water bars are essentially absent, and there are no bridges. Signing is typically only at junctions, and route markers are typically no more than old blazes in locations where the trail is not otherwise evident. Examples of existing trails in the parks in this class include Kennedy Canyon, Blue Canyon, and Milestone Basin. (Appendix K, p. K-11, emphasis added).

Although the USFS Trails Handbook indicates that Class 1 trails are not typically hardened adequately to accept unrestricted stock use, **some** Class 1 trails at Sequoia and Kings Canyon National Parks that traverse suitable landscapes will continue to be open to low levels of stock use (Appendix K, p. K-11, emphasis added).

Consequently, we believe the proposed Trail Classification System to be very problematic for its potential to significantly alter visitor use patterns, and their resultant environmental effects, throughout park Wilderness. We also believe the proposal to be of high public interest and very controversial. It certainly does not represent the type of decision-making the justification for which was not discussed during public scoping and is currently buried deep within the numerous appendices listed on the park website for the Wilderness Stewardship Plan. For example, application of the proposed Trail Class 1 (TC1) would create a new class of trails within park Wilderness that essentially would no longer

be maintained for public use. Yet remarkably, **the draft WSP/EIS fails to quantify—either via text or in tabular form—the total miles of trail that are proposed as Trail Class 1. Absent this information, the public is precluded from making informed comments on the trail classification system.**

It appears that the Trail Classification System, and specifically TC1, is promoted as one means by which to lighten the maintenance workload of park trail crews and direct increasingly scant resources to high-use trails or other park program. However, we would argue that the general availability or lack of budget resources should not be a determinant for establishing a trail classification system.

Based on our review, it appears that a classification of TC1 is primarily a decision that the trail will not be managed nor will it be physically capable of accommodating pack and saddle stock use. But again, the draft WSP/EIS is absent details regarding the extent and location of all trails proposed for TC1 and **the resultant environmental analysis fails to disclose the potential for resultant adverse effects to the experience of hikers, backpackers, anglers, and horse/stock and other Wilderness visitors, and how those effects would changes current opportunities for visitors “to recreate in an unconfined, self-directed manner.” Further, the draft WSP/EIS fails to demonstrate that the development of a Trail Classification System (i.e., new regulation) is necessary “in order to preserve wilderness character.”**

For example, the proposal to convert the trail leading to Milestone Basin to a Class 1 trail would ultimately exclude pack stock users from this beautiful basin, which is of significant importance to stock users. Knowing the basin would be off-limits to stock users would diminish opportunities for unconfined recreation in park Wilderness. **If concern exists over the ability of the Park Service to maintain such remote trails, local units of the Backcountry Horsemen of California would be happy to enter into an agreement with the agency to be responsible for ongoing maintenance. The WSP/EIS should consider this as a form of mitigation that can be applied in lieu of creating a new Trail Classification System that appears primarily oriented toward lightening the agency’s maintenance work load.**

Draft Trail Management Plan Fails to Invoke the Important Support Role Served by Volunteers

We appreciate the effort that went into the draft WSP and draft Trail Management Plan (Appendix K). There is much good thought and site-specific knowledge and desire to enhance the visitor experience reflected within these documents. We take exception, however, to statements made in the draft Trail Management Plan that ignore the role that qualified volunteers might play in assisting the Park Service to realize the stated desired conditions of the SEKI Wilderness trail system. For example, the plan reads:

The desired (trail) conditions will be realized only as funding becomes available to perform the compliance, construction, and maintenance work necessary. Similarly, annual maintenance of formal trails will be prioritized within the constraints of funding and may therefore deviate from the ideal conditions described below. Appendix K, p. K-13.

Nowhere in the draft Trail Management Plan is the concept of the use of qualified volunteers, including the Backcountry Horsemen of California, mentioned as a partner that might be utilized to help maintain existing trails and/or construct new trail segments. Instead, **the plan ignores the potential and valuable contributions of partner organizations and volunteers and, as such, appears to reflect an insular and**

go-it-alone mentality that we find troubling. In an era of increasingly limited congressional appropriations for public land management agencies, including the NPS, it is our hope that the leadership at SEKI would take every opportunity to reach out to and include partners in planning for its trail maintenance efforts.

Granted, there remains significant fixed cost for the Park Service associated with trails-related design, environmental compliance, and crew oversight. But there could be cost-savings associated with utilizing skilled (i.e., certified) volunteers in trail maintenance and construction. The potential for such cost-savings should not be overlooked. By reaching out to and including partners, additional opportunities for trails-related grant writing and partnerships could appear.

The Back Country Horsemen of America recently entered into a programmatic Memorandum of Understanding (MOU) with the Washington Office of the National Park Service. In addition, several BCH chapters currently maintain, or are in the process of entering into, unit-specific MOUs with the Park Service. Examples of the former include Buffalo National River. Examples of the latter include our recent explorations of MOUs for local BCH units to conduct light trail and campsite maintenance and to develop a Leave No Trace curriculum in Mammoth Cave and Bryce Canyon national parks, respectively. We strongly encourage SEKI staff to tier from the national BCHA-NPS MOU and consider how it might partner with local BCH units to complete trail maintenance and other stewardship projects within SEKI Wilderness.

Draft WSP/EIS Contains Several Positive Proposals Supported by BCHA and BCH California

Our critique of the draft WSP/EIS would not be complete without demonstrating a high level of praise for several proposals that would enhance the visitor experience for horsemen and recreational stock users in the parks. As stated in previous communications with the current and former parks Superintendent, we fully support the proposed retention of the NPS administrative pack station at Mineral King and the commercial pack station at Cedar Grove. Likewise, we also support the following positive proposals as put forth in the draft WSP/EIS:

- Alteration of the Atwell Mill Campground at Mineral King to accommodate private horses/stock.
- The development of stock camping at the Cedar Grove pack station primarily for private stock users. To include holding pen/corral space, hitch rail(s), adequate parking and turn-around space, campfire pit, picnic tables, restrooms, bear boxes, water would be installed.
- Opening of the formerly closed meadow (Tom Sears Meadow), which is currently proposed open for private stock use.
- Modification of the North Fork and South Fork Kaweah trailheads to improve parking and turnaround for stock trailers and hitching post(s) added, with the South Fork to be used primarily by private stock users.
- Modification of the Middle Fork Kaweah trailhead to improve parking and turnaround for stock trailers and a hitching post.

Backcountry Horsemen of California has multiple units throughout the region that would happy to enter into a Memorandum of Understanding or other such service-type agreement for the planning, maintenance and upkeep of these facilities. The MOU or agreement could be tiered from the current MOU that BCHA plans to sign with the NPS Washington Office during a signing ceremony in September 2014 in Washington DC.

Conclusion

Thank you for this opportunity to submit public comments on the draft WSP/DEIS. We appreciate the efforts of park personnel who have sought opportunities to include the pack and saddle stock community in this and similar planning efforts. It is our belief that only through strong partnerships and effective collaboration can our mutual goals of preserving Wilderness character and maintaining publicly-supported trail systems be achieved.

As stated previously in this comment letter, we believe that proposed restrictions to recreational stock use in park Wilderness are not warranted at this time. The draft WSP/EIS appears to violate applicable law and NPS policy as proposed regulations on stock use have not been shown either to be “necessary to preserve wilderness character” nor has documentation been cited that demonstrates recreational stock use currently is resulting in either “unacceptable impacts” or to “unreasonably interfere with other (park) uses.” Among many citations provided herein, the Trend Analysis that accompanies the parks’ 2011 Wilderness Visitor Survey provides ample support for our questioning the need for new restrictions to private horse and pack stock use at this time.

Sincerely,

RPRasmussen

Randy Rasmussen

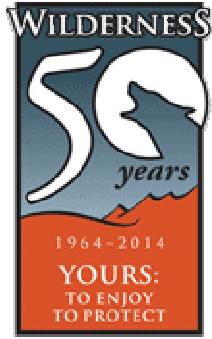
Advisor for Public Lands & Recreation | Back Country Horsemen of America
37326 Soap Creek Rd. | Corvallis, OR 97330 | www.backcountryhorse.com

Richard H. Cochran

Richard H. Cochran

Co-Chair | Public Lands Committee | High Sierra Unit | Backcountry Horsemen of California
1102 North Chinowth Street | Visalia, CA 93291 | <http://highsierraunit.org/>

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Appendix A: WSP-Proposed Stock-Related Closures/Removal and their Adverse Effects

Meadow Closures

- 1) Meadows south of Bighorn Plateau and west of the JMT and north of Wright Creek
This meadow is an important stopping place along the JMT with no close alternative grazing opportunities. The next closest grazing opportunities are at Crabtree or Sandy Meadow, which is 6 miles distant to the south. Kindle Creek meadow is 5 miles to the north, so would be a 11-mile stretch of no open meadow.
- 2) Chagoopa Plateau #3 Meadow
This meadow is an important stopping place along the HST from Kaweah Gap with no close alternative grazing opportunities. The next closest grazing opportunities are at the Kern River. . Big Arroyo 3 miles away, but that trail is proposed closed under Alt. 2; south and east is Upper Funston, which is 8 miles distant.
- 3) Grouse Meadow
This meadow is an important stopping place along the JMT with no close alternative grazing opportunities. Closest alternative grazing opportunities along JMT is Little Pete, some 4 miles distant.
- 4) Lower Crabtree Meadow
This meadow is a well-liked and important stopping place along the JMT with no close alternative grazing opportunities. Upper Crabtree is about 1 mile to north, often wet (would need drift fence to keep stock out of lake; but Alt.2 proposes to close it too to grazing?); Sandy is 5 miles distant, Strawberry 1 mile but only 3 acres = 1party at a time; so no viable alternatives.
- 5) Woods Lake Basin Meadows
This meadow is a major stopping point along the Rae Lakes Loop that serves multiple passes and routes. It is the first stopping place when you enter the region from the south. The region is open to stock travel, but any grazing would be prohibited. We find this restriction unacceptable, particularly since there are no close alternate meadows.
- 6) Taboose Pass Area
Closest alternative grazing opportunities are 5 miles distant.

Drift Fence Removal

- 1) Stillwater Meadow
No other drift fences are available to restrict stock access to sensitive meadows or to drift down canyon from Deer Meadow.
- 2) Shorty's Meadow (upper)
Important drift fence to keep stock from going over Granite Pass.
- 3) West Side Roaring River (lower)
Important drift fence for private party stock use and sensitive resource protection. Adjacent pastures are NPS use only; need to maintain separation.
- 4) Grasshopper
Important for maintaining stock in the meadow(s) and traveling up canyon.
- 5) Cold Springs

This is the only drift fence in the Upper Kern Canyon in a region with lots of good feed that is well liked by private parties, particularly since no longer used by NPS stock teams.

6) Lower Funston

Protects sensitive meadows and keeps stock from going down the Kern Canyon. Has been there 50-60 years and is used frequently.

7) Rattlesnake Canyon #2 & 3

Protects sensitive meadows and keeps stock from going down the Kern Canyon.

Hitch Rail Removal

In general, BCHA and HSU BCH California are opposed to all hitch rail removals on the grounds that their primary benefit is resource protection (protection of trees and soil). High lines are generally used for overnight restraint, not short-term restraint while traveling, and are therefore not suitable for short-term use. In areas where more than one hitch rail is provided, we are not opposed to the excess rails being removed.

We also have concern of seemingly arbitrary removal of hitch rails removed more recently by NPS without public discussion at Junction Meadow, Bugs Creek and the trail to East Lake.

The following specific notes regard high-priority hitch rails to maintain:

Grand Palace Hotel – used a lot

Evelyn Lake – High day use (fishing)

Hockett Meadow and Pasture– purpose of hitch rail is to assist rehab of old ranger station