

Sierra and Sequoia National Forests Plan Revision Objection

Theresa Benson, Sequoia National Forest Supervisor

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

Dear Staff,

We are objecting to the Plan Revision by including our comment letter from 2019. The original letter is in black font. The red font is one part of our objection, and tying our comment letter to our objections.

September 26, 2019

US Forest Service

Forest Planner Fariba Hamedani

Forest Plan Revision

1839 So. Newcomb Street, Porterville, CA 93257

Via Email-r5planrevision@fs.fed.us

Re: Sequoia Forest Plan Revision Revised DEIS Comment

Dear Ms. Hamedani and Forest Planners,

Please add this comment letter to the public record and consider our comments as you draft the Final Sequoia National Forest EIS.

The Piute Property Owners Association is concerned about proposals in the Sequoia Forest Plan DEIS that will harm motorized recreation trails around our property.

* Most of our members purchased property in the Piutes in order to be able to enjoy the existing historical motorized trails.

We are concerned that a PCT management area will curtail our ability to access our public lands using the existing trails near our properties, and we are even more concerned that a management area enforced as some would like will result in the closure of non system roads, routes, and trails that stakeholders use that facilitate travel and access in US Forest lands. It is necessary to cross the PCT somewhere to get to many places in the Piute Mtns. We object to a PCT management area that curtails our access to public lands long enjoyed by generations of people.

* + We understand your Alternatives B, C, D and E propose to expand the existing Pacific Crest Trail Corridor up to one mile wide, and within that area you will only allow existing designated motorized trails.

 We understand that designated roads and trails may be allowed to remain, and that possibly the existing user generated (as the USFS calls them) trails might be allowed to pass through the management area on a case by case basis. This would be predicated upon the trail crossing the PCT not interfering with the nature and purpose of the PCT. We are grateful that the Supervisor acknowledged that some are concerned that the PCT management area may curtail their recreation. This would not be a desired outcome.

 However as you are aware the Piute motorized trail plan has not been completed. There are many non system motorized trails which have yet to be analyzed for possible designation. Your Forest Plan proposals would circumvent and violate the requirement for those non system trails to remain open until the Piute Travel Plan analyzes them to determine if they should be designated or be closed.

 The idea of a PCT corridor arose in 2012, which we voiced our concerns over, essentially because of the corridor and the OLR process. We are fundamentally opposed to the OLR process, since others are free to move the PCT, potentially harming the trail experience of other stakeholders.

* The Pacific Crest Trail currently coexists in harmony with motorized recreation as it is required to do under the 1982 PCT Comprehensive Management Plan. If the Forest Service feels the PCT must now restrict other forms of recreation and can no longer coexist in harmony, then we suggest you relocate the PCT outside of the Piute OHV trail system area.
* We understand that the 1982 PCT plan is superseded, and yet it is also cited in the most recent documents. What some of us find unbelievable is that there is a conflict going on the ground at the intersection of the PCT use and the other uses in the Piute Mtns. The reality on the ground is that there is harmony and coexistence in the Piutes. PCTA has wanted a corridor (management area) for a decade now, since the “Need to Change” document. We understand they would like the best trail experience, but we know of no interference, no value degradation, to the PCT. We see no allegations of problems or conflict in the Piutes from the PCTA, trail users, property owners, law enforcement, or staff from the USFS, BLM, or Ca State Parks. The conflict is on paper, not upon our public lands.

The 1992 PCT Optimal Location Review Process Guidelines call for moving the trail away from activities that are incompatible with protection of the trail. The document states that the team evaluate ‘the physical, biological, and social environments to locate the trail within a corridor that can sustain the most desired recreation setting’. The OLR process appears to be able to move the PCT away from conflicts and commercial developments, or the trail can be moved to curtail activity near a new location for the trail. The problem is that some do not think private property is compatible near the PCT but the public ownership aspect coupled with the optimal trail locations mean the trail is free to move TO private property.

* We are also concerned that your proposed PCT Corridor up to one mile wide will infringe on our private property, since our properties are closer than a half mile from the PCT. We object to this infringement on our private property and will take legal action if needed.
* While we have heard and been told that the management area will not affect private property, multiple USFS documents from various eras, and including the most recent revision of land management, include the acquisition of private property along and in the management area. The USFS partner, the PCTA, calls for public ownership of all lands along the PCT and with an expanded idea of the viewshed, a viewshed they shall always want, and one that is acknowledged by the Supervisor in one of the alternatives not chosen. We believe calls for public ownership of all land near the management area, and calls for allowing the PCT to be relocated in order to place it in a higher value area, shall and do place potential infringements upon our property rights. We can understand that the PCTA wants the best trail experience, as we do, but it is our government’s responsibility to protect the rights of all stakeholders. We would like the USFS to equally protect our trail experience and believe that this will result in the ultimate desired outcome. Again, the OLR process could be used to move the management area, creating new private properties to go onto the PCT land acquisition inventory. We haven’t been privy to the ‘potential alternate trail locations’; none of us know where the future PCT is, and therefore we don’t know if our property becomes the object of someone else’s desired prize. This is reason to object to a PCT management area; it leaves us without a clear idea of what the future holds.
* We understand you may be considering a variable PCT Corridor in order to avoid being on private property. However a variable corridor would not meet the proposed requirement to insulate the trail with a certain distance. If a smaller width PCT Corridor is acceptable anywhere, then it must be acceptable everywhere. We understand there is no PCT Corridor on lands outside the National Forest, so there should be no corridor on public lands either.
* We understand that the PCTA and the USFS would like the trail experience to be high, and we are grateful that the Supervisor acknowledges that the PCT cannot be this perfect single track with solitude as an experience everywhere. Most parties know that the PCT skirts freeways, railroad tracks, and homes in various areas outside USFS jurisdiction. The Supervisor cites the example of the PCT taking the shoulder of a road in the Scodie Mountains on the way to McIver Cabin, before dropping down to Walker Pass. We understand that people have always wanted to improve the PCT as time goes on. This is supposed to be a land management revision. Why does this include a trail that should be project specific? We still object to this.
* Pacific Crest Trail hikers have regularly sought food and assistance from our property owners and motorized recreationists in the area. We find it offensive that PCT people now seek to restrict our historic motorized trails.

We have discussed this statement at some length recently. We are not going to confuse the PCT users with the PCTA. We are not going to allow our attitudes to change or deteriorate toward other forest and trail users. We don’t believe the VAST majority of stakeholders ever read or shall read land management documents or EIR’s, and we believe almost everyone is unaware of the changes that the management area will create. We think it offensive that some have an issue with private property ownership near the PCT, or trail riding in the forest. It is the duty of our government to protect citizen’s rights, and government should be considerate of customs.

Our research indicates that some parties have played the PCTA for large sums of money, or they would block access to the PCT (near the Canadian border). We also think the PCTA did not save Landers Meadow from ‘development’. The LLC in question was an energy development firm; they wanted solar panels in a meadow, and that was never going to happen; no one was going to send transmission lines above ground or under. Kern County would not give anyone permits to build vacation homes in a meadow. We cherish our public lands and those who do likewise.

* Many of us love the PCT and what it represents.  It is an amazing trail.  That being said, we strongly oppose any expansion of the PCT Corridor.  As it stands, this will take away from other forms of recreation that are already in very limited supply.  Closing these lands and in favor of making the PCT more of Wilderness experience outside of Wilderness is not appropriate on multiple use lands, and not fair to those of us who enjoy mechanized recreation.  The PCT already has hundreds upon hundreds of miles which are within non motorized Wilderness lands.
* We still think this. Many of us have always thought it was cool to have a property near the PCT. Unfortunately, the management area and calls by past staff and PCTA for public ownership of surrounding land create a sense of foreboding, stress, legal issues. It wasn’t supposed to be like this, and the early 80’s versions of PCT management call for it to be a good neighbor. There is room for all of us, but the PCT management area, coupled with the PCT land acquisition inventory, and the Optimal Location Review process mean that any pre-existing zoning or management cedes to the location of the PCT, and therefore we object.

Please rethink the Forest Plan so your Alternatives preserve all existing recreation opportunity for all forms of recreation including motorized recreation.  Further restricting already limited motorized recreation is exactly the opposite of what is needed in a quickly growing state.

We look forward to your reply as to how the Forest Service will address the above legal and other issues.

We believe that a review of our past efforts working with the USFS demonstrates our commitment to the environment, our willingness to work with others and find solutions, and our love of the outdoors. It is our government’s responsibility to act as a fair and impartial referee.

We think the desired outcome is keeping public lands open for all the public. We have more to say upon this matter, and we hope this review of our past comments show are current thinking.

Sincerely,

Nate Sciaqua, President