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# APPENDIX M

## RESPONSE TO COMMENTS

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### Introduction

The Forest Service has documented, analyzed, and responded to the public comments received on the Revised Draft EIS (RDEIS). Appendix M describes the substantive comments received on the RDEIS and provides the agency's response to those comments. This response complies with section 40 CFR 1503.4, Response to Comments, of the National Environmental Policy Act (NEPA) regulations.

### Content Analysis Process

Public responses submitted regarding the Revised Draft EIS for the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses were documented and analyzed using a process called content analysis. This is a systematic method of compiling, categorizing, and capturing the all public viewpoints and concerns submitted during the official comment period in response to the Revised Draft EIS. Information from public meetings, letters, emails, faxes, and other sources are all included in this analysis. Content analysis helps the USDA Forest Service clarify, adjust, or incorporate additional technical information in preparation of the Final Environmental Impact Statement.

Analysts read all public responses and identified separate comments within them that relate to a particular concern, resource consideration, and/or requested management action. Analysts categorized each comment by using a numerical categorization or "coding" structure that has been specifically tailored to the project documents. Each relevant comment is coded by subject and verified by a second analyst for accuracy and consistency. Next, each response's set of coded comments is entered verbatim into the project database. The CAET team also prepares a final content analysis summary report that includes a list of public concerns addressing the specific resource and management considerations.

Finally, it is important to recognize that the consideration of public comment is not a vote-counting process in which the outcome is determined by the majority opinion. Relative depth of feeling and interest among the public can serve to provide a general context for decision-making. However, it is the appropriateness, specificity, and factual accuracy of comment content that serves to provide the basis for modifications to planning documents and decisions. Further, because respondents are self-selected, they do not constitute a random or representative public sample. NEPA encourages all interested parties to submit comment as often as they wish regardless of age, citizenship, or eligibility to vote. Respondents may therefore include businesses, people from other countries, children, and people who submit multiple responses. Every substantive comment and suggestion has value, whether expressed by one respondent or many. All input is read and evaluated and the analysis team attempts to capture all relevant public concerns in the analysis process.

Two general and related principles guide analysts when coding comments. These two principles--encompassing both the need to maintain context and the need to capture respondents' sentiments and reasoning--are crucial to capturing the full range of public concerns. They also, however, underscore the complexity of the coding process. A single comment referring to two or more resource areas could be legitimately coded to any of several categories. Innumerable permutations among multiple resources, perspectives, and emphases add to the complexity. The challenge, ultimately, is for analysts to classify comments in a way that fairly represents respondents' concerns and that facilitates the planning team's efforts to respond to those concerns. This challenge is addressed through frequent interaction among analysts augmented by regular consistency checks.

## Comment Response

Analysts use the database sorting capabilities to produce reports that are then reanalyzed to identify all of the respondents' concerns. Public concern statements that capture the theme of similar comments are then prepared.

The interdisciplinary team reviewed the public concern summary along with sample quotations, considered the substance of the concerns, evaluated whether they triggered a change in the environmental analysis, and drafted responses. For some concerns, they reviewed the original letters or other input to ascertain the full contexts for the concern statement.

The interdisciplinary team provided any recommendations for improvements to the RDEIS analysis of documentation to the leadership of the Inyo and Sierra National Forests for review, consideration, and action.

Responses are written to address these public concerns. In general, the agency responded in the following five basic ways to the substantive public comments as prescribed in 40 CFR 1503.4.

1. Modifying alternatives.
2. Developing and analyzing alternatives not given serious consideration in the RDEIS.
3. Supplementing, improving, or modifying the analysis that the RDEIS documented.
4. Making factual corrections.
5. Explaining why the comments do not need further Forest Service response.

This response document follows the organization of the public concern summary as prepared by the content analysts. This organizational structure is developed using many different sources. First, the public concern summary is based on the coding structure which is based on the organization of the Revised Draft EIS. Then, as comments are received and important themes are identified, the organization is modified to address concerns as the commenting public raises them.

Therefore, the Response to Comment Appendix M does not directly match the organization of the Final EIS and is instead more closely tied to concerns that the public shares with the RDEIS.

## **Response to Comments**

### ***Purpose and Need for Plan Amendment***

#### **1: The Wilderness Planning Team should better demonstrate the need for a plan revision. (71)**

**Response:** Pages 1-7 of the RDEIS identifies six needs for the plan amendment. Existing management plans for the John Muir and Ansel Adams [Minarets] Wildernesses are over 20 years old, and thus out of date. The Inyo and the Sierra Forest Plans specified that these plans were to be amended or updated. Much has changed in these areas since 1979 when they were signed. In addition, there is no existing management plan for the Dinkey Lakes Wilderness. This RDEIS was prepared to address numerous concerns raised during the comment period on the original DEIS.

#### **2: The Wilderness Planning Team should demonstrate how this proposal would adequately respond to the need for a plan revision. (72)**

**Response:** See response to Comment 1.

#### **3: The Wilderness Planning Team should explain why the reasons presented as the need for a plan revision changed between the Draft EIS and the Revised Draft EIS. (88)**

**Response:** The stated reason for initiating the DEIS planning process was to ensure consistency, meet Forest Plan direction, develop direction guided by the LAC planning process. It also was to ensure that direction meets the intent of the California Wilderness Act, provide consistent direction to all four wildernesses, and to identify new issues and concerns. Between the DEIS and the RDEIS, the reasons for initiating planning have changed slightly. The LAC planning process is no longer listed as a reason for planning.

Additionally, the RDEIS has added “providing a change to management direction associated with visitor use, commercial activities and recreation stock forage,” and “ensuring that the concerns of the involved Indian Tribes are considered and addressed” to the statement of purpose and need for initiating the planning effort. “Identifying new issues and concerns” from the DEIS was replaced by the purpose of “changing management direction associated with visitor use, commercial activities, and recreation stock forage” in the RDEIS. The Forest Service’s concern for managing the wildernesses consistently and providing consistent direction over all three wildernesses, meeting Forest Plan direction and direction in the California Wilderness Act, and addressing the issues communicated by the public -- visitor use, recreation stock forage, and commercial activities -- were some of the reasons for the change between draft and revised draft.

## ***Adequacy of the Needs Assessment***

### **4: The Wilderness Planning Team should provide adequate information and analysis in the Needs Assessment. (613)**

**Response:** See response to Comment 7.

### **5: The Final EIS should correct conflicting statements in the Needs Assessment regarding demand trends for commercial services. (516)**

**Response:** Numerous operators apply for commercial special use permits to operate in these areas; this is the demand that has increased. Once an operator has been given a permit, their use, as documented in Forest Service records, in all but a few exceptions, has not met their allocation. In many cases, operators' use has decreased.

### **6: The Wilderness Planning Team should reevaluate the statement in the Needs Assessment that calls for outfitters and guides to meet agency and forest objectives. (1001)**

**Response:** We reviewed this statement and have determined that it is true and appropriate to remain as stated in the Needs Assessment.

### **7: The Wilderness Planning Team should recognize that the Needs Assessment does not present adequate information to justify proposed management actions regarding commercial use. (207)**

**Response:** The Needs Assessment was never intended to justify use levels. A range of use levels is provided in the alternatives. The Needs Assessment states its intent to provide rationale for types of services considered appropriate. Allocation of use is the aspect requiring NEPA. Use levels reflect the overall desired conditions or theme of the alternative.

## ***Adequacy of Data and Analysis***

### **8: The Wilderness Planning Team should provide more complete and accurate data and analysis as the basis for the final plan. (87)**

**Response:** The management plans for the John Muir and Ansel Adams [Minarets] Wildernesses are over 20 years old. There is direction in the Forest Plans to update these plans to include newly designated Wildernesses, including the addition to the Minarets that created the Ansel Adams. The Dinkey Lakes Wilderness has no existing management plan. We recognize there are gaps in the data. We decided to issue a RDEIS to allow us to collect additional data to make an informed decision. We feel the level of data used in this analysis is sufficient to make the programmatic level decisions proposed here. Additional data needs have been identified in the monitoring plan. We will continue to fill in our data gaps. It is our intent to keep this plan updated in the future and make adjustments as new information dictates.

**9: The Wilderness Planning Team should use a benchmark period that includes both drought years and heavy snowpack years for data collection. (224)**

**Response:** The years 1996 to 1999 included two drought years, two very heavy snow years (97, 98) and two rather normal years (96, 99). Only two years of four are used to calculate the “high two”. Overall wilderness use did not noticeably decline in any year between 96 and 99 with a slight drop in 1998. Prior to 1996 there is poor and unreliable data, particularly from commercial pack station and outfitters and guides. In checks from the year 2000, the levels of use for commercial operators did not change noticeably.

**10: The Forest Service should employ the most accurate record-keeping methods available to assist in future planning processes. (206)**

**Response:** Nationally the Forest Service is working on a new data management program. Future data will be recorded in this comprehensive database. We are using Geographic Information Systems, GPS units and other computerized data collection systems to improve our ability to collect and retrieve data. The permit issuance process, by which the Forest Service would issue all wilderness permits displayed in Alternatives 1 and 2 in the RDEIS as well as Alternative 1 Modified in the FEIS, would improve the accuracy of our visitor use data.

## ***Adequacy and Availability of Information and Materials***

**11: The Wilderness Planning Team should ensure that information is readily accessible, user-friendly, and clearly legible. (166)**

**Response:** We have reviewed the Internet version of the RDEIS and concur with this comment. We will change to a different font in subsequent documents. This was the first attempt by the Inyo to place a document of this volume on the website. Consequently we found the font used was not “Internet friendly”. We will therefore be using a more appropriate font for the FEIS and ROD.

**12: The Final EIS and Wilderness Plan should include data and analysis gathered and provided by other researchers. (156)**

**Response:** All data collected has been made available to the public through public meeting forums, presentations available on the website and through individual requests. In the FEIS, Chapter 4 additional results from the University of Arizona study are included that have become available since the publishing of the RDEIS.

**13: The Final EIS should provide clearer definitions for several terms used in the Revised Draft EIS. (202)**

**Response:** The glossary defines trailhead as a portal or entry. Since the 1970’s the central Sierra agencies instituted an external control mechanism referred to as a trailhead entry system. This is the generally accepted and used term. Wilderness Permit is in the glossary and determined to be the most descriptive term, since there are many different types of permits that the Forest Service issues. Day hiking is the term for the commercial service activity, while day use is the term for

use that occurs only during the day and not a visitor staying overnight. These terms are in the glossary in the FEIS.

**14: The Final EIS should include a climate contour map. (462)**

**Response:** It is felt that this data is not critical in assessing environmental impacts in the comparison of alternatives in the FEIS.

**15: The Final EIS should include Figure 3-1, a location map of Sierra Nevada bighorn sheep habitat, which was left out of the Revised Draft EIS. (201)**

**Response:** A location map of Sierra Nevada bighorn sheep habitat will not be included in the FEIS. However, this information is available upon request.

**16: The Final EIS should provide complete inventories of west side trailheads. (208)**

**Response:** We concur, and the map accompanying the FEIS will be consistent with the tables in the FEIS.

## ***Wilderness Plan Elements***

**17: The Wilderness Planning Team should consider the potential impacts of implementing a trailhead quota system on party size. (90)**

**Response:** Alternative 1, Modified articulates how party size would be allowed within the quotas. This is of concern where we are attempting to manage for low levels of use.

**18: The Wilderness Planning Team should address whether the same management approach is appropriate for both the east and west sides of the Sierras. (86)**

**Response:** The purpose and need for this RDEIS is to provide consistent management direction for all three wilderness areas. The wilderness resource must be recognized as whole and not as separate entities. Much of the use that begins on the east slope travels over to the west slope and, in some cases, vice-versa. It is important to provide consistent standards, guidelines and management direction to minimize confusion not only amongst visitors, but wilderness managers as well. Through this joint effort, we feel this can be achieved.

**19: The Forest Service should make management decisions on a site-by-site basis. (89)**

**Response:** The decisions and resulting Wilderness Plans will provide programmatic guidance for future site-specific management of these wildernesses.

**20: The Wilderness Planning Team should replace the wilderness-zoning concept with non-degradation standards. (1)**

**Response:** The Wilderness Act, or Forest Service policy does not dictate a ‘non-degradation’ standard. We do, however, recognize that there has been a slow and continuous spread of impacts over time into areas that had previously received very low levels of visitor use. We recognize that low levels of use can result in a steep rate of impact. We believe that without categorizing the landscape with different expectations and characteristics (higher quality to a lower quality) and describe acceptable conditions, this slow, continuous creep of impacts will continue. This is what we are trying to prevent. Without a ‘zoning’ concept we would be managing for the same conditions across the landscape.

**21: The Forest Service should consider allowing the John Muir and Ansel Adams Wildernesses to become a national park. (234)**

**Response:** Designation of these areas as a National Park is beyond the authority of the Forest Service. The authority to designate National Parks is reserved to the Congress of the United States.

**22: The Forest Service should work with Sequoia-Kings Canyon National Parks to transfer Humphrey’s Basin to the park system. (614)**

**Response:** Designation of these areas as a National Park is beyond the authority of the Forest Service. The authority to designate National Parks is reserved to the Congress of the United States.

## ***Consistency and Compliance with Other Policies, Rules, and Laws***

**23: The final plan should comply with the requirements and intent of the Wilderness Act. (162)**

**Response:** As required, the NEPA process is being followed for this wilderness planning effort. NEPA and the Wilderness Act do not conflict. The Wilderness Act establishes many purposes but does not prescribe definitive methods or techniques for how the areas will be managed. It does allow for discretion in the administration of the individual wilderness areas.

**24: By managing primarily for wilderness character rather than for public preference or opinion. (163)**

**Response:** We believe this analysis responds to the purposes described in the Wilderness Act on attaining a balanced approach between recreational use and other wilderness values.

**25: By limiting commercial recreational uses. (164)**

**Response:** Language in the Wilderness Act enables commercial operations. The precise language is “Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or other wilderness purposes of this Act.” A range of alternatives was presented in the RDEIS that prescribed different levels of commercial activities. The Wilderness Act or Forest Service policy does not direct us to not authorize commercial services because of quotas. Our evaluation of needed services to reach the stated goals and purposes of the Act is defined in Appendix D, Needs Assessment.

**26: By managing for historic recreational uses rather than attempting to preserve or restore natural conditions. (160)**

**Response:** The alternatives found in the RDEIS provide a range of possible actions to resolve the issues that have been identified. The Wilderness Act does not preclude any actions that have been proposed.

**27: The final plan should comply with the 1984 California Wilderness Act by keeping recreational use at 1979 levels in the Dinkey Lakes Wilderness. (161)**

**Response:** The statement in the 1984 California Wilderness Act regarding use levels in Dinkey Lakes, specifies that non-motorized dispersed recreation shall continue to be permitted at a level not less than the level of use that occurred during calendar year 1979. We don't have use data for that area for 1979. We do have data from 1985, which was the first year wilderness permits were required (907 people; average group size of 16). In 1986, the total number of people was 1,967. In 1999 the total number of people was 2,542. The quotas proposed for the Dinkey Lakes Trailhead will continue to accommodate the use we saw in 1999 that we believe exceeds those levels from 1979.

**28: The Wilderness Planning Team should explain how each alternative is compatible with the Needs Assessment and the Wilderness Act mandate related to commercial uses. (192)**

**Response:** The Needs Assessment is intended to articulate the rationale for needed services identified by the agencies. It does not prescribe the levels of these uses. Each action alternative prescribes an allocation of commercial services based on the needs identified (does not change by alternative) and a level commensurate with the theme and desired condition of the alternative. This provides a range of alternative levels of commercial use and mixes of activities for the public to respond to in the RDEIS.

The Wilderness Act states that we are “to allow for commercial activities to the extent necessary”. Criteria often used looks at criteria of skills, knowledge and equipment to assess what is needed and necessary to meet the recreational objectives of the Wilderness Act. Further, the extent to which current authorized services were being utilized were reviewed and considered as a benchmark from which to base allocations in the plan.

**29: The Forest Service should recognize that the Endangered Species Act does not take precedence over the Wilderness Act. (289)**

**Response:** We do not consider these two acts to be exclusive. We consider them to be complimentary.

**30: The Forest Service should recognize that the Wilderness Act does not override the principles of the Multiple Use-Sustained Yield Act. (466)**

**Response:** Nothing proposed in this plan would violate the Multiple Use-Sustained Yield Act.

**31: The Forest Service should comply with the National Environmental Policy Act by making management decisions based on objective criteria. (463)**

**Response:** This planning process complies with NEPA. As such, it is a procedural statute and does not control the substantive decision. Professional judgment and objective data is used in making decisions on wilderness issues. However, it cannot all be reduced to objective criteria.

**32: The final plan should comply with the Americans with Disabilities Act. (290)**

**Response:** The Americans with Disabilities Act (ADA) does not directly apply to programmatic plans such as this. ADA or related statutes may apply to subsequent actions taken to implement this management direction.

**33: The final plan should comply with the Antiquities Act by describing effects on cultural and historical resources. (288)**

**Response:** A Programmatic Agreement (PA) between the Forests, the State Historic Preservation Office, local tribes and other interested parties, such as commercial packers, has been developed to address cultural and historical resources, known commonly as heritage resources. This PA complies with the Antiquities Act with respect to activities in the wildernesses.

**34: The final plan should be consistent with the Chief's Recreation Agenda. (151)**

**Response:** The strategy for recreation use described in this RDEIS is consistent with Forest Service Chief Mike Dombeck's Recreation Strategy.

**35: The Wilderness Planning Team should defer any decision until after the Sierra Nevada Conservation Framework is finalized. (177)**

**Response:** The ROD for the Sierra Nevada Forest Plan Amendments was signed January 12, 2001, and amended both the Sierra and Inyo Forest Plans. The Framework ROD has been reviewed and any necessary changes have been made in the FEIS to provide consistency with that direction. Therefore the Framework direction now applies to these wilderness plans and will be further addressed in the Wilderness Plan ROD.

**36: The final plan should comply with the Organic Act, the Wilderness Act, the USDA Environmental Justice Regulation, the National Forest Management Act, and the Architectural Barriers Act. (238)**

**Response:** The Forest Service has reviewed all applicable laws, regulations and policies and determined that this action is consistent and does comply. Consistency with applicable laws will be addressed in the ROD.

**37: The Revised Draft EIS should comply with existing federal statutes and Forest Service policies. (286)**

**Response:** See response to Comment 36.

**38: Maximize visitor freedom. (712)**

**39: Forest Service Manual 2320.3. (713)**

**40: Forest Service Manual 2323.12. (714)**

**Response:** FSH 2323.12 does not state that controls are to be applied *only* after indirect measures have failed. It encourages light-handed techniques first. The limited entry trailhead quota system has been in place over twenty years in this planning area. This planning process included an evaluation of the limited entry system and led decision makers to re-affirm the longstanding program with some changes to the quotas proposed in all action alternatives. The Wilderness Act allows for a multitude of uses. It does not state to maintain historical use levels. Nowhere in this plan are we categorically prohibiting any legal and legitimate uses in designated wilderness.

**41: The final plan should comply with 36 CFR 219.1 and A8-577 in establishing a benchmark for minimum level of management. (287)**

**Response:** We have reviewed 36 CFR 219.1 and cannot find reference to establishing a benchmark for a minimum level of management. This is mentioned under 36 CFR 219.12, however it also states “The preparation, revision or significant amendment of a forest plan shall comply with this section”. The wilderness planning process is considered a non-significant amendment to the forest plan and is therefore not subject to this section.

We can find nothing in 88-577 (The Wilderness Act) that has the requirement cited in this comment.

**42: The Forest Service should comply with 36 CFR 219.1 by obtaining and keeping current inventory data. (220)**

**Response:** The Forest Service maintains large databases of information and continues to improve past data collection and retention practices. A significant amount of new and existing data was collected and assembled by resource specialists in the period since the close of the comment period of the DEIS. See responses to Comments 87, 206 and 287.

## ***Consistency and Compliance with Adjacent Lands and Other Agencies***

**43: The Forest Service should continue to consult with employees of adjacent national parks. (280)**

**Response:** Wilderness staff on National Forests and Parks work together through informal and formal channels. The Central Sierra Wilderness Managers Group meets annually to discuss issues and to identify needs and actions for consistent management approaches. In addition, the Forest Supervisors and Park Superintendents meet at least annually. This longstanding working group has made many accomplishments, including an interagency Wilderness education program.

**44: The Wilderness Planning Team should institute a campfire elevational closure that is consistent with adjacent national park policy. (39)**

**Response:** The planning area composes a range of latitudes affecting the determination of elevations of whitebark pine. To be consistent with the national parks, four different elevations

would have to be designated. In proposing alternatives, whitebark pine forest elevation data and visitor understanding was considered paramount. Although we strive for consistency, this situation did not seem appropriate.

**45: The Wilderness Planning Team should consider making group size limits consistent with those of adjacent national parks. (168)**

**Response:** See response to Comment 39, which partially responds to issues of consistency with national parks. The Forest Supervisors' decision and rationale on party size, including the issue of consistency with the national parks, will be described in the ROD.

**46: The Wilderness Planning Team should avoid displacing use into nearby national park wilderness areas by setting commercial quotas too high. (237)**

**Response:** The National Park Service has separate policies and procedures for authorizing commercial use within their jurisdiction. Forest Service authorized service days do not allocate use in the adjacent National Parks. A commercial operator must obtain an Incidental Business Permit from the park to operate within Yosemite and Sequoia/Kings Canyon NPs.

**47: The Final EIS should address the National Park Service's issuance of wilderness permits. (180)**

**Response:** As described in Alternative 1 Modified, the relationship of neighboring agencies issuing wilderness permits is clarified. There has been a longstanding practice of cooperation between the contiguous parks since the 1970's and nothing in the RDEIS is intended to preclude adjacent agencies from continuing this practice.

**48: The Final EIS should address the on-going discussions with the National Park Service concerning cross-boundary competitive special events. (167)**

**Response:** We consider this issue to be outside the scope of this planning effort. The RDEIS does not change current Forest Service policy direction for competitive events.

**49: The Forest Service should acknowledge that National Forests have different management directives than National Parks and should be managed accordingly. (465)**

**Response:** The Forest Service recognizes that the two agencies have different missions. However, we also recognize that the same Wilderness Act established the wilderness areas and therefore management of these areas should have some level of consistency. Visitors to these wildernesses frequently cross boundary lines from one jurisdiction to another and consistency in management where compatible with agency objectives helps to avoid confusion.

**50: The Forest Service should work with the California Department of Fish and Game to monitor impacts to fish and wildlife from land management practices. (283)**

**Response:** The Forest Service welcomes the opportunity to develop monitoring strategies in concert with the California Department of Fish and Game.





**51: The Forest Service should identify and explain how existing multi-agency fish and wildlife management plans would affect the final wilderness plan. (236)**

**Response:** The direction of the Wilderness Plan does not supercede the implementation or adoption of any existing or future multi-agency fish and wildlife management plans as they are signed into effect by the heads of the varying agencies including the Regional Forester. The implementation of the *Sierra Nevada Forest Plan Amendment Record of Decision* on January 12, 2001 has amended all Sierra Nevada Forest Plans providing direction on the development of Conservation Strategies for species such as the Mountain yellow-legged frog. This direction applies to wilderness as well.

**52: The Wilderness Planning Team should ensure consistency between the final wilderness plan and the Vision of the Mono County General Plan. (231)**

**Response:** We have reviewed the Mono County General Plan and believe that the alternatives displayed in the FEIS are consistent to the extent practicable with the County's vision.

**53: The final plan should comply with the Lahontan Region's Basin Plan and the Federal Clean Water Act for water quality, wetland protection, and backcountry recreation. (158)**

**Response:** Implementation of State Water Board approved Best Management Practices (BMPs), implementation and effectiveness monitoring of BMPs, and performance review requirements are the most direct methods of meeting Basin Plan's water quality objectives. Applicable BMPs for wilderness management are described and referenced on pp. II-8 to II-9 of the RDEIS. Note BMP 7-3, "Protect Wetlands". BMPs are designed to meet the intent of applicable Federal regulations, such as the Clean Water Act and Executive Orders 11988 (Floodplain Management) and 11990 (Protection of Wetlands).

Several standards and guidelines identified under the action alternatives (1, 2, and 4) in the RDEIS would amend the Forest Plan to provide additional water quality protection criteria (e.g., the campsite setback criteria, Alternative 1, p. II-21). In the FEIS, standards and guidelines have been added that address potential water quality impacts caused by system and user-created trails (see Alternatives 1, 2, and 4, FEIS). The recently signed ROD for the Sierra Nevada Framework also amends the Forest Plans. See in particular sections of the ROD and FEIS that refer to the Aquatic Management Strategy and Riparian Conservation Areas for additional standards and guidelines that pertain to water quality, riparian areas, and wetlands (Framework ROD, Appendix A, pp. 5-9 and pp. 51-59).

Lastly, future monitoring and data collection associated with NEPA site-specific analysis will identify, document, and mitigate specific factors that may degrade water quality.





## ***Public Involvement***

### **Public Input**

#### **54: The Forest Service should ensure that all public comments and concerns are considered equally in preparing the Wilderness Plan. (233)**

**Response:** The process of public involvement was documented in the RDEIS (pp. I – 13 to I – 15). This section has been updated in the FEIS to include the process that took place between the RDEIS and the FEIS. We have received thousands of comments, held many public meetings and attempted to notify anyone who has expressed an interest. The Forest Supervisors met with all interested and affected Boards of Supervisors. The EISs have displayed a range of possible alternatives.

The Agency contracted with a Content Analysis Team to read, categorize, and summarize all public comments received on the RDEIS. Each comment has been read and responded to. Some comments resulted in adjustments and changes in the FEIS. It has been our intent to present an impartial and unbiased analysis to the Responsible Officials for their decision.

#### **55: Input from infrequent forest users. (726)**

#### **56: Input from stock users. (727)**

**Response:** The wilderness planning process has been ongoing since the early 1990's. Thousands of comments have been received. Many comments suggested that they have been asked enough and they want a decision made. The Forest Supervisors decided in 1999 to prepare a RDEIS to respond to the many comments on the DEIS. The RDEIS is based on the current best science, and new data collected specifically for this effort. We believe the final decision will reflect this and result in a sound, balanced, and viable plan that is equitable to all users.

Comments have been received from a variety of users. They have been developed and presented a range of alternatives in the RDEIS. Alternative 1 Modified has been added in the FEIS to respond to concerns voiced from the public. We believe most users will find one of the alternatives that address their needs. The Responsible Officials will make the final decision and select an alternative for the Wilderness Plan.

#### **57: Input from backpackers. (728)**

#### **58: Input from local parties. (729)**

#### **59: Input from commercial outfitters. (730)**

**Response:** The Needs Assessment provides rationale for commercial service; the alternatives in the FEIS provide a range of appropriate commercial service levels. The Needs Assessment, Appendix D, states that it is not the intent to absorb market demand for services within wilderness. In managing for the many purposes of wilderness, we have determined a sustainable level of commercial services. The public, including commercial service providers, has had the opportunity to comment in this process.

**60: The Wilderness Planning Team should ensure that special interest groups do not exert excessive influence on wilderness management decisions. (179)**

**61: The Forest Service should base management decisions upon its primary obligation to protect wilderness resources rather than private interests. (30)**

**Response:** The IDT identified alternatives to be considered by the Responsible Officials. The range of alternatives analyzed in the RDEIS was based on issues raised from public comments the Forests received from the beginning of the planning process in the early 1990's. It was the Team's task to present these in an unbiased manner and assure that a reasonable range of alternatives was available to consider. The Forest Supervisors reviewed the alternatives prior to the issuance of the RDEIS and felt that the range of alternatives adequately represented all sides of the issues. The ROD will display the rationale and decision made by the Forest Supervisors.

**62: The Forest Service should not favor one special interest group over another in developing the Wilderness Plan. (731)**

**Response:** See response to Comment 161.

**63: The final plan should be developed based on science, not as a result of litigation threats by special interest groups. (174)**

**Response:** The RDEIS and FEIS were based on the best science and data currently available. See Chapter 8 for the list of references used. The planning record includes additional data that we were unable to include in the document.

The RDEIS was substantially completed before the lawsuit was filed. The RDEIS and FEIS include a range of alternatives that we believe address the full range of public attitudes and desires for the management of these wildernesses.

**64: The Wilderness Planning Team should not use the percentage of letters received as the basis for reformulating the Draft EIS. (178)**

**Response:** The IDT used the opinions, not percentages, in the comment letters to develop the RDEIS. The percentages were presented in the RDEIS for informational purposes only. The comments were used to formulate new issues and alternatives for the RDEIS (RDEIS page 1-15).

**65: The Wilderness Planning Team should consider releasing a second Draft EIS before offering a Final EIS. (1000)**

**Response:** The IDT and Forest Supervisors have reviewed the data, public participation and comment and concluded that the analysis and subsequent documentation are adequate to release as a Final EIS.

**66: The Final EIS should include an accurate count of the number of scoping letters sent to parties interested in the planning process. (280)**

**Response:** The mailing lists for this effort are public record and available for review by request under the Freedom of Information Act. The numbers of letters sent out during scoping are identified correctly and disclosed in the FEIS.

**67: The Forest Service should revise Chapter I discussion of scoping to include specific information regarding the scoping meetings. (612)**

**Response:** The section of Chapter 1 has been revised to include this information in the FEIS.

**68: The Forest Service should improve the notification process for scoping meetings. (696)**

**Response:** The Forest Service attempted to contact all interested and affected publics. We provided news releases, a newsletter, many letters to a large mailing list, posting on our website and other forms of notification. We realize that it is impossible to contact everyone. All who commented on the RDEIS have been added to our wilderness planning database.

## **Public Collaboration**

**69: The Forest Service should involve commercial outfitters, guides, and the general public in stewardship programs within the wilderness areas. (197)**

**Responses:** We are currently engaged in an education partnership (Wilderness Riders) with Backcountry Horsemen coordinated by our interagency wilderness education program. We have been utilizing a volunteer program for many aspects of wilderness management. Nothing in this planning effort precludes these types of opportunities.

**70: The final plan should incorporate a demonstration project creating a conservation partnership with recreational providers. (171)**

**Response:** In Alternative 1 Modified, a temporary service day pool is created. One criterion for an existing operator to obtain additional use will be an incentive for services that excel or exceed meeting management objectives. We believe this is one way that management plan direction can facilitate a partnership with providers.

**71: The Forest Service should place more emphasis on user education. (240)**

**Response:** Education is an important element identified as needed by commercial service providers in the Needs Assessment. Numerous methods of education have been employed through the years, including trailhead displays, an interagency wilderness education program,

educational material and website information. We fully intend on continuing and improving on all of these efforts in the future.

## **Comment Period**

### **72: The Wilderness Planning Team should extend the comment period. (165)**

**Response:** We received few requests for an extension of the comment period. Prior to the close of the comment period we received over 1700 individual letters. It is our belief that there has been adequate time for the public to review and comment on the RDEIS.

### **73: The Forest Service should allow the public more time to read, evaluate, and respond to all of its recent proposals regarding public lands management. (153)**

**Response:** We are keenly aware of the impacts to the public of the many concurrent efforts going on. However, this wilderness planning effort has been on going for nearly a decade. Many comments received during the supported the attitude that most people would be able to give it their attention. We apologize for any inconvenience this has caused.

## **Agency Staffing**

### **74: The Wilderness Planning Team should address whether the Forest Service has the staff necessary to implement the proposed wilderness plan. (152)**

**Response:** This concern will be addressed in the ROD along with an implementation schedule.

### **75: The Forest Service should put more wilderness rangers in the backcountry. (159)**

**Response:** We share this opinion for heightened field presence in the wilderness; especially for purposes of education, maintenance and monitoring. However, we are limited by and must manage within our budgetary constraints. We will continue to pursue options to increase our presence in wilderness.

### **76: The Forest Service should use independent evaluations to ensure that personal agendas do not influence management decisions. (73)**

**Response:** Documents developed during the planning process (1997 DEIS and 2000 RDEIS) as well as the FEIS and ROD were prepared using the IDT process as prescribed by NEPA, Council on Environmental Quality (CEQ) and Forest Service policy. They are available for public review and scrutiny. These documents contain a full range of alternatives representing a range of views on these issues.

## ***Implementation, Funding, Monitoring, and Enforcement***

**77: The Wilderness Planning Team should provide specific information regarding monitoring, funding, and implementation costs for the proposed plan. (45)**

**Response:** The monitoring plan in the RDEIS included estimates of the monitoring costs. Those cost estimates have been removed from the FEIS because they were speculative, at best, due to the difficulty of costing the activities out. While we recognize that implementation of many of the aspects of this plan are contingent on budget and personnel, it has been our intent to develop a plan that would be implementable as much as possible within existing budgets.

**78: The Wilderness Planning Team should specify when and how Best Management Practices (proposed actions) will be implemented. (281)**

**Response:** The proposed actions listed are currently existing best management practices (BMPs) and are provided for information purposes. They apply to all action alternatives as well as to current LRMP direction.

**79: The Wilderness Planning Team should provide numeric values for activities in the implementation plan schedule. (25)**

**Response:** The monitoring plan has been updated in the FEIS and includes numeric standards where available.

**80: The Forest Service should work with interested parties in implementing the proposed permit system. (172)**

**Response:** It is our intent to develop a permitting system that is as convenient as possible. We welcome suggestions from interested parties. An implementation team has been assigned to develop the permitting process.

**81: The Forest Service should not increase fees for wilderness permits. (284)**

**Response:** There are no proposals within this planning process to increase fees.

**82: The Wilderness Planning Team should acquire more current and complete monitoring information before changing management strategies. (157)**

**Response:** See response to Comment 8.

**83: The Wilderness Planning Team should adopt an effective monitoring system. (282)**

**Response:** Considerable changes have been to the monitoring framework in the FEIS.

**84: The Forest Service should enlist the help of special interest groups to help maintain resources and enforce wilderness policies. (173)**

**Response:** We are currently engaged in an education partnership (Wilderness Riders) with Backcountry Horsemen coordinated by our interagency wilderness education program. We have been utilizing a volunteer program for many aspects of wilderness management. Nothing in this planning effort precludes these types of opportunities.

## ***Appendices***

**85: The Wilderness Planning Team should amend Appendix B to include Forest Order 04-00-01 as one of the current forest orders affecting the wilderness areas under study. (211)**

**Response:** Forest Order 04-00-01 is an emergency order, and is in effect until November 30, 2001. The forest order is included in Appendix B in the FEIS.

**86: The Wilderness Planning Team should revise Appendix C to correct inflated trail service levels. (212)**

**Response:** Appendix C is the current service level inventory. The FEIS will not change the current inventory. Subsequent adjustments will be needed due to the programmatic direction set forward in this plan. That activity will be listed in the Implementation Schedule in the ROD.

**87: The Wilderness Planning Team should revise the Summary Of Limiting Factors table in Appendix D to correct information regarding the location of trailheads. (213)**

**Response:** These errors were corrected and are displayed in the FEIS.

**88: The Wilderness Planning Team should assign a rating to the Shadow Lake trail in Appendix D. (214)**

**Response:** This correction was made and is displayed in the FEIS.

**89: The Final EIS should supply the missing percentages in Appendix H. (215)**

**Response:** Appendix H was modified and is displayed in the FEIS.

**90: The Final EIS should include the campsite rating system that was omitted from Appendix H. (697)**

**Response:** This refers to the Modified Parson/Stolghren Campsite Condition Ratings Protocol, identified in Appendix H. The Protocol is available in the planning record.

**91: The Wilderness Planning Team should amend Appendix I to provide more complete and accurate information. (216)**

**Response:** Corrections have been made in Appendix I. Years of missing data cannot be used. Existing data was displayed as accurately as possible. Data was displayed to aid in understanding levels of use and trends over time. This was provided in response to comments on the DEIS. Due to the volume of information, not all of the data and analysis for this process could be displayed in the FEIS. We feel that those displayed in Appendix I were relevant to the decisions being made. Additional information is available in the planning record. The highest year of use provides only one piece of information but is useful to facilitate understanding use levels, especially when the data is sporadic and may not exist for the same years on both Forests to assess trends.

**92: The Wilderness Planning Team should amend the Biological Assessment in Appendix J to make it more complete and accurate. (217)**

**Response:** The Biological Assessment displayed in the RDEIS was a draft document. It has been finalized and is displayed in Appendix J in the FEIS.

**93: The Wilderness Planning Team should make corrections to Appendix K. (218)**

**Response:** Corrections have been made to Appendix K with the following exceptions to Table K-7: Ward Tunnel near Kaiser Meadow – our records show this tunnel located in Kaiser Wilderness, which is not a part of the planning area. Ward Tunnel above Portal Forebay – our records show this tunnel is located outside of the wilderness; the table is specific to facilities located within the wilderness boundary. North Slide Creek Diversion and South Slide Creek Diversion are both located outside of the wilderness boundary.

## ***Adequacy and Range of Alternatives***

**94: The Wilderness Planning Team should reevaluate the adequacy of the proposed alternatives. (734)**

**Response:** We have reviewed the range of alternatives and public comments on the RDEIS. Alternative 1, Modified, reflects many of the comments heard. We have reviewed the alternative submitted by the Backcountry Horsemen and determined that the elements contained in it are addressed in an alternative already considered.

**95: The Final EIS should include an analysis of the environmental consequences for the proposed alternatives. (735)**

**Response:** The environmental consequences chapter has been significantly rewritten in the FEIS. Alternative 1, Modified has been added to address many of the concerns raised during the comment period on the RDEIS.

**96: The Wilderness Planning Team should consider whether the range of alternatives presented is sufficient to meet the requirements of the National Environmental Policy Act (NEPA). (79)**

**Response:** See responses to Comment 97.

**97: The Wilderness Planning Team should consider whether the proposed alternatives are consistent with the intent of the Wilderness Act. (78)**

**Response:** NEPA requires the Forest Service to consider all reasonable alternatives. In some cases alternatives may not be legal or within the agencies authority to implement. We believe the alternatives considered in the RDEIS are consistent with the Wilderness Act. The ROD will discuss the consistency of the decision with all applicable laws, regulations and policy.

**98: The Wilderness Planning Team should develop alternatives that are not biased against recreational use. (190)**

**Response:** See responses to Comments 97.

**99: The Wilderness Planning Team should balance special interest needs in developing the alternatives. (736)**

**Response:** See responses to Comments 60, 62, and 63.

### ***Expression of Alternative Preferences:***

**100: The Wilderness Planning Team should adopt Alternative 1. (81)**

**101: The Wilderness Planning Team should not adopt Alternative 1. (80)**

**102: The Wilderness Planning Team should adopt certain elements of Alternative 1 or Alternative 1 with some modification. (82)**

**103: The Wilderness Planning Team should adopt Alternative 2. (74)**

**104: The Wilderness Planning Team should adopt certain elements of Alternative 2 or Alternative 2 with some modification. (75)**

**105: The Wilderness Planning Team should adopt Alternative 3. (76)**

**106: The Forest Service should select Alternative 3 as it relates to stock animal use. (399)**

**107: The Wilderness Planning Team should consider implementing Alternative 4. (636)**

**108: The Wilderness Planning Team should replace the commercial allocations in Alternative 1 with those in Alternative 4. (619)**

**109: Abandon the Preferred Alternative (43)**

**110: Implement the Preferred Alternative (44)**

**Response:** Many respondents expressed a preference for one alternative or a blend of alternatives. We have noted these preferences.

**111: The Wilderness Planning Team should address the perception that Alternative 4 was deliberately designed to be unacceptable. (234)**

**Response:** Alternative 4 was designed to represent the commercial users and open access views on wilderness use. It was not designed to be unacceptable.

### ***New Alternatives That Should Be Considered***

**112: The Wilderness Planning Team should adopt the alternative proposed by the Pacific Crest Outward Bound School (PCOBS). (84)**

**Response:** We have reviewed PCOBS “alternative” and determined that most of their concerns are addressed in one of the existing alternatives or in Alternative 1 Modified.

**113: The Wilderness Planning Team should adopt the alternative proposed by the Back Country Horsemen of California. (637)**

**Response:** The IDT completed a thorough analysis of the alternative proposed by the Backcountry Horsemen of California. It was determined that all of the components of the alternative already exist as current direction in the Forest Service Manual, the Forest Plans, or one of the alternatives considered during this planning process.

**114: The Wilderness Planning Team should consider a “no-grazing” alternative. (83)**

**Response:** A no-grazing alternative was not considered, as it did not seem necessary to respond directly to the issues raised. Prohibiting grazing for recreational stock would likely result in more stock being utilized to pack in feed. Additional discussion relating to this issue can be found in Chapter 1 of the FEIS.

**115: The Wilderness Planning Team should adopt Alternative 5 from the original 1998 Draft EIS. (638)**

**Response:** As stated in the RDEIS, the IDT reviewed Alternative 5 from the DEIS and the elements were covered by one of the existing alternatives in the RDEIS (RDEIS p. II – 51).

## **Noise**

### **116: The Forest Service should establish limits on human-generated noise in the wilderness areas. (267)**

**Response:** Although the RDEIS stated that noise was an issue outside the scope of this analysis, a number of comments were received during the comment period concerning noise. The FEIS includes this same language. However, the FEIS does include a goal and objective common to all action alternatives for Aircraft Over flights.

## **Campsites**

### **117: The Forest Service should regulate campsites setbacks from water. (266)**

**Response:** Many respondents expressed a preference for a particular campsite setback from water. These preferences have been noted. The alternatives in the FEIS include a range of setbacks from water of 25 feet in Alternative 4 to 100 feet in Alternative 2. Alternative 1 and Alternative 1, Modified would provide a setback of 100 feet where terrain permits but in no case closer than 50 feet.

### **118: The Forest Service should conduct a thorough analysis of campsites to determine the cause of their enlargement and proliferation. (649)**

**Response:** Over time campsites can deteriorate, or not, depending on the frequency of use, timing and type of use and the durability of the site. Large parties, or large parties with stock, can enlarge a site (Cole 1992). For the purposes of establishing programmatic direction, it is not necessary to do the level of analysis to determine cause and effect of campsite change over time. That is typically the role and function of research. Campsites are used as an indicator of overall wilderness quality. This relationship is established in the monitoring plan, and is a common wilderness management practice.

The plan proposes an acceptable range of conditions for campsites and standards for these conditions. The inventory assessed the current conditions and where possible did a comparison with previous inventories. The inventory and monitoring of campsites over time indicates change, and can be measured against established management direction. This information was used in assessing the consequences of proposed actions in Chapter 4.

### **119: The Wilderness Planning Team should address the intrusive effects of enforcement of campsite closures and destination quotas. (650)**

**Response:** There are no mandates stating the agency must preserve wilderness character through a less intrusive manner. There is however an overriding principle that stems from language in the Wilderness Act that leads management towards restraint; “light handed” versus “heavy handed” tools and what is often called the minimum tool concept. More intrusive techniques over the past twenty years began with the implementing the use of permits and quotas. For the most part the

public has been accepting of this tool. Many believe we need to do more to protect these resources. We believe we have provided a range of management actions and have considered the minimum needed to reach the goals of the Wilderness Act. Also see response to Comment 714.

**120: The Wilderness Planning Team should specify what action will be taken when campsite density exceeds standards. (656)**

**Response:** In Alternative 1 and Alternative 1, Modified the plan states that when campsite density standards are exceeded, consider destination quotas or establish campsite requirements or reductions in use (II-21).

## ***Campfires***

**121: Public Concern: The Forest Service should establish restrictions on campfires. (261)**

**122: Limit Fire Ring Size. (265)**

**Response:** Many respondents expressed a preference for, or opposition to, fire closures. Many suggested a variety of different elevational levels. All alternatives considered include some approach to fire closures. Alternatives 1, 2 and 1 Modified include a restriction on packing in material for campfires.

**123: Issue permits for campfires. (552)**

**Response:** Issuing permits for campfires would likely result in confusion and perception from other wilderness visitors. For these reasons, it would be difficult to administer these regulations. The issues of nutrient recycling, campfire scarring, etc. further adds to the concern.

**124: The Forest Service should allow campfires in the Wilderness areas. (49)**

**Response:** We analyzed four alternatives for campfire closures ranging from some restrictions where firewood is scarce, to no additional restrictions.

**125: Allow Importing of fuel into areas closed to campfires. (550)**

**Response:** This is considered and analyzed in Alternative 4.

**126: The Forest Service should regulate campfires on a site-by-site basis. (551)**

**Response:** The four alternatives propose a range of actions, including site-specific closures and in Alternative 4, closed to wood gathering areas. See response to Comment 549.

## ***Dogs***

**127: The Forest Service should require all dogs to be kept under their owners' control in the wilderness areas. (268)**

**Response:** A standard for possible future restrictions on dogs has been added to Chapter 2, "Common to all Action Alternatives".

**128: The Forest Service should establish standards defining voice control by handlers. (279)**

**Response:** The statement on page III-18 is incorrect and has been stricken from the record. A Forest Order can be implemented at any time that would enable the Forests to establish voice control or physical control of dogs if it becomes necessary. At this time, as stated in Chapter 1, it is considered an issue outside the scope of this analysis.

**129: The Forest Service should ban dogs in the wilderness areas in accordance with adjacent National Parks. (639)**

**Response:** See response to Comment 132.

**130: The Final EIS should include an analysis of the impacts of dogs. (545)**

**Response:** The FEIS includes a detailed analysis in Chapter 4: Wildlife section, of the impacts of dogs.

## ***Use Zones***

**131: The Forest Service should replace Wilderness Use Zones with non-degradation standards in accordance with the Wilderness Act. (273)**

**Response:** This issue is addressed by analyzing the effects of not zoning and is articulated in Alternative 2. Nothing in the Wilderness Act precludes defining different managerial and social settings in the wilderness.

**132: The Forest Service should eliminate the Wilderness Use Zones and use natural terrain to differentiate uses. (279)**

**Response:** The proposed zones do not distinguish any actions, features, or conditions that discriminate against any user type. Further, the delineation of the categories considers the natural use patterns that occur and have occurred for generations.

**133: The Forest Service should explain the use zones system. (548)**

**Response:** These are described in Chapter 2 under Alternative 1, Alternative 1 Modified, and to a lesser extent, in Alternative 4 in the FEIS.

**134: The Forest Service should coordinate with the California Department of Fish and Game when designating use zones. (278)**

**Response:** The proposal for managing recreational use was assessed by potential conflicts with resources through the Needs Assessment. Resource specialists on the Forest were provided an opportunity to propose additional standards and guidelines for the protection of any resources, and there was common agreement that the amount of direction currently in the Forest Plans was adequate. Discussions occurred throughout the development of the Wilderness Plan with the California Department of Fish and Game.

**135: The Forest Service should reassign all Category 2 areas more than 1 mile from a trail to Category 1. (651)**

**Response:** In the Alternative 1 Modified, the amount of acres designated as Category 1 increased. The IDT discussed the concept of placing all or most trails as corridors in Category 2. However there was a need to have many trailed areas in Category 1 as well as some trail-less areas as Category 2. This is because a considerable amount of cross-country travel occurs in the planning area. The recreation categories do not distinguish types of uses for these areas; rather it describes the conditions that are to be maintained.

## ***Education and Enforcement***

**136: The Forest Service should emphasize user education. (270)**

**137: Through publications. (271)**

**138: Through utilizing guide services. (272)**

**139: Interpretive programs. (541)**

**Response:** See response to Comment 71.

**140: The Wilderness Planning Team should recognize that the enforcement of campsite density standards could negatively affect the public's perception of rangers. (621)**

**Response:** The alternatives in the RDEIS identify standards for campsite density. These standards allow us to manage campsite densities; they do not require the removal of campers that choose to camp within site or sound of another camper.

**141: The Forest Service should adjust the amounts of fines according to the amount of environmental damage. (646)**

**Response:** Court magistrates set fines ("bail schedules"). The Forest Service enforces the regulations.

**142: The Forest Service should establish permanent monitoring sites in the wilderness areas. (642)**

**Response:** There is a monitoring plan in the RDEIS that has been enhanced in the FEIS. Both are focused on monitoring change in conditions over time.

**143: The Wilderness Planning Team should define key terms used in the REIS.**

**Response:** See the updated Glossary in Chapter 7 of the FEIS.

## ***Social Setting***

**144: The Forest Service should take steps to reduce user conflicts.**

**145: Through education (653)**

**146: Through weekday entry (654)**

**147: Through interpretive programs (655)**

**Response:** Many of the actions in the alternatives are developed to reduce user conflicts. This was identified as a significant issue. Education continues to be a primary management tool.

**148: The Wilderness Planning Team should establish acceptable levels of trail encounters. (643)**

**Response:** The use of “encounter” indicators in the DEIS drew public criticism. We reconsidered the use of this indicator and determined that it will be monitored. However, it will not have a quantified standard to stay within. Levels of use are established and managed through the quota mechanism, which is a daily allowable use.

**149: The Forest Service should consider the effects of quotas on sportsmen. (266)**

**Response:** Entry quotas do not prevent entry; they regulate it. This was considered and it is felt that it is unlikely that quotas will fill during the hunting season.

**150: Hunters (544)**

**151: Anglers (543)**

**Response:** Forest Service policy on managing wilderness emphasizes that the resource is managed for a variety of purposes. Single purposes should not dominate management decisions. Fishing and hunting are some of the many activities, and to the extent suitable for the entire wilderness resource, California Department of Fish and Game’s objectives are integrated into management decisions for the wilderness.

**152: The Forest Service should develop a network of hiker only trails. (547)**

**658: Shepherd, Taboose, Sawmill, and Baxter trails (658)**

**Response:** Alternative 2 proposes four hiker only trails.

## **User Equity**

### **153: The Wilderness Planning Team should present and consider all reasonable methods of allocating use levels. (57)**

**Response:** The Needs Assessment does not allocate use. Proposed allocation is done in the four alternatives in the RDEIS and, additionally, in Alternative 1 Modified in the FEIS. These different levels and methods were presented to provide a range of actions. We considered many options to achieve equity and felt that those presented provided an adequate range.

### **154: The Wilderness Planning Team should justify how the allocation of service days is equitable. (58)**

**Response:** Equity is analyzed in the context of access; not in the amount of service days. Service day allocations by activity throughout the planning area have been leveled by activity. The east side entry service days have more pack stock. However the west side combined with the east side has a nearly equivalent amount for backpacking, mountaineering and winter use.

### **155: The Wilderness Planning Team should allow future equitable allocation of service days as use dictates. (59)**

**Response:** Alternative 1, Modified adjusts quotas based on comments, limiting factors and corrections. An extensive rationale for each quota is provided in Appendix L. There is language in Alternative 1, Modified that provides criteria for adjustments in the future.

### **156: Commercial outfitters and non-commercial users should compete for wilderness access permits on an equal basis. (12)**

#### **157: Establish a single trailhead quota system for all users (31)**

**Response:** Alternative 2 in the RDEIS proposed a single quota for all users to compete for. This was analyzed and a portion of this was used in designing Alternative 1 Modified which is analyzed in the FEIS.

### **158: The Wilderness Planning Team should impose only equitable restrictions on commercial users. (365)**

**Response:** The RDEIS provided four alternatives to provide equity in access. The Needs Assessment recognized the need of providing access by using as criteria, knowledge, skills and ability and the need for specialized equipment. It was concluded that the activities determined to be needed values the need to provide services for those unable to access the wilderness on their own. The alternatives provide a range of levels of use and allocations between type of activities and commercial versus non-commercial users.

**159: The Forest Service should avoid favoritism toward commercial outfits. (3)**

**160: By eliminating use of their next day's entry limit to accommodate large parties (42)**

**Response:** Alternative 1, Modified approaches commercial quotas by blending aspects of Alternatives 1 and 2, recognizing the particular needs of resorts with facilities based on federal lands. Alternative 1, Modified defines growth for commercial services in more finite terms. The agency feels that the Wilderness Act is not compromised in any way by allocating a small percentage, based on identified need, to commercial operations.

**161: The Wilderness Planning Team should avoid favoritism toward non-commercial users. (60)**

**Response:** The RDEIS provides four alternatives for allocating use between non-commercial and commercial uses as well as between various commercial activities. Each alternative reflects different trade-offs of uses and mixes of activities and levels of these uses. Additionally, Alternative 1 Modified presented in the FEIS addresses an additional method for allocating use.

**162: The Wilderness Planning Team should revise certain trailhead quotas to ensure equity between all users. (620)**

**Response:** In the FEIS, Alternative 1, Modified adjusted many quotas from those in the RDEIS. We believe these adjustments respond to this comment.

**163: The Wilderness Planning Team should eliminate use zones to avoid discriminating against particular user groups. (54)**

**Response:** Alternatives 2 and 3 found in Chapter 2 of the RDEIS did not propose “zones” or categories. Nothing in the RDEIS or FEIS creates zones that discriminates against any user group. See also response to Comment 433.

## ***Trailhead Quotas***

### **Adequacy of Analysis**

**164: The final plan should include time series data on where people actually go after leaving the trailhead. (722)**

**Response:** Data on use patterns was collected through the University of Arizona. Results of this study are described in Appendix N. The use of this data is referenced in many additional places throughout the FEIS.

**165: The Wilderness Planning Team should not rely on the number of issued wilderness permits to set quotas since most users enter the wilderness without them. (618)**

**Response:** Data collected from the past five years and direction from the Forest Supervisors to maintain current use levels was the basis for establishing trailhead quotas. It is a given that not all wilderness users comply with obtaining a permit prior to their trip; however, we have found the compliance rate to be relatively high when wilderness rangers have checked for permits.

**166: The Wilderness Planning Team should provide data on west side trailheads. (617)**

**Response:** Trailhead quotas on the west side were set in the early 1980's and have not been adjusted since that time. The quotas for west side John Muir trailheads are rarely met during the season. Some of the west side Ansel Adams trailhead quotas are met seven to eight times during the season. The proposed quotas in the RDEIS are reflective of current use. Quotas in the FEIS have been modified to reflect the current use, reflect the recreation category serviced by specific trailheads and to allow for growth in use from some trailheads. These quotas will be monitored and adjusted as needed. Data is displayed in Appendix I of the FEIS.

**167: The final plan should present several use allocation methods other than the temporal and spatial method. (675)**

**Response:** These wildernesses have been under a paradigm of temporal and spatial controls since use limits were first implemented in mid-1970. For over twenty years the majority of the Ansel Adams and John Muir have had external controls on visitor use by day and trailhead (temporal and spatial).

**168: The Wilderness Planning Team should present more data regarding how quota levels were determined. (376)**

**Response:** The rationale for quotas is displayed in Appendix L of the FEIS. Additional data is available in the planning record.

**169: The Wilderness Planning Team should base trailhead quotas on a wider range of resource availability factors. (50)**

**170: Limit by accessible campsite carrying capacity (33)**

**Response:** Deriving capacities from campsite data was done in the early 1980's in a method called Bishop Creek Study. It is the methodology of how many of the quotas were reached initially. This methodology is considered to be largely outdated. Adding campsites up to arrive at quotas would probably increase present quotas considerably beyond resource capability.

**171: Use factors presented in the USFS Outfitter/Guide Handbook (384)**

**Response:** Factors presented in the USFS Administration Guidebook, which is different from the Forest Service Handbook, are guidelines and suggestions. Many of them were used and visible in the Needs Assessment.

**172: The Wilderness Planning Team should justify its limit of commercial use at current levels. (367)**

**Response:** The Needs Assessment does not prescribe allocations. The RDEIS presented a range of alternatives including Alternative 3 that would maintain allocations at current levels, and Alternative 4, that would have increased allocations. The preferred alternative in the RDEIS was identified as required by law. The Deciding Officials will select their desired level of commercial

use and provide the rationale in the ROD. More complete rationale for the different quota levels is provided in Appendix L, “Rationale For Quotas”.

## Implementation

### **173: The Wilderness Planning Team should provide consistent quota guidelines on either a daily or annual basis. (374)**

**Response:** In the FEIS, Alternative 1 Modified removes all annual quotas. All quotas are managed by the calendar year not the fiscal year.

### **174: The Wilderness Planning Team should clarify how daily and yearly quotas will be managed. (627)**

**Response:** The Management Plan will contain clarification of the administration of quotas. This is an administrative procedure and does not require environmental analysis. It is for this reason that they were not displayed in the alternatives.

### **175: The Wilderness Planning Team should ensure that trailhead quotas are not used to influence party size limits. (629)**

### **176: The final plan should impose either the proposed limitations on group size or the proposed limitations on trailhead quotas; whichever of the two is the greater. (660)**

**Response:** Alternative 1 Modified in the FEIS addresses this concern proposes allowances for party size in areas where the quota would otherwise restrict access to larger parties.

### **177: The final plan should distinguish administrative access from public access with respect to trailhead quotas. (630)**

**Response:** Permits granted for administrative use are not subject to the quotas.

## Quota Levels

### **178: The Wilderness Planning Team should establish quotas on all trails. (32)**

**Response:** See response to Comment 179

### **179: The Wilderness Planning Team should establish quotas on trails that do not currently have them. (398)**

**Response:** Quotas are identified for all trails in Alternatives 1 and 2, as well as Alternative 1 Modified.

**180: The Forest Service should not impose quotas until all other possibilities for controlling destructive actions and means of travel have been exhausted. (616)**

**Response:** Quotas have been in place for over twenty years in much of the planning area. Quotas are one of many management tools being used in combination to maintain wilderness conditions and meet objectives. In the FEIS, Alternatives 1, 1 Modified and 2 propose new quotas on trails that previously did not have quotas. This action responds to the desire to maintain low levels of use.

**181: The Wilderness Planning Team should not impose or consider destination quotas. (723)**

**Response:** Alternative 1 and Alternative 1 Modified provide for consideration of destination quotas when other methods do not adequately address crowding. Alternative 2 requires implementation of destination quotas when campsite standards are not being met. Alternatives 3 and 4 do not provide for destination quotas.

**182: The final plan should maintain present entry quotas for the Ansel Adams and John Muir Wildernesses. (623)**

**Response:** Alternative 3 the No Action Alternative address this preference.

**183: The final plan should impose less restrictive trailhead quotas than those currently in force. (628)**

**Response:** Alternative 4 addresses this preference.

**184: The Wilderness Planning Team should increase public access to the wilderness for hikers. (368)**

**Response:** The RDEIS proposed four alternative methods and strategies to allow for public access in the wilderness. These alternatives provide different trade-offs between access and protection, with varying degrees of restrictions on the public. The FEIS added a fifth alternative, Alternative 1 Modified.

**185: The Wilderness Planning Team should justify the elimination of eleven trailheads that previously had distinct and separate quota limits. (626)**

**Response:** Some trailheads on the West side were combined for the analysis in the RDEIS. None of the trailheads on the east side were combined. Those combined on the West side did not have a quota assigned to them. In the FEIS, many of the combined trailheads have been separated and assigned their own quota. Rationale for these quotas is displayed in Appendix L in the FEIS.

**186: The Wilderness Planning Team should exempt solo backpackers from quotas. (366)**

**Response:** An issue we are addressing is equity amongst all users. We feel it would be inconsistent and inequitable to create additional exceptions to the quota system.

**187: The Wilderness Planning Team should set visitor use levels between the levels presented in Alternatives 1 and 2. (370)**

**Response:** The alternatives considered provide a range of visitor use levels based on achieving certain goals and objectives. These reflect the trade-offs between resource protection and visitor use.

## **Year-round Quotas**

**188: The final plan should include year round quotas. (631)**

**189: The Wilderness Planning Team should avoid year round quotas for trailheads. (377)**

**Response:** Alternative 1 and 2 in the FEIS propose year round quotas; Alternative 1 Modified proposes to establish an annual quota period from May 1 – November 1.

## **Geographic Areas**

**190: The Wilderness Planning Team should develop different management plans for the east and west side of the Sierras. (515)**

**Response:** Forest Service policy directs that wildernesses be managed as single units and that management plans be written for the wilderness unit. “Management direction shall be consistent for each wilderness that occurs in more than one State, Region or National Forest (FSM 2322.03.4).” This does not mean that a management plan cannot be written that recognizes differences and allows for a range of conditions as long as all are within the definition of wilderness. This is one reason why a ‘zoning’ approach is often utilized in large wildernesses management plans.

**191: The final plan should ensure that quota reductions on the east side are comparable to those on the west in terms of their effects on use impacts. (622)**

**Response:** Every attempt has been made for consistent approaches on east and west side quota determinations. Appendix L in the FEIS describes the rationale for quota determinations.

**192: The Inyo and Sierra National Forests should include roadless areas in the trailhead quota system. (659)**

**Response:** This planning effort is to establish management direction for three specific wildernesses. The consideration of roadless areas is outside the scope of this analysis.



**193: The Wilderness Planning Team should address the quotas at the Mt. Whitney Trailhead. (378)**

**194: Reduce use levels (393)**

**Response:** The rationale for quotas is provided in Appendix L in the FEIS. The recreation strategy in Alternative 1, manages pockets of high use, including the consideration of the mix of overnight and day use on Mt. Whitney. In the FEIS, Alternative 1 Modified aligns that use at 100 for day and 60 for overnight. This slightly increases the overnight use while reducing the day use by one-third. We consider these levels of use to be appropriate given the infrastructure that is in currently in place in this area.

**195: Allow guided trips to continue (379)**

**Response:** Alternative 1 is the only alternative that proposes no guiding on Mt. Whitney.

## ***Permits***

### **Adequacy of Analysis**

**196: The Wilderness Planning Team should eliminate the permit system. (678)**

**Response:** Due to the high levels of visitation, eliminating the permit system was not considered an option in order to maintain the wilderness character and condition. These wildernesses receive some of the highest levels of use as any wilderness in the country. Three alternatives is the range that reflected various level of restrictiveness. Also, the limitation on use has been in place over twenty years and is generally accepted by the public.

**197: The Wilderness Planning Team should reduce perceptions of bias in the permitting process. (52)**

**Response:** This issue was articulated in the significant issues statements of Chapter 1 and addressed in the range of alternatives in both the RDEIS and FEIS.

**198: The Wilderness Planning Team should separate the various types of outfitter/guide use for permitting and analysis. (690)**

**Response:** Types of use were included into the quota determination and are displayed in Appendix L of the FEIS.

**199: By Percentage of Use (690a)**

**Response:** Determining allocations based on percentages of use has the flaw of being non-determinant. If there are 100 people, 20 percent of the use is 20. If there are 60 people, then 20 percent of the use is 12.

**200: The Wilderness Planning Team should analyze the effects of changing the system for issuance of commercial packer permits. (375)**

**Response:** Chapter 4 of the FEIS provides additional analysis of the social and socio-economic impacts of the alternatives.

## **Issue of Permits**

**201: The Wilderness Planning Team should allow permits to be self-issued during non-quota periods. (689)**

**Response:** The Forest Service currently allows self-issuance of permits. There is nothing in the FEIS that would prohibit this from continuing. An agency concern of permit self-issuance is the potential diminished accuracy of the use data.

**202: The Forest Service should directly issue all wilderness permits. (13)**

**Response:** Alternatives 1 and 2 and Alternative 1 Modified propose that the Forest Service issue all wilderness permits.

**203: The Wilderness Planning Team should allow commercial providers to write their own wilderness permits. (364)**

**Response:** This is proposed and analyzed in Alternatives 3 and 4.

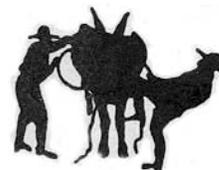
## **Commercial Permits**

**204: The Wilderness Planning Team should provide additional data regarding service day allocations for Valentine Lake. (385)**

**Response:** This is included in the revised Needs Assessment in Appendix D of the FEIS.

**205: The wilderness plan should include service day provisions for hourly rides. (387)**

**Response:** More data on commercial day rides in the wilderness is provided in the Needs Assessment found in Appendix D in the FEIS. It does not delineate service days by type of ride (hourly, half day, etc), as that data is not complete. This may be done at special use permit re-issuance to provide clarification, if needed.



## ***Party Size***

### **General Party Size**

**206: The final plan should not reduce group size limits. (634)**

**207: The Forest Service should reduce group size limits regardless of the socio-economic needs of commercial users. (429)**

**Response:** In the FEIS Alternatives 1, 1 Modified, 3 and 4 do not propose any change to group size. Alternative 2 proposes a change in cross country party size to 8 persons and 8 head of stock. In addition, Alternative 1, Modified further proposes changes to the quotas to accommodate full party size.

**208: The Wilderness Planning Team should allow increased group sizes for day hikes for educational groups. (724)**

**Response:** The group size for day is the same as for overnight use, 15 persons and 25 head of stock. It is believed that the same impacts occur with day hiking regardless of the type of activity.

**209: The Wilderness Planning Team should manage parties with more than nine persons or nine head of stock differently from parties of smaller size. (676)**

**Response:** In the FEIS Alternative 1, Modified provides allowances for larger parties to enable them to access the wilderness where the quota, or reservable quota, may be limiting. This is the only area identified that proposes requiring a different approach for managing large parties.

### **Seasonal Party Size**

**210: The Wilderness Planning Team should establish different party size limitations for summer and winter. (397)**

**Response:** At the present time winter use is low. There have been very few concerns identified, and are therefore not addressed in this plan. We will continue to monitor winter use levels and take appropriate action as deemed necessary.

**211: The Wilderness Planning Team should establish a maximum winter party size of 15 persons. (687)**

**Response:** Currently, the year-round maximum party size is 15 persons and 25 head of stock. The FEIS does not propose any alterations to this.

## **Party Size**

- 212: The Wilderness Planning Team should adjust the allowable party size for groups on trail. (395)**
- 213: Allow more people if there are no stock. (506)**
- 214: Maintain people limit at 15. (507)**
- 215: Limit packstock to one animal for every two riders. (508)**
- 216: Allow 10 persons and 5 packstock. (632)**
- 217: Allow only equal numbers of stock and persons. (509)**
- 218: Allow 15 persons and 15 packstock. (635)**
- 219: Allow only eight heartbeats. (510)**
- 220: Allow only ten heartbeats. (511)**
- 221: Allow only twelve heartbeats. (512)**
- 222: Allow only twenty legs. (514)**
- 223: Allow only 12 legs on trail and 8 legs off-trail. (662)**
- 224: Allow only 24 feet. (633)**
- 225: The Forest Service should adjust party size based on infrastructure availability. (116)**

**Response:** Party size has elicited a multitude of attitudes and opinions. There is no scientific document that has arrived at the “right” party size. A change to cross country party sizes is proposed in Alternative 2. The RDEIS and FEIS state that except for cross-country party size, this issue would not be considered in this analysis.

## **Cross Country Party Size**

**226: The Wilderness Planning Team should adjust the allowable party size for groups off-trail. (396)**

**227: Allow 5 persons and no packstock. (661)**

**228: Allow 6 persons and 6 packstock. (663)**

**229: Allow 8 beating hearts. (664)**

**230: Allow 8 persons or 3 packstock. (665)**

**231: Allow 5 persons and 2 packstock. (672)**

**Response:** The issue of party size has elicited a multitude of attitudes and opinions. There is no scientific document that has arrived at the “right” party size. A change to cross country party sizes is proposed in Alternative 2. The RDEIS and FEIS state that except for cross-country party size, this issue would not be considered in this analysis.

**232: The Wilderness Planning Team should consider two burros as equivalent to one horse in the cross-country group size evaluation. (679)**

**Response:** The RDEIS makes no distinction between burros and other stock in the group size evaluation. It was therefore not considered in this analysis.

## ***Day Use in Wilderness***

**233: The Forest Service should analyze the environmental impacts of day use in the wilderness areas. (647)**

**Response:** Proposed actions on day use are included in Alternatives 1,2,4 and Alternative 1, Modified. Environmental analysis of day use is considered to be a site-specific analysis. Therefore, we have not considered it within this programmatic analysis.

**234: The Forest Service should establish standards and guidelines for day use in the wilderness areas. (648)**

**Response:** See response to Comment 233.

**235: The Wilderness Planning Team should make changes to day use levels only when concerns are identified at site-specific locations. (392)**

**Response:** This approach is proposed in Alternative 1 in the RDEIS.

**236: The Wilderness Planning Team should establish alternative routes outside wilderness for competitive events. (371)**

**Response:** Direction for competitive events is established in direction outlined in Forest Service Handbook (2323.13h). It is considered outside the scope of this analysis.

## ***General Stock Use***

### **Adequacy of Analysis**

**237: The Final EIS should include information on the resource impacts of administrative stock use. (401)**

**Response:** Administrative use of packstock by the Forest Service is subject to the same standards and guidelines applied to those used by commercial outfitters and the private parties.

**238: The Wilderness Planning Team should reconcile the difference between the stated stock use on page III-17 and III-21. (716)**

**Response:** Page III-17 references commercial use on the west side is estimated at 10 percent of total overall use. This is an incorrect statement. In the FEIS, the corrected statement reads “Commercial operations on the west side are estimated at 16 percent of total overall use”. Note that 16 percent is the total overall use for the John Muir Wilderness. It does not include the commercial figures for the Ansel Adams Wilderness.

### **Levels of use**

**239: The final plan should provide enforceable guidelines by which field personnel may determine the appropriate level of stock allowed in the wildernesses. (685)**

**Response:** Direction on site-specific needs is found in the alternatives. For example, limiting factors are to be considered when approving itineraries in Alternatives 1, 1 Modified and 2. Similarly all management direction and desired conditions would be used to determine appropriate levels of stock. Appropriate levels are determined by assessment of conditions and measured against management direction.

**240: The Forest Service should allow more stock use on particular trails to prevent congestion. (405)**

**Response:** Levels and appropriateness of stock use is the function of many factors, including preventing congestion. Additional factors to consider include the suitability of this type of use, the condition of the trails, and the desired condition of the area.

## **Import Feed for packstock**

### **241: The Forest Service should require stockowners to pack in their own feed for stock if environmental damage is occurring. (500)**

**Response:** The Inyo National Forest Land and Resource Management Plan (LRMP) currently contains management direction that allows for requiring recreation packstock users to pack in feed if determined to be necessary. The Special Use Permits and operating plans for commercial packers contain similar language.

### **242: The Forest Service should allow animal owners to pack in feed instead of shortening the season. (501)**

**Response:** There are no restrictions prohibiting packing in of feed. Nothing in any of the alternatives shortens the season, only the allowable grazing season.

## **Off-Trail Travel**

### **243: The Forest Service should allow packstock off-trail only in areas where data shows it would not degrade the wilderness resources. (502)**

**Response:** Under Alternatives 1, 1 Modified, and 2 commercial packstock would be required to stay on designated trails, except where authorized in advance by the Forest Service, for an alternate route or to access campsites and grazing areas.

### **244: The Forest Service should prohibit off-trail travel by stock animals. (503)**

And

### **245: Prohibit off-trail stock travel (48)**

**Response:** Alternatives 1, 1 Modified, and 2 restrict commercial pack operations to authorized trails. Alternative 2 would limit the cross-country party size to 8 persons and 8 head of stock. Alternatives 3 and 4 provide no such limits.

## **Restrictions on packstock**

### **Stock Use, Other**

### **246: The Forest Service should allow stock use for completion of vital services such as maintenance and rescue. (400)**

**Response:** None of the alternatives precludes the use of stock for administrative use, trail maintenance or search and rescue activities.

## ***Non-Commercial Recreational Stock Use***

**247: The Forest Service should limit off-trail travel by non-commercial stock animals. (5)**

**248: Conduct site-specific analysis before allowing non-commercial stock travel. (47)**

**Response:** Alternatives 1, 1 Modified, and 2 restrict commercial pack operations to authorized trails. Alternative 2 would limit the cross-country party size to 8 persons and 8 head of stock. Alternatives 3 and 4 provide no such limits.

**249: The final plan should allow all users cross-country access. (625)**

**Response:** In the FEIS Alternatives 1, 1 Modified, 3 and 4 proposes cross-country access. Alternative 2 proposes allowing cross-country access for all users with a limited party size.

**250: The final plan should maintain current group size limitations on cross-country travel with stock. (666)**

**Response:** Alternative 2 proposes a change to cross-country group size, whereas the other alternatives do not.

## ***Commercial Use***

### **General Commercial Use**

**251: The Wilderness Planning Team should eliminate the standard that allows local managers to approve increases in commercial service day allocations. (718)**

**Response:** This standard was proposed in Alternative 1 in the RDEIS. In the FEIS Alternative 1 Modified proposes a cap of 1500 service days that would be available for managers to consider for increases.

**252: The Wilderness Planning Team should clarify the conditions under which local managers may add restrictions to commercial use. (719)**

**Response:** Clarification and development of this direction is displayed in Alternative 1, Modified in the FEIS.

**253: The Forest Service should require outfitter/guides to carry out human waste from the North Fork of Lone Pine Creek and the Whitney trail. (644)**

**Response:** The “pack it out” human waste program in the North Fork of Lone Pine Creek has been in effect since 1996. The current volunteer program has been successful. If it becomes necessary to require more stringent requirements, this can be accomplished through modification of annual operating plans. The Mt. Whitney trail has existing toilet facilities.

**254: The Wilderness Planning Team should require commercial permittees to follow Gentle Use and Leave No Trace standards. (380)**

**Response:** We fully endorse and support Gentle Use and Leave No Trace. We encourage permittees to conduct their activities with proper techniques through the administration of the special use permit. Alternative 1, Modified strengthens incentives for permittees by adding these types of actions and behaviors as criteria for the temporary service day use pool. We believe an incentive based system encourages these practices as opposed to a restriction.

**255: The Forest Service should not eliminate guiding on the Mt. Whitney Trail. (640)**

**Response:** See response to Comment 379.

**256: The Wilderness Planning Team should consider the request by Tamarack Lodge Resort to provide guided ski operations. (382)**

**Response:** Requests for use by particular operations are not considered in this analysis. However, several alternatives identified additional service days for winter use. This allocation could be available for future authorizations through site-specific analyses, appropriate public involvement process, and project level decision.

**257: The Wilderness Planning Team should allow guided day hiking. (394)**

**Response:** The Needs Assessment found in Appendix D of the FEIS discloses that day hiking is not considered to be a needed commercial service. Technical climbing and mountaineering day trips could be authorized within the allocation for mountain guiding and would not be subject to overnight quotas.

**258: The Wilderness Planning Team should limit the overall number of permittees and guiding services allowed to operate in the forest. (381)**

**Response:** This reference is to the Forest Service Outfitter/Guide Administration Guidebook that offers many approaches to administering special use permits. Our priority is to insure that the activities are needed and consistent with wilderness objectives. This analysis does not determine the number of commercial operators or the splitting of the allocation. That is done at the site-specific permit issuance level.



## **Adequacy of Analysis**

**259: The Forest Service should adjust the method it uses to designate users as “commercial.” (383)**

And

**260: The Wilderness Planning Team should explain the effect of designating universities and Department of Defense recreation programs as commercial uses. (389)**

**Response:** Forest Service Handbook (2709.41.53c) defines outfitting and guiding. Commercial services are defined as where an entity is accepting money or remuneration in exchange for services.

**261: The Wilderness Planning Team should justify or eliminate the proposed increase in the number of allocated commercial service days. (24)**

**Response:** Alternatives 1 and 1, Modified would not create an increase in allocations from present levels of either allocated or actual use. Packstock activities are held at current actual use levels, which is below the allocated level. Mountain guiding is held at roughly the same level. A new category has been created that would allow for increases in winter guiding, which have been identified as needed services. It would not contribute to resource impacts at the allocated level. There is also a new very small allocation identified for non-traditional stock, to encourage that use which causes less impact than shod stock use; and finally, day hiking use is eliminated, showing a decrease in that use. On the west side, all activities are held at current levels or below.

**262: The Wilderness Planning Team should remove day use numbers from the comparison of commercial overnight use with non-commercial overnight use. (720)**

**Response:** Overall percentages of commercial use to non-commercial use by wilderness are not considered to representative or meaningful. Therefore they were not used to determine allocations or quotas. Numbers of people and number of people by trailhead, both commercial and non-commercial, was considered as more meaningful and dependable indicators for comparison. This is displayed in the FEIS in Appendices D and I.

## ***Commercial Packstock Outfits***

**263: The final plan should demonstrate the need for one-way dunnage trips. (717)**

**Response:** One-way dunnage is not distinguished from two-way dunnage in this analysis. Typically carrying dunnage in is heavier, as a significant portion of weight is food.

**264: The EIS should contain a table that displays commercial pack station use that was deducted from the daily quotas. (688)**

**Response:** This is discussed in Chapter 3 of the RDEIS and available data is displayed in Appendix I.

**265: The Wilderness Planning Team should strengthen the prohibition of off-trail commercial pack stock travel. (683)**

**Response:** In the FEIS Alternatives 1, 1 Modified and 2 propose prohibitions to off-trail commercial packstock travel.

**266: The Wilderness Planning Team should require packstock outfits to include a packer specifically assigned to do cleanup. (388)**

**Response:** This falls under the administration of the special use permits, and is not a programmatic NEPA decision. It is therefore considered to be outside the scope of this analysis.

**267: The Forest Service should consider the use of llamas in wilderness areas. (402)**

**268: Allow llama use (403)**

**269: Prohibit llama use (404)**

**Response:** The Forest Service addressed the need for non-traditional packstock, including llamas, in the Needs Assessment found in Appendix D of the FEIS. Alternatives 1, 1 Modified, and 2 identify a specific allocation for this commercial activity.

**270: The Forest Service should provide a better “Packstock Management Plan.” (413)**

**Response:** The packstock management plan has been rewritten for the FEIS and is found in Appendix G.

**271: The Forest Service should establish special campsites for stock animals. (498)**

**Response:** In the FEIS Alternatives 1, 1 Modified and 2 proposes the ability to designate campsites.

**272: The Forest Service should clarify in the EIS if and how Outfitter/Guide policy will apply to Resort Pack Stations. (239)**

**Response:** The outfitter and guide policy applies to any permittee (regardless of type of permit) that conducts outfitting and guiding services. This is current agency direction and outside the scope of this analysis.

**273: The final plan should base service day allocations on high use over 15 years for outfitters who only rarely run extended trips into wilderness areas. (624)**

**Response:** Records of outfitted use are poor prior to 1995. There is no evidence that significant changes have occurred in the ten years prior to that time. It is also agency policy to assess use in five-year increments.

**274: The final plan should include service day allocations for the Golden Trout Wilderness. (624a)**

**Response:** This analysis is exclusively for the Ansel Adams, John Muir, and Dinkey Lakes Wildernesses. Consideration of issues within other wilderness areas is outside the scope of this analysis.

## ***Commercial Livestock Use***

**275: The Forest Service should gather more analysis on the cumulative impacts of production livestock grazing. (504)**

**Response:** See response to Comment 461.

**276: The Forest Service should restrict cattle when conflicts occur with meadows, wildlife, hikers, or campers. (505)**

**Response:** As stated on page I-24 in the RDEIS, production livestock grazing is an issue considered to be outside the scope of this analysis.

## ***Range and Forage***

### **Regulations and Restrictions**

**277: The Wilderness Planning Team should limit interpretation of congressional grazing guidelines to livestock grazing. (686)**

**Response:** See response to Comment 200.

**278: The Forest Service should avoid restricting grazing based on improper application of authority granted by Congress. (200)**

**Response:** The RDEIS did not use the Congressional Grazing Guidelines for production livestock grazing operators as the basis for development of grazing standards and guidelines for recreational packstock (syn. transportation livestock). However, we acknowledge that the grazing standards developed for production livestock and commercial livestock are similar (e.g. allowable

forage utilization standards). Future grazing allocations will be made, if necessary, during NEPA analysis of specific resource management units and affected special use permits.

Authorizations granted to the Forest Service by Congress to administer livestock (including production and transportation livestock) on National Forest System lands can be found under Code of Federal Regulations 36 Part 222.2 Management of the range environment, 36 CFR 222.3 Issuance of Grazing and Livestock Use Permits, and 36 CFR 293.3 Wilderness - Control of uses.

**279: The final plan should allow continued grazing on allotments per the Wilderness Act of 1984. (674)**

**Response:** As stated on page I-24 in the RDEIS, production livestock grazing is an issue considered to be outside the scope of this analysis.

**280: The final plan should not impose blanket grazing start dates based on altitude. (672)**

**Response:** Refer to Appendix G in FEIS for a more thorough discussion of range readiness criteria,

**281: The Wilderness Planning Team should adopt the forage management components of Alternative 2 with reduced maximum utilization standards. (668)**

**Response:** The comment suggests a preference for a particular component of Alternative 2; this preference is noted.

**282: The Forest Service should permanently keep grazing restrictions in place to protect healed areas. (497)**

**Response:** In the FEIS, Chapter 2, Alternatives 1, 1 Modified, 2 and 4 all propose grazing management strategies that respond to meadow conditions and suitability for forage utilization. Future grazing allocations will be made, if necessary, during NEPA analysis of specific resource management units and affected special use permits.

**283: The Wilderness Planning Team should address the differences between horses, mules and unshod burros with respect to foraging regulations. (680)**

**Response:** Grazing standards identified in the FEIS will apply equally to all types of stock animals, including those mentioned.

## Adequacy of Analysis

### **284: The Wilderness Planning Team should use improved analysis methods to determine range condition. (681)**

**Response:** It is widely accepted by range scientists and statisticians that the Parker Three Step, as a condition and trend analysis, was a reasonable indicator of existing conditions but an unacceptable method for determining trends. For rangeland inventories across large areas the Paced Step-Point Method (similar to Parker 3-Step) is still often recommended for rating condition and/or apparent trend.

We agree that long-term continuity in collection of range condition and trend data is critical. The proposed action for this FEIS recommends a 10-year cycle for the collection of this data, using Rooted Frequency macro-plots in key meadow areas and Line Intercept (i.e. Greenline/Cross Section Methods) for stream riparian coupled with Proper Functioning Condition and Best Management Practice Assessments.

### **285: The Wilderness Planning Team should consider that the system of rating resource capabilities is an inappropriate base to implement management decisions. (682)**

**Response:** The FEIS will include an example analysis map at the Rangeland Management Unit scale. This sample map will demonstrate how limiting factors were applied to determine current rangeland capability and suitability based upon existing information and described criteria or assumptions. This capability analysis meets the intent of forest level capability analysis as described in 36 CFR 219.1. Management implications for the suitability analysis are described in Chapter 4 of the FEIS.

In the FEIS, Alternative 1 Modified describes maximum allowable grazing standards by ecological state rather than Recreation Categories. Grazing restrictions, based upon suitability analysis, would be done at the project level following detailed inventory of rangeland management unit (see FEIS, Figure E-1).

### **286: The Forest Service should analyze the effect of restricting grazing. (412)**

**Response:** A description of the anticipated effects to distribution of packstock trips and packstock grazing is described in Chapter 4 of the RDEIS. Alternatives 1 and 1, Modified maintain a high degree of visitor freedom, but have commercial operators avoid grazing in heavily used areas when utilization standards are reached or exceeded. The RDEIS did acknowledge, but did not attempt to quantify, that additional supplemental feed will be required under some alternatives.

## Range Suitability Analysis

### **287: The final plan should include a more detailed range suitability analysis. (408)**

And

### **288: The final EIS should include standards regarding the capability/suitability analysis. (411)**

**Response:** As noted in Appendix E-2, site-specific suitability determinations will be adjusted during NEPA analysis conducted at either the watershed or rangeland management unit level. This approach is consistent with the recently released *Sierra Nevada Forest Plan Amendment Record of Decision* (US Forest Service 2001) under Riparian Conservation Objective #5 which states "During project analysis, survey, map, and develop measures to protect bogs and fens from such activities as trampling by livestock, packstock (and) humans..."

### **289: The Forest Service should use the Meadow Management Plan as a template for developing the stock grazing program. (409)**

And

### **290: The final wilderness plan should include specific range readiness standards for grazing by recreational pack stock. (7)**

**Response:** The FEIS elaborates our intent for coordinating with the National Park Service on a protocol for consistent determination of range readiness and scheduling of annual grazing start dates across the planning area. A protocol is described in Appendix G Packstock Management Guide in the FEIS.

### **291: Include a three-year timetable with interim protection from early season grazing. (35)**

**Response:** Range readiness protocols are described in Appendix G of the FEIS. An implementation schedule will be included in the Record of Decision (ROD).

### **292: The Forest Service should allow grazing based on thorough scientific study. (410)**

**Response:** The allowable grazing practices described in the RDEIS are based on the best available information of the cause and effects of livestock grazing within the Sierra Nevada. These are updated in the FEIS based upon science made available in the *Sierra Nevada Forest Plan Amendment*.

## **Weed Free Feed**

**293: The Forest Service should provide better research and data regarding the use of weed-free feed. (496)**

**294: The final plan should require weed-free feed only when it is available to the general user at a reasonable price. (673)**

**295: The final plan should require weed-free feed for administrative stock use. (671)**

**296: The Forest Service should immediately require the use of weed-free feed. (414)**

**Response:** See response to Comment 453.

## **Infrastructure**

### ***Trailheads***

**297: The Forest Service should optimize parking space at trailheads. (607)**

**298: The Forest Service should keep lesser used trailheads free of development. (608)**

**Response:** The RDEIS states that trailhead facilities are outside the scope of this analysis. Please refer to page I-24 in the RDEIS.

### ***Trails***

#### **Trail Use**

**299: The wilderness plan should include a requirement to identify appropriate uses for existing and potential system trails. (6)**

**Response:** Alternative 1, Modified in the FEIS includes more explicit direction for trails management.

**300: The Forest Service should expand the network of hiker only trails. (121)**

**Response:** See response to Comment 301

### ***Stock Use***

- 301: The Forest Service should not restrict historical trail use. (120)**
- 302: The Forest Service should restrict stock use on unsuitable trails. (124)**
- 303: The Forest Service should allow limited stock use under controlled conditions on wilderness trails. (145)**
- 304: Trails without trailhead pack stations should be closed to commercial stock use, and not recommended for private stock use. (125)**
- 305: The Wilderness Planning Team should close trails to stock that are not currently used by stock. (146)**

**Response:** Four trails were proposed as hiker only trails in Alternative 2. The other alternatives have no such proposals.

### ***Service Levels***

- 306: The Forest Service should assign service levels to trails commensurate with their existing condition. (118)**
- 307: The Wilderness Planning Team should reanalyze the inflated service levels of trails in Appendix C. (142)**
- 308: The Forest Service should analyze the impacts of various trail uses to determine appropriate service levels for all trails in the planning area. (471)**

**Response:** See response to Comment 299.

- 309: The Forest Service should assign service levels based on the 1996 trail inventory data. (694)**

**Response:** An explanation of inventories is found in Appendix C in the FEIS; however there was no 1996 trail inventory. Alternative 1, Modified does propose direction on how to adjust service levels in the future. However, the FEIS does not make specific changes to service levels.

### **Trail Construction and Maintenance**

- 310: The Forest Service should consistently implement trail maintenance plans. (593)**

**Response:** Implementation of trail maintenance is an administrative task. It is therefore considered to be outside the scope of this analysis.

**311: The Wilderness Planning Team should evaluate changes in trail maintenance requirements resulting from grazing start dates and utilization standards. (479)**

**Response:** Chapter 4 of the FEIS describes the effects of potential increases in stock use on system trails that could result from packing in supplemental feed.

**312: The Wilderness Planning Team should provide a range of trail maintenance options matching the trail impacts of each alternative. (144)**

**Response:** The RDEIS provided management direction common to all action alternatives on maintenance of system trails (RDEIS p. II – 3). This direction has been moved to Alternative 1, Modified in the FEIS.

**313: The Forest Service should manage the wilderness infrastructure to encourage dispersed use. (609)**

**Response:** In the FEIS, Alternative 1, Modified proposes direction on managing system trails, including adjusting trail service levels to be consistent with the desired condition of the alternative. This provides direction that trails are to be managed according to management objectives not managing trails in response to trail infrastructure.

**314: The Forest Service should implement the zone concept through trail management. (477)**

**Response:** See response to Comment 299.

**315: The Forest Service should permit new trail construction in wilderness. (693)**

And

**316: The Final EIS should include language prohibiting new trail construction or the addition of any user created trails to the trail inventory. (140)**

**Response:** None of the alternatives in the RDEIS prohibit the construction or adding of new trails, to the existing system. However, in the FEIS, Alternative 1, Modified proposes prohibiting new trail construction.

**317: The Forest Service should permit minimal trail maintenance. (474)**

**Response:** See response to Comment 310.

**318: The Forest Service should improve existing trails to ensure a meaningful experience without undue hardship. (148)**

**Response:** Trails maintenance objectives are described in Appendix C of the FEIS. These trails comply with ADA accessibility for wilderness.

**319: The Forest Service should post trails as unmaintained rather than closed. (478)**

**Response:** See response to Comments 299, 302, and 310.

**320: The Forest Service should reroute trails only if they are causing significant resource damage. (473)**

**Response:** The RDEIS proposes similar direction in Alternative 2.

***Stock Standards***

**321: The Wilderness Planning Team should prohibit trail construction or improvement. (112)**

**Response:** See responses to Comments 299, 148, 310, and 124.

**322: The Forest Service should implement seasonal stock restrictions to reduce resource damage. (127)**

**Response:** It was not considered feasible to implement or establish trail readiness criteria within this analysis. However, nothing in the FEIS would preclude developing such criteria in the future. Commercial user entry dates can be managed through the special use permits and annual operating plans.

**323: The Forest Service should maintain and construct stock trails for search and rescue. (472)**

**Response:** See response to Comments 299, 124, 148, and 593.

**324: The Forest Service should maintain trails to historic use standards. (119)**

**Response:** See response to Comment 299.

**325: The Forest Service should use volunteers to maintain trails to recreational stock standards. (476)**

**Response:** See response for Comment 197.

**NEPA**

**326: The Forest Service should subject the proposed trail management strategy to NEPA analysis. (128)**

**Response:** The trail maintenance levels identified in the RDEIS are current inventoried levels. Alternative 1, Modified in the FEIS provides guidance for adjusting trail maintenance levels.

**327: The Forest Service should conduct site-specific NEPA analysis prior to any trail work. (141)**

**Response:** It is common practice that site-specific NEPA and appropriate public involvement process is completed prior to any trail construction or reconstruction work.

## **Standards and Guidelines**

**328: The Wilderness Planning Team should establish Standards and Guidelines for system trails that meet the intent of the Wilderness Act with regard to historic uses. (139)**

And

**329: The Wilderness Planning Team should adopt appropriate Standards and Guidelines for all trails in the planning area. (143)**

**Response:** Management direction for system trails has been updated in Chapter 2, Alternative 1 Modified in the FEIS. Mitigation for historic uses (properties) and values are included in the *Programmatic Agreement: Controlling Impacts on Historic Properties; Management of Ansel Adams, John Muir and Dinkey Lakes Wildernesses, Sierra and Inyo National Forests* for this planning effort.

## **Cumulative Effects**

**330: The Wilderness Planning Team should evaluate the direct and cumulative effects of inflated service levels for wilderness trails. (147)**

**Response:** The service levels displayed in the RDEIS reflect the current trail inventory. It is speculation that these levels are inflated. However, Alternative 1, Modified in Chapter 2 of the FEIS proposes management direction to adjust the trail service levels to reflect the recreation strategy.

**332: The Forest Service should evaluate the impacts of allowing stock use on inadequately constructed trails. (122)**

**Response:** Chapter 4 of the FEIS contains an analysis of the effects of stock use. Alternative 1, Modified proposes additional direction on maintaining trails for pack and riding stock.

**332: The Forest Service should consider the environmental effects of concentrating stock use. (123)**

**Response:** None of the alternatives in the RDEIS limits stock use to heavily used trails. There are higher quotas in place for all uses on some trails, which greatly mimic current use patterns. But there is no direction in the RDEIS that limits stock use to these areas. We do not currently maintain all trails for the same level of difficulty or development and structure. There is further direction on trail maintenance in the FEIS in Chapter 2, Alternative 1, Modified.

## Trails, Other

### **333: The Wilderness Planning Team should use trail records from 1964 to identify and designate maintainable trails. (138)**

**Response:** Appendix C in the RDEIS contains our most recent trails inventory. In the FEIS we clarify trail management direction and actions that will affect the trail system in the implementation of this plan. Trail planning and maintenance must be consistent with the overall direction for managing these wildernesses. A separate trail planning effort, if conducted in the future, would tier to the direction set forth in this plan.

### **334: The Forest Service should clarify the status of private trails within wilderness. (468)**

**Response:** This issue was not addressed in this analysis. The federal agencies have no authority over private lands.

## Ways

### Classification

### **335: The Forest Service should classify inventoried user-created trails as cross-country routes. (480)**

**Response:** This option was assessed during the review of the RDEIS. Alternative 1, Modified, proposes three directions for addressing user-created trails: 1) eliminate; 2) make them system trails; or 3) maintain them as user created routes.

### **336: The Forest Service should incorporate user created trails into the managed trail inventory only if there is a demonstrated significant need. (149)**

**Response:** See response to Comment 335.

### **337: The Forest Service should develop criteria for determining the management status of user created trails. (130)**

**Response:** See response to Comment 335.

## Management

### **338: The Forest Service should keep user-created trails open. (691)**

**Response:** The FEIS does not propose categorically closing user-created trails. Alternative 1, Modified proposes criteria for addressing user-created trails through site-specific analysis.

**339: The Forest Service should restore user-created trails. (113)**

**Response:** The alternatives displayed in both the RDEIS and the FEIS present a range of different options for the management of user-created trails. Alternative 2 provides the most specific direction on addressing closure and restoration of user-created trails.

**340: The Forest Service should inventory and monitor user-created trails for resource damage. (150)**

**Response:** See response to Comment 149.

**341: The Forest Service should actively manage heavily used user-created trails. (242)**

**Response:** See response to Comment 336.

## **Ways, Other**

**342: The Forest Service should supply data supporting its conclusion that user-created trails will proliferate under Alternative 4. (594)**

**Response:** We can identify no data indicating one way or another what user-created trails would do under the no management proposal in Alternative 4. The conclusion reached was based on a series of assumptions. Wilderness managers and researchers have observed the proliferation of user-created trails in this planning area over the past 10-15 years. Alternative 4 proposes no management actions addressing user-created trails. User-created trails will continue to be used and created similarly to in the past. This leads to the conclusion that under Alternative 4 there will be more effects resulting from user-created trails.

In addition, some data was collected to assess the level of resource impacts occurring on these non-system trails and was presented at the public meetings held during the comment period. This is available in the planning record.

**343: The Forest Service should examine the relationship between management goals for user created trails and anticipated funding and staffing levels. (129)**

**Response:** This planning process recognizes that achievement of management goals is always dependent on funding and staffing levels. However, the decision to be made will balance the needs of the wilderness with the expectation of implementation of these goals. This is not reason enough to set goals at lower levels with an expectation that that is all we can achieve.

**344: The Forest Service should address user created trails on a case-by-case basis. (251)**

**Response:** In the FEIS Alternatives 1, 1 Modified and 2 all address and propose direction for managing user-created trails.

## ***Other Infrastructure***

### **Structures in Wilderness**

**345: The Revised Draft EIS should include an evaluation and rationale for retention of all non-conforming structures in wilderness. (136)**

**Response:** Such evaluation and rationale is accomplished at the project level and is considered to be outside the scope of this analysis. This analysis in Chapter 2 of the FEIS proposes overall direction for decisions on retention and/or removal of non-historic structures.

**346: The Forest Service should remove non-conforming structures from wilderness. (137)**

**Response:** Refer to Chapter 2 of the FEIS regarding criteria for Administrative Sites and Structures. The policy and direction from the Wilderness Act, National Historic Preservation Act, and Forest Service Manuals, are reflected in the criteria.

**347: Snow survey shelters (595)**

**348: Aerial markers (245)**

**Response:** This correction has been made and is reflected in the FEIS, Appendix K.

**349: Administrative Caches (246)**

**Response:** Appendix K in the FEIS contains a listing of facilities. A cache is not considered to be a facility and is therefore not listed in this appendix.

**350: Birch Creek Trough (243)**

**Response:** Birch Creek Trough has been added to Appendix K and will be subject to the criteria outlined in the FEIS in Chapter 2: Administrative Sites and Structures.

**351: The Wilderness Planning Team should consider alternatives to replacing existing structural range improvements. (244)**

**Response:** Under 36 CFR 293.7 Grazing of livestock -- The Forest Service may permit, subject to such conditions as deemed necessary, the maintenance, reconstruction, or relocation of livestock management improvements and structures that existed within a Wilderness when it was established or structures may be built when necessary to protect wilderness values. Drift fences will be evaluated against the criteria described in the FEIS

## **Snowpack Measurement**

### **352: The Forest Service should continue to allow snowpack and water supply measurements in wilderness. (249)**

**Response:** Snow survey activities are not prohibited in any of the alternatives in the FEIS. Structures associated with data collection may continue to be authorized through the special use permit process. Minimum requirement evaluations for structures and/or minimum tool evaluations for these activities should be conducted within the course of permit administration.

### **353: The Final EIS should include language providing for stakeholder discussions prior to removal of administrative structures. (134)**

**Response:** Any effort or proposal to remove an existing structure requires site-specific project level analysis.

### **354: The Forest Service should recognize Southern California Edison's grandfather status for hydroelectric facilities and related motorized access. (131)**

**Response:** The Forest Service recognizes the grandfather status through special use permits and licenses. These documents permit SCE to conduct data collection and operate certain facilities within wilderness. We recognize the importance of snowpack information for water management and it is not the intent to prohibit data collection in the wilderness; however, placement of snow survey sensors outside of the wilderness will be encouraged.

### **355: The Final EIS should include a definitive statement permitting Southern California Edison's future operation and maintenance activities within the wilderness. (133)**

**Response:** SCE will be allowed to continue those activities within wilderness that are under special use authorization and within the confines of the 1964 and 1984 Wilderness Acts. The referenced statement is outside of the scope of this analysis.

### **356: The Forest Service should recognize the public benefit of Southern California Edison's water management activities in the wilderness. (132)**

**Response:** It is not the intent of the FEIS decision to prohibit data gathering within the wilderness. Most of these structures need an historical evaluation and an evaluation as to whether they are the minimum tools necessary for the accomplishing the associated activity.

**357: The final plan should include an evaluation to determine if snow sensor measurement sites meet the requirements of the 'minimum tool necessary' and Forest Service Manual criteria. (248)**

And

**358: The Forest Service should evaluate the need for snow survey cabins in areas where snow surveys are accomplished using helicopters. (250)**

**Response:** Appendix K provides a list of locations and structures associated with snow surveying. Chapter 2 in the FEIS provides criteria for assessing all administrative sites and structures with a minimum requirement and minimum tool concept.

### **Other Infrastructure, Other**

**359: The Final EIS should include a schedule for conducting validity exams on unpatented mining claims in the wilderness. (254)**

**Response:** A validity exam for the Horton mine was scheduled in the summer of 2000, at the time the RDEIS went to print. These exams are prioritized and scheduled at the Regional level, or are conducted when a special use permit application (required for activities associated with unpatented mining claims) is submitted.

**360: The Forest Service should retain an adequate fire protection infrastructure. (115)**

**Response:** Nothing is proposed in the FEIS that would affect fire protection infrastructure.

## ***Physical and Biological Resources, General***

### **Impacts, General**

**361: The Wilderness Planning Team should not exclude stock animals from wilderness areas. (99)**

**Response:** There is nothing in the RDEIS or the FEIS that proposes excluding stock animals from wilderness areas.

**262: The Wilderness Planning Team should restrict the use of stock animals to mitigate their negative environmental impacts. (95)**

**Response:** The FEIS presents a range of five alternatives addressing significant issues, including equity among users. The alternatives display a range from a single quota for all users in Alternative 2 to multiple quotas in Alternative 1, Modified. Alternative 2 reduces quotas further for some trailheads to address dispersing use across the landscape. Alternative 3, by virtue of being no action, would not change quotas and Alternative 4 would expand the quota numbers. These alternatives provide a choice of approaches for addressing user equity.

**263: Compared to those of hikers (96)**

**364: Compared to those of noncommercial users (97)**

**365: Compared to those of guiding services (98)**

**366: The Wilderness Planning Team should establish a limit on off-trail, cross-country travel by stock animals. (38)**

**Response:** Alternative 2 in the RDEIS and FEIS would establish a limit on cross-country party size of 8 persons and 8 head of stock. Alternatives 1, 1 Modified and 2 require commercial operators to use only authorized trails.

**367: By prohibiting all off-trail travel (94)**

**368: By reducing group sizes allowed off-trail (17)**

**369: The Wilderness Planning Team should use current research findings on resource degradation to set the maximum group size allowed on designated trails. (16)**

**Response:** See response to Comment 212.

**370: Limit to 15 individuals (people and animals) per group on designated trails (36)**

**371: Limit to 12 individuals (people and animals) per group on designated trails (37)**

**372: The Wilderness Planning Team should not extend the quota system to the winter/early spring months when impacts to the environment are minimal. (104)**

**Response:** Many comments were received stating there was no need for a year-round quota. This is addressed in the FEIS in Alternative 1, Modified that would set the annual quota period from May 1 to November 1.

**373: The Wilderness Planning Team should consider a quota system that limits the number of days of use, not just the number of entries per day. (492)**

**Response:** Currently the length of stay limit in place is 14 days per travel zone. This has been a constant throughout the years, yet varies by trailhead. University of Arizona data assisted in the

understanding of use patterns, which is another way of considering the effect of the number of days of use.

**374: The Forest Service should restrict the allocation of user days for non-commercial visitors to most effectively decrease impacts. (698)**

**Response:** The alternatives displayed in the RDEIS and FEIS propose a range of use levels for both commercial and non-commercial users. Alternative 3, the No Action alternative, proposes no change from current levels. Alternatives 1 and 1, Modified propose maintaining current levels of use unless limiting factors are identified. Alternative 4 proposed an increase in use levels.

**375: The Wilderness Planning Team should categorize human visitation in terms of lower and higher impacts. (486)**

**Response:** Many comments on the RDEIS expressed views about the impacts to the wilderness of packstock as opposed to those of humans. Many different proposals were presented for addressing these. The RDEIS and the FEIS display a range of alternatives to address the equity of access for all users.

**376: The Final EIS should not restrict usage. (226)**

**Response:** This preference is noted.

**377: By allowing more liberal visitation and facilitation for places such as Mt. Whitney. (480)**

**Response:** Various levels of day and overnight use for Mt. Whitney are proposed in the alternatives. In Appendix D of the REDEIS, the Needs Assessment identifies a number of ‘limiting factors’ including water quality. Current human use and human waste management is a management concern.

**378: By considering other origins of environmental impacts before restricting hikers and equestrians. (481)**

**Response:** Natural processes are outside our ability to manage. Our primary objective is to manage human influences on the environment.

**379: The Wilderness Planning Team should recognize that wilderness resources are currently in good condition. (222)**

**Response:** Both the RDEIS and FEIS provide a description of the affected environment, including the wilderness resource, in Chapter 3. Proposed management direction is displayed in the five alternatives in the FEIS.

**380: The Forest Service should recognize that it is not obligated to preserve wilderness areas in a more pristine state than when the area was originally designated as wilderness. (601)**

**Response:** “The Wilderness Management Model and the Wilderness Act”, Forest Service Manual (2320.6), directs us to “Manage wilderness toward attaining the highest level of purity in

wilderness within legal constraints”. The Wilderness Act does not direct us to maintain conditions at the moment of designation.

**381: The Wilderness Planning Team should implement temporal and spatial controls on recreational stock use and commercial outfitters. (101)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 propose temporal and spatial controls. These alternatives provide a range of actions for group size for cross country party size, hiker only trails and limits for grazing and readiness for grazing, and controls on commercial packstock.

**382: By not allowing commercial outfitters to “override” the quota system (102)**

**Response:** Commercial operators have never been allowed to “override” the quota system. Under Alternative 3, No Action, commercial operators are controlled by their service day allocation and the number of stock allowed under their special use permit. In the FEIS, under Alternatives 1 and 1, Modified, they are under a daily trailhead limit. However, if the limit is too low to accommodate an allowed party size, they may “borrow” from the next day with strict guidelines as to how and when this may occur.

**383: By not allowing commercial outfitters to utilize their next day’s entry limit for peak crowded days (103)**

**Response:** In the FEIS Alternative 1, Modified proposes stricter language to allow borrowing from the next day on trailheads with low quotas. This is to accommodate allowable sized parties under strict guidelines to address this concern.

**384: The Wilderness Planning Team should select Alternative 1 because it will concentrate use in small, heavily managed areas creating less of an environmental impact. (561)**

**Response:** This preference for Alternative 1 is noted.

**385: The Wilderness planning team should disperse use to diffuse environmental impacts. (699)**

**Response:** Alternative 2 in the RDEIS proposes dispersing use across the landscape.

**386: The Wilderness Planning Team should assess and provide data reflecting the effects of dispersing use versus concentrating use. (565)**

**Response:** Few studies have been conducted, due in part to the remoteness of wilderness. Those studies that do exist indicate that concentrating use in few areas is preferable to dispersing use across the landscape. This discussion is found in Chapter 4 of the FEIS.

**387: The Wilderness Planning Team should consider that traditional stock campsites are environmentally stable and have localized impacts confined to a very small percentage of the wilderness. (105)**

**Response:** Chapter 4 in the FEIS includes an assessment of campsites and their effects and conditions. Data on campsite conditions has been collected and is in the planning record.

**388: The Wilderness Planning Team should prohibit dogs in wilderness areas. (482)**

**Response:** Additional direction is proposed in Alternative 1, Modified for restricting dogs when and where needed for the protection of wildlife in the FEIS.

**389: The Forest Service should implement an excrement management program. (702)**

**Response:** When specific problems are identified, management actions can be implemented on a site-specific basis. There is nothing in the FEIS that prevents such management from occurring.

**390: Require outfitter/guides to pack out human waste from the Whitney trail and the North Fork of Lone Pine Creek. (644)**

**Response:** There is currently a voluntary “pack out your poop” program in place on the North Fork of Lone Pine Creek. The Mt. Whitney Trail has existing toilet facilities. We currently see no need to require further restrictions on permittees.

## **Non-Traditional Packstock Use**

**391: The Wilderness planning Team should differentiate between the use of shod riding packstock (horses and mules) and walking parties using unshod burros, which have a lower impact on the environment. (487)**

**Response:** Burros constitutes a minor use within the planning area. This issue had not been raised prior to this comment period. Site-specific impacts, camping and grazing practices associated with commercial transportation livestock will be analyzed at the time of permit issuance.

**392: The Wilderness Planning Team should allow packers with llamas to travel off-trail while placing restrictions on commercial horse and mule outfitters. (598)**

**Response:** The alternatives in the RDEIS do not place limits on off-trail travel. Alternative 3, however, does propose a reduction in cross-country party size that would apply to all users.

**393: The Wilderness Planning Team should increase the allotment for non-traditional stock use. (100)**

**Response:** Alternatives 1, 1 Modified and 2 in the FEIS propose an allocation for non-traditional packstock. If the allocation for non-traditional packstock is utilized and proves to be valuable, the level of this activity can be re-evaluated in future assessments. At this time, the commercial and non-commercial use of llamas and other non-traditional packstock has been minimal.

## Grazing

### **394: The Wilderness Planning Team should consider the impacts of recreational livestock grazing on the environment. (108)**

**Response:** The analysis of effects of recreational livestock grazing is displayed in Chapter 4 of the FEIS.

### **395: Prohibit/restrict recreational stock grazing (109)**

### **396: Allow recreational stock grazing (110)**

**Response:** Our intent is to provide consistent, fair and practical application of grazing standards and guidelines. We intend to provide a monitoring strategy demonstrating that the standards have been implemented properly.

### **397: The Wilderness Planning Team should consider the impacts of commercial livestock grazing on the environment. (291)**

**Response:** As noted on page I-24 of the RDEIS, issues associated with production livestock grazing in the wilderness are being considered outside the scope of this analysis. Programmatic analysis of forest plan direction for production livestock grazing has been addressed in several other recent environmental analyzes and published decisions. Those documents include: (1) Sierra NF LRMP Amendment, An Environmental Assessment of Utilization Standards for Determining Proper Use of Available Forage for Commercial Livestock, Decision Notice and Finding of No Significant Impacts (1995), (2) Inyo NF LRMP Amendment #6 - Forest Wide Range Utilization Standards, Decision Notice and Finding of No Significant Impacts (1995), and (3) Pacific Southwest Region Sierra Nevada Forest Plan Amendment, ROD (2001). These Forest plan amendments for production livestock grazing include grazing in wilderness and have provided adequate direction for production livestock grazing. As noted in the DEIS on page I-26, site specific project decisions associated production livestock issues in the wilderness will be addressed during Allotment NEPA analysis.

The extent to which production livestock grazing occurs in the wilderness areas is described on in the RDEIS in Chapter p. III-25. A map has been added to the FEIS that illustrates which Resource Management Units have active production grazing allocations as described in Tables 3.4 and 3.5 of the RDEIS.

### **398: Prohibit/restrict commercial stock grazing (293)**

### **399: Allow commercial stock grazing (292)**

**Response:** As stated in Chapter 1 in the RDEIS, production livestock grazing is considered outside the scope of this analysis. However, grazing of commercial permittees livestock is permitted under all of the alternatives in the FEIS.

**400: The Wilderness Planning Team should place seasonal restrictions on stock to protect the environment. (294)**

**401: By eliminating early season grazing (294)**

**402: By eliminating early season stock access (295)**

**403: By prohibiting snow removal on trails (126)**

**404: By varying range opening dates (296)**

**Response:** The FEIS describes management direction for implementing grazing start dates using "range readiness" as the primary method of choice. The use of trail ready start dates would place considerable restriction on freedom of travel by wilderness visitors with minor tangible benefits, which would be difficult to measure or demonstrate.

**405: The Wilderness Planning Team should exempt llamas from opening dates. (185)**

And

**406: The Wilderness Planning Team should exempt llamas from the range readiness standards. (300)**

**Response:** The range readiness criterion as described in Appendix G in the FEIS pertains to all kinds and classes of recreational livestock. It would be difficult administratively to develop separate grazing start dates based upon the type of packstock used.

**407: The Forest Service should develop and implement stringent Range Readiness and Grazing Standards. (221)**

**Response:** The Forest Service will use standards, along with grazing start dates, revised special use permit grazing clauses, and site-specific grazing closures to achieve the goals and objectives described in Chapter 1. In the FEIS, Alternative 1, Modified, proposes that when meadows become degraded they will be closed to grazing until they have recovered and have moved to mid- or late seral status. Grazing standards vary by alternative. Range readiness criteria are discussed in Chapter 2: Common To All Action Alternatives found in the FEIS.

**408: The Forest Service should monitor range readiness conditions where grazing is permitted. (298)**

**Response:** Monitoring for both implementation of grazing direction and effectiveness is described in Appendices G and H of the FEIS.

**409: The Wilderness Planning Team should institute a revised set of rangeland standards and guidelines with a goal of 100% similarity to the potential natural community. (484)**

**Response:** The use of similarity indices (e.g. 50% or 75%) for measuring vegetation, soil and hydrological characteristics is a widely accepted practice by ecologists to quantifiably measure existing conditions against theoretical, potential conditions. The percent similarities given under the various alternatives in Chapter 2 were based upon existing ecological scorecards that have been developed for meadows in Sierra Nevada.

As described in the FEIS, under Alternative 1, Modified, 97 percent of the land area will be managed at recreation categories 1 and 2. Vegetative and soil conditions would be at or near a potential natural state with little or no detectable alterations. It is not feasible or attainable to have all meadows, across the wilderness, in a completely undisturbed natural state.

**410: The final plan should include a more detailed range capability/suitability analysis. (189)**

**Response:** See response to Comment 287.

**411: Including a three-year timetable (176)**

**Response:** An implementation schedule will be provided in the ROD and will indicate the timeline for completing suitability analysis.

**412: The Forest Service should use “exclusion cages” where grazing is permitted to aid in the collection of data. (297)**

**Response:** Exclusion cages have been used in some situations to gather data on site production or plant vigor. The limited administrative use of cages for range analysis will continue when needed. Refer to the use of administrative structures in Chapter 2 of the FEIS for proposed management direction.

**413: The Wilderness Planning Team should comply with the requirements of the National Environmental Policy Act by analyzing the impacts of grazing. (461)**

**Response:** The environmental impacts of grazing are updated in chapter 4 in the FEIS.



## Motorized Access

**414: The Wilderness Planning Team should examine the use of boats and aircraft for management purposes within wilderness boundaries. (365)**

And

**415: Allow the use of boats by utility groups to perform necessary operational and maintenance activities at Rush Meadows Dam and Gem Lake Dam. (363)**

**Response:** Forest Service policy and the Wilderness Act prohibit the use of mechanized transport and motorized equipment within wilderness *unless* enabling legislations and special provisions in the Wilderness Act allows the continuance of these uses. Legitimate non-conforming activities will be allowed and authorized and administered through the special use permit process and will not be superseded by this direction.

**416: Allow the use of aircraft by the Department of Fish and Game for aerial stocking and other wildlife management related activities. (357)**

**Response:** The Inyo LRMP currently authorizes this use if it was occurring prior to wilderness designation. Nothing in this planning effort proposes changes to this.

**417: Allow the use of aircraft by utility groups for facility maintenance and snow surveying purposes (358)**

And

**418: Do not allow the use of helicopters for accessing snow survey sites (359)**

**Response:** Chapter 2, page 4 in the RDEIS states, “Determine if the structure is the minimum tool necessary to accomplish the activity considering, where relevant, the use of mechanized transport as an alternative.” This statement does not indicate that flying a helicopter in for maintenance of a cabin is the preferable method or minimum tool.

## *Physical Resources*

### Noise Standards

**419: The Wilderness Planning Team should restrict low flying aircraft in wilderness areas. (571)**

**Response:** Military aircraft over-flights are addressed in this plan. There are ongoing negotiations at the regional and national level to try to reduce these occurrences. Any occurrence of low flying military planes should be reported to the ranger district office, with a time and place and any identifiable features of the aircraft. Management direction is proposed in Chapter 2 of the FEIS.

**420: The Wilderness Planning Team should adopt an objective (i.e. numeric) standard to limit human caused noise in wilderness areas. (301)**

**Response:** Human caused noise was not identified as a significant issue and is therefore not addressed in this analysis.

## **Soils**

**421: The Wilderness Planning Team should consider that disturbances affecting soil do not warrant changes from current management practices. (307)**

**Response:** The actual area where soil disturbance and degradation has occurred is a very small percentage of the entire wilderness. However, these tend to occur where visitor use is highest. These are the very places that visitors seek a quality wilderness experience. Effects of soil disturbance are long lasting because of short growing seasons and generally low soil productivity at high elevation. Soil disturbance or degradation may not come to mind to the wilderness visitor but the effects such as the loss of duff and litter or soil exposure gives sign to the visitor of previous human presence.

**422: The final plan should include a description of erosion control requirements. (306)**

**Response:** Guidelines for erosion control are provided in Forest Service Handbooks.

**423: The Wilderness Planning Team should revise Alternative 2 to make it more conducive to the protection of soils. (305)**

**Response:** Alternative 1 proposes a strong degree of protection for soils through concentrating impacts in areas of historical high use. It lessens the potential for moderate impacts to occur outside of high use areas. These areas of high use would be managed to minimize soil impacts as much as possible. Alternative 2 also provides a high level of soil protection but allows more dispersed use, as under the current situation. There is therefore a higher potential risk of moderate impacts to occur outside of high use areas. Alternative 2 proposes the highest degree of protection for meadow soils through range and utilization standards that would provide for vegetation communities in high seral status (RDEIS, Chapter 4, page 5).

**424: The Wilderness Planning Team should close or restrict the use of trails with potential risk for soil erosion. (308)**

**Response:** Alternative 2 proposes Shepherd, Taboose, Sawmill and Baxter trails be designated “hiker only” because they are steep and difficult to maintain for stock use. Alternative 1, Modified includes detailed management direction for system trail management which address watershed issues.

**425: The Wilderness Planning Team should consider that the occasional intermittent use of wilderness areas by large parties and parties on horseback can be directly correlated with the persistent loss of vegetative cover and soil erosion around popular lakes. (485)**

**Response:** Maximum allowable party size is 15 people and 25 head of stock. As stated in Chapter 3 of the RDEIS, this is down considerably from the large parties that entered the wildernesses in the early and middle part of the last century. In addition we know of no data that correlates party size with loss of vegetative cover and soil erosion around popular lakes. However, in the FEIS Alternatives 1, 1 Modified and 2 would put in place additional management direction that would protect riparian areas.

## **Air Quality**

**426: The Wilderness Planning Team should consider that the management direction alternatives do not have a significant impact on air quality. (489)**

**Response:** Your concurrence is noted.

**427: The Wilderness Planning Team should display quantifiable data on the levels of pollution of the planning area, particularly that of campsite areas during times when campfires are burning. (490)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 propose elevational closures to campfires. These closures would result in reductions in smoke from campfires. No quantifiable data is available to separate out the levels of smoke from wilderness campfires from other smoke.

## **Watersheds**

**428: The Wilderness Planning Team Service should consider that current water quality is excellent and does not warrant management changes. (317)**

**429: The team should provide data regarding water quality (596)**

**Response:** Water quality is generally excellent throughout the project area and believed meet water quality objectives and protects beneficial uses (p. III-3 to III-4, RDEIS). However, existing laws and policies require attainment of “anti-degradation” which restricts discharges that reduce water quality even if such a reduction in water quality might still allow for the protection of the beneficial uses associated with the water prior to the degradation (State Water Board Resolution No. 68-16). Known impacts to water quality within the project area are described on pp. III-5 to III-6 of the RDEIS.

**430: The Forest Service should protect water quality in riparian and wetland areas. (309)**

**431: By protecting ephemeral streams and ponds (310)**

**Response:** The current Inyo and Sierra National Forest's Land and Resource Management Plans (LRMPs) as amended by the *Sierra Nevada Forest Plan Amendment* provides for protecting ephemeral streams and ponds.

**432: By disclosing the location of and specifying protective measures for wetlands (315)**

**Response:** Wetlands require specific conditions of soils, vegetation, and hydrology. The FEIS does not address site-specific factors such as the location of wetlands. It does, however, provide standards and guidelines for wetland protection. The presence of wetlands, riparian areas, and other sensitive ecological habitats and identification of protection measures are determined during project-level NEPA analysis.

Range readiness criteria will also provide protective measures for wetlands in the FEIS.

**433: By basing proposed activities in wetlands on the survival and quality of the wetlands (316)**

**Response:** Potential wetland impacts and mitigation measures would be determined during project-level NEPA analysis. The current Inyo and Sierra National Forest's Land and Resource Management Plans (LRMPs) as amended by the *Sierra Nevada Forest Plan Amendment* provides for protecting wetlands.

**434: The Forest Service should protect water quality in riparian and wetland areas through management of human activity. (195)**

**435: By limiting the proximity of campsites to water resources (312)**

**436: By implementing a waste management program (313)**

**437: The Forest Service should protect water quality in riparian and wetland areas through management of stock animals. (196)**

**438: By limiting the proximity of stock animals to water resources (311)**

**Response:** In the RDEIS, Alternatives 1, 2, and 4 propose a range of minimum campsite distances from lakes and streams. These range from no closer than 25 feet in Alternative 4 to no closer than 100 feet in Alternative 2. The current Forest Order as listed in Appendix B in the FEIS prohibits hitching, tethering, or tying pack or saddle stock within 100 feet of lakes and streams remains in effect.

**439: By implementing Best Management Practices for grazing (314)**

**Response:** BMPs are listed as management direction in Chapter 2 of the RDEIS.

**440: The Wilderness Planning Team should prepare a periodic visual and quantitative monitoring plan to assess water quality for high use areas. (318)**

**Response:** Ongoing water quality monitoring will continue to be conducted using the Pacific Southwest Region BMP Evaluation Program protocols. These methods monitor the implementation and effectiveness of BMPs in protecting water quality. While the FEIS does not require quantitative water quality monitoring, site-specific investigations may incorporate more rigorous analytical techniques to address specific water quality concerns.

**441: The Final EIS should contain information from actual water quality reports. (209)**

**Response:** See response to Comments 428 and 511.

**442: The Wilderness Planning Team should provide evidence that the 25-foot campsite setbacks result in degradation to riparian habitat and water quality. (600)**

**Response:** Chapter 4 in the FEIS displays the analysis of effects to water quality and riparian habitat.

**443: The final plan should allow the application of EPA approved pesticides used for the restoration of mountain yellow-legged frog and other native species habitat. (19)**

**Response:** The current Inyo and Sierra National Forest's Land and Resource Management Plans (LRMPs) as amended by the *Sierra Nevada Forest Plan Amendment* provides for protecting these species and their habitat.

## ***Biological Resources***

### **Vegetation**

**444: The Wilderness Planning Team should place elevational restrictions on campfires. (18)**

**445: To protect alpine vegetation and dead wood resources (51)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 propose elevational closures on campfires.

**446: The Forest Service should not allow firewood to be imported and burned in campfires. (488)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 propose prohibiting packing in firewood to closed areas.

**447: The Forest Service should allow campfires in areas with abundant dry firewood. (599)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 propose criteria for closing areas to campfires in areas where dead and downed firewood were no longer abundant and available.

**448: The final plan should assure that wood use does not exceed productivity plus the amount needed for nutrient recycling and wildlife. (22)**

And

**449: The Forest Service should provide an analysis of the effects of localized fuel wood gathering on naturally functioning ecosystems. (602)**

**Response:** In the FEIS, Alternatives 1, 1 Modified and 2 address this issue in Chapter 2 under management direction for firewood availability (campfires).

**450: The final range management prescriptions should be extremely conservative to assure meadow habitat protection. (91)**

And

**451: The Forest Service should prevent devastation of wildflowers and shrubbery. (301)**

**Response:** The RDEIS in Chapter 2 displays a range of alternatives addressing grazing management and meadow habitat protection.

**452: The Wilderness Planning Team should collect more data on sensitive plant species, in compliance with land management laws, to make informed decisions regarding the environmental impacts of the alternatives on those species. (362)**

**Response:** The Biological Evaluation (BE) for the FEIS identifies additional sensitive plant monitoring that has occurred since the release of the RDEIS. The botanical portion of the BE has been rewritten to provide a more comprehensive discussion of the status of sensitive plants and to include both monitoring and survey requirements for these species.

**453: The Wilderness Planning Team should not restrict recreational stock use based on assumptions that stock is the primary cause of noxious weed infestation. (303)**

**Response:** It is well documented that livestock are one of many vectors that distribute seed from noxious weed infestations. It is also widely acknowledged by weed ecologists, scientists and managers that prevention is the most cost effective and beneficial approach to managing weeds. Once weeds become established the ecological consequences can often be catastrophic. The

FEIS tiers to the *Sierra Nevada Forest Plan Amendment* that provides Best Management Practices for control of noxious weeds.

**454: The Final EIS should address the effects of equipment contamination on the spread of noxious weeds. (603)**

**Response:** The Wilderness Act does not allow mechanical transport or motorized equipment within wilderness. Therefore this issue is considered outside the scope of this analysis.

**455: The Forest Service should collaborate with and use analytical data from other entities to aid in the reduction of non-native plant infestations. (304)**

**Response:** The Forests welcome the opportunity to collaborate with other regulatory agencies to monitor for invasive plant species and develop protocols for their control.

**456: Wilderness access by pack and saddle stock should not be restricted based on the potential for non-native plant infestations. (304a)**

**Response:** The RDEIS does not limit stock access based on the potential introduction of non-native plants.

## **Fire Management**

**457: The Wilderness Planning Team should evaluate the use of fire as a management tool in wilderness areas. (321)**

**458: Prohibit controlled burns (322)**

**459: Allow natural and deliberately induced fire (323)**

**Response:** Analysis of prescribed fire was removed from the original DEIS because it is addressed in the *Sierra Nevada Forest Plan Amendment*.

## **Wildlife, Avian, and Aquatic Resources**

**460: The Forest Service should protect wildlife resources. (324)**

**Response:** The current Inyo and Sierra National Forest's Land and Resource Management Plans (LRMPs) as amended by the *Sierra Nevada Forest Plan Amendment* provides for protecting these species and their habitat.

**461: By restricting human intrusion (325)**

**Response:** Currently, the big horn sheep zoological areas have limitations on human use. Nothing else has been proposed or suggested by wildlife experts.

**462: By requiring pets be kept under owner control (327)**

**Response:** Chapter 2 in the FEIS provides additional language for regulating dogs for the protection of TEPS species.

**463: The Wilderness Planning Team should consider the impacts of recreational angler litter on avian species. (707)**

**Response:** We concur that litter is an unfortunate bi-product of human presence within the planning area. Existing laws are in place prohibiting the deposition of litter on National Forest System lands and these should be adequate to protect wildlife resources within wilderness areas.

**464: The Forest Service should protect wildlife habitat. (326)**

**Response:** See response to Comment 460.

**465: By implementing range readiness standards and protocols (326)**

**Response:** In the FEIS Alternatives 3 and 4 not contain range readiness standards. Alternatives 1, 1 Modified and 2 do.

**466: The Forest Service should allow a bear hunting season. (494)**

**Response:** The establishment of hunting seasons for any species is outside the scope of this analysis and authority of the Forest Service. Page III-8 of the RDEIS indicates that the California Department of Fish and Game is the Agency responsible for setting hunting and fishing regulations. Page III-9 of the RDEIS identifies that there is currently a bear-hunting season within the planning area.

**467: The Wilderness Planning Team should address proper food storage techniques to limit confrontations with and to slow the socialization of black bears to humans. (93)**

**Response:** The RDEIS acknowledges that black bear/human encounters are a concern within the planning area. The Inyo National Forest has a Forest Order (04-97-1) that requiring proper food storage. In the FEIS management direction common to all alternatives requires proper food storage throughout the remainder of the planning area.

**468: The final plan should analyze and disclose the existing and potential impacts of the brown-headed cowbird (as a result of the presence of stock) on native songbirds. (92)**

**Response:** The RDEIS addresses brown-headed cowbird nest parasitism in the Biological Evaluation (Appendix J). The FEIS includes language in Chapters 3 and 4 that expands this analysis to address non-sensitive birds.



**469: The final plan should ban fish stocking in wilderness areas. (1002)**

And

**470: To protect native biodiversity (40)**

And

**471: To restore natural conditions (329)**

**Response:** In the ROD for the *Sierra Nevada Forest Plan Amendment* the Regional Forester addresses fish stocking in relation to numerous issues including those identified here. The Forest Service is working at the regional level to address fish stocking issues. It would be inappropriate to address these issues at this level while negotiations are ongoing.

**472: The Wilderness Planning Team should allow fish stocking in wilderness areas. (330)**

And

**473: The Forest Service should propose standards and guidelines for fish stocking that would adequately mitigate impacts, without deferring its management authority to the state. (331)**

And

**474: The Forest Service should not allow the California Department of Fish and Game to stock fish in areas of Forest Service jurisdiction. (710)**

And

**475: The Final EIS should fully consider, analyze, and disclose the impacts of fish stocking, and establish enforceable federal standards and guidelines for fish stocking in these three wildernesses. (604)**

**Response:** The current Inyo and Sierra National Forest's Land and Resource Management Plans (LRMPs) as amended by the *Sierra Nevada Forest Plan Amendment* provides for protecting these species and their habitat.

**476: The Forest Service should cooperate with and support the California Department of Fish and Game's angling restrictions. (493)**

**Response:** This is the Forest Service's current practice.

## **Threatened and Endangered Species**

**477: The Forest Service should not abuse the Endangered Species Act. (334)**

**Response:** The Agency has followed the requirements of Sections 2, 5 and 7 of the Act throughout this wilderness planning process and does not feel that the Act has been “abused.”

**478: The Wilderness Planning Team should gather more data before instituting restrictions with respect to threatened and endangered species. (333)**

**Response:** The Team utilized the best available information to identify potential resource-user conflicts and assess impacts of the range of alternatives. The RDEIS does not suggest that any restrictions be instituted to protect threatened or endangered species without additional site-specific analysis.

**479: The Wilderness Planning Team should ensure that the Biological Evaluation for Candidate and Listed Species complies with the Endangered Species Act by providing a basis for a reasoned evaluation of impacts to these species. (332)**

**Response:** The Biological Evaluation and Biological Assessment have been updated and appear in Appendix J of the FEIS.

**480: The Wilderness Planning Team should change the grazing allotment boundary to exclude and protect the Sharktooth Creek Paiute cutthroat trout. (344)**

**Response:** Modification of grazing allotment boundaries is considered outside the scope of this analysis. Protection of the Paiute cutthroat trout found in Sharktooth Creek has been accomplished through an administrative permit action in cooperation with the permittee and is separate from this planning effort.

**481: The final plan should protect threatened, endangered, and proposed sensitive wildlife species. (335)**

And

**482: The final plan should ensure protection of the Sierra Nevada bighorn sheep. (336)**

And

**483: By adopting specific measures, standards, and guidelines (337)**

And

**484: By protecting bighorn sheep in the interim period between the adoption of the final plan and completion of the bighorn Recovery Plan (338)**

And

**485: The Wilderness Planning Team should address questions concerning the protection of Sierra Nevada bighorn sheep. (342)**

And

**486: The final plan should protect threatened, endangered, and sensitive amphibian species and their habitats. (345)**

**487: By eliminating grazing**

**488: By eliminating fish stocking**

**489: By closing areas of domestic sheep allotments (339)**

**490: By restricting dogs and domestic goats (341)**

**Response:** See the Biological Evaluation and Assessment in Appendix J for complete information on the protection of these species.

**491: The Wilderness Planning Team should study documents (other than those cited in the draft Biological Assessment), which address the current status of and threats to the Sierra Nevada bighorn sheep. (343)**

**Response:** The final Biological Assessment contains additional information and references regarding Sierra Nevada bighorn sheep are found in Appendix J in the FEIS.

**492: The Wilderness Planning Team should provide a broader discussion of potential environmental factors (other than fish) contributing to the decline of the mountain yellow-legged frog. (353)**

**Response:** The RDEIS (p. III-11) identifies a fungus and the introduction of pollutants from pesticides as potential causes of mountain yellow-legged frog decline. The cumulative effects section of the Biological Assessment (BA) has been updated for the FEIS in Appendix J.

**493: The Final EIS should include adequate data and protections for wolverines and fishers. (709)**

**Response:** The Biological Evaluation (BE) and Biological Assessment (BA) in Appendix J of the FEIS contain discussions of management direction, species account, habitat account and direct, indirect and cumulative impacts of the proposed action for both the fisher and wolverine. Any new information regarding these species, published since the release of the RDEIS, is included in the updated BE associated with the FEIS.



**494: The Wilderness Planning Team should not claim that there would be positive benefits to amphibians from Alternatives 1 and 2. (354)**

**Response:** The RDEIS states “species that occur in forested and non-forested riparian areas, and meadows are the most likely to be affected” [by any of the alternatives] (p. IV-11). The text goes on to suggest that trampling of individual animals and vegetation within riparian areas has both direct and indirect negative impacts on Yosemite toads and mountain yellow-legged frogs. Logically, any reduction in impacts within riparian areas would have a positive impact on these species relative to existing conditions.

Under Alternative 1, the minimum distance of campsites from water increases from 25 feet to 50 feet and more restrictive range readiness and utilization standards are implemented in meadows. Both of these requirements result in slight increases in riparian and meadow habitat quality (p. IV-13), and, by inference, habitat for Yosemite toads and mountain yellow-legged frogs. Under Alternative 2 the minimum distance from water for campsites will be 100 feet (four times the distance under existing conditions) and utilization standards change from “light” to “slight”. These actions result in further protection/restoration of riparian and meadow vegetation relative to both existing conditions and those projected under Alternative 1.

**495: The Wilderness Planning Team should provide better data regarding Yosemite toad and mountain yellow-legged frog populations. (350)**

**496: By demonstrating the causes for decline in populations (351)**

**Response:** See the Biological Evaluation and Assessment in Appendix J for complete information on the protection of these species.

**497: By providing current life history and habitat information (352)**

**Response:** The referenced species account contains information regarding species’ range, daily activity patterns, habitat preference, breeding chronology, feeding habits, predators and reasons for population decline (Appendix J). The BE in the FEIS contains a section listing all literature cited and updated information on life history and habitat utilization for this species.

**498: The Wilderness Planning Team should consider a program to help reintroduce or locally redistribute native amphibian species. (355)**

And

**499: The Wilderness Planning Team should collaborate with the California Department of Fish and Game in developing a plan for fish stocking conducive to the recovery of the mountain yellow-legged frog. (349)**

**Response:** See response to Comment 469.

**500: The Final EIS should provide flexibility to accommodate experimentation in management methods for the recovery/restoration of sensitive species. (606)**

**Response:** Nothing in the FEIS precludes a flexible approach to sensitive species management. The recently released *Sierra Nevada Forest Plan Amendment* identifies adaptive management as one of the key elements of that decision (ROD, p.15). Adaptive management will allow the Forest Service to test new and innovative management techniques as part of formal research projects. This will also apply to sensitive species management, utilizing monitoring and feedback to modify activities as necessary to meet species viability or recovery goals.

## ***Adequacy of Supporting Environmental Data and Analysis***

**501: The Wilderness Planning Team should address the Environmental Protection Agency's concerns over the need for mitigation measures and the adequacy of information provided in the Draft EIS. (568)**

**Response:** Additional analysis is included in the FEIS on the cumulative effects of production livestock grazing to address EPA's concerns.

**502: The Revised Draft EIS should contain baseline data on the environmental condition of the wilderness areas at the time the Wilderness Act was passed in relation to the current environmental condition of the wilderness areas. (567)**

**Response:** We found nothing in the Wilderness Act that supports the assertion that conditions are to be essentially held at 1964 levels. The Act does state, "And these shall be administered for the use and enjoyment of the American people in such a manner as leave them unimpaired for future use and enjoyment as wilderness" (Sec 2a). The current condition is described in Chapter 3 of the FEIS. Available data from 1964 is displayed in Appendix I. Furthermore, Dinkey Lakes was not designated until 1984 with enabling legislation specifically indicating that use was not to go below 1979 levels.

**503: The Wilderness Planning Team should evaluate existing management plans for the John Muir and Ansel Adams Wilderness to allow informed decision-making regarding future management direction. (569)**

**Response:** The team analyzed available data from the past ten to twenty years. Current conditions were used to relate current issues to future management needs. Where possible trend information was utilized.

**504: The Wilderness Planning Team should provide a clear and accurate Summary of Limiting Factors. (186)**

**Response:** The limiting factors is a summary of known existing concerns. It is included as part of the Needs Assessment in Appendix D in the FEIS. It is not intended to quantify impacts.

**505: The Wilderness Planning Team should explain the Commercial Activities Growth Issue in Table 2.1, page II-11. (703)**

**Response:** Concerns expressed with this approach resulted in modification of management direction for growth in commercial services as described in Alternative 1, Modified, of the FEIS.

**506: The Environmental Consequences Section of the Final EIS should include a discussion about commercial wilderness users. (188)**

**Response:** Chapter 4 Environmental Consequences has been rewritten in the FEIS .

**507: The Wilderness Planning Team should study and provide data regarding the “actual” impact the proposed action will have upon the environment (environmental consequences), as required by NEPA. (566)**

**Response:** Chapters 3 and 4 of the FEIS describe the affected environment and the environmental consequences of the alternatives, including the proposed action.

**508: The Final EIS should contain accurate data regarding human use. (194)**

**Response:** Corrections to Table I-9 and I-8 in Appendix I that indicate the highest level of use have been made in the FEIS.

**509: Provide data regarding the actual percentage of wilderness area impacted by human use (564)**

**Response:** This specific data is not available. However, in the FEIS, Alternatives 1 and 1, Modified recognize that only a small portion of these wildernesses receives heavy use (less than 3 percent) and proposes management accordingly. Alternative 4 proposes management by trailed and trail-less areas. Alternative 2 manages for dispersed use across the whole landscape.

**510: The Wilderness Planning Team should revise its conclusions regarding acceptable rates of resource impacts in wilderness area ecosystems. (23)**

**Response:** The point at which impacts level off (Cole, Hall 1992) is not the point at which we are necessarily maintaining conditions. This research was cited to demonstrate that there is not a clear linear relationship between use and impact as earlier capacity studies were premised. In our assessment of quotas and current use levels, information on the level of use was integrated with information on conditions of resources to make a determination of the sustainability of the use level. Appendix L in the FEIS describes the assessment in more detail.

**511: The Wilderness Planning Team should provide better analysis and data regarding degradation of water quality in Alternative 4. (563)**

**Response:** The statements made regarding potential water resources impacts described in the Alternative 4 (pp. IV-7 to IV-9, RDEIS) were based upon professional judgment using the best information available. The FEIS includes an updated effects analysis on impacts of recreation use on water quality.

**512: The Wilderness Planning Team should provide a thorough analysis of the quantities and types of recreation responsible for specific impacts and develop a range of potential solutions. (360)**

**Response:** Although data is available for amounts and types of use, no data exists that assigns responsibility for impacts. The RDEIS displays a range of alternatives that provide different strategies to address resource and social concerns.

**513: The Wilderness Planning Team should provide data regarding the environmental effects of horses. (361)**

**Response:** Refer to the environmental effects analysis in Chapter 4 of the FEIS.

## ***Tribal Considerations and Heritage Resources***

### **Tribal Considerations**

**514: The Sierra National Forest should allow more time for local Indian tribes to fairly assess the multiplicity of complex issues in the Revised Draft EIS. (68)**

And

**515: The Sierra National Forest has failed to meet its consultation responsibilities to Indian tribes as mandated by the National Historic Preservation Act. (299)**

And

**516: The Final EIS should include a section devoted specifically to issues important to Native Americans. (65)**

And

**527: The Sierra National Forest should acknowledge and speak to the significance of aboriginal land rights. (67)**

And

**518: The Forest Service should conduct comprehensive surveys of wilderness areas with tribal representatives to inventory cultural resources and develop management plans. (64)**

And

**519: The final plan should ensure the continued historic use of packstock in wilderness areas. (63)**

And

**520: To be in compliance with the National Historic Preservation Act (183)**

And

**521: The Wilderness Planning Team should recognize the concern Native Americans have over the impacts of commercial activities on environmental and cultural resources. (66)**

**Response:** These concerns have been discussed at meetings during the development of a Programmatic Agreement (PA) between the forests, local tribes, the State Historic Preservation Office, and other interested parties such as packers, Backcountry Horsemen, and permittees. The concerns have been incorporated into the PA, which was designed primarily to address the impacts to historic properties within the wildernesses. This information is available in the planning record.

**522: The Wilderness Planning Team should select Alternative 2 because it is commensurate with the Mono Nation's indigenous values and beliefs. (562)**

**Response:** This preference for Alternative 2 is noted.

## **Heritage Resources**

**523: The Final EIS should include data and analysis regarding the potential impact on heritage resources. (61)**

**Response:** A Programmatic Agreement between the forests, local tribes, the State Historic Preservation Office, and other interested parties, such as packers, has been developed to address cultural and historical resources, known commonly as heritage resources. This PA complies with the Antiquities Act with respect to activities in the wildernesses.



**523: The Forest Service should comply with Code of Federal Regulations 36 CFR 219.24A regarding historical/cultural sites. (452)**

**Response:** This is not a Forest Plan Revision or significant amendment and therefore is not subject to 219.24A. These concerns have been discussed at meetings during the development of a Programmatic Agreement (PA) between the forests, local tribes, the State Historic Preservation Office, and other interested parties such as packers, Backcountry Horsemen, and permittees. The concerns have been incorporated into the PA, which was designed primarily to address the impacts to historic properties within the wildernesses. This information is available in the planning record.

## **Socio-Economic Considerations and Effects**

### **Economic Considerations**

**525: The Wilderness Planning Team should avoid causing negative economic impacts to local communities and businesses. (27)**

And

**526: The Forest Service should consider that restrictions on commercial packers will have little effect on the economy as a whole. (415)**

And

**527: Commercial Interests (430)**

And

**528: The Wilderness Planning Team should ensure viability for non-profit and educational permit holders. (425)**

**Response:** The economic and socio-economic impacts analysis of the alternatives has been updated in the FEIS in Chapter 4.

**529: The Forest Service should allow changing supply and demand factors to determine commercial service levels and prices. (69)**

**Response:** We do not consider demand as criteria to establish service day allocations. They are based on meeting wilderness management objectives. We normally do not control prices charged for commercial services provided by our permittees.

**530: The Wilderness Planning Team should ensure viability for commercial permit holders. (416)**

**Response:** In the FEIS, Alternative 1, Modified, responds to concerns raised regarding the controls proposed in Alternative 1 in the RDEIS.

**531: Replace all commercial trailhead quotas of zero with a 5-person minimum (417)**

**Response:** In the FEIS, Alternative 1, Modified, responds to this and provided criteria for commercial use on low use trailheads.

**532: Set trailhead quotas to the maximum group size (418)**

And

**533: Increase commercial trailhead quotas to accommodate standard group sizes (426)**

**Response:** In the FEIS, Alternative 1, Modified, changes the commercial quota to accommodate maximum party size on all trailheads with specific restrictions applied.

**534: The Wilderness Planning Team should ensure viability for commercial permit holders by providing adequate permit allocations. (419)**

**Response:** The Forest Service allocates use to commercial operators in wilderness to assist in meeting management objectives and provide sustainable and needed services. It is our responsibility to assure that any and all authorized uses are appropriate, sustainable, and forward management objectives.

**535: Re-allocate existing commercial service days to fewer outfitters (420)**

**Response:** This plan allocates overall service days by use, not individual allocations to operators. These decisions will be made in later site-specific analyses.

**536: The Forest Service should accommodate the need for permittees to guarantee client bookings by rejecting a single quota system for all users. (421)**

**Response:** In the RDEIS Alternative 2 proposes a single quota system. Alternatives 1, 3 and 4 propose different systems. This was analyzed along with a variety of other methods for rationing commercial use.

**537: Allow commercial outfits to write their own permits (422)**

**Response:** This is proposed and assessed in Alternatives 3 and 4 in the RDEIS.

**538: The Wilderness Planning Team should accommodate business cycles and the need for growth by setting aside blocks of unallocated service days. (423)**

**Response:** In the FEIS Alternative 1, Modified, proposes a temporary use pool for this purpose.

**539: The Wilderness Planning Team should set separate service day allocations for packstock operations and other types of permittees. (427)**

**Response:** In the FEIS Alternative 1, Modified, proposes separate pack station and outfitter guide quotas in those few areas where multiple commercial uses take place.

**540: The final plan should broaden commercial opportunity by providing allocations for non-traditional packstock operations. (424)**

**Response:** Alternatives 1 and 2 in the RDEIS provide a commercial allocation for non-traditional packstock.

**541: The Wilderness Planning Team should accommodate the needs of institutional groups by rejecting the 8-person group size limit of Alternative 2. (428)**

**Response:** This cross-country party size was proposed in Alternative 2 in the RDEIS and FEIS.

**542: The Wilderness Planning Team should ensure that service day allocation increases do not create economic incentives for packers to use more animals per client. (432)**

**Response:** The RDEIS presents alternative approaches to determining the type, number and amount of use that is to be allocated to outfitters and guides. These effects are analyzed and displayed in Chapter 4 of the RDEIS.

## ***Agency Costs of Commercial Use Management***

**543: The Forest Service should evaluate whether the costs of livestock grazing management can be justified given current funding constraints. (519)**

**Response:** The FEIS provides a Packstock Management Guide in Appendix G to achieve the goals and objectives described in Alternative 1, Modified.

**544: The Wilderness Planning Team should reduce management costs by requiring packers to pack in their own feed. (518)**

**Response:** The cost of conducting annual range readiness analysis and implementing grazing start dates is relatively low (\$1,500/year) as shown in the RDEIS, Table H-1. This low administrative cost is due to the fact that range readiness has been and will continue for other programs (e.g., snow gauging stations of CA Dept. of Water Resources, commercial livestock grazing both inside and outside the wilderness.)

Enforcement of a No Grazing Policy across the entire wilderness, throughout the summer season, would be much more costly than selective closures where resource protection is needed for rapid stabilization or recovery. As described in the RDEIS, page II-50, emphasis of pristine conditions, was considered and eliminated from detailed study.

## Demographics

**545: The final plan should protect wilderness areas from the effects of population growth by preventing increases in use. (26)**

**Response:** All action alternatives analyzed in the FEIS propose a range in limits on use.

**546: The Wilderness Planning Team should mitigate for demographic changes by reducing the maximum party size. (522)**

**Response:** Nothing in this plan precludes the Forest Service from taking any number of actions to insure the desired conditions are kept. One of the actions may be to address party size in a future analysis if the need emerges.

**547: The Wilderness Planning Team should accommodate changing leisure patterns by allowing growth in commercial services. (523)**

**Response:** The changing leisure pattern appears to be towards more eco-tourism opportunities and sustainable tourism. This is recognized in the Needs Assessment with the determination of the need for educational and learning opportunities along with changing demographics toward aging populations and learning based service providers. The alternatives in the RDEIS provide allocations specifically for these types of services in our mechanisms for growth. In the FEIS Alternatives 1 and 1, Modified, establish a set amount of service days for these types of activities.

**548: The final plan should accommodate the need for educational organizations to operate while schoolchildren are on summer vacation. (591)**

**Response:** In the FEIS Alternatives 1, 1 Modified and 2 provide allocations specifically for educational organizations.

## Social Values

**549: The Wilderness Planning Team should manage wilderness resources for the benefit of future generations. (524)**

**Response:** It is recognized that a segment of the public is demanding that these wildernesses be managed for the highest level of wilderness quality. The range of alternatives attempts to display options between high wilderness quality and human uses. Management objectives include managing these wilderness areas for the benefit of current as well as future generations.

**550: The Wilderness Planning Team should manage wilderness resources for the benefit of future generations. (526)**

**551: Eliminate restrictions on packstock users (527)**

**552: Abandon proposed restrictions on commercial users (528)**

**Response:** Nothing in the proposed alternatives in the FEIS would eliminate opportunities for packstock or commercial user to continue to enjoy these wilderness areas. Alternative 1, Modified, proposes to maintain current levels of commercial use and allows for increases.

## Special Populations

**553: Increase commercial trailhead quotas to control costs (434)**

**554: Eliminate restrictions on packstock outfitters (531)**

**Response:** In the FEIS Alternatives 1 and 1, Modified allow for existing levels of commercial packstock use to continue through the same mechanisms as the general public; a daily entry limit in management of commercial and non-commercial visitors. Alternatives 3 and 4 propose allocations to commercial use that is similar to that which is currently in place.

**555: Allocate permits preferentially to non-profit organizations (435)**

**Response:** See Appendix D for the Needs Assessment. It explains our rationale for determining allocations to commercial operations.

**556: Increase access for non-commercial users (436)**

**Response:** The alternatives displayed in the FEIS provide a range of quotas for all users. Alternative 3 maintains current levels of use, while Alternatives 1 and 1 Modified adjust use to reflect resource and social concerns. Alternative 4 proposes more visitor freedom.

**557: The final plan should avoid discrimination against minorities by eliminating complicated trailhead quota and user permit systems. (611)**

**Response:** We consider our permit system to be “user-friendly”. Our staff is always willing to help anyone obtain a permit and we welcome suggestions and comments for improvement of the system.

**558: The Wilderness Planning Team should avoid discrimination against lower-income clients. (433)**

And

**559: The Wilderness Planning Team should eliminate restrictions on packstock users to assure adequate access for senior citizens and the disabled. (532)**

And

**560: The Wilderness Planning Team should balance the needs of special populations with those of non-packstock supported users. (535)**

And

**561: The Wilderness Planning Team should eliminate restrictions on commercial packers to comply with the Rehabilitation Act of 1973 regarding accessibility for the disabled. (533)**

And

**562: The Forest Service should restrict packstock use with exceptions for the disabled. (537)**

And

**563: The Forest Service should encourage packers to haul freight for special populations rather than provide full service trips. (538)**

And

**564: The Final EIS should fully evaluate the effects of packstock restrictions on special populations. (586)**

**Response:** Some commenters suggested that one or more of the alternatives might discriminate against a variety of special populations. We have been extremely careful to craft management direction that is equally fair to all users.

In addition we know of no documentation that pack stations take many visitors into the wilderness who are physically unable to walk. It is known that they do serve these populations and this is articulated as a need. The RDEIS provides a range of allocations to commercial pack station operators. We consider this adequate to address the needs of special populations. In addition, Alternatives 1 and 1, Modified in the FEIS propose additional temporary allocations to provide additional access and service.

**565: The Final EIS should acknowledge that many older visitors do not require packstock assistance. (534)**

**Response:** This correction was made in the Needs Assessment in Appendix D of the FEIS. We did not intend to imply that all older visitors require packstock support.

**566: The Forest Service should offer reduced permit fees for senior citizens. (536)**

**Response:** There are no fees to obtain a wilderness permit. A reservation fee for a permit is assessed at \$5.00 per person.

**567: The Forest Service should not discriminate against people who are unwilling to walk. (539)**

**Response:** The RDEIS does not discriminate against persons who are unwilling to hike. The largest allocations for commercial services are for activities supported by packstock.

## Private Inholdings

**568: The final plan should ensure the historic rights of private inholders. (573)**

**Response:** The rights of private landowners and their successors are assured of adequate access in the 1964 Wilderness Act (Sec. 5(a)). Private ownership within the planning area will be unaffected by this analysis.

## Adequacy of Supporting Data

**569: One of the requirements of NEPA is that proposed management actions must address what are the economic effects on local communities. The Final EIS should include the names of planning team economic specialists, their qualifications, and report findings. (578a)**

**Response:** NEPA does not require addressing economics in an EIS. However, issues raised throughout this analysis have resulted in the display of the economic consequences in this FEIS. The economic effects analysis is displayed in Chapter 4 of the FEIS. The list of preparers, including an economist, is displayed in Chapter 5.

**570: A serious issue with the entire Needs Assessment document is the qualification of the individuals who are listed as Contributors. (578b)**

**Response:** The contributors to the Needs Assessment represent a cross section of staff with special use expertise, permit administration background and training, and people who have experience in the business of outfitting and guiding.

**571: The Final EIS should include actual figures related to commercial permit administration. (575)**

**Response:** This information is not included in the FEIS, as it was not considered relevant to the decision being made. See response to Comment 578a.

**572: The Final EIS should provide data to support the claim that special populations must utilize commercial packers and that there is insufficient capacity to meet demand. (580)**

**Response:** This statement is found in the Socio-economic Section of Chapter 3 in the RDEIS. In context, it points out that *some* disabled people require assistance. The Needs Assessment in Appendix D acknowledges the need for providing services that support this segment of the population.

**573: The Final EIS should provide data to support the assertion that most long-term residents favor multiple-use over environmental protection. (583)**

**Response:** The characterization in the RDEIS for long-term residents was for the planning area as a whole, including communities on both the East and West side. The statement says, “Most long-term residents want to maintain their environmental quality and support policies that protect and enhance forest health while permitting multiple uses”. This section has been rewritten in Chapter 3 of the FEIS to provide more clarity.

## **Adequacy of Socio-Economic Analysis**

**574: The Final EIS should provide a detailed analysis of local socio-economic effects. (29)**

And

**575: The Final EIS should balance and quantify the socio-economic analysis by including effects on non-commercial users. (585)**

**Response:** NEPA does not require addressing economics in an EIS. However, issues raised throughout this analysis have resulted in the display of the economic consequences in this FEIS. The economic effects analysis is displayed in Chapter 4 of the FEIS. The list of preparers, including an economist, is displayed in Chapter 5.

**576: The Final EIS should include the effects analysis for minority and low-income populations referenced in the RDEIS. (587)**

**Response:** In the RDEIS, Chapter 4 Socioeconomic Environment contains this analysis. In addition, many of these issues are addressed for the Sierra Nevada Range in the recently released FEIS for the *Sierra Nevada Forest Plan Amendment*.

**577: The Final EIS should incorporate findings from visitor survey research in the socio-economics effects analysis. (588)**

**Response:** The perception of conflict between stock and hikers is addressed as a significant issue in this analysis. It is felt that additional references would not help resolve this issue.

**578: Include University of Arizona survey (590)**

**Response:** A more complete display of results from the University of Arizona study is provided in Appendix N of the FEIS. Additionally, more data and analysis is contained in the planning record.

# Document Clarity

## *Clarity of Language*

**579: The Wilderness Planning Team should clarify language found in the Revised Draft EIS. (546)**

**Response:** The FEIS has been updated with clarifications added, including the glossary.

## *Technical and Editorial Accuracy*

**580: The Wilderness Planning Team should ensure that all documents released for public review are carefully edited. (21)**

**581: The Wilderness Planning Team should make specific editorial corrections. (219)**

**Response:** We have initiated a process of review to assure the proper preparation of the final FEIS. It is our intent to produce a product that is clear and readable.

## *Suggestions for Consideration in the FEIS*

**582: The Forest Service should sign wilderness trails. (469)**

**583: The Forest Service should place informational signs at trailheads. (252)**

**584: The Forest Service should limit signing in wilderness. (692)**

**585: The Forest Service should prohibit any administrative marking of trees in wilderness. (592)**

**586: The Forest Service should prevent illegal motorized winter entry to the Ansel Adams Wilderness area. (117)**

- 587: The Final EIS should address the illegal reopening of the McGee Mountain Road.667: The final plan should impose elevational restrictions on packstock. (253)**
- 588: The Forest Service should require permit applicants to reveal cross-country travel plans. (641)**
- 589: The Forest Service should work collaboratively to guarantee public access rights-of-way across private lands. (610)**
- 590: The Forest Service should eliminate subsidies to livestock producers by phasing out commercial grazing. (520)**
- 591: By banning the use of technologies (328)**
- 592: The Forest Service should close the Reds Meadow area and the access road to the area from Minaret Vista to snowmobiles to protect the environment and other visitors. (597)**
- 593: The Wilderness Planning Team should limit the amount of baggage that can be carried by animals to less than 50 pounds per person. (106)**
- 594: Require outfitter/guides to pack out stock waste. (711)**
- 595: Forest Service should use time zones to differentiate uses. (542)**
- 596: The Forest Service should establish adjustable trailhead quotas that cannot increase but may decrease in the future. (14)**
- 597: The Wilderness Planning Team should set up distance and time constraints between groups. (391)**
- 598: The Wilderness Planning Team should limit stock parties to no more than three per week on any given trail. (726)**
- 599: The final plan should prohibit free-running packstock on trails. (670)**
- 600: The Wilderness Planning Team should require all stock to wear rubber shoes. (721)**
- 601: The Forest Service should designate watering areas for stock. (499)**

- 602: The Forest Service should levy a trail impact mitigation fee on packstock users. (695)**
- 603: The Forest Service should remove all human artifacts from wilderness. (114)**
- 604: The Forest Service should place elevational restrictions on certain types of activities. (483)**
- 605: The Wilderness Planning Team should prohibit the use of floatation devices (float tubes, rafts, canoes, etc.) in wilderness lakes to protect waterfowl. (706)**
- 606: The Forest Service should ensure that the full environmental and agency costs of commercial use management be borne by permittees. (437)**
- 607: The Forest Service should only subsidize for-profit operations if equivalent value accrues to the public. (439)**
- 608: The Forest Service should provide retraining assistance to affected local residents rather than subsidize unprofitable businesses. (438)**
- 609: The Forest Service should consider direct subsidies to outfitters as an alternative to increase permit allocations. (450)**
- 610: The Forest Service should protect the traditional rural way of life of local residents. (529)**
- 611: The Forest Service should not make special accommodations for those who are capable but unwilling to walk. (572)**
- 612: The Wilderness Planning Team should eliminate non-native animal and plant species. (708)**

**Response:** Many comments were received on the RDEIS. Commenters to the FEIS made many excellent suggestions. However it was not possible to include everything we heard from the public in this document. We have attempted to address as many as possible in the responses. Also, many of the suggestions were incorporated into Alternative 1, Modified.

## ***Comments Related to Implementation***

- 613: The Wilderness Planning Team should adjust the method of permit allocation using a different process. (373)**
- 614: By enforcing orders to protect bighorn sheep. (340)**
- 615: The Forest Service should increase enforcement in the Wilderness areas. (553)**
- 616: The Forest Service should stringently enforce motorized entry prohibitions into the wilderness areas. (657)**
- 617: Include realistic monitoring levels based on staffing resources. (34)**
- 618: The Forest Service should sign as closed user created trails causing resource damage. (241)**
- 619: The Inyo National Forest should evaluate whether the costs of off-season pack animal care are prudent given current funding constraints. (521)**
- 620: The Forest Service should base its permit fee structure on meeting cost recovery of services. (645)**
- 621: The Wilderness Planning Team should revise its permit fee structure to include refundable and non-refundable deposits. (710)**
- 622: The Forest Service should sign wilderness trails. (469)**
- 623: The Forest Service should place informational signs at trailheads. (252)**
- 624: The Forest Service should limit signing in wilderness. (692)**
- 625: The Forest Service should prohibit any administrative marking of trees in wilderness. (592)**

**Response:** Some comments were related more toward implementation than the development of a management plan. We understand and share the concern over our ability to implement decisions arising from the FEIS.

## ***Outside the Scope***

**626: The BLM should allow cattlemen to manage grazing on BLM land. (684)**

**Response:** This comment has no relationship to this planning effort on National Forest System lands.

**627: The idea that nearly half of the total trailheads would not be maintained for public use is a travesty. (467)**

**Response:** The RDEIS or the FEIS does not propose non-maintenance of half of the total trailheads.

**628: This letter should inform your committee about my complete dissatisfaction with the proposed closing of gas stations, and restrooms, and all other services needed in the Sierra Mountain range and State Parks. (135)**

**Response:** Nothing in this analysis proposes closing gas stations and restrooms, and any other services in the Sierra Mountain range or any State Parks. This is considered to be outside the scope of this analysis.

**629: The Wilderness Planning Team should indicate the number of forest fires caused by campfires as well as those caused by lightning strikes. (491)**

**Response:** This issue does not directly relate to the analysis and is therefore was not been considered.



