

**File Code:** 2670

**Date:** May 18, 2016

**Route To:** File

**Subject:** Forest Order No. 05-15-00-16-01 - Wilderness Permits

**From:** Dean Gould, Forest Supervisor

This document explains my rationale and the regulatory basis for renewing and implementing a Wilderness Permit Order within wilderness areas on the Sierra National Forest.

The purpose of this Forest Order is to protect public safety, natural resources, and wilderness values established by the 1964 Wilderness Act within the John Muir, Ansel Adams, Dinkey Lakes, Kaiser, and Monarch wildernesses in the Sierra National Forest. The Order requires wilderness permits for all people camping overnight in these areas. The Order facilitates the Forest's implementation of the management direction in the Wilderness Management Plan for the Ansel Adams, John Muir and Dinkey Lakes Wildernesses (2001), and provides a means to contact, educate and inform all visitors about safety and resource concerns throughout the wilderness areas in the Sierra National Forest.

The Wilderness Management Plan states that "Wilderness permits are required year-round for all overnight use..." (Pg. 18).

The Record of Decision for the Ansel Adams, John Muir, and Dinkey Lakes Final Environmental Impact Statement directs the Forest to continue "with a year-round permit system for...overnight use in all three wildernesses" (Pg. 3). The wilderness permit system is recognized "as a significant means in which we make contact and provide education to wilderness users. The wilderness permit system also provides useful information during search and rescue efforts." (Pg. 13).

The wilderness permit requirement has been in place in the Sierra NF since at least 1977 (Regional Order 77-1). A trailhead quota entry system exists for all wilderness trailheads on the Forest. The quota system is the primary means of preserving outstanding opportunities for solitude as required by the 1964 Wilderness Act (P.L. 88-577). The Forest issues wilderness permits to visitors to allocate daily use at each trailhead up to the quota limit.

The trailhead quota system is also the primary means of regulating access by commercial Outfitters & Guides. Use of the wilderness permit system for this purpose is required by 2008 Order for Injunctive Relief No. C-00-01239 EDL. The Order for Injunctive Relief states that "the commercial trailhead quotas in the 2001 Plan shall be implemented at the beginning of the 2008 operating season, and complied with." This Forest Order is the mechanism by which compliance with the trailhead quotas can be enforced.



The objective of the Order is to protect public safety and resources within wilderness from the effects that would be caused by unlimited access. I have concluded that this decision may be categorically excluded from documentation in an Environmental Impact Statement (EIS) or Environmental Assessment (EA) under the National Environmental Policy Act. This action falls within the category identified in 36 CFR 220.6(d)(1) - prohibitions to provide short-term resource protection or to protect public health and safety - and does not require documentation in a decision memo, decision notice, or record of decision. I have determined that there are no extraordinary circumstances associated with this temporary closure. Implementation of the decision may begin immediately.

Forest Order No. 05-15-00-16-01  
Sierra National Forest  
Wilderness Permit Restriction

Pursuant to 16 USC 551 and 36 CFR 261.50(a), and to provide for public safety and protect natural resources, the following act is prohibited within the Sierra National Forest. This Order is effective from May 19, 2016, through May 19, 2018.

1. Camping in the John Muir, Ansel Adams, Dinkey Lakes, Kaiser, and Monarch Wildernesses.

36 CFR 261.58(e).

Pursuant to 36 CFR 261.50(e), the following persons are exempt from the Order:

1. Persons with a valid Forest Service Wilderness Permit authorizing the otherwise prohibited act or omission.
2. Any Federal, State, or local Officer or member of an organized rescue or fire fighting force in the performance of an official duty.

These prohibitions are in addition to the general prohibitions contained in 36 CFR Part 261, Subpart A.

A violation of these prohibitions is punishable by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than six months, or both. 16 USC 551 and 18 USC 3559, 3571, and 3581.

Executed in Clovis, California on May 18th, 2016.



DEAN GOULD  
Forest Supervisor